

AGENDA

**Public Safety Commission Meeting
Friday, November 14, 2008, 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.** Public comment (members of the public wishing to address the Commission are subject to a time limit of 5 minutes)
- III.** Discussion and possible action concerning the discharge of employee Charles D. Smith
- IV.** Discussion and possible action on the Director's action of discharging probationary employee Sandra Rappa-Cruz
- V.** Presentation, discussion and possible action concerning the organization structure study of the Department
- VI.** 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.** Discussion and possible action regarding Sunset Commission recommendations and other legislation affecting the Department and the Public Safety Commission
- VIII.** Reports, discussion, deliberation and possible action, regarding the following:
 - A.** Internal audit and risk assessment services
 - B.** IT optimization assistance in the development of IT strategy
 - C.** Procurement of executive search services for appointment of director
 - D.** Procurement of a project manager to implement organization changes
- IX.** Discussion and review of pending contracts, commitments, and change orders, including the following:
 - A.** Renewal for network services with AAMVA to ensure the continued integrity of driver license issuance and renewal process in Texas
 - B.** 132 Dual Antenna Radar Systems
 - C.** Watchguard Video DV-1 System
- X.** Commission member reports
- XI.** Commission member discussion
- XII.** Budget matters

- XIII.** Audit & Inspection report
- XIV.** Division reports
- XV.** Report by DPS Working Group on DPS promotional process
- XVI.** Discussion and possible action on recommendations of the Vehicle Inspection working group
- XVII.** Discussion and possible action to develop an approach for transforming the administration of the Driver License Division to a civilian model
- XVIII.** Discussion and possible action regarding the employment of an assistant for the Commission, including development of job description and directions regarding posting of the position
- XIX.** Discussion and possible action regarding appointment of General Counsel
- XX.** Discussion and possible action on publication of proposed rules
 - A.** Proposed amendment to Rule 3.51, 37 TAC Sec. 3.51, regarding Traffic Supervision on Interstate Highways in cities of 50,000 Population or Less
 - B.** Proposed amendments to Rule 4.37, 37 TAC Sec. 4.37, regarding Acceptance of Out-of-State Commercial Vehicle Inspection Certificate
 - C.** Proposed repeal of Rules 14.1 and 14.2, 37 TAC Secs. 14.1 and 14.2; Proposed new Rule 14.1, regarding school bus safety standards
 - D.** Proposed repeal of Rules 14.11-14.14, 37 TAC Secs. 14.11-14.14; Proposed new Rules 14.11-14.1 4, 37 TAC Secs. 14.11-14.14, regarding school bus driver qualifications
 - E.** Proposed repeal of Rules 14.31-14.36, 37 TAC Secs. 14.31-14.36; Proposed new Rules 14.31-14.36, 37 TAC Secs. 14.31-14.36, regarding school bus driver safety training program
 - F.** Proposed repeal of Rules 14.51-14.53, 37 TAC Secs. 14.51-14.53; Proposed new Rules 14.51-14.54, 37 TAC Secs. 14.51-14.54, regarding school bus safety standards
 - G.** Proposed repeal of Rules 14.61-14.67, 37 TAC Secs. 14.61-14.67; Proposed new Rules 14.61-14.65, 37 TAC Secs. 14.61-14.65, regarding advertising on school buses
- XXI.** Discussion and possible action on adoption of proposed Private Security Act Rules
 - A.** Proposed amendments to Rule 35.1, relating to definitions of application (to include renewal applications) and due diligence (as used in Rule 35.204), as published in 33 TexReg 7976, September 19, 2008
 - B.** Proposed Rule 35.14, relating to provision of regulated service through licensed subcontractors, by unlicensed general contractors, brokers or other intermediaries, as published in 33 TexReg 7977, September 19, 2008
 - C.** Proposed amendments to Rule 35.34, relating to employer notification of employee arrests, as published in 33 TexReg 7977, September 19, 2008
 - D.** Proposed amendments to Rule 35.60, relating to Guard Company Manager Requirements, as published in 33 TexReg 7978, September 19, 2008
 - E.** Proposed amendments to Rule 35.61, relating to manager requirements and nature of written explanation, as published in 33 TexReg 7979, September 19, 2008
 - F.** Proposed Rule 35.78, relating to required evidence of insurance, as published in 33 TexReg 7979, September 19, 2008
 - G.** Proposed Rule 35.97, relating to requirement of responsive pleading in contested cases in State Office of Administrative Hearings, as published in 33 TexReg 7980, September 19, 2008

- H. Proposed repeal of Rules 35.221 & 35.222, relating to general and limited reciprocity, as published in 33 TexReg 7981 & 7982, September 19, 2008
- I. Proposed amendments to Rule 35.257, relating to exemption from Level III training courses for honorably retired peace officers, as published in 33 TexReg 7982, September 19, 2008

XXII. Discussion and possible action on appointments of Special Rangers pursuant to Gov. Code Chapter 411, Secs. 411.023 & 411.024:
Kerry Gillie, Michael Massey & John Mitchell of the National Insurance Crime Bureau

XXIII. Items for future agendas

XXIV. 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