Minutes No. 14
Minutes of the January 21, 2008,
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, August 20, 2008, commencing at 10:00 a.m. The following were present, and Chair Reinbeck presided:

**Members Present**

- Betty Reinbeck, Chair
- Malcolm E. Beckendorff, Commissioner
- Derek Darby, Commissioner
- Virginia Hermosa, Commissioner
- Victor Leal, Commissioner
- Barkley Stuart, Commissioner

**Staff Present**

- Edward Johnson, Executive Director
- Kay Molina, General Counsel
- Mark Scott, Director, Internal Audit
- Stephen Thomas, Deputy Executive Director, Administration
- Luis Arellano, Chief Financial Officer
- Gregg Werkenthin, Deputy Executive Director, Space Management & State Leasing Services
- Richard Ehlerdt, Internal Procurement
- Jamie Barrington, Director, Facilities Management Division
- Bill Bonham, Deputy Executive Director, Facilities Design & Construction
- Tiffany Harry, Legal Services Division
- Kristy Fierro, Internal Audit
- Trish Perme, Internal Audit
- Mike Blackwell, Publications & Media
- Jorge Ramirez, Director, Energy Management & Plant Operations
- Mark Trott, Facilities Design & Construction
- Mary Jo Ingram, Facilities Design & Construction
- Sarah English, Facilities Design & Construction
- John Raff, Facilities Design & Construction
Thursten Simonsen  Facilities Design & Construction  
Aaron Garcia  Facilities Design & Construction  
Craig Wingfield  Facilities Design & Construction  
Tom Forrest  Facilities Design & Construction  
Karl Oberlander  Facilities Design & Construction  
Chris Tisdel  Facilities Design & Construction  
Kyle Conaway  Facilities Design & Construction  
Kayro Franklin  Energy Management  
Debbie Semicek  Space Management & State Leasing  
Mike Holeman  Director of A/E Tech Support  
Kelsey Peeler  Executive Administration  
Ashley Holt  Leasing  
Lisa Hardin  Executive Administration  
Mel Bullock  Facilities Management & Operations  
Rodney Trammell  Facilities Management & Operations  
Kevin Sandberg  Facilities Design & Construction  
Mike Lacy  Space Management & State Leasing  
Steven Haney  Energy Management  
Fahim Idias  Information Systems  

Guests  
John Daude  TSBVI  
Bonny Gray  Graeber, Simmons & Cowan  
Bob Sharp  Walton Construction  
Matt Allen  Walton Construction  
Lisa Peterson  Walton Construction  
Anthony Popolizio  Walton Construction  
Beth Guillot  Graeber, Simmons & Cowen  
David Ancira  Texas Comptroller of Public Accounts (CPA)  
Christina Bryant  TIBH Industries  
Debbie Leal  Wife of Commissioner Leal  

I. Call to Order. Chair Reinbeck called the meeting to order.  

II. Presentation of State Service Awards.  
The following individuals were recognized for their state service:

Stephen Huber  Twenty years (Space Management & State Leasing)  
Debbie Simecek  Fifteen years (Space Management & State Leasing)  
Rodney Trammell  Fifteen years (Energy Management & Plant Operations)  
Mel Bullock  Fifteen years (Energy Management & Plant Operations)  
Michelle Ash  Ten years (Information Systems)  
Ashley Holt  Ten years (Space Management & State Leasing)  
Edward Johnson  Ten years (Executive)  
Aaron Garcia  Five years (Facility Design & Construction)
III. Approval of the Minutes from the December 17, 2008 Open Meeting.

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

IV. Public Comment. There were no public comments.

V. Award of Lease Recommendations and Summaries.

Leases and/or Amendments Pending Execution with Commencement Date on or after January 21, 2009.

Renewals
1. #8615 – Health and Human Services Commission/Department of Family and Protective Services: San Antonio, TX.
2. #1245 – Comptroller of Public Accounts: Houston, TX.
3. #8617 – Office of the Attorney General: Uvalde, TX.

Add Space
4. #9210 – Health and Human Services Commission: Austin, TX.

New Leases
5. #20216 – Cancer Prevention & Research Institute of Texas: Austin, TX.
6. #303-9-10160 – Health and Human Services Commission/Department of Family and Protective Services: San Antonio, TX.
7. #303-9-10341 – Department of Family and Protective Services: Brownsville, TX.
8. #303-9-10424 – Texas Department of Insurance – Division of Workers’ Compensation: Dallas, TX.

The Commission unanimously voted to approve the above leases and/or amendments with the motion to approve made by Commissioner Stuart and a second to approve the motion made by Commissioner Beckendorff.

VI. Consideration and possible action to award a construction contract for seven duplexes and campus site work for the Texas School for the Blind and Visually Impaired, Project No. 08-013A-0771, Austin, Texas. Chair Reinbeck introduced individuals in attendance that were working on this project and thanked them for their service. The Commission unanimously voted to award a contract to Walton Construction for construction services in the amount of $8,985,000 for the construction of seven duplexes and site work for the Texas School for the Blind and Visually Impaired, Project
No. 08-013A-0771, Austin, Texas, with a motion made by Commissioner Stuart and a second to approve the motion made by Commissioner Beckendorff.

VII. **Report from the Executive Director and executive staff on facilities design and construction projects, facilities leasing, facilities operations and maintenance, and energy management.** Edward Johnson updated the Commissioners on a construction contract that was approved and executed between meetings under his delegated authority. The award of the construction contract was to Parallax Builders, Inc. in the amount of $899,750 for the construction of the Texas Department of Public Safety (DPS) Houston Daconma Driver License expansion, Project No. 08-008-7082, Houston, Texas. Thereafter, Mr. Johnson gave a brief update on what has been happening at the Capitol since the Legislature has gone into session.

Bill Bonham introduced Chris Tisdell from Facilities Design & Construction, and Mr. Tisdell provided the Commissioners and staff with a project update and status presentation on current construction projects, more particularly the roofing project for the William B. Travis State Office Building, as well as a PowerPoint presentation on Building Information Modeling.

VIII. **Quarterly Report from the Deputy Executive Director for Administration.** Stephen Thomas updated the commissioners on the previous quarter stating that the agency's attrition rate is running below previous year's rates, workforce injuries are down for the year, and that Human Resources is conducting an agency training needs assessment and implementing an agency training and development program as part of its 2009 Administration Division Initiative. Mr. Thomas also discussed the Survey of Organizational Excellence by providing background on the study, what categories are included in the study, who participates in the study, how the results are derived and what can be done with the final results. Mr. Thomas pointed out that the next step in the Survey of Organizational Excellence will be to distribute the information to TFC employees and start implementing changes based on feedback received from the survey as well as create working groups to find further ways to address areas of concern.

IX. **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. In addition, he stated that there is a projected shortfall for the month due to utility bills and that all of our bills have not been paid because vendors are lagging on the bills 30-60 days. However, Mr. Arellano did state that although we continue to have a shortfall due to the high utility bills, it is anticipated that the shortfall will be much less now that gas prices have dropped dramatically from where they were a few months ago. Budget adjustments have been made throughout the month to increase budgets due to cost recovery.

X. **Monthly Status Report from Internal Auditor, Mark Scott.** Mr. Scott reported to the Commission that he participated on a State Agency Internal Audit Forum (SAIAF) work group which looked at creating a statewide Office of Inspector General. He stated that the SAIAF recommended against this concept and will report that to the Legislature.
The Internal Audit team continues to work on a general controls audit of Information Systems, a contracting audit for facilities contracts, and a review of the impact of HB 1516 on TFC's Information Systems.

XI. **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 stated that the Commission would not convene in Executive Session.

XII. **Reconvene in open meeting and consider action on matters discussed in Executive Session.** No Executive Session held.

XIII. **Consideration and possible action, if necessary, on any issue discussed during Executive Session.** No Executive Session held.

XIV. **Adjournment.** Chair Reinbeck adjourned the meeting at 11:50 a.m.

Reviewed and Submitted by: 
Kay Molina  
General Counsel

Approved by the Commission on the 18th day of February, 2009.
By: Betty Reinbeck
Betty Reinbeck
Chair