

**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. 52: Minutes of the February 20, 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, February 20, 2013 commencing at 10:00 a.m. Chair Reinbeck presided, and Commissioners Hermosa, Darby, Hartman, Shaw, and Novak were also present. Commissioner Ince was absent.

#### **I. Call to Order.**

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

#### **II. Approval of the minutes from the December 19, 2012 Open Meeting.**

The Commission voted unanimously to approve the minutes from the previous meeting with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Hermosa. Commissioner Hartman 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 February 20, 2013.**

##### **Replacement Leases.**

- 1. #20344 – Health and Human Services Commission/Department of Aging and Disability Services: Fort Worth, Texas.**
- 2. #303-3-20356 - Health and Human Services Commission/Department of Family and Protective Services/Department of Aging and Disability Services: Crystal City, Texas.**

##### **Renewals.**

- 3. #1435-Texas Department of Criminal Justice: Dallas, Texas.**

4. **#7641-Health and Human Services Commission/Department of Family and Protective Services: Fort Worth, Texas.**
5. **#7813 - Department of State Health Services: Temple, Texas.**
6. **#7429 – Health and Human Services Commission: Dallas, Texas.**

The Commission voted unanimously to approve the above leases with a motion to approve made by Commissioner Hartman and a second to approve the motion made by Commissioner Novak. Commissioner Hartman asked staff about the average of \$3.00 annual rate for utilities and \$1.00 for janitorial. Staff responded that TFC has used these averages for a long time, but that staff would research the current conversion numbers for future leases.

**V. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the Texas School for the Blind and Visually Impaired, Project No. 08-013-0771, in Austin, Texas.**

The Commission voted unanimously to approve a contract amendment to GSC Architects in an amount of \$210,001.00 for the Texas School for the Blind and Visually Impaired campus renovations, Project No. 08-013-0771, in Austin, Texas, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Darby.

**VI. Consideration and possible action to approve an architectural/engineering professional services contract award for the renovation of mechanical, electrical, plumbing, and exterior envelope systems at three buildings, Project No. 12-018-6415 William B. Travis Building, Project No. 12-019-6416 Lyndon B. Johnson Building, and Project No. 12-020-6417 Stephen F. Austin Building, in Austin, Texas.**

The Commission voted unanimously to approve an architectural/engineering professional services contract award to Tom Green & Company Engineers, Inc. in an amount of \$1,612,500.00 for the renovation of mechanical, electrical, plumbing, and exterior envelope system at three buildings, Project No. 12-018-6415 William B. Travis Building, Project No. 12-019-6416 Lyndon B. Johnson Building, Project No. 12-020-6417 Stephen F. Austin Building, in Austin Texas, with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Hartman.

**VII. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the Texas Department of Public Safety New Area Office, Project No. 08-014-0405, in Rio Grande City, Texas.**

The Commission voted unanimously to approve an architectural/engineering professional services contract amendment to Negrete & Kolar Architects in the amount of \$55,298.00 for the Texas Department of Public Safety New Area Office, Project No. 08-014-0405, Rio Grande City, Texas, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Shaw.

**VIII. Consideration and possible action to approve an architectural/engineering professional services contract for the Capital Area Development Study, Project Nos. 12-032-6018, 12-034-6025, and 13-001-6035, in Austin, Texas.**

The Commission voted to approve an architectural/engineering professional services contract award to Page Southerland Page, LLP in the amount of \$488,518.00 for the Capital Area Development Study, Project Nos. 12-032-6018, 12-034-6025 and 13-001-6035, in Austin, Texas, pending funding and

contractual approval by the General Counsel, with a motion made by Commissioner Darby and a second to approve the motion made by Commissioner Hermosa. Chair Reinbeck and Commissioners Shaw and Novak also approved. Commissioner Hartman opposed. The Commission had a lengthy discussion with staff regarding the parameters of the study, the need for the study and how the study was going to be funded.

**IX. 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 gave the Commissioners a brief update on the final Sunset Hearing held in January as well as a timeline and briefing of many meetings that have taken place since the beginning of the 83<sup>rd</sup> Legislative Session, including meetings with House Appropriations and Senate Finance on the budget and Senator Eltife regarding the building of state office buildings and the TFC FY 14-15 Deferred Maintenance request. In addition Ms. Kay Molina, General Counsel, gave a quick update regarding the House Appropriations and Senate Finance Article I working groups findings regarding the TFC requested exceptional item requests. Mr. Keel also gave an update on the Child Care Advisory Committee recommendations completed in this month.

**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. Management letter of the status of external audit and review activity.**
- b. Audit report on the commission's grounds maintenance program.**

Mr. Mark Scott, Director of Internal Audit, gave the Commission an overview of the Management letter of the status of external audit and review activity. He also reported on the Audit report on the commission's grounds maintenance program. In addition, Mr. Hartman informed the Commission that the Audit Work Group met on February 19, 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.**

There was no Executive Session.

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

There was no Executive Session.

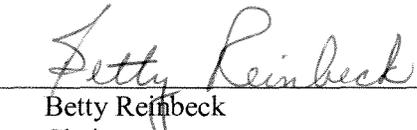
**XV. Adjournment.**

Chair Reinbeck adjourned the meeting at 12:09 p.m.

Reviewed and Submitted:

By:   
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Kay Molina  
General Counsel

Approved by the Commission on the March 20, 2013

By:   
\_\_\_\_\_  
Betty Reinbeck  
Chair