

INTERIM EXECUTIVE DIRECTOR
Thomas L. Forrest



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. 21 Minutes of the October 21, 2009, 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, October 21, 2009, commencing at 10:00 a.m. The following were present, and Chair Reinbeck presided:

Members Present

Betty Reinbeck	Chair
Barkley Stuart	Vice-Chair
Malcolm E. Beckendorff	Commissioner (Arrived at 10:03 AM)
Derek Darby	Commissioner
Virginia Hermosa	Commissioner
Doug Hartman	Commissioner
Brant C. Ince	Commissioner

Staff Present

Tom Forrest	Interim Executive Director
Kay Molina	General Counsel
Mark Scott	Director, Internal Audit
Luis Arellano	Chief Financial Officer
Gregg Werkenthin	Deputy Executive Director, Space Management & State Leasing Services
John Goodrich	Internal Procurement
Myra Beer	Internal Procurement
Jamie Barrington	Deputy Executive Director, Facilities Management Division
Michael Phillips	Chief Information Officer
Catherine Camp	Human Resources
Tiffany Harry	Legal Services Division
Crystal Nelson	Legal Services Division
Lisa Calem-Lindstrom	Legal Services Division
Susan Maldonado	Legal Services Division
Kristy Fierro	Internal Audit
Trish Perme	Internal Audit
Mike Blackwell	Publications & Media
Jorge Ramirez	Deputy Executive Director, Energy Management & Plant Operations
Bill Bonham	Deputy Executive Director, Facilities Design & Construction
Mary Jo Ingram	Facilities Design & Construction

John Raff	Facilities Design & Construction
Thursten Simonsen	Facilities Design & Construction
David Mascorro	Facilities Design & Construction
Rebecca Underwood	Facilities Design & Construction
Mark Trott	Facilities Design & Construction
Mike Holeman	Facilities Design & Construction
Ashley Holt	Space Management & State Leasing Services
Alex Guitierrez	Federal Surplus Program
Greg Conn	Federal Surplus Program
Stuart Hamm	Federal Surplus Program

Guests

David Ancira	Texas Comptroller of Public Accounts (CPA)
Jack Mason	Legislative Budget Board (LBB)
Melissa Nelson	Legislative Budget Board (LBB)
Duane Sees	Harvey Cleary Construction
Justin Deming	Harvey Cleary Construction
Mike Wood	Harvey Cleary Construction
Adam Johnson	Harvey Cleary Construction
Jon Jones	Imperial Construction

I. Call to Order. Chair Reinbeck called the meeting to order at 10:00 a.m.

II. Approval of the Minutes from the September 21, 2009 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 Hermosa. Commissioner Beckendorff was not present for the vote and Commissioner Hartman abstained from voting.

III. Public Comment. There were no public comments.

IV. Award of Lease Recommendations and Summaries.

A. Lease and/or Amendments Pending Execution with Commencement Date on or after October 21, 2009.

Renewal/ConsolidationOMG

1. # 1507 – Department of Family and Protective Services/Health and Human Services Commission: Orange, TX.

Renewal

1. # 6609 – Office of the Attorney General: Corpus Christi, TX.

B. Lease and/or Amendments Pending Execution with Commencement Date before October 21, 2009.

Renewal

1. # 8562 – Health and Human Services Commission/Department of Family and Protective Services/Department of Aging and Disability Services: Eastland, TX.

The Commission unanimously voted to approve the above leases and/or amendments with the motion to approve made by Commissioner Stuart and a second to approve the motion made by Commissioner Darby.

- V. Consideration and possible action to approve a construction contract award for the Texas Department of Public Safety, Corpus Christi Crime Laboratory, Project No. 08-003-0405, Corpus Christi, Texas.** The Commission unanimously voted to approve the construction contract award to Imperial Construction Ltd. in an amount not to exceed \$4,293,000 for the Texas Department of Public Safety, Corpus Christi Crime Laboratory, Project No. 08-003-0405, Corpus Christi, Texas with the motion to approve made by Commissioner Hermosa and a second to approve the motion made by Commissioner Beckendorff.
- VI. Consideration and possible action to approve a construction contract award for the Texas School for the Blind and Visually Impaired, Construction of Three New Buildings, Site Utilities Upgrades and Road Paving, Project No. 08-013C-0771, Austin, Texas.** The Commission unanimously voted to approve the above the construction contract award to Harvey-Cleary Builders in the amount of \$9,577,000 for the Texas School for the Blind and Visually Impaired (TSBVI), Construction of Three New Buildings, Site Utilities Upgrades and Road Paving, Project No. 08-013C-0771, Austin, Texas with the motion to approve made by Commissioner Beckendorff and a second to approve the motion made by Commissioner Ince.
- VII. Consideration and possible action to approve a construction contract award for the Teacher Retirement System, Elevator and Security Upgrades, Project No. 08-060-0323, Austin, Texas.** The Commission unanimously voted to approve a construction contract award to Harvey-Cleary Builders in an amount not to exceed \$2,468,757 for the Teacher Retirement System (TRS), Elevator and Security Upgrades, Project No. 08-060-0323, Austin, Texas, with the motion to approve made by Commissioner Stuart and a second to approve the motion made by Commissioner Hartman.
- 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.** Paul Medrano from the Facilities Design and Construction (FDC) division gave the Commission a brief presentation and status update on the following projects:
- Department of State Health Services (DSHS) – Rio Grande State Center New Outpatient Clinic – Harlingen, Texas (Project No. 08-025A-7076)
 - Department of State Health Services (DSHS) – Texas Center for Infectious Diseases New 75 Bed Hospital – San Antonio, Texas (Project No. 04-011B-0537)
 - Department of State Health Services (DSHS) – Hidalgo County Primary Care and Substance Abuse Clinic – Edinburg, Texas (Project No. 08-026A-7077)

- IX. Federal Surplus Property Program Presentation.** Alex Gutierrez and Greg Conn from Federal Surplus (FSP) gave a presentation and update on the Federal Surplus Property Program.

- X. 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. Two budget adjustments within the other operating expense category were made for reimbursement of additional services to tenants. Mr. Arellano also informed the Commission that the TFC currently has 325 FTE's (Full Time Employees) to start fiscal year 2010.

- XI. Monthly Status Report from Internal Auditor, Mark Scott.**
 - A. Consideration and possible action to approve the 2010 Internal Audit Annual Audit Plan.** The Commission voted unanimously to approve the 2010 Internal Audit Annual Audit Plan with a motion to approve made by Commissioner Stuart and a second to approve the motion made by Commissioner Beckendorff.

- XII. 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.**

Chair Reinbeck recessed the meeting at 11:29 a.m. and the Commission went into Executive Session.

- XIII. Reconvene in open meeting and consider action on matters discussed in Executive Session.**

Chair Reinbeck reconvened the meeting at 12:44 p.m.

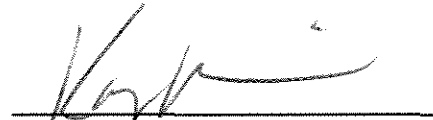
XIV. Consideration and possible action, if necessary, on any issue discussed during Executive Session.

No actions were taken as a result of Executive Session.

XV. Adjournment.

Chair Reinbeck adjourned the meeting at 12:45 p.m.


Reviewed and
Submitted by:



Kay Molina
General Counsel

Approved by the Commission on the 18th day of November, 2009.

By:



Betty Reinbeck
Chair