

CHAIR
Betty Reinbeck

COMMISSIONERS
William D. Darby
Virginia Hermosa
Brant C. Ince
Michael Novak
Jack W. Perry
Alvin Shaw



EXECUTIVE DIRECTOR
Harvey Hilderbran

TEXAS FACILITIES COMMISSION

Minutes No. 69: Minutes of the January 21, 2015 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, January 21, 2014 commencing at 10:01 a.m. Chair Reinbeck presided, and Commissioners Hermosa, Shaw, Novak and Perry were also present.

I. Call to Order.

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

II. Conduct the interview of candidates for the Executive Director position, if necessary.

The Commission took no action on this agenda item.

III. Conduct the interview of candidates for the Director of Internal Audit position, if necessary.

The Commission recessed into Executive Session, as depicted below, to conduct an interview of a candidate for the Director of Internal Audit position.

IV. Service Awards

The following employee was recognized for his state service by the Commission.

Israel Hinojosa Twenty years (Grounds Keeper)

V. Approval of the minutes from the November 19, 2015 Open Meeting.

The Commission voted unanimously to approve the minutes from the previous meeting with a motion made by Commissioner Perry and a second to approve the motion made by Commissioner Hermosa. Commissioner Ince abstained.

VI. Public Comment.

There was no public comment.

VII. Award of Lease Recommendations and Summaries.

Leases and/or Amendments Pending Execution with Commencement Date on or after January 21, 2015.

Replacement

#20428-A – Texas Department of Criminal Justice: El Paso, TX.

#20349 – Texas Commission on Environmental Quality: Houston, TX.

#303-5-20463-A – Office of the Attorney General: Corpus Christi, TX.

#20383 – Texas Department of Criminal Justice: Beaumont, TX.

Renewals

#1709 – Health and Human Services Commission: Edinburg, TX.

#7320 – Department of Family and Protective Services: Edinburg, 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 Hermosa.

VIII. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the Texas School for the Deaf Campus Wide Improvements, Project No. 14-028-1440, in Austin, Texas.

The Commission voted unanimously to approve an architectural/engineering professional services contract amendment to GSC Architects in the amount of \$36,671.00 for the Texas School for the Deaf Campus Wide Improvements, Project No. 14-028-1440, in Austin, Texas, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Darby.

IX. Consideration and possible action to approve an amendment to the construction manager-at-risk contract for the Texas School for the Deaf Campus Wide Improvements; Project No. 14-028-1440, in Austin, Texas.

The Commission voted unanimously to approve an amendment to the construction manager-at-risk contract with Kiewit Building Group, Inc. in the amount of \$1,868,627.00 for the Texas School for the Deaf Campus Wide Improvements; Project No. 14-028-1440, in Austin, Texas, with a motion made by Commissioner Ince and a second to approve the motion made by Commissioner Novak.

X. Consideration and possible action to approve proposed language and staff recommendations concerning the auditing services contract related to the agency's Human Resources Division.

The Commission voted unanimously to direct the new Director of Internal Audit to proceed with an audit of Human Resources, with a motion made by Commissioner Ince and a second to approve the motion made by Commissioner Perry.

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

Ms. Shyra Darr, Director of Special Projects, informed the Commission that TFC has executed a contract extension, at its current rate, with Austin Energy to expire on May 31, 2017. Thereafter Mr. Rob Ries, Manager of Budget, gave a brief update on the 84th Legislative Session, House Bill 1. In addition, Ms.

Kay Molina, General Counsel, updated the Commission on its final hearing before the Sunset Commission.

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

Mr. John Raff, Deputy Executive Director of Facilities Design and Construction, informed the Commission that the energy management program continues to focus on the review of utility bills to verify their accuracy and to identify anomalies, with collaboration with FDC project management staff on deferred maintenance projects, and on the load cooperative agreement with Austin Energy. Commissioner Novak informed the Commission that the Energy Workgroup did not meet this month.

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

Mr. Rob Ries, Manager of Budget, 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.

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

a. Fiscal Year 2014 Annual Audit Report.

Ms. Kay Molina, General Counsel, informed the Commission that the Fiscal Year 2014 Annual Audit Plan was submitted to the State Auditor's Office on November 1, 2014.

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

XVI. Consideration and possible action on the hiring of a Director of Internal Audit.

XVII. 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.**

Chair Reinbeck recessed the meeting to convene in Executive Session at 10:12 a.m. to conduct the interview of a candidate for the position of Director of Internal Audit pursuant to Agenda Item III and again at 11:35 a.m. to discuss the acceptance of the offers made to the candidate for the position of

Executive Director under Agenda Item XV and the position of Director of Internal Audit under Agency Item XVI.

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

Chair Reinbeck reconvened the meeting at 11:07 a.m. to continue with the agenda after the interview of a candidate for the position of Director of Internal Audit pursuant to Agenda Item III.

In addition, Chair Reinbeck reconvened the meeting at 11:55 a.m. to announce the acceptance of the offers of employment the offer of employment by Mr. Harvey Hilderbran as the Executive Director and Ms. Amanda Jenami as the Director of Internal Audit.

XIX. Adjournment.

Chair Reinbeck adjourned the meeting at 12:00 p.m.

Reviewed and Submitted:

By: 

Kay Molina
General Counsel

Approved by the Commission on February 18, 2015.

By: 

Betty Reinbeck
Chair