

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
TEXAS WORKFORCE COMMISSION  
AUSTIN, TEXAS

PUBLIC MEETING FOR THE TWC )  
LOCAL WORKFORCE DEVELOPMENT )  
BOARD ADVISORY COMMITTEE )

ADVISORY COMMITTEE MEETING  
MONDAY, JUNE 11, 2007

BE IT REMEMBERED THAT at approximately  
3:55 p.m., Monday, the 11th day of June 2007, the  
above-entitled matters came on for hearing at the Omni  
Austin Hotel, 700 San Jacinto Boulevard, Austin,  
Texas, before the Members of the Local Workforce  
Development Board Advisory Committee of the Texas  
Workforce Commission: James Belk, Tyane Dietz,  
Mary Ann Rojas, Mark Guthrie, Joene Grissom, Janie  
Bates, Mary Ross and Wills Reese; and the following  
proceedings were reported by Patricia Gonzalez, a  
Certified Shorthand Reporter of:

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1 P R O C E E D I N G S

2 MONDAY, JUNE 11, 2007

3 (3:55 p.m.)

4 MR. BELK: Okay. I'm going to call the  
5 Advisory Committee to order. And those of you who  
6 want to join us, you're welcome to. Please be seated.  
7 Those of you who don't, you know where the door is.

8 (Laughter)

9 MR. BELK: We've got business to take  
10 care of and I've got a plane to catch.

11 (Brief Pause)

12 MR. BELK: I don't know where Lisa went.  
13 I assume we have an agenda to pass out.

14 MS. DIETZ: Yeah -- well, actually, TWC  
15 folks are bringing something -- or maybe just the  
16 Minutes.

17 MR. BELK: Yeah. I'm sure that the  
18 Minutes are there to pass out.

19 MS. DIETZ: Yeah.

20 MR. BALLARD: We didn't bring the  
21 agenda. It's just the Minutes.

22 MR. BELK: Well, Lisa, I thought had an  
23 agenda. I didn't bring a copy of it because I thought  
24 we would have one.

25 MR. BALLARD: Here you go.

1 MS. DIETZ: Well -- Lord, I don't have  
2 my reading glasses on. I hope I'm passing out the  
3 Minutes.

4 (Laughter)

5 MR. BELK: That can't be the Minutes.  
6 It's not 60 pages.

7 (Laughter)

8 MR. BELK: I guess it is.

9 MS. GRISSOM: I think it's smaller  
10 typing.

11 (Laughter)

12 AGENDA ITEM NO. 1

13 MR. BELK: The first item on our agenda  
14 is public comment, and I've had no request for public  
15 comment.

16 AGENDA ITEM NO. 2

17 MR. BELK: So we will move on to the  
18 second item, which is the consideration and possible  
19 action regarding the Minutes, approving the Minutes of  
20 the past Meeting.

21 MS. BATES: Janie Bates, Texoma, motion  
22 to approve.

23 MR. BELK: I have a motion from Janie.

24 MS. GRISSOM: I second.

25 MR. BELK: I have a second from Joene to

1 approve the Minutes.

2 All in favor say "aye."

3 (All those in favor of the motion so  
4 responded.)

5 MR. BELK: All opposed, "no."

6 (No response)

7 MR. BELK: And that carries.

8 AGENDA ITEM NO. 3

9 MR. BELK: I was going to introduce a  
10 new member to our Advisory Committee, but the new  
11 member did not make the Meeting; so we will forego  
12 that item on the agenda.

13 AGENDA ITEM NO. 4

14 MR. BELK: Item 4 is discussion with  
15 Members of the Texas Workforce Commission, and I feel  
16 like we've had adequate discussion during the Board  
17 Meeting.

18 (Laughter)

19 MR. BELK: And so unless any of you have  
20 anything specific you want to bring up, we will move  
21 on to business.

