

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. 30 Minutes of the August 18, 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, August 18, 2010, commencing at 10:01 a.m. The following were present, and Chair Reinbeck presided:

Members Present

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

Members Absent

Barkley Stuart	Commissioner
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Staff Present

Terry Keel	Executive Director
Catherine Camp	Director of Human Resources
Tiffany Harry	Legal Services Division
John Raff	Deputy Executive Director, Facilities Design & Construction
Kay Molina	General Counsel
Jorge Ramirez	Deputy Executive Director, Facilities & Energy Management
Mark Scott	Director, Office of Internal Audit
Luis Arellano	Chief Financial Officer
Stan Korn	Budget & Fiscal
Lois Bingham	Budget & Fiscal
Gregg Werkenthin	Deputy Executive Director, Space Management & State Leasing Services
Jaime Barrington	Federal & State Surplus
Crystal Nelson	Legal Services Division
Susan Maldonado	Legal Services Division
Lisa Calem-Lindstrom	Legal Services Division
Sandy Williams	Legal Services Division
Roland Torres	Budget & Fiscal
Trish Perme	Office of Internal Audit

Richard Ehlert	Director of Procurement & HUB
John Goodrich	Procurement & HUB
Myra Beer	Procurement & HUB
Paul Fowler	Facilities & Energy Management
Karl Oberlander	Facilities Design & Construction
Paul Medrano	Facilities Design & Construction
Heidi Gonzales	Facilities Design & Construction
Ashley Cuellar	Space Management & State Leasing Services
Gayla Davis	Space Management & State Leasing Services
Michael Lacy	Space Management & State Leasing Services
Aundre Dukes	Space Management & State Leasing Services
Stephen Huber	Space Management & State Leasing Services

Guests

David Ancira	Texas Comptroller of Public Accounts
Justin Jones	Texas Comptroller of Public Accounts
Duane Sees	Harvey Cleary Builders
Bonny Gray	Harvey Cleary Builders
Donna Carter	Carter Design Associates
Abby Lawson	Carter Design Associates
Melissa Nelson	Legislative Budget Board
Lisa Peterson	Walton Construction
Brad Shearer	Satterfield & Pontikes Construction
Randy Schrecengost	Stanley Consultants

I. Call to Order.

Chair Reinbeck called the meeting to order at 10:01 a.m.

II. Presentation of service awards.

The following employees were recognized for their state service by the Commission:

Myra Beer	Five years	Procurement
Aundre Dukes	Five years	Leasing
Ashley Tompkins	Five years	Records Management
Susan Maldonado	Ten years	Legal
Rolando Torres	Ten years	Budget and Finance
Christina Ramirez	Ten years	Leasing
Heidi Gonzales	Fifteen years	Project Management
Fahim Idais	Fifteen years	Information Systems
Clifton Johnson	Fifteen years	Custodial and Grounds
Alex Alejandro	Fifteen years	Controls Operations
Orlando Medrano	Five years	Maintenance and Plant Operations

III. Approval of the Minutes from the July 21, 2010 Open Meeting.

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

IV. Public Comment.

There were no public comments.

V. Award of Lease Recommendations and Summaries.

Lease and/or Amendments Pending Execution with Commencement Date on or after August 18, 2010.

Renewal

- 1. #10289 - Health and Human Services Commission/Texas Department of Licensing and Regulation: Austin, TX.**
- 2. #20169 - Texas Department of Public Safety: Austin, TX.**

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

VI. Consideration and possible action to approve a construction contract for the Texas School for the Blind and Visually Impaired, for the construction of four new buildings and associated site work, Project No. 08-013D-0771, Austin, Texas.

The Commissioners unanimously voted to award a construction contract to Harvey Cleary Builders in the amount of \$16,250,000 for the Texas School for the Blind and Visually Impaired for the construction of four new buildings and associated site work, Project No. 08-013D-0771 in Austin, Texas with a motion to approve made by Commissioner Hartman and a second to approve the motion made by Commissioner Ince.

VII. Consideration and possible action to approve an architectural/engineering professional services contract for the James Earl Rudder Building Interior Renovation, Project No. 10-007-6305, Austin, Texas.

The Commissioners unanimously voted to award an architectural/engineering professional services contract to Carter Design Associates in the amount not to exceed \$487,000 for deferred maintenance at the James Earl Rudder Building, Project No. 10-007-6305, with a motion to approve made by Commissioner Ince and a second to approve the motion made by Commissioner Darby.

VIII. Update from the Space Management and State Leasing Services Division on facilities strategies and space utilization. Mike Lacy gave the Commission a brief update on TFC's current asset management and development strategies.

IX. Consideration and possible action concerning TFC's Facilities Master Plan. This item was pulled from the agenda.

X. 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:

- i.) HHSC contacting TFC to develop a master plan for its north campus in Austin, Texas

- ii.) the successful rollout of the miniMAX program and supporting article in the Austin American-Statesman;
- iii.) and, the letter that was sent to the Comptroller regarding the implementation date and TFC's migration to the Integrated Statewide Administrative System (ISAS).

XI. 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 280 FTE's as of July 31, 2010.

XII. Monthly Status Report from Internal Auditor, Mark Scott.

A. Management Letter on Fee Calculation Methodology and Documentation in the FDC Program. Mark Scott gave the Commission a brief follow up to the management letter regarding the charging and documentation of project management fees in FDC. He reported that FDC has put in place a project management fee schedule that conforms to the best practices for state government entities. The new methodology should provide for more transparency and simplicity in the charging of fees by FDC to its clients. Mr. Scott and his staff are planning for the 2011 audit schedule and plan to present it for approval at the next meeting.

XIII. 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.

DPS Corpus Christi Crime Lab, TFC Project No. 08-003-0405

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 to convene in Executive Session at 11:03 a.m.

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

Chair Reinbeck reconvened the meeting at 12:18 p.m.

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

Commissioner Hartman made a motion to authorize the General Counsel to engage the Office of the Attorney General to represent TFC with respect to any ongoing contract dispute and possible litigation related to the DPS Corpus Christi Crime Lab, TFC Project No. 08-003-0405 with a second to approve the motion made by Commissioner Hermosa.

XVI. Adjournment.

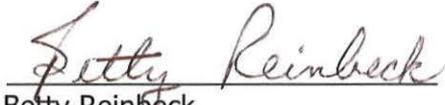
Chair Reinbeck adjourned the meeting at 12:19 p.m.

Reviewed and
Submitted by:



Kay Molina
General Counsel

By:



Betty Reinbeck
Chair

Approved by the Commission on the 20th day of October, 2010.