

**AGENDA**  
**Public Safety Commission Meeting**  
**November 30, 2010 9:30 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.** Discharge appeal hearing and possible action regarding DPS employee Filiberto Montes
  - B.** Report, discussion and possible action regarding proposed new rule 37 Tex. Admin. Code, Section 15.49 concerning the requirement of proof of domicile before the issuance of a non-commercial driver license or identification certificate
  - C.** Report, discussion and possible action regarding proposed new rule 37 Tex. Admin. Code, Section 16.15 concerning the requirement of proof of domicile before the issuance of commercial driver license
  - D.** Discussion and possible action to adopt policies regarding the division of responsibilities between the commission and the director and staff of the department as provided under Government Code 411.0042
  - E.** Review of pending contract renewals
    - a. In-Car Mobile Video Systems for Texas Highway Patrol vehicles (Enforcement Video, L.P.)
    - b. American Association of Motor Vehicle Administrators Network/CDL Service for the Driver License Division (AAMVA)
    - c. Blanket order for mail service and postage for presort and bar-coding of first class mail (Pitney Bowes Presort Services)
- 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.** Report, discussion and possible action in search to retain new General Counsel
- B.** Committee report on 28-day work cycle and Overtime and Compensatory Time policy
- C.** Discussion and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team
- D.** Update 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
- E.** Update report, discussion and possible action regarding the status of building safety and security at the DPS campus on North Lamar
- F.** Report, discussion and possible action on the Fiscal Year 2011 Operating Budget
- G.** Report, discussion and possible action regarding purchases using seized funds

## **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 appointments of and renewals of Special Rangers and special Texas Rangers Pursuant to Government Code Chapter 411, Secs. 411.023 & 411.024
- B.** Discussion and possible action on proposed rules for publication:
  - 1.** Proposed new Rule 1.44, 37 TAC Sec. 1.44, regarding Legislative Leave Pool
  - 2.** Proposed amendments to Rule 15.163, 37 TAC Sec. 15.163, regarding Indigency, Incentive and Amnesty Programs
- C.** Discussion and possible action on adoption of 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