22 AGENDA ITEM NO. 5

23 MR. BELK: Item 5 is discussion,  
24 consideration and possible action regarding the Annual  
25 Report. And I will say that we formed a subcommittee

1 to work on this Annual Report. This subcommittee met  
2 last night. It included Mark, as Chair, Tyane, Janie  
3 and Mary Ann Rojas as the other three Members.

4 I will, at this time, turn it over to  
5 Mark for a report on that subcommittee's actions.

6 MR. GUTHRIE: Thank you, Mr. Chair. We  
7 had a meeting last night where we roughed out the  
8 contents of the report that we want to propose to this  
9 body. Unfortunately, time was short and we did not  
10 get to the point where we could actually circulate a  
11 draft. We're going to need to come up with a  
12 mechanism as to how we do that during this meeting and  
13 a mechanism for the full body approving the final form  
14 of the report before we leave today so that we  
15 understand how to do that before the end of the month.

16 What the committee discussed  
17 conceptually and has decided to propose to the  
18 Advisory Committee is as follows:

19 We're going to follow the form of last  
20 year's report in general. We propose to update the  
21 provision about the purpose and the activities of the  
22 Advisory Committee through this meeting for the report  
23 in much the same format -- or following the same  
24 format as we did last year.

25 We're going to revise and discuss -- I'm

1 looking on Page 4 of last year's report if anybody  
2 wants to follow along, the issues that we identified  
3 as the three strategic issues on Page 4 of last year's  
4 report, and generally discuss what our progress has  
5 been in dealing with those issues.

6                   We -- with regard to the Board Member  
7 appointments, we would like to tell the Commission  
8 that we appreciate the fact that they have apparently  
9 changed the procedures to ensure that all appointees  
10 go before the Commission and that for whatever reason  
11 staff doesn't hold on to certain nominees because of a  
12 perceived inadequacy in the nomination materials that  
13 are afforded by a local Board. We appreciate that.  
14 The apparent change in position hopefully is a result  
15 of some of our comments.

16                   I think we also ought to say, though,  
17 that we would like to see that procedure documented --  
18 and it may already be, but I'm just not aware of it,  
19 that all local appointments are submitted to the  
20 Commissioners for an approval and that we know what  
21 the record is on each appointee so that there can be  
22 no misunderstanding there. It makes the process a lot  
23 more transparent.

24                   I think that we need to comment on the  
25 Education Committee or the Education Task Force

1 activities and set out what the goals of the Education  
2 Task Force are and our progress on those to date --  
3 that's Simon's Committee -- and just generally look at  
4 the Minutes of those meetings as well as comment on  
5 the participation by that task force on the Tough  
6 Choice/Tough Times Report and add that we have called  
7 on our members -- our local Boards to adopt a  
8 resolution and generally comment on the progress  
9 there. I think I heard today that 19 of the local  
10 Boards have actually adopted that resolution asking  
11 that everybody involved in the process, all  
12 stakeholders, discuss and debate the terms and  
13 proposals of the Tough Choices/Tough Times work.

14                   We recommend, as a subcommittee, that we  
15 include a statement that we did not get a formal  
16 response to our 2006 report from the Commission as we  
17 did last year, for whatever that's worth. And  
18 although we recognize, like in connection with the  
19 Board member appointments, apparently there was some  
20 action taken as a result of those comments.

21                   The section on Board member appointments  
22 specifically, the subcommittee believes should stay in  
23 the report with the modifications that I've discussed  
24 related to the general concerns over control of the  
25 appointments process and the local control issues in

1 much the same form as was set out in last year's  
2 report. We need to add a reference to a concern about  
3 whether an appointment should be approved by the  
4 Commission, again, assuming they have the authority to  
5 do that, based on the fact of whether or not that  
6 appointee -- or that appointee's employer uses the  
7 WorkInTexas system for posting job applications. We  
8 feel that that's worthy of mention.

9                   Section B of last year's report that  
10 begins on Page 11 related to the Adult Education  
11 Funding, we propose to keep a lot of that discussion  
12 in this year's report but to add that we appreciate  
13 Commission's efforts and are disappointed with the  
14 Legislature in choosing not to address putting the  
15 Adult Education Funding under the auspices of the TWC,  
16 and hopefully that will make an issue here in the next  
17 session.

