

AGENDA
Public Safety Commission Meeting
March 21, 2012, 9:00 a.m.
Criminal Law Enforcement Auditorium
6100 Guadalupe, Bldg 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. DISCHARGE APPEAL HEARING**
Continuance of discharge appeal hearing and possible action regarding DPS employee Michael Deck
- III. APPROVAL OF MINUTES**
- IV. 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)
- V. DIRECTORS REPORT**
 - A.** Presentation of Medal of Merit awards
 - B.** Recognition of Victoria Sungino recipient of the 2012 Texas Public Employees Association Unsung Hero Award
- VI. NEW BUSINESS**
 - A.** Report, discussion and possible action regarding the Department's evaluation and discipline of DWI offenses for commissioned and non-commissioned personnel
 - B.** Report and discussion regarding communications equipment for commissioned personnel
 - C.** Review of pending contract renewals/change orders/awards
 - 1. Modification of Learning Management System for enhancements and application discovery (Saba Consulting Inc)
 - 2. MegaCenter biometric equipment purchase (Morpho Trust)
 - D.** Report, discussion, and possible action on proposed amendments to Texas Highway Patrol Rule for publication to receive public comment: Rule 3.52, 37 TAC Sec. 3.52 concerning Police Traffic Supervision on Interstate Highways in Cities of Over 50,000 Population
- VII. 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
- VIII. ONGOING BUSINESS**

Reports, discussion and possible action regarding the following:

- A.** Report, discussion and possible action regarding 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 by the Commission regarding modification and transformation of the DPS organizational structure approval of personnel placements and salaries pursuant to Government Code chapter 411, Secs. 411.005, 411.006 and 411.0071
- C.** Follow-up report, discussion and possible action on the Department of Public Safety ethics policy and reporting requirements
- D.** Update report, discussion and possible action regarding the status of building safety and security at the DPS campus on North Lamar
- E.** Report, discussion and possible action on the Fiscal Year 2012 Operating Budget
- F.** Report, discussion and possible action regarding purchases using seized funds
- G.** Update Report, discussion and possible action regarding recruitment
- H.** Report, discussion and possible action regarding Continuity Plan at the Department of Public Safety
- I.** Status report, discussion and possible action on Department generators – specifically conversation updates with electrical companies around the state
- J.** Report, discussion and possible action regarding Emergency Management’s procurement status of RFP for audit services with respect to Federal monies for past grants
- K.** Report, discussion and possible action regarding Emergency Management disaster response contract services
- L.** Report, discussion and possible action regarding Commission requests for additional auditing to be performed by the Chief Auditor’s Office
Real Estate
- M.** Report, discussion and possible action on Driver License monthly updates
- N.** Update report, discussion and possible action on the presentation of the Office of Inspection General 2011 Annual Report of Operations and OIG resource allocations/regional assignments of personnel Response to Commissioner Steen regarding OIG recommendations
- P.** Report, discussion, and possible action regarding the adoption of proposed amendments to Driver License Rule: 15.25, 37 TAC Sec. 15.25 concerning alternate address for Peace Officers
- Q.** Report, discussion and possible action regarding the adoption of proposed amendments to Driver License Rule: Rule 15.38, 37 TAC Sec. 15.38 concerning Fee Exemptions

IX. REPORTS

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

X. CONSENT ITEMS

- A.** 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 Ranger: Miguel A. Campos, James Von Debrow III, Reginald B.

Fields, Charles L. Garrett Jr., Mark W. Ginn, Samuel E. Morris, Fred E. Richnow, Bruce W. Roberts, Jerry T. Sanders and Kenneth R. Sellers; Special Texas Ranger: Donald R. Morris

- B.** Report, discussion, and possible action regarding the adoption of proposed reorganization of Chapter 21, Equipment and Vehicle Safety Standards, including: the repeal of Rules 21.2 – 21.4, and 21.7, 37 TAC Secs. 21.2 – 21.4, and 21.7, amendments to Rule 21.1, 37 TAC Sec. 21.1, and new Rules 21.2 – 21.7, and 21.9, 37 TAC Secs. 21.2 – 21.7, and 21.9
- C.** Acknowledgement of donation of four cases of Tecan pipette tips to TXDPS Laboratory facilities – HQ Austin (donation by Tecan, Inc)

XI. ITEMS FOR FUTURE AGENDA

XII. DATE FOR FUTURE MEETINGS

XIII. 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 governmental 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