

INTERIM EXECUTIVE DIRECTOR
Thomas L. Forrest



Texas Facilities Commission

CHAIR
Betty Reinbeck

COMMISSIONERS
Barkley J. Stuart
Malcolm E. Beckendorff
William D. Darby
Douglas M. Hartman
Brant C. Ince
Virginia Hermosa

Minutes No. 23 Minutes of the November 18, 2009, 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, November 18, 2009, commencing at 10:00 a.m. The following were present, and Chair Reinbeck presided:

Members Present

Betty Reinbeck	Chair
Barkley Stuart	Vice-Chair
Derek Darby	Commissioner
Doug Hartman	Commissioner
Virginia Hermosa	Commissioner (Arrived at 10:01 a.m.)
Brant C. Ince	Commissioner

Members Absent

Malcolm Beckendorff	Commissioner
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Staff Present

Tom Forrest	Interim Executive Director
Kay Molina	General Counsel
Mark Scott	Director, Internal Audit
Luis Arellano	Chief Financial Officer
Gregg Werkenthin	Deputy Executive Director, Space Management & State Leasing Services
Richard Ehlert	Internal Procurement
Jamie Barrington	Deputy Executive Director, Facilities Management Division
Dana Williams	Facilities Management Division
Stephen Thomas	Deputy Executive Director, Administration
Catherine Camp	Human Resources
Tiffany Harry	Legal Services Division
Lisa Hardin	Executive Administration
Crystal Nelson	Legal Services Division
Susan Maldonado	Legal Services Division
Kristy Fierro	Internal Audit
Trish Perme	Internal Audit
Mike Blackwell	Publications & Media
Jorge Ramirez	Deputy Executive Director, Energy Management & Plant Operations

Mary Jo Ingram	Facilities Design & Construction
Britten Barr	Facilities Design & Construction
Joel Fults	Facilities Design & Construction
John Raff	Facilities Design & Construction
Thursten Simonsen	Facilities Design & Construction
David Mascorro	Facilities Design & Construction
Peter Maass	Facilities Design & Construction
Mark Trott	Facilities Design & Construction
Mike Holeman	Facilities Design & Construction
Gayla Davis	Space Management & State Leasing Services
Amanda Diebel	Space Management & State Leasing Services
Debbie Simecek	Space Management & State Leasing Services
Bob Bugnand	Space Management & State Leasing Services

Guests

David Ancira	Texas Comptroller of Public Accounts (CPA)
Justin Jones	Texas Comptroller of Public Accounts (CPA)
Melissa Nelson	Legislative Budget Board (LBB)
Song Deng	Texas A&M University (TAMU)
María Bommarito-Crouch	Chief Executive Officer, The Bommarito Group
Marc Bove	President, The Bommarito Group
Lee Harsh	Director, Health & Human Services Commission
Les Butler	Associate Director, Health & Human Services Commission

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

II. Approval of the Minutes from the October 21, 2009 Open Meeting.

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

III. Public Comment. There were no public comments.

IV. Consideration and possible action to adopt amendments to the Contract Procedure & Approval policies for the Texas Facilities Commission. The Commission voted unanimously to adopt the amendments to the Contract Procedure & Approval policies incorporating the delegation amounts for IDIQ contracts (Section III/b) with a motion made by Commissioner Stuart and a second to approve the motion made by Commissioner Hermosa.

V. Consideration and possible action to approve an architecture/engineering contract award for the Texas Health and Human Services Commission, Renovations and Repairs of 4 Buildings at the Austin State Hospital Campus, Project No. 08-085A-7094, Austin, Texas. The Commission unanimously voted to approve an architecture/engineering contract award to The Bommarito Group in an amount not to exceed \$271,545 for renovations and repairs at the Austin State Hospital Campus (Buildings 552, 555, 633, and 634), Project No. 08-085A-7094, Austin, Texas, with a motion made by Commissioner Stuart and a second to approve the motion made by Commissioner Ince.

- VI. Presentation on potential participation in the State Energy Conservation Office Energy-Saving Loan programs and possible delegation to the Executive Director to respond to the Request for Application for the Building Efficiency and Retrofit Revolving Loan Program of the Texas Comptroller of Public Accounts.** Jorge Ramirez made a presentation to the Commission overviewing the State Energy Conservation Office Energy-Saving Loan programs and the pending Application for the Building Efficiency and Retrofit Revolving Loan Program (RFA) issued by the Texas Comptroller of Public Accounts. Mr. Song Deng from the Energy Systems Laboratories (ESL) at Texas A&M University gave the Commission a brief overview of potential energy savings projects that could be undertaken by the Commission with loan funds and the possible cost to implement these measures. The Commission voted unanimously to delegate to the Executive Director the ability to respond to the RFA to be considered for potential energy savings loans on behalf of the Commission with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Stuart.
- VII. Report from the Executive Director and executive staff on facilities design and construction projects, facilities leasing, facilities operations and maintenance, energy management, and legislative update.** Jamie Barrington (FMD) presented an overview of accomplishments and goals from 2009 for the Facilities Maintenance Division.
- VIII. Report from the Chief Financial Officer on the monthly financial report update.** Luis Arellano provided the monthly financial report including the agency forecast, monthly operating expenditures, year-to-date budgeted adjustments, cost recovery program results, revenue forecast, and a list of financial transactions that are not included in the operating budget with no major changes. Two budget adjustments within the other operating expense category were made to bring cost recovery revenue to par with the budget. Mr. Arellano also informed the Commission that the TFC currently has 328 FTE's (Full Time Employees) as of October 31, 2009.
- IX. Monthly Status Report from Internal Auditor, Mark Scott.**
- A. TFC Human Resources Program - Audit Report**
Mark Scott reviewed the findings of the TFC Human Resources Program Audit Report concluding that the Human Resources program is meeting its objectives and has opportunities to strengthen compliance and improve operational efficiency.
- X. 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.**
- C. The duties, roles, and responsibilities as Commissioners of the Texas Facilities Commission, Section 551.074.**
- D. The deliberation regarding purchase, exchange, lease, or value of real property, Section 551.072**
- E. 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.**

F. Any matters identified in this agenda where the Commissioners seek the advice of their attorney, Section 551.071.

Chair Reinbeck recessed the meeting at 11:29 a.m. and the Commission went into Executive Session.

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

Chair Reinbeck reconvened the meeting at 1:29 p.m.

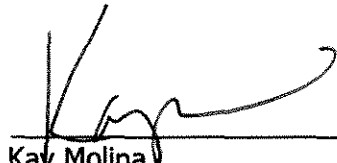
XII. Consideration and possible action, if necessary, on any issue discussed during Executive Session.

No actions were taken as a result of Executive Session.

XIII. Adjournment.

Chair Reinbeck adjourned the meeting at 1:30 p.m.


Reviewed and
Submitted by:



Kay Molina
General Counsel

Approved by the Commission on the 16th day of December, 2009.

By:



Betty Reinbeck
Chair