

AGENDA

**Public Safety Commission Meeting
Thursday, October 16, 2008, 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.** Public comment (Members of the public wishing to address the Commission are subject to a time limit of 5 minutes)
- III.** Discharge appeal hearing of DPS employee Charles D. Smith
- IV.** Deliberation, discussion and possible action, including a final decision, on the discharge appeal of Charles D. Smith
- V.** Discussion and possible action on the Director's action of discharging probationary employee James B. Meador (Tx Gov Code 551.074)
- 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.** Budget matters
- VIII.** Discussion and possible action regarding donations to the Department
 - A.** Fort Bend County donation of land and tower equipment
 - B.** Nueces County donation of land
- IX.** Presentation of the organizational study by Deloitte consulting firm and discussion and possible action regarding implementation of recommendations
- X.** 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
- XI.** Discussion and possible action regarding a Commission policy to review contracts and limits of authority for the Department
- XII.** Discussion and review of pending contracts, commitments, and change orders, including the following:
 - A.** Support, maintenance, enhancement and modifications for the Concealed Handgun Licensing Program (renewal)
 - B.** Homeland Security Livescan Terminal – Maintenance and Support (renewal)

- C. FY 2008 Convicted Offender and/or Arrestee DNA Backlog Reduction Program – grant award to DPS
 - D. Forensic DNA Backlog Reduction FY 2008 – grant award to DPS
- XIII. Commission member reports
- XIV. Commission member discussion
- XV. Audit & Inspection report
 - A. Discussion and possible action on approval of the FY 2009 Internal Audit Plan
- XVI. Division reports
- XVII. Report by DPS Working Group on DPS promotional process
- XVIII. Discussion and possible action on recommendations of the Vehicle Inspection working group
- XIX. Discussion and possible action to develop an approach for transforming the administration of the Driver License Division to a civilian model
- XX. Discussion and possible action on appointment of members to the Vehicle Inspection Advisory Committee relating to the operation of the vehicle inspection program (Texas Transp. Code 548.006)
- XXI. Update and deliberation regarding Sunset Commission review
- XXII. 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
- XXIII. Discussion and possible action regarding appointment of General Counsel
- XXIV. Discussion and possible action on publication of proposed rules
 - A. Proposed new Rule 27.111, 37 TAC Sec. 27.111, regarding Secure Electronic Mail, Electronic Transmissions and Facsimile Transmissions
 - B. Proposed new Rule 27.121, 37 TAC Sec. 27.121, regarding Sexual Assault
- XXV. Discussion and possible action on appointment of past Commissioner Elizabeth Anderson as Honorary Ranger Captain
- XXVI. Items for future agendas
- XXVII. 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