

AGENDA

**Public Safety Commission Meeting
Wednesday, December 17, 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. NEW BUSINESS**
 - A.** Discussion and possible action regarding the withdrawal of the Attorney General Opinion concerning driver license checkpoints
 - B.** Discussion and possible action regarding transcription of Public Safety Commission meetings
 - C.** Discussion and possible action regarding review and reconsideration of physical readiness standards for commissioned officers of the Department
 - D.** Discussion and review of pending contracts, commitments and change orders, including the following: production of current Texas driver license and identification card and employee identification cards (emergency purchase)
 - E.** Discussion and possible action on implementation of IT Optimization Study
 - F.** Discussion and possible action on RFQ for internal audit services
- IV. 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
- V. ONGOING BUSINESS**
 - A.** Reports, discussion, deliberation and possible action regarding the following:
 - 1.** Discussion and possible action concerning the organization structure study of the Department and procurement of a project manager to implement organizational changes
 - 2.** Internal audit and risk assessment services contract
 - 3.** Request for proposals for executive search firm services for executive director and management positions
 - B.** Discussion and possible action regarding the ongoing Sunset Review recommendations and other legislation affecting the Department and the Public Safety Commission
 - C.** Update report, discussion and possible action regarding the DPS Working Group on DPS promotional process
 - D.** Update report, discussion and possible action on recommendations of the Vehicle Inspection working group
 - E.** Update report, discussion and possible action to develop an approach for transforming the administration of the Driver License Division to a civilian model

- F. Discussion and possible action regarding the employment of an assistant for the Commission
- G. Discussion and possible action regarding appointment of General Counsel

VI. REPORTS

- A. Commission member reports and discussion
- B. Budget Matters
 - 1. Discussion and possible action on revisions to Exceptional Items list for FY 2010-2011 Legislative Appropriations Request
- C. Audit & Inspection Report
- D. Division status reports on activities and action taken

VII. CONSENT ITEMS

The following items may be discussed and acted upon in a single motion or discussed separately as determined by the Commission

- A. Discussion and possible action to advise and consent to the Director's determination to discharge probationary employee Markus Ygnacio (Tx Gov Code 551.074)
- B. 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
- C. Acknowledgement of the following donations to the Department as provided by Government Code Sec. 575.003 which requires formal acknowledgement of acceptance of the following donations:
 - 1. Nueces County's donation of 3.241 acres of land in Nueces County on which DPS can build a crime laboratory
- D. Discussion regarding a possible donation by Colorado County to the Department of a radio tower for the purposes of enhancing communications
- E. Discussion and possible action on **adoption** of proposed rules:
 - 1. Proposed amendments to Rules 18.1 and 18.4, 37 TAC Secs. 18.1 and 18.4, regarding Driver Education, as published in 33 TexReg 8482, October 10, 2008
 - 2. Proposed repeal of Rule 35.143; proposed New Rule 35.143, relating to drug testing requirements for Commissioned Security Officers, as published in 33 TexReg 8893, October 31, 2008

VIII. ITEMS FOR FUTURE AGENDAS

IX. 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