

CHAIR
Robert D. Thomas

COMMISSIONERS
William Allensworth
Steven D. Alvis
Patti C. Jones
Mike Novak
Rigoberto "Rigo" Villarreal



INTERIM EXECUTIVE DIRECTOR
John Raff

TEXAS FACILITIES COMMISSION

Minutes No. 102: Minutes of the May 16, 2018 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 May 16, 2018, commencing at 9:00 a.m. Chairman Thomas presided, and Commissioners Novak, Jones, Alvis, and Allensworth were also present. Commissioner Villarreal was also present but did not come into the open meeting till 10:15 a.m.

I. Call to Order.

Chair Thomas called the meeting to order at 9:00 a.m.

II. Approval of the minutes from the April 18, 2018, Open Meeting.

The Commission voted unanimously to approve the April 18, 2018 minutes with a motion made by Commissioner Jones and a second to approve made by Commissioner Allensworth.

III. Public Comment.

There was no public comment.

IV. Consent Agenda for Award of Lease Recommendations and Summaries.

Leases and/or Amendments Pending Execution with Commencement Date on or after May 16, 2018.

Replacements:

1. Lease #20599 – Office of the Attorney General: Dallas, TX.
2. Lease #303-9-20621 – Health and Human Services Commission/Department of Family and Protective Services/Department of State Health Services: Beeville, TX.
3. Lease #20607 – Comptroller of Public Accounts-Enforcement Division: Fort Worth, TX.
4. Lease #303-9-20627 – Department of Family and Protective Services: Sherman, TX.

Renewals:

5. Lease #8883 – Health and Human Services Commission/Department of Family and Protective Services: Bastrop, TX.

The Commission voted unanimously to approve the above Consent Agenda for Award of Lease Recommendations and Summaries with a motion to approve made by Commissioner Alvis and a second to approve made by Commissioner Jones.

V. Consent Contract Agenda

1. **Consideration and possible action to approve a professional service contract amendment for the William P. Hobby Towers I, II and III 2016-17 deferred maintenance, Project No. 16-010-5880, in Austin, Texas.**
2. **Consideration and possible action to award a construction manager-at-risk contract for the multi-floor renovation at the Lyndon B. Johnson State Office Building, Project No. 18-008-5093 in Austin, Texas.**
3. **Consideration and possible action to award an architectural/engineering professional services contract for the TFC Portfolio-Wide Facility Condition Assessment – Phase 2 Services, Project No. 16-026-3402, a statewide project.VI. Consideration and possible action to approve an engineering professional services contract for electrical and mechanical systems commissioning for the Capitol Complex Phase I Development, Project No. 16-018B-8001, in Austin, Texas.**

The Commission voted unanimously to approve the above contract consent agenda, with a motion to approve made by Commissioner Novak and a second to approve made by Commissioner Alvis.

VI. Consideration and possible action to award an architectural and engineering professional services contract for the Capitol Complex Phase I Development, the 1601 Congress Building (Package 5), Project No. 17-017-8020 in Austin, Texas.

There was no discussion on Agenda Item VI, this agenda item was discussed in Executive Session, and thereafter no action was taken for this agenda item.

VII. Consideration and possible action to approve the Agency Strategic Plan Fiscal Years 2019-2023.

The Commission voted unanimously to approve the Agency Strategic Plan Fiscal Years 2019-2023 and to allow the staff to make non-substantive edits, as necessary, before final printing and submittal, with a motion made by Commissioner Jones and a second to approve the motion made by Commissioner Alvis.

VIII. Report on the 2018 update to the Texas Capitol Complex Master Plan and consideration and possible action to approve the plan.

Mr. John Raff, Interim Executive Director informed the Commission that TFC has a statutory charge to update the Texas Capitol Complex Master Plan by July 1st of an even numbered year. The plan is required to be reviewed by the Partnership Advisory Committee, General Land Office, and the State Preservation Board and minor adjustments have been made, in response to the comments that were received. In addition, Mr. Raff informed the Commission that the report is ready for the Commissioners to review over the next month, in anticipation of approval in June, so that it can be submitted by the July 1st deadline. Next, Mr. Raff introduced Mr. Ryan Losch with Page Architects, the author of the Master Plan. Thereafter, Mr. Ryan Losch gave a presentation on the 2018 Texas Capitol Complex Master Plan.

Commissioner Alvis asked Mr. Losch to provide him a graphic data of the employee spotting map that was received from the Employee Retirement System and then asked Mr. Raff the status on employee spotting map he had requested. Mr. Raff explained that TFC is still working with the various tenants in the leased spaces to determine who's coming into the State buildings and as TFC goes through this process we will be asking for the data from all of the agencies.

Chairman Thomas requested that all the Commissioners receive a hard copy of the 2018 Texas Capitol Complex Master Plan, to include the appendices and to please follow up on the specific information the Commissioners are requesting and to include the staff.

IX. Discussion of Capitol Complex Phase I Development by Balfour Beatty Construction, L.L.C.

Mr. Lou Saksen, Project Executive for Balfour Beatty, gave a brief summary report on the budget, schedule and how the project is going for the Capitol Complex Phase 1.

Ms. Naomi Gonzalez, Acting General Counsel, gave brief remarks regarding the Peer Review from UT. Ms. Gonzalez reported that the major points from the report are; effective communication, being informed as issues develop, and that TFC utilizes its staff and making sure TFC is managing the relationship with Balfour Beatty and the Construction Managers so that they are able to do their jobs.

X. Report from the Executive Director on facilities design, construction projects, facilities leasing, facilities operations, maintenance, energy management, surplus, HUB and legislation.

Mr. John Raff, Interim Executive Director informed the Commission that the update for the Strategic Plan and the Capitol Complex Master Plan were discussed under Agenda Items VII and VIII.

1. Discussion of North Austin Complex Phase I Development by Facilities Design & Construction Project Management.

Mr. John Raff, Interim Executive Director gave a summary on the North Austin Complex, Phase 1. Mr. Raff informed the Commission that TFC is in the negotiation phase for the testing and balancing contract and should be bringing it to the Commission next month. Next, Vaughn Construction has solicited Package 1 to the subcontracting community. Mr. Raff is anticipating giving a notice to proceed to Vaughn for Package 1 for the site preparation phase in early June and completion of this project is still set for December 2020. Next, Jacobs has submitted 75% of their documents for review for the remainder of the project and the review of this submittal should be completed by June 8th.

2. Discussion of Texas School for the Deaf Toddler Learning Center and Central Services Center project by Facilities Design & Construction – Project Management.

Mr. John Raff, Interim Executive Director gave a brief summary on the Texas School for the Deaf Toddler Learning Center and Central Services Center. Mr. Raff informed the Commission that TFC is in the final stages of developing the contracts with both the A/E, McKinney York and Construction Manager Chasco for the School for the Deaf new construction.

Thereafter, Chairman Thomas asked the Commission about moving the monthly Commission meeting from the third Wednesday of the month to the third Thursday of the month. There was also a discussion regarding video conferencing so that the Commissioners could remote in for Work Group meetings if they're not able to make it to the Austin office.

XI. Monthly Status Report from the Director of Internal Audit.

1. Discussion of the results of Office of Internal Audit's Review of the Federal Surplus Freight Solicitation Process

Ms. Amanda Jenami, Director of Internal Audit, gave a report on the results of Office of Internal Audit's Review of the Federal Surplus Freight Solicitation Process and that the processes found sufficient internal controls to provide reasonable assurances that its goals are accomplished effectively and in compliance with relevant regulations, policies, and procedures.

Commissioner Jones made brief comments on the excellent job that Kristy Fierro and the Surplus Team are doing and she recommended the Commissioners should take the Surplus tour if they haven't already. Also that the Work Group is talking about other opportunities on how to increase revenue with other State Agencies.

Chairman Thomas reiterated the excellent job that Kristy Fierro and the Surplus Team are doing.

XII. Report from the Chief Financial Officer on the monthly financial report update.

Mr. Daniel Benjamin, Interim CFO, provided the monthly financial report including the agency forecast, operating expense report, year to date budget adjustments, cost recovery programs results of operations, the revenue forecast, and the financial transactions and appropriations not included in the operating budget.

XIII. Conduct the interview of candidates for the Executive Director position.

No action was taken on this agenda item.

XIV. Consideration and possible action on the hiring of an Executive Director.

No action was taken on this agenda item.

XV. Recess into CLOSED session, if necessary, pursuant to Texas Government Code 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.

Chairman Thomas recessed the meeting to convene in Executive Session at 10:49 a.m.

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

Chair Thomas reconvened the open meeting at 12:54 p.m.

XVI. Adjournment.

Chair Thomas adjourned the meeting at 12:55 p.m.

Reviewed and Submitted:

By: 
Naomi R. Gonzalez, Acting General Counsel

Approved by the Commission on June 21, 2018.

By: 
Robert D. Thomas, Chair