18                   The advertising and branding discussion  
19 that begins on Page 11 of last year's report, we,  
20 again, propose to commend TWC on their efforts on the  
21 bill. I think it was House Bill 3078.

22                   MR. BELK: 74, I believe it was.

23                   MR. GUTHRIE: Okay. Whatever the right  
24 reference is, hopefully we'll get that in there, but  
25 we appreciate the efforts in -- resulting in the

1 passage by the legislation of the bill that reverses  
2 Senate Bill 998 of the 2005th Legislature -- 2005  
3 Legislature.

4                   The discussion about the impending  
5 worker shortage on Page 13 will remain largely intact.  
6 In Paragraph E, need for alignments of performance  
7 measures, we would like to call on TWC to align the  
8 measures that TWC imposes as opposed to what the local  
9 Boards impose on themselves with the DOL common  
10 measures in the hopes that all the other expert  
11 measures go away except those locally adopted, because  
12 we'd really like to see the system driven by those  
13 locally adopted measures that tend to be less tied to  
14 performance requirements based on funding streams and  
15 more tied to goals related to big picture items that  
16 are important to local economies.

17                   I can give you some examples of what  
18 we've done in the Gulf Coast, but we'd like to see  
19 local Board areas or encourage local Board areas to  
20 actually think about and apply some system drivers to  
21 themselves.

22                   Under the encouraging more business  
23 involvement section, we would like to propose that  
24 TWC, with input by a group of TAWB, or whatever this  
25 group would like to propose there, survey the

1 employers that it actually has contact with and ask  
2 those employers five questions about what matters to  
3 them in respect to the public workforce system so we  
4 can begin to get a better handle on employer  
5 satisfaction.

6                   We specifically don't think it would be  
7 a good idea to include UI, Unemployment Insurance. We  
8 would like to phrase questions like "Setting aside  
9 Unemployment Insurance, what else besides that, you  
10 know, matters to you the most" because local Boards,  
11 frankly, don't have any control over the unemployment  
12 system, and we believe, yet, in effect stain with the  
13 employers' dissatisfaction over their tax rates and  
14 their treatment of appeals and the like.

15                   We would like to propose, in this  
16 section as well, that we look at market share based on  
17 target markets or segmented markets and not based on  
18 an overall employer count because there are a lot of  
19 employers in the state of Texas that, say, are  
20 mom-and-pop type businesses or employ fewer than five  
21 employees who really aren't going to be expected to  
22 use our system or to use our system in large numbers.  
23 And when we look at market share and we look at market  
24 penetration, we don't look so good because we're not  
25 reaching those employers, but we're never going to

1 reach those employers. We're looking at people who  
2 don't have a real need for our services and we think  
3 that the entire system would look a lot better if it  
4 segments the target employer and then measures our  
5 progress against those target employers.

6                   We propose to delete Subparagraph G that  
7 begins on Page 14 of the 2006 report related to local  
8 activity waivers, because those are pretty much gone  
9 away, as I appreciate it, and the same thing with the  
10 incentives in Paragraph H on Page 15. Again, those  
11 incentive dollars have pretty much gone away and it  
12 doesn't make a lot of sense to continue to talk about  
13 those.

14                   Subparagraph 5, need to align K through  
15 12 education with workforce needs, the subcommittee  
16 feels that's even more important to emphasize perhaps  
17 than it was last year, and we want to, again, get back  
18 into the discussion about our Education Task Force  
19 activities here and make a recommendation that the  
20 Commission should promote involvement and meeting  
21 employer needs in education reform, recognizing that  
22 we don't want them viewed or it viewed as being part  
23 of a land grab in this discussion over how we reform  
24 education. There are political issues out there that  
25 we're sensitive to, and we don't want the Commission

1 to be viewed as going on the so-called attack of the  
2 public education system because that's not going to be  
3 constructive, but what we want is to look for ways,  
4 together, to tell public education what it is that  
5 employers need. And however we can do that in this  
6 education reform process we think is valuable and  
7 important for the next generation and beyond.

