

AGENDA
Public Safety Commission Meeting
September 16, 2010 10:30 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. APPROVAL OF MINUTES**
- III. 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)
- IV. DIRECTOR'S REPORT**
- V. NEW BUSINESS**
 - A.** Presentation on DPS Memorial Ride
 - B.** Report, discussion and possible action to appoint search committee to retain new General Counsel
 - C.** Report, discussion, and possible action to authorize the Department to request approval to use unexpended local border security funds to enhance aerial surveillance along Texas/Mexico border for border security operations and transnational gang investigations
 - D.** Report, discussion and possible action regarding proposed FY 2011 OAI Plan and role of Commission contact in audit and inspection processes
 - E.** Report, discuss and possible action regarding Driver License Division Reorganization and Improvement Plan
 - F.** Report, discussion, and possible action regarding the adoption of a negotiated rulemaking policy as provided under Government Code 411.0044
- VI. 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
- VII. ONGOING BUSINESS**

Reports, discussion and possible action regarding the following:

 - A.** Discussion and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team
 - B.** Committee report on 28-day work cycle and Overtime and Compensatory Time policy

- C. Update report, discussion, and possible action by the Commission regarding modification and transformation of the DPS organizational structure approval of personnel placements and salaries to pursuant to Government Code chapter 411, Secs. 411.005, 411.006 and 411.0071
- D. Report discussion and possible action on matters affecting the Office of Inspector General, Texas DPS operations:
 - 1. Consideration of policies for OIG operational oversight pursuant to Government Code 411.244(d);
 - 2. Personnel update including status of Captain selections;
 - 3. Update on OIG facilities and office space
- E. Update report, discussion and possible action regarding the status of building safety and security at the DPS campus on North Lamar
- F. Report, informational only, on new and pending contracts:
 - 1. Amendment No. 5 to Contract for the Motor Vehicle Financial Responsibility Verification System (TexasSure)
 - 2. TXDPS Livescan Maintenance & Support Services
 - 3. Audit Services of Federal Emergency Management Agency (FEMA) approved Public Assistance Program grants
- G. Report, discussion and possible action on the Fiscal Year 2010 - 2011 Operating Budget
- H. Report, discussion and possible action regarding purchases using seized funds
- I. Update Report, discussion and possible action regarding recruitment
- J. Final report, discussion and possible action on 75th "Diamond Jubilee" Anniversary of the Department from the Diamond Jubilee Committee

VIII. REPORTS

- A. Commission member reports and discussion
- B. Finance Report
- C. Audit & Inspection Report
- D. Division status reports on activities and action

IX. CONSENT ITEMS

- A. Discussion and possible action on the Director's Action of discharging probationary employee Ana Adkison
- 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 - James R. Sanders; Special Texas Rangers – Salvador Abreo and Alvin Schmidt
- C. Discussion and possible action on proposed rules for publication:
 - 1. Proposed new Rules 1.281 – 1.284, 37 TAC Secs. 1.281 – 1.284, regarding Negotiated Rulemaking Policy
 - 2. Proposed amendments to Rule 4.37, 37 TAC Sec. 4.37, regarding Acceptance of Out-of State Commercial Vehicle Inspection Certificate
 - 3. Proposed amendments to Rules 14.32, 14.33, and 14.36, 37 TAC Secs. 14.32, 14.33, and 14.36, regarding School Bus Driver Safety Training Program

4. Proposed amendments to Rules 14.52 and 14.54, 37 TAC Secs. 14.52 and 14.54, regarding School Bus Safety Standards

X. ITEMS FOR FUTURE AGENDA

XI. DATE FOR FUTURE MEETINGS

XII. 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