

AGENDA
Public Safety Commission Meeting
October 18, 2011, 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. DIRECTORS REPORT**
 - A.** FBI Presentation
- V. NEW BUSINESS**
 - A.** Discharge Appeal Hearing and possible action regarding DPS employee Juan Lozano.
 - B.** Report, discussion, and possible action by the Commission regarding the appointment of members to the Vehicle Inspection Advisory Committee under Transportation Code, section 548.006
 - C.** Discussion and possible action to authorize the Director to execute a deed conveying 0.0156 acres of real property for highway purposes in Rosenberg to the Department of Transportation under the authority of Transportation Code, Section 203.055
 - D.** Briefing on the "Texas Science and Engineering Festival"
 - E.** Report, discussion and possible action regarding the adoption of proposed new Capitol Access Pass Rules: Rules 2.1 – 2.13, 37 TAC Secs. 2.1 – 2.13, concerning the establishment of rules for Capitol Access Pass
 - F.** Report, discussion and possible action regarding the adoption of amendments to Commercial Driver License Rule: Rule 16.2, 37 TAC 16.2, concerning Commercial Motor Vehicles and Licensing Definitions
- 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 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. Update report, discussion and possible action regarding the status of building safety and security at the DPS campus on North Lamar
- D. Status Report and discussion regarding HB 2131 the development of rules for eligibility, application, approval, issuance, and renewal for a Capitol Access Card
- E. Report, discussion and possible action on the Fiscal Year 2011 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. Follow-up report, discussion and possible action regarding creation of a foundation to benefit the Texas Department of Public Safety
- J. Follow-up report, discussion and possible action on the Department of Public Safety ethics policy and reporting requirements
- K. Status report, discussion and possible action on TxDOT median dividers and effectiveness in deterring vehicles crossing over and law enforcement turn around areas
- L. Follow up report, discussion and possible action on Chief Auditors Office Open Issues – aging and corrective action
- M. Status report, discussion and possible action on Department generators – specifically conversation updates with electrical companies around the state

VIII. REPORTS

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

IX. CONSENT ITEMS

- A. Report, discussion and possible action regarding the adoption of proposed amendments to Private Security Rules: Rules 35.41, 35.43, and 35.46, 37 TAC Secs. 35.41, 35.43, and 35.46, concerning Standards; Rule 35.141, 37 TAC Sec. 35.141, concerning Requirements for Issuance of a Security Officer Commission by the Board; Rule 35.251, 37 TAC Sec. 35.251, concerning Training Requirements; Rule 35.281, 37 TAC Sec. 35.281, concerning Training – Personal Protection Officers; Rule 35.291 and Rule 35.292, 37 TAC Secs. 35.291 and 35.292, concerning Continuing
- B. Report, discussion and possible action regarding the adoption of the proposed repeal of Private Security Rules: Rule 35.33, 37 TAC Sec. 35.33, concerning Certificate of Installation; Rules 35.111 – 35.117, 37 TAC Sec. 35.111 – 35.117, concerning Uniformed Motorcycle Escort Service; Rule 35.241, 37 TAC Sec. 35.241, concerning Business Evaluation Service

- C. Report, discussion and possible action regarding the adoption of proposed new Private Security Rules: Rules 35.321 – 35.323, 37 TAC Secs. 35.321 – 35.323, concerning Active Military and Spouses – Special Conditions
- D. 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: Jorge L. Aguilar, Donald W. Cameron, Patrick A. Brennan, Michael W. Glenn, Charles W. Goforth, James L. Johnson, and Thomas R. Wilemon. Special Texas Ranger: none
- E. Acknowledgement of acceptance of travel and training donated by Oracle Systems to Information Technology management as authorized under Government Code Chapter 575

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