8                   We want to discuss the adoption of the  
9 achieved Texas clusters in connection with this  
10 discussion as a more specific recommendation.

11                   Under the Subparagraph J, Unemployment  
12 Insurance issues that begin on Page 17 -- 16. I'm  
13 sorry, of last year's report, we want to propose that  
14 TWC redefine the definition of a "job search" or the  
15 criteria for a job search that is then used to qualify  
16 people to continue to receive Unemployment Insurance.

17                   And we want to propose that after a  
18 period of time -- and we haven't settled on our  
19 recommendation here, but we talked about a 12-week,  
20 16-week, 20-week sort of progression, that if an  
21 Unemployment Insurance claimant has not found a job  
22 after 12 weeks, they spend one day per week either in  
23 mandatory job readiness training or training in a  
24 demand occupation or doing some sort of community  
25 service such as -- the example I gave last night was

1 the \$1.2 million contract being considered by the City  
2 of Houston for the washing of police cars per year.

3           And I don't mean to limit it to that  
4 sort of thing. You could volunteer in a hospital.  
5 You know, probationers who are assigned to community  
6 service do all kinds of jobs. And I don't mean to  
7 lump UI claimants in with probationers, but the point  
8 is giving them these options -- one of these three  
9 options in a graduated way will make them show up and  
10 make them -- give them the incentive not to just sit  
11 by the telephone or get on the computer and do what  
12 they can get away with in terms of a Work Search.

13           We also want to recommend that -- well,  
14 let me back up. This graduation would occur, under  
15 this current discussion we had last night, which,  
16 again, is not settled, after 16 weeks of Unemployment  
17 Insurance, they have to show up somewhere and do one  
18 of those three things for two days a week. And after  
19 20 weeks, three days a week. In the hubs, again, have  
20 to show up and participate at something will give them  
21 the incentive and really get at the problem people now  
22 who aren't going to comply with any sort of job search  
23 requirement that we put on them.

24           We want to recommend that -- in addition  
25 to this, every UI claimant be required to report to a

1 workforce center or go on-line to WorkIntexas and to  
2 be able to demonstrate that they have posted on  
3 WorkInTexas or filled out an application on  
4 WorkInTexas in order to begin to get UI benefits in  
5 the first place, and we want, in that connection, to  
6 recommend that we redefine what constitutes a  
7 WorkInTexas application.

8                   We want to recommend -- and, personally,  
9 I've been one that has resisted this in some respect  
10 because I don't think it's relevant to the issue or  
11 effective in solving the problem, but we want to  
12 recommend that we increase the Work Search  
13 requirements to a minimum of five, and we want to  
14 recommend that we include an assessment of the  
15 claimant as one of those Work Search requirements, and  
16 that assessment would be a work readiness kind of  
17 assessment.

18                   We don't want to have Boards feel -- or  
19 local contractors, front-line staff, to feel that the  
20 ten-week measure, for instance, for reemploying UI  
21 claimants requires them just to go put them somewhere  
22 as quickly as possible. We want there to be an  
23 assessment as part of one of those Work Search  
24 requirements, and that will qualify as one Work Search  
25 so that there's not any issue there.

1                   Did I leave anything else -- did I leave  
2 anything out of that?

3                   I'll ask the other Members of the  
4 subcommittee.

5                   MS. DIETZ: I think you've covered it.

6                   MR. GUTHRIE: Okay. All right.

7                   The effectiveness of the -- for the  
8 provision section required by TWC rules -- oh. I'm  
9 sorry. I did leave something out of that last  
10 discussion.

11                  We would like to recommend that TWC  
12 speed up and simplify the approval for Unemployment  
13 Insurance beneficiaries for receiving the skill  
14 development grants that -- we discussed that at the  
15 end last night. Speed up the approval process, make  
16 it easier, simplify the process, and let's see if we  
17 can get some of those people in there. The Skill  
18 Development Funding increased by approximately  
19 \$35 million in the last Legislature, and we want to  
20 try to take advantage of that.

