

EXECUTIVE DIRECTOR
Terry Keel



CHAIR
Betty Reinbeck

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

TEXAS FACILITIES COMMISSION

Minutes No. 38 Minutes of the September 21, 2011, 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, September 21, 2011, commencing at 10:00 a.m. The following were present, and Chair Reinbeck presided: Commissioners Darby, Hermosa, Shaw and Hartman were also present. Commissioners Beckendorff and Ince were absent.

I. Call to Order.

Chair Reinbeck called the meeting to order at 10:05 a.m.

II. Approval of the Minutes from the August 17, 2011 Open Meeting.

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

III. Public Comment.

There were no public comments.

IV. Award of Lease Recommendations and Summaries.

A. Leases and/or Amendments Pending Execution with Commencement Date on or after September 21, 2011.

New Leases

1. #303-2-20290 - Department of Public Safety: San Antonio, TX.
2. #303-2-20291 - Department of Public Safety: Garland, TX.
3. #303-2-20296 - Department of Public Safety: Houston, TX.
4. #303-2-20297 - Department of Public Safety: Rosenberg, TX.
5. #303-2-20298 - Department of Public Safety: Fort Worth, TX.

Replacement Leases

6. #20301 - Texas Commission on Environmental Quality: Midland, TX.
7. #20271 - Department of Family and Protective Services: Kingsville, TX.
8. #303-1-20281 - Health and Human Services Commission/Department of Aging and Disability Services: San Antonio, TX.

Renewal/Add

9. #8635 - Health and Human Services Commission: Houston, TX.

Add Space

10. #20175 - Office of the Attorney General: Austin, TX.

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

V. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the Texas Department of State Health Services (DSHS) Hidalgo County Primary Care and Substance Abuse Clinic, Project No. 08-026A-7077, Edinburg, Texas.

The Commission voted unanimously to approve a contract amendment to Negrete & Kolar Architects for the Texas Department of State Health Services Hidalgo County Primary Care and Substance Abuse Clinic, Project No. 08-026A-7077, Edinburg, Texas, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Shaw.

VI. Update from the Planning and Asset Management Division on facilities strategy and space utilization.

No updates were provided.

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

Mr. Terry Keel, Executive Director, introduced Mr. Dave Carlton, a project manager with the Facilities Design and Construction Division, to give a presentation on the Department of Public Safety Weslaco Regional Office construction project. Ms. Tavia Wendlant of the Department of Public Safety commended the Texas Facilities Commission for its efforts on the project.

VIII. Report from the Director of Budget on the monthly financial report update.

Mr. Stan Korn, Director of Budget, provided the monthly financial report including the agency forecast, operating expense report, year to date budget adjustments, cost recovery programs the results of operations, the revenue forecast, and the financial transactions, and appropriations not included in the operating budget.

IX. Monthly Status Report from the Internal Auditor.

Mr. Mark Scott, Director of Internal Audit, gave the Commission an overview of the "Review of TFC's State Leasing Services Program" which found the leasing program to be effective and to be providing the best value to the State of Texas. Mr. Scott informed the Commission that the Internal Audit Division was working on the FY 2012 Audit Plan. Commissioner Hartman informed the Commission that he and Commissioner Hermosa met with Mr. Scott to discuss audit issues and that the Internal Audit Division would complete a follow up audit of the Business Continuity Plan.

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.**
- 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.

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

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

XII. Adjournment.

Chair Reinbeck adjourned the meeting at 10:48 a.m.

Reviewed and Submitted:

By: 

Kay Molina
General Counsel

Approved by the Commission on the 10/19/2011.

By: 

Virginia Hermosa-Boissonneault
Vice-Chair