

EXECUTIVE DIRECTOR
Terry Keel



Texas Facilities Commission

CHAIR
Betty Reinbeck

COMMISSIONERS
Barkley J. Stuart
Malcolm E. Beckendorff
William D. Darby
Douglas M. Hartman
Brant C. Ince
Virginia Hermosa

Minutes No. 32 Minutes of the November 17, 2010, Public Meeting of the Texas Facilities Commission in Austin, Travis County, Texas.

After providing notice as required by the Texas Open Meetings Act, the Texas Facilities Commission held an open meeting at the Central Services Building, 1711 San Jacinto Boulevard, in Conference Room 402, Austin, Texas, on Wednesday, November 17, 2010, commencing at 10:00 a.m. The following were present, and Chair Reinbeck presided:

Members Present

Betty Reinbeck	Chair
Barkley Stuart	Commissioner
Malcolm Beckendorff	Commissioner
Derek Darby	Commissioner
Doug Hartman	Commissioner
Virginia Hermosa	Commissioner
Brant Ince	Commissioner

Staff Present

Terry Keel	Executive Director
Catherine Camp	Director of Human Resources
Tiffany Harry	Legal Services Division
Kay Molina	General Counsel
Jorge Ramirez	Deputy Executive Director, Facilities & Energy Management
John Raff	Director, Facilities Design & Construction
Mark Scott	Director, Office of Internal Audit
Michael Lacy	Deputy Executive Director, Planning & Asset Management Division
Luis Arellano	Chief Financial Officer
James Barrington	Director, Federal & State Surplus
Kristy Fierro	Federal & State Surplus
Susan Maldonado	Legal Services Division
Crystal Nelson	Legal Services Division
Tiffany Harry	Legal Services Division
Sandy Williams	Legal Services Division
Trish Perme	Office of Internal Audit
Dace Ward	Office of Internal Audit
Richard Ehlert	Director, Procurement & HUB
John Goodrich	Procurement & HUB
Paul Fowler	Director, Facilities & Energy Management
Micheal Phillips	Director, Information Technology
Fahim Idais	Information Technology

Karl Oberlander	Director, Facilities Design & Construction
Heidi Gonzales	Facilities Design & Construction
Rebecca Underwood	Facilities Design & Construction
Ashley Cuellar	Facilities & Energy Management
Gayla Davis	Planning & Asset Management Division
Aundre Dukes	Planning & Asset Management Division
Christina Ramirez	Planning & Asset Management Division
Amanda Diebel	Planning & Asset Management Division
Bob Bugnand	Planning & Asset Management Division

Guests

John C. Robinson	J. Robinson & Associates, Architects, Inc.
Justin Jones	Texas Comptroller of Public Accounts
Ed Robertson	Office of the Governor
Trent Marshall	Office of the Governor
Gary Bradley	Self
Milton Turnipseed	TIBH Industries
Bryan Kaminski	Inland Public Properties Development, Inc.
Micheal Searls	Inland Public Properties Development, Inc.

I. Call to Order.

Chair Reinbeck called the meeting to order at 10:03 a.m.

II. Approval of the Minutes from the October 17, 2010 Open Meeting.

The Commission voted unanimously to approve the minutes from the previous meeting with a motion made by Commissioner Stuart and a second to approve the motion made by Commissioner Beckendorff.

III. Public Comment.

Public comment was provided in conjunction with Agenda Item VI.

IV. Award of Lease Recommendations and Summaries.

Leases and/or Amendments Pending Execution with Commencement Date on or after November 17, 2010.

Renewals

1. # 7061 - Texas Department of Criminal Justice: Dallas, TX.
2. # 9621 - Texas Department of Criminal Justice: Dallas, TX.
3. # 20062 - Health and Human Services Commission and the Department of Family and Protective Services: San Antonio, TX.

New Lease

4. # 303-0-20252 - Health and Human Services Commission and the Department of Aging and Disability Services: San Benito, TX.

The Commission unanimously voted to approve the above leases with a motion to approve made by Commissioner Stuart and a second to approve the motion made by Commissioner Hermosa.

- V. Consideration and possible action to approve an architectural/engineering professional services contract for the renovation of the Texas Department of Public Safety Headquarters Building B, located at 5805 North Lamar, Austin, Texas, Project No. 08-002A-0405.** The Commissioners unanimously voted to award a contract to J. Robinson & Associates, Architects, Inc. for architectural/engineering professional services in the amount of \$470,670 for the Texas Department of Public Safety Building B Renovation, Project No. 08-002A-0405 in Austin, Texas with a motion to approve made by Commissioner Hartman and a second to approve the motion made by Commissioner Ince.

VI. Consideration and possible action to approve of the Facilities Master Plan.

Public comment from Gary Bradley was made with regards to this agenda item. Mr. Bradley spoke to the Commission briefly with regards to the previous master campus plans and asked the Commissioners to hold off on taking a vote to approve the Facilities Master Plan until further review of all proposed ideas and plans have been seen and reviewed by the Texas Facilities Commission.

Executive Director, Terry Keel clarified some of the public statements made by Mr. Bradley.

Commissioner Hermosa made a motion to table this Agenda Item with a second to approve the motion made by Commissioner Beckendorff.

VII. Update from the Planning and Asset Management Division on facilities strategy and space utilization.

No presentation was made on this agenda item.

VIII. Report from the Executive Director and executive staff on facilities design and construction projects, facilities leasing, facilities operations and maintenance, energy management, and legislative update.

Terry Keel gave the Commission a brief update on the following:

- i.) formal direction given to the Internal Audit division to make the Information Technology audit a top priority;
- ii.) the November 1, 2010 letter to Karen Robinson, Executive Director of the Texas Department of Information Resources requesting approval to transfer services from the statewide technology center back to TFC; and,
- iii.) anticipated additional budget reductions of 2-3% to be made by all state agencies for FY 2011.

IX. Report from the Chief Financial Officer on the monthly financial report update. Luis Arellano provided the monthly financial report including the agency forecast, monthly operating expenditures, year-to-date budgeted adjustments, cost recovery program results, revenue forecast, and a list of financial transactions that are not included in the operating budget with no major changes. Mr. Arellano informed the Commission that TFC currently has 276 FTE's as of October 31, 2010. In addition,

Commissioner Hartman requested Mr. Arellano to send the Commission a report comparing general revenue versus appropriations from last year to today that includes the five and ten percent reduction mandates.

X. Monthly Status Report from the Internal Auditor.

A. Report on the Implementation Status of Prior Internal Audit Recommendations for the Texas Facilities Commission.

Mark Scott gave the Commission a brief overview of the Implementation Status of Prior Internal Audit Recommendations for the Texas Facilities Commission. The report included an updated status on findings that were not completely implemented as of the last follow-up report date. Mr. Scott also informed the Commission that he met with Commissioner Hartman November 4, 2010 to discuss progress on the audit plan, various administrative issues, presentation format for open audit findings, as well as the current audit projects.

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. The duties, roles, and responsibilities as Commissioners of the Texas Facilities Commission, Section 551.074.**
- C. The deliberation regarding purchase, exchange, lease, or value of real property, Section 551.072.**
- D. 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**
- E. Any matters identified in this agenda where the Commissioners seek the advice of their attorney, Section 551.071.**

Chair Reinbeck recessed the meeting to convene in Executive Session at 11:29 a.m.

XII. Reconvene in open meeting and consider action on matters discussed in Executive Session.

Chair Reinbeck reconvened the meeting at 12:48 p.m.

XIII. Consideration and possible action, if necessary, on any issue discussed during Executive Session.

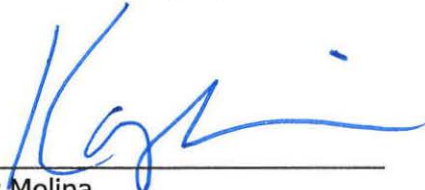
No actions were taken as a result of Executive Session.

XIV. Adjournment.

Chair Reinbeck adjourned the meeting at 12:49 p.m.

Upon adjournment, several members of the commission, which may constitute a quorum, will tour the Texas State Library and Archives Lorenzo de Zavala State Building project site located at 1201 Brazos Street, Austin, Texas.

Reviewed and
Submitted by:



Kay Molina
General Counsel

Approved by the Commission on the 19th day of January 2011.

By:



Betty Reinbeck
Chair