21                  We also want to recommend that TWC  
22 continue to work with DHS to deal with these Choices  
23 participation rates and the exemptions that are  
24 causing so much trouble. I don't think we have a  
25 specific recommendation there other than continue to

1 work with.

2 MS. BATES: Mark, we might want to  
3 commend TWC for getting that added to the  
4 appropriations bill. They did get a rider put onto  
5 that, and that should help us as well, the Choices  
6 problem.

7 MR. GUTHRIE: Okay. The next section,  
8 the comment on the effectiveness of the Advisory  
9 Committee -- and that's a section that's required by  
10 TWC rules -- the committee wants to keep the  
11 discussion that's in the 2006 report generally intact  
12 but modify the last paragraph that discusses how and  
13 why we lost momentum due to those staggered terms and  
14 the need to incorporate new people in and -- so they  
15 understood what was going on. And a comment here on  
16 the effectiveness in the Board member appointment  
17 issue, or at least loop back and refer to that.

18 The cost of the Advisory Committee,  
19 attendance record and bylaws, those remain generally  
20 the same.

21 I think there was a discussion that was  
22 not reduced to anything concrete about adding a  
23 section back in the body of the comments on branding.  
24 I think that was made clear to us by the meetings  
25 today. We did flesh out those recommendations. What

1 I would propose would be to obtain a copy of the ED  
2 proposal that Alan referred to in our last meeting.

3                   It's troubling to me that we're talking  
4 about changing or prohibiting Boards from using a name  
5 that 70 percent of the customers know us by based on  
6 studies with very small participation rates that were  
7 held up as showing that that WorkSource name had the  
8 lowest penetration of any of them. I want to look at  
9 those studies before I make any proposal about  
10 commenting further in the report.

11                   It is troubling to me that \$900,000 that  
12 reportedly will be set aside to fund these name  
13 changes won't even be sufficient to cover the hard  
14 costs, from what I can tell. By "hard cost," I'm  
15 referring to just signage for a couple of the larger  
16 Board areas, the signage, stationery, business cards,  
17 without consideration of the requirements that are  
18 going to be placed on the Board's subcontractors and  
19 contractors and without consideration of the amount of  
20 money that's been spent in the past on advertising and  
21 so-called "brand awareness."

22                   I think we ought to discuss the fact  
23 that -- I guess Joene pointed this out during the  
24 meeting, the distinction between branding and  
25 marketing on a statewide basis and the fact that you

1 can market on a statewide basis using what we've been  
2 calling the FTD model or any of the franchise models,  
3 and the way I would envision that would be just to use  
4 my local name, because that's the one I'm familiar  
5 with, the WorkSource part of Texas Workforce Solutions  
6 network or something like that. I think the issue  
7 is -- about people calling the respective  
8 Commissioners' offices and say they don't know how to  
9 get in touch with a local Board can be dealt with  
10 pretty simply with a directory or links in the  
11 website. I actually think there are links on the  
12 website if somebody goes on the Workforce Commission  
13 website. You can get linked to your local Board area.  
14 I think those are pretty easily dealt with.

15                   Now, the multi-location employer, I have  
16 to say it's inconceivable to me that a senior HR  
17 person in a multi-location, large employer would have  
18 to call the Workforce Commission and say "I can't find  
19 the name of the agency in the South Plains." I'm also  
20 very concerned by this idea that if we go back to  
21 using one name in all of our locations around the  
22 state that we are viewed as the Texas Employment  
23 Commission or, you know, the Texas Workforce  
24 Commission. It's been fundamental to the strategic  
25 planning process at my Board, in the ten years that

1 I've served on it, that we distance ourselves as far  
2 as possible at the career center level from a  
3 government organization, and it has been stressed that  
4 the farther we get away from that perception, the more  
5 the