

MINUTES
PUBLIC SAFETY COMMISSION
February 3, 2009
Austin, Texas

The Public Safety Commission met in Austin, Texas on February 3, 2009. Attending the meeting were Chairman Allan Polunsky and Commissioners Tom Clowe. Commissioners Carin Barth and John Steen were present via teleconference. Commissioner Ada Brown was unable to participate. DPS staff members and guests were also present.

The meeting was called to order by Chairman Polunsky at 12:11 p.m. Roll call was taken. It was confirmed that proper notice had been posted for an emergency meeting to be held via telephone conference call with those members not able to be present.

Commissioner Clowe stated the following:

"Mr. Chairman, I believe it is important for the Commission to document the reason for this emergency meeting and the need for telephonic conference with members not readily available to meet in person. I believe your roll call reflected that we have two members present in our usual meeting place at 6100 Guadalupe in Austin in the Criminal Law Enforcement Building. We also have two members telephonically attending, being Commissioners Barth and Steen. I understand Commissioner Brown was not available today. The following information has been either provided to me or known to me and I believe it would be beneficial for the Commission to hear it in the form of a motion and then either confirm or deny the findings requested by the motion."

"I move that the Commission document that :

Notice of this meeting was posted with the Secretary of State on Thursday evening, January 29, 2009; the agenda has a subject matter of significant importance to public safety in the State of Texas. After our last meeting, the Commission became aware of possible funding support for a substantial addition to our patrol fleet, however this matter needs to be considered in light of the exceptional budget items we adopted at our January 15, 2009 meeting. The next regularly scheduled meeting is February 19, 2009 and with the legislature in session, the Department is scheduled to present the exceptional budget items to the Senate Finance Committee the morning of that same day. We need to be prepared prior to that Senate Committee meeting to take action on this matter of public necessity and safety for it to be addressed by the Senate. This is an agenda item on which we should hear more details from the Department staff, but it appears to involve a matter affecting public safety which we could not have reasonably foreseen as necessary to address at our last meeting. The possible addition of these fleet patrol units became a critical and time-sensitive opportunity last week. The Chair asked for the Commission members to be

polled on or about January 29, 2009 in order to determine their availability on short notice to meet as early as today, February 3, 2009. It is my understanding that when members were contacted, it became apparent that assembling a quorum of members for today's meeting with such short notice would have at best been difficult. We do not have a quorum present in person, but we do by using telephonic conference. I hereby move that the Commission consider my summary of what I believe to be the facts necessitating this meeting today, and if the Commission members are in agreement that such facts appear to be true, that we proceed to adopt them as a finding to support the basis for this Emergency Meeting and telephonic conference of the Commission." Commissioner Steen seconded the motion. Motion passed unanimously.

Oscar Ybarra, Chief of Finance, and David Baker, Chief of Texas Highway Patrol, briefed the Commission on the additional patrol units. Michael Kelley, Legislative Liaison, suggested wording in the back up documentation to be included in the Exceptional Items List for this item. A motion was made by Commissioner Steen and seconded by Commissioner Clowe approving the inclusion of the 450 additional patrol vehicles as Priority Item #5 in the Department's FY10-11 Exceptional Items. There was some discussion on this item. Jerry Newbury, Fleet Operations Manager, commented on the question of additional maintenance personnel needs. Motion passed unanimously.

There being no further business, the meeting was adjourned at 12:55 p.m.

** A digital recording of this entire meeting is available upon request.