

CHAIR
Betty Reinbeck

COMMISSIONERS
William D. Darby
Douglas M. Hartman
Brant C. Ince
Virginia Hermosa
Michael Novak
Alvin Shaw



EXECUTIVE DIRECTOR
Terry Keel

TEXAS FACILITIES COMMISSION

Minutes No. 56: Minutes of the August 21, 2013 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 21, 2013 commencing at 10:00 a.m. Chair Reinbeck presided, and Commissioners Hermosa, Hartman, Ince, Shaw, and Novak were also present. Commissioner Darby was absent.

I. Call to Order.

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

II. Approval of the minutes from the July 17, 2013 Open Meeting.

The Commission voted unanimously to approve the minutes from the previous meeting with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Shaw. Commissioners Hartman & Ince abstained.

III. Public Comment.

There was no public comment.

IV. Award of Lease Recommendations and Summaries.

Leases and/or Amendments Pending Execution with Commencement Date on or after August 21, 2013.

Replacements

- 1. 303-4-20367 - Office of the Attorney General: Temple, TX.**
- 2. 303-4-20373 - Health and Human Services Commission/Department of Aging and Disability Services: Lake Jackson, TX.**
- 3. 303-4-20378 - Department of State Health Services: Tyler, TX.**

Renewals

- 4. **1652 - Texas State Board of Plumbing Examiners: Austin, TX.**
- 5. **20071 - Texas Department of Criminal Justice: Angleton, TX.**

Add Space/Extensions

- 6. **20208 - Texas Department of Licensing and Regulation: Austin, TX.**
- 7. **20175 - Office of the Attorney: Austin, TX.**

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

V. Consideration and possible action to approve a construction contract change order for the Texas Department of Public Safety Crime Laboratory, Project No. 10-036-0405, Laredo, Texas.

The Commission voted unanimously to approve a construction contract change order to Journeyman Construction, Inc in the amount of \$590,117.00 for Texas Department of Public Safety Crime Laboratory, Project No. 10-036-0405, in Laredo, Texas, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Ince.

VI. Consideration and possible action to approve an architectural/engineering indefinite delivery indefinite quantity contract assignment for professional services for the Texas Department of Public Safety Headquarters Buildings A & E Modifications, Project No. 13-007-6038, Austin, Texas.

The Commission voted unanimously to approve an architectural/engineering indefinite delivery indefinite quantity contract assignment to McKinney York Architects in the amount not to exceed \$263,775.00 for the DPS Headquarters buildings A & E renovations, Project No. 13-007-6308, in Austin, Texas with a motion made by Commissioner Hartman and a second to approve the motion made by Commissioner Hermosa.

VII. Consideration and possible action to adopt a resolution authorizing the request for financing of various capital improvement projects through the Texas Public Finance Authority.

The Commission voted unanimously to adopt the resolution authorizing the request for \$31, 031,000.00 in General Obligation Bond financing through the Texas Public Finance Authority for deferred maintenance capital improvement projects, with a motion made by Commissioner Ince and a second to approve the motion made by Commissioner Novak.

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

Ms. Kay Molina, General Counsel gave the Commissioners a brief update on the transfer of maintenance responsibilities for the Texas School for the Blind and Visually Impaired and Texas School for the Deaf to TFC effective September 1, 2013.

IX. Report on the Energy Management and Water Conservation Program.

John Raff, Deputy Executive Director of Facilities Design and Construction, informed the Commission that the SECO loan is closed. Mr. Raff also gave a brief update on the Energy Management and Water Conservation Program and updated the Commission on the most recent efforts regarding the Energy Efficiency and the Sustainability Campaign.

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

Ms. Diana Warner, Chief Financial Officer, 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.

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

a. Report on the Implementation Status of Prior Internal Audit Recommendations.

Mr. Mark Scott, Director of Internal Audit, updated the Commission on the report on the implementation status of prior Internal Audit recommendations; Commissioner Hartman reported that the Audit Work Group met on August 20, 2013.

XII. 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.**


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

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

XV. Adjournment.

Chair Reinbeck adjourned the meeting at 11:27am.

Reviewed and Submitted:

By: 

Kay Molina
General Counsel

Approved by the Commission on October 16, 2013.

By: 

Betty Reinbeck
Chair