



Notice of a Regular Meeting
of the
TEXAS FACILITIES COMMISSION
1711 San Jacinto Boulevard
March 18, 2009

Notice is hereby given that a Regular Meeting of the Texas Facilities Commission will be held on the 18th day of March, 2009, beginning at 10:00 a.m. at the Central Services Building, 1711 San Jacinto Boulevard, Conference Room 402, Austin, Texas 78701.

- I. Call to Order.
- II. Approval of the Minutes from the January 21, 2008 Open Meeting.
- III. Election of Vice Chair.
- IV. Public Comment.
- V. Award of Lease Recommendations and Summaries.
 - A. Leases and/or Amendments Pending Execution with Commencement Date on or after March 18, 2009.

Renewals

1. #20049 – Comptroller of Public Accounts/Department of Assistive and Rehabilitative Services/Department of Family and Protective Services/Health and Human Services Commission: Wichita Falls, TX.
2. #10640 – Department of Family and Protective Services/Health and Human Services Commission: Dallas, TX.

Add Space

3. #20157 – Office of Rural Community Affairs: Austin, TX.
4. #7320 – Health and Human Services Commission: Edinburg, TX.

New Leases

5. #303-9-10104 – Department of Assistive and Rehabilitative Services: Fort Worth, TX.
6. #303-9-10688 – Health and Human Services Commission: Dallas, TX.
7. #303-9-10512 – Office of the Attorney General: San Antonio, TX.
8. #303-9-10513 – Office of the Attorney General: San Antonio, TX.

- B. Leases and/or Amendments Pending Execution with Commencement Date before March 18, 2009.

New Lease

1. #303-8-10514 – Health and Human Services Commission: Waco, TX.

- VI. Consideration and possible action to approve a Construction Manager-At-Risk contract award for the Texas Department of Public Safety, Weslaco Regional Office, Project No. 08-011-0405, Weslaco, Texas.

- VII. Report from the Executive Director and executive staff on facilities design and construction projects, facilities leasing, facilities operations and maintenance, and energy management.
 - A. Update and discussion on small contractor participation assistance program
 - B. Legislative Update
- VIII. Report from the Chief Financial Officer on the monthly financial report update.
- IX. Monthly Status Report from Internal Auditor, Mark Scott.
 - A. Report - A Limited Review of General Controls over TFC's Information Systems
 - B. Management Letter - Review of the impact of HB 1516 on TFC's Information Resources
- X. Litigation Report
 - A. Carolyn Reininger v. TFC, Tex. Sup. Ct., Case No. 08-686 [Third Court of Appeals, Austin; Case No. 03-06-00363-CV];
 - B. Goodwin Engineering v. TFC, Tex. Gov't Code, Ch. 2260 claim.
- XI. Recess into CLOSED session, if necessary, pursuant to the Texas Government Code under Chapter 551 for the following purposes:
 - A. Pending and potential litigation, Section 551.071.
 - B. The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the Executive Director and Executive Management Staff, Section 551.074.
 - C. The duties, roles, and responsibilities as Commissioners of the Texas Facilities Commission, Section 551.074.
 - D. The deliberation regarding purchase, exchange, lease, or value of real property, Section 551.072
 - E. All matters identified in this agenda where the commission votes unanimously that deliberation in an open meeting of business and financial issues relating to a contract being negotiated would have a detrimental effect of the position of the State in negotiations with a third person and in which the General Counsel has issued a determination in writing, Section 551.0726.
 - F. Any matters identified in this agenda where the Commissioners seek the advice of their attorney, Section 551.071.
- XII. Reconvene in open meeting and consider action on matters discussed in Executive Session.
- XIII. Consideration and possible action, if necessary, on any issue discussed during Executive Session.
- XIV. Adjournment.

Notice to the Public: All matters listed under Regular Agenda Item V, Lease Recommendations Summaries, will be considered by the TFC Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless any member of the TFC Commission requests discussion on an item prior to the time the TFC Commission votes on the motion to adopt Regular Agenda Item V.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, and non-English speaking persons who may need assistance are requested to contact

Tiffany Harry, Executive Assistant at (512) 463-7220 three days prior to the meeting by mail, telephone, or RELAY Texas (1-800-735-2989) so that appropriate arrangements can be made.

CERTIFICATION: I certify that I have reviewed the open meeting notice and that it conforms to all Texas Register filing requirements.

Kay Molina
General Counsel