

AGENDA
Public Safety Commission Meeting
February 16, 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. 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. Presentation of Director's Awards, Director's Citations and Life Saving Awards
 - B. Advice and consent regarding appointment of Homeland Security Assistant Director – Jay Kimbrough
- V. NEW BUSINESS**
 - A. Discharge Appeal Hearing and possible action regarding DPS employee Michael Deck
 - B. Report, discussion, and possible action on the presentation of the Office of the Inspector General 2011 Annual Report of Operations and OIG resource allocations/regional assignments of personnel
 - C. Report, discussion, and possible action on proposed repeal and simultaneous proposal of new Driver License Rule for publication to receive public comment: Rule 15.48, 37 TAC Sec. 15.48 concerning Selective Service Registration
 - D. Report, discussion, and possible action on proposed new Driver License Rule for publication to receive public comment: Rule 15.90, 37 TAC Sec. 15.90 concerning Deferral of Enforcement Actions for Victims of Identity Theft
 - E. Report, discussion, and possible action on proposed new Commercial Driver License Rule for publication to receive public comment: Rule 16.41, 37 TAC Sec. 16.41 concerning Medical Certificate Requirements
 - F. Report, discussion, and possible action regarding expanded scheduling options for Driver License transactions
- 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. Report, discussion and possible action on the Fiscal Year 2012 Operating Budget
- E. Report, discussion and possible action regarding purchases using seized funds
- F. Update Report, discussion and possible action regarding recruitment
- G. Report, discussion and possible action regarding Continuity Plan at the Department of Public Safety
- H. Follow-up report, discussion and possible action on the Department of Public Safety ethics policy and reporting requirements
- 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

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. 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: Frank E. Chambers, Bruce A. Gatlin and Steven L. McKinney
- B. Report, discussion and possible action regarding the adoption of proposed new Private Security Rule: Rule 35.47, 37 TAC Sec. 35.47 concerning Residential Solicitation
- C. Report, discussion and possible action regarding the adoption of proposed amendments to Private Security Rules: Rules 35.63 and Rule 35.70, 37 TAC Sec. 35.63 and Sec. 35.70 concerning General Administration and Examinations; Rule 35.93, 37 TAC Sec. 35.93 concerning Penalty Range; Rule 35.221, 37 TAC 35.221 concerning Qualifications for Investigations Company License; and Rule 35.256, 37 TAC Sec. 35.256 concerning Application for a Training Instructor Approval

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