

AGENDA
Public Safety Commission Meeting
August 12, 2021, 10:00 a.m.
6100 Guadalupe, Building E
Austin, TX 78752

The Public Safety Commission will convene as posted to consider and take formal action, if necessary, on the following agenda items:

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGES**
- IV. APPROVAL OF MINUTES**
- V. PRESENTATIONS**
- VI. PUBLIC COMMENT**
(Members of the public wishing to address the Commission are subject to a time limit of 5 minutes and must complete a Public Comment Registration Card located at the entry. Should a member of the public bring an item to the Commission for which the subject was not posted on the agenda of the meeting, state law provides that the Commission may receive the information but cannot act upon it at the meeting. The Commission may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion.)
- VII. DIRECTORS REPORT**
 - A.** Operation Lone Star – Border Security Update
- VIII. NEW BUSINESS**
 - A.** Report, discussion, and possible action on the Hiring Age and Mandatory Retirement Analysis
 - B.** Report, discussion, and possible action on the Fiscal Year 2022 Operating Budget
 - C.** Report, discussion, and possible action regarding the proposed FY 2022 CAO Internal Audit Strategy
 - D.** Report, discussion, and possible action regarding salary structure of senior management team

- E. Discussion and possible action to approve increase of Director's salary to amount authorized by the 87th Legislature
- F. Final Determination in Contested Cases – consideration and possible action on Proposals for Decision:
 - 1. SOAH Docket No. 405-21-0977.MVI – Keny Vidal
 - 2. SOAH Docket No. 405-21-1111.PSB – Ashutosh Patel
- G. Report, discussion, and possible action on the following rule proposals for publication to receive public comment:
 - 1. Amendments to 37 TAC Section 6.14 and new Section 6.17, concerning Eligibility and Application Procedures for a License to Carry a Handgun
 - 2. New 37 TAC Section 36.38, concerning Marking of Catalytic Converters
 - 3. Repeal of 37 TAC Section 36.52, concerning Advisory Letters, Reprimands and Suspensions of a Certificate of Registration
 - 4. Amendments to 37 TAC Section 36.55 and Section 36.60, concerning Disciplinary Procedures and Administrative Procedures
 - 5. Repeal of 37 TAC Sections 7.1 – 7.3, concerning Emergency Management Program Requirements
 - 6. Repeal of 37 TAC Sections 7.11 – 7.13, concerning Emergency Management Planning and Preplanning Requirements
 - 7. Repeal of 37 TAC Sections 7.21 – 7.27, concerning Emergency Management Operations
 - 8. Repeal of 37 TAC Sections 7.41 – 7.45, concerning Recovery and Rehabilitation Requirements
- H. Intelligence Threat Briefing (Clearance Required – Executive Session Expected)

IX. ONGOING BUSINESS

- A. Report, discussion, and possible action regarding the modification of the DPS organizational structure and the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team
- B. Report, discussion, and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session anticipated)

X. REPORTS

- A. Commission member reports and discussion
- B. Finance Report
- C. Chief Auditors Office
- D. Division status reports on activities and action

XI. CONSENT ITEMS

All of the following items may be enacted with one motion. These items are typically self-explanatory or have been previously considered by the Commission. There will be no separate discussion of these items unless a commissioner so requests.

- A.** Advise and consent regarding director’s determination that certain probationary employees were found unsuitable for work during July 2021
- B.** Discussion and possible action on appointments of Special Rangers and Special Texas Rangers pursuant to Government Code Chapter 411, Secs. 411.023 & 411.024: Special Rangers: Jason E. Brewer, Jimmy D. Chesnut, Carl R. Clary, Kent A. Coleman, Barry P. Evans, John A. Hallenbeck, Jon T. Janica, Mark A. Koenig, Jesus F. Pena, Stacy W. Schwab, Ethan C. Upshaw, and Charles G. Wheeler; Special Texas Rangers: Brad A. Oliver and Kenneth R. Parks
- C.** Donations:
 - 1. Texas Highway Patrol – donation by Reaud Charitable Foundation for awning construction at the Beaumont District Office
 - 2. Additional donation items, as needed

XII. ITEMS FOR FUTURE AGENDA

XIII. DATE FOR FUTURE MEETING

Discharge hearings will be scheduled for October 13, 2021. The regular Public Safety Commission meeting is scheduled for October 14, 2021.

XIV. ADJOURN INTO EXECUTIVE SESSION

(If required) to consult with legal counsel regarding pending or contemplated litigation or settlement offers or to receive legal advice on items posted on this agenda; deliberation regarding real estate matters; consideration of any other items authorized by law, including personnel matters, the director’s action of discharging employees as identified in this agenda; ongoing criminal investigations

XV. ADJOURN

The Commission may take items out of the order in which they are posted on this agenda. Also, an item that has been adopted, passed upon, delayed or tabled for a later meeting may be considered or reconsidered at the same meeting. The Public Safety Commission may meet and discuss in Executive Session and have action taken in an Open Meeting where required on the following items: Government Code Sec. 551.071 Consultation and deliberation with legal counsel about pending or contemplated litigation or a settlement offer, or on a matter where the

Commissioners seek the advice of their attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, and to discuss the Open Meetings Act and the Administrative Procedures Act with their attorney

Government Code Sec. 551.074 Appointment, employment, evaluation, reassignment, duties, discipline or dismissal of director, assistant director, and persons appointed to management team positions pursuant to Govt. Code Sec. 411.0071

Government Code Sec. 551.076 Deliberations about security audits, security devices, including deployment and implementation of security personnel and devices

Government Code Chapter 411, Sec. 411.0041 Ongoing criminal investigations

Government Code Sec. 551.072 Deliberation of the purchase, exchange, lease, or value of real property, if deliberation in an open meeting would have a detrimental effect on the position of the government body in negotiations with a third person

Government Code Sec. 551.073 Deliberation of a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person