

## Texas Civil Commitment Office

Christy Jack, Chair  
Board Members:  
Kathryn “Katie” McClure, Vice Chair  
Jose Aliseda  
Roberto “Robert” Dominguez  
Rona Stratton Gouyton  
Marsha McLane, Executive Director

Friday, February 22, 2019, at 10:00 a.m.  
4616 West Howard Lane  
Building 2, Suite 350  
Austin, Texas 78728

### MINUTES

#### Board Members Present

Christy Jack, Chair	Katie McClure	Roberto “Robert” Dominguez
Jose Aliseda	Rona Stratton Gouyton	

#### TCCO Staff

Marsha McLane	David Flores	Jessica Marsh
Stuart Jenkins	Mike Necker	

#### Convene the Board of the Texas Civil Commitment Office

Board Chair, Christy Jack convened the meeting at 10:00 a.m. Roll was taken and it was noted that a quorum was present.

#### Executive Director’s report concerning program operations, the routine functioning of the TCCO and legislative update

TCCO Executive Director, Marsha McLane, stated that since the last Board meeting in October, she and four TCCO staff members went to Salt Lake City, Utah to meet with Dr. Byrne who is an expert in the Monarch PPG machine and PPG reports. Dr. Byrne also allowed TCCO Austin staff and TCCO Case Managers to attend the valuable training via videoconference.

In December TCCO had an annual training for the Case Managers and, the Vendor’s staff were also able to attend the training as well and earned CSOT continuing education hours. There were presentations on public safety, civil response to attacks and a presentation by experts in gender dysphoria.

The TCCO Biennial report was submitted in December and copies were provided to the Board Members at that time. TCCO had extra meetings with the Littlefield Police Department and the Lamb County District Attorney’s office, with whom TCCO has an excellent relationship. The discussions included the process for reporting incidents at the facility and for which incidents it is appropriate to contact these offices. TCCO plans to conduct these meetings at least once a year in order to help ensure that the facility is not overtaxing Lamb County or the City of Littlefield.

All of the Due Process hearings required by Senate Bill 746 for civilly committed individuals were completed in the last three months with the exception of 3 people who had medical issues and were too ill to go to court. These 3 hearings will be scheduled contingent upon the health of these clients.

The rollout of TCCO’s new website has been further delayed. HHSC IT staff have been working on it but there have been some software issues. TCCO will keep the Board posted on its progress.

Since the last Board Meeting, the Request for Proposals for the operation and management of the civil commitment center was issued on October 26, 2018. The original intent was to have the RFP process

completed and have a signed contract prior to the due date of TCCO's Legislative Appropriations Request in September; however, due to HHSC Procurement delays, it took ten months to issue the RFP. TCCO intends to fast track the rest of the process because the Legislative session has begun and it is important that TCCO have accurate figures to present to the Legislature.

**Board Chair's report and update concerning current operations and the functioning of the TCCO Board**  
Board Chair, Christy Jack did not have a formal report to present; however, she wanted to recognize Board Member, Jose Aliseda for his excellent representation of TCCO when he testified in front of the Senate Committee on Nominations regarding his reappointment to the TCCO Board.

**Budget Director's report regarding FY 2019 Budget and Expenditures**

TCCO Budget Director, David Flores stated that the TCCO CJD grant from the Governor's office still has a significant amount of money remaining due to the fact that TCCO has a Sex Offender Program Specialist on staff who is qualified to provide a majority of the necessary training at far less expense than hiring contractors to provide such training. The grant currently expires at the end of April; however, TCCO will seek to have that timeframe extended through the end of August in order to utilize the full grant funding and, if necessary, to have the remaining funds rolled over into next fiscal year.

TCCO's operating budget for Fiscal Year 2019 started out a \$16.3 million and the \$563,000 in appropriations for off-site healthcare was appropriated in the beginning of this biennium, but TCCO split the money between the FY2018 and FY 2019 budgets. Additionally, there was \$3.1 million left in TCCO's budget at the end of FY 2018 which was brought forward to the FY 2019 budget and there was money from the fiscal sanctions TCCO imposed on the Contractor for issues of noncompliance with performance measures. Any funds remaining at the end of FY 2019 will go back to the State.

**Discussion, consideration, and possible action regarding the appointment of an Internal Auditor**

Executive Director McLane introduced the candidate for Internal Auditor, Lissette Nadal and gave a brief history of the extensive auditing experience and credentials she brings to the position. Ms. Nadal met with the Audit Committee of the TCCO Board just prior to the convening of this Board Meeting. Audit committee Chair, Robert Dominguez gave a synopsis of this meeting, indicating that they discussed the expectations of the Board and were pleased with the responses from Ms. Nadal. Mr. Dominguez then made a motion, based upon the review of her credentials and the recommendations of the TCCO Executive Director and Budget Director, to appoint Lissette Nadal TCCO's Internal Auditor in accordance with Texas Government Code, Chapter 2102. The motion was seconded, voted on and passed without opposition.

**Discussion, consideration, and possible contract award regarding Request for Proposals HHS0001193, Civil Commitment Center for Violent Sex Offenders**

As a result of the Request for Proposals, HHSC Procurement received two proposals, one of which was disqualified as a result of not meeting the procurement requirements. TCCO staff then reviewed and evaluated the qualified proposal and made a recommendation to Executive Director, Marsha McLane to move forward with awarding the Contract to the qualified bidder. Ms. McLane agreed with her staff's recommendation and requested that the Board allow her to move forward to negotiate the contract and recommended they award of the Contract to Management and Training Corporation contingent upon successful negotiations.

Board Chair, Christy Jack, reiterated that she wanted it to be very clear that the length of time this procurement process took was not due to TCCO staff and that, had things proceeded in a timely fashion, this vote could have taken place last summer. Ms. Jack then made a motion to authorize a contract award up to the amount of available appropriations to the qualified bidder contingent upon successful negotiations and to authorize Marsha McLane to sign the contract with MTC following final negotiations. The motion was seconded and passed without opposition.

**Executive Session for report regarding potential, contemplated, and pending litigation**

The Board went into Executive session and all members of the public were asked to leave at 10:25 a.m. The Board reconvened in open session at 10:47 a.m. with no formal action taken during the executive session.

**Discussion, Consideration, and Possible Action Regarding Excused Absences**

Ms. Jack noted that all Board Members were present at the last Board Meeting.

**Discussion, consideration, and possible action regarding October 19, 2018 Meeting Minutes**

Board Chair Christy Jack asked for a motion to adopt the October 19, 2018 meeting minutes; the motion was seconded and passed without opposition.

**Discussion, consideration, and possible action regarding future meeting dates**

The next meeting of the TCCO Board was tentatively scheduled for Friday, May 17, 2019 at 10:00 a.m.

**Public Comment**

There was no member of the public requesting to address the Board.

**Meeting Adjourned at 10:48 a.m.**

**Signatures on File**

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Christy Jack, Chair

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Marsha McLane, Executive Director

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Date

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Date