

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. 105: Minutes of the August 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 Thursday August 16, 2018, commencing at 9:00 a.m. Chairman Thomas presided, and Commissioners Novak, Alvis, Villarreal were also present. Commissioner Allensworth participated by video conference call and Commissioner Jones was absent.

I. Call to Order.

Chair Thomas called the meeting to order at 9:02 a.m.

II. Approval of the minutes from the July 19, 2018, Open Meeting.

The Commission voted unanimously to approve the July 19, 2018 minutes with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Villarreal.

III. Public Comment.

There was no public comment.

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

Award of Lease Recommendations and Summaries.

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

New:

- 1. Lease #20613-B – Comptroller of Public Accounts - Audit: Plano, TX.**

Replacements:

- 2. Lease #303-9-20628 – Office of the Attorney General: San Angelo, TX.**

Renewals:

- 3. Lease #20174 – Office of the Attorney General: Houston, TX.**
- 4. Lease #7735 – Health and Human Services Commission; Department of Family and Protective Services: Crosby, 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 Novak and a second to approve the motion made by Commissioner Allensworth.

V. Consideration and possible action to award a construction manager-at-risk contract for the Capitol Complex New Buildings and Utility Infrastructure Project, Site Utilities Package (Package 2), Project Number 17-008-8040 in Austin, Texas.

The Commission voted unanimously to approve a construction manager-at-risk contract to JE Dunn Construction, in an amount not to exceed \$20,226,534.00 for the Capitol Complex New Buildings and Utility Infrastructure Project, Site Utilities Package (Package 2), Project Number 17-008-8040 in Austin, Texas, with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Allensworth.

VI. Discussion of the redevelopment of the G.J. Sutton State Office Building site in San Antonio, Texas.

1. Fiscal note update.

Mr. John Raff, Interim Executive Director informed the Commission at the request of Commissioner Alvis, he did get two estimates from two separate sources for the demolition of the Sutton building and that the cost looks to be running around a million dollars. Next Mr. Daniel Benjamin, Interim CFO, provided the update on the Fiscal Note for the redevelopment of the G.J. Sutton State Office Building site in San Antonio, Texas.

Thereafter, Chairman Thomas recessed the open meeting at 9:16 a.m. to convene in Executive Session.

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

Mr. Lou Saksen, Project Executive for Balfour Beatty, gave a summary report on the budget, schedule and how the project is going for the Capitol Complex Phase I. Mr. Saksen also informed the Commission that they have a website, TFC-ccp.org which gives an overall view of the entire project, in addition there's a newsletter that people can sign up for and once you submit your e-mail address you'll automatically receive the newsletter every Monday. Chairman Thomas asked that the website/newsletter information be added to Balfour's one pager.

VIII. 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 recognized Mr. Daniel Benjamin, Mr. Joel Stokes and Ms. Shyra Darr for extreme efforts and long hours in preparing the Legislative Appropriation Request. TFC is scheduled to appear before the Legislative Budget Board on September 5, 2018. Next, Mr. Raff informed the Commission that the Administration team will be at the leadership training on Friday, August 21, 2018 at the Circuit of Americas. In addition, Mr. Raff informed the Commission TFC received a letter of appreciation and recognition for the collaboration of project management and facility maintenance on work performed on the William P. Hobby building in Downtown Austin. Lastly, Mr. Raff informed the Commission that he will be attending the Governor's Executive Development Program in Arlington, Texas the week of September 17th.

Thereafter, Ms. Janine Mays, Human Resources Director, introduced the entire HR team. Commissioner Villarreal took the opportunity to asked Ms. Mays about starting an Employee Assistance Program and Tuition Reimbursement Program. Ms. Mays informed the Commission that it depends on the budget because both these programs would have to be funded by the agencies budget. Ms. Mays also informed the Commission that they are looking at different programs that will make the Agency stronger. In addition, Commissioner Villarreal thanked Kristy Fierro, Director of Surplus for the opportunity to visit the Surplus warehouse.

Finally, Chairman Thomas asked Mr. Raff to increase focus on the HUB role and to build it into the meeting agenda going forward.

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

Mr. John Raff, Interim Executive Director informed the Commission that the construction process is going very well. Thereafter Mr. Mark Diaz, Project Manager for the North Austin Complex gave a brief report and informed the Commission the project is on schedule and on budget.

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 informed the Commission that the School for the Deaf project is proceeding along very well within its schedule and will give more of an update once the project has progressed a little further.

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

1. Consideration and possible action to approve the Agency’s Internal Audit Plan for Fiscal Year 2019.

The Commission voted unanimously to approve the Agency’s Internal Audit Plan for Fiscal Year 2019, with a motion made by Commissioner Allensworth and a second to approve the motion made by Commissioner Alvis.

X. Report from the Commission Work Groups.

1. Energy Work Group report.

Commissioner Novak informed the Commission that they did not meet in August and the Energy Work Group’s objective is to meet quarterly and continues to do great things.

2. Design and Construction Work Group report.

Commissioner Allensworth informed the Commission that everything was covered under Agenda Item VII.

3. Administration Work Group report.

Commissioner Villarreal informed the Commission that they reviewed the Legislative Appropriations Request in their Work Group meeting.

XI. 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 result of operations, the revenue forecast, and the financial transactions and appropriations not included in the operating budget.

XII. Consideration and possible action to approve the Agency’s FY 2019 Operating Budget.

The Commission voted unanimously to approve the Agency’s FY 2019 Operating Budget, with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Villarreal.

XIII. Consideration and possible action to approve the Agency’s FY 2020-21 Legislative Appropriations Request.

While considering approval of the Legislative Appropriations Request, the Commission discussed two revisions to more effectively support the agency’s mission and strategic initiatives. First, in view of the Commission’s desire to make the agency’s wages more competitive with the private sector for all current and potential agency employees, the Commission directed staff to expand priority three of the exceptional items to encompass the workforce for the entire agency for amounts that are determined to be justified through appropriate research. Second, the Commission directed staff to add a line item priority for a ground up Flex Space Office Building to support large scale deferred maintenance, interior renewal projects, and the leasing program. This item would effectively provide temporary alternatives for the leasing program to strengthen their leverage in negotiation of renewals. Additionally, it would provide swing space for relocations to perform more disruptive deferred maintenance and interior renewals more rapidly and at less cost. The Commission voted unanimously to approve the Agency’s FY 2020-21 Legislative Appropriations Request as

discussed and revised on the dais, with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Villarreal.

XIV. Conduct the interview of candidates for the Executive Director

No action was taken on this agenda item.

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

No action was taken on this agenda item.

XVI. 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 9:16 a.m.

Chairman Thomas recessed the meeting to convene in Executive Session at 11:57 a.m.

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

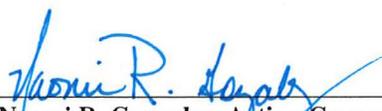
Chair Thomas reconvened the open meeting at 10:02 a.m.

Chair Thomas reconvened the open meeting at 12:22 p.m.

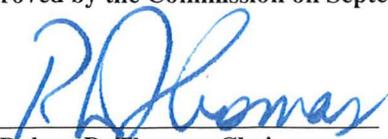
XIX. Adjournment.

Chair Thomas adjourned the meeting at 12:23 p.m.

Reviewed and Submitted:

By: 
Naomi R. Gonzalez, Acting General Counsel

Approved by the Commission on September 20, 2018.

By: 
Robert D. Thomas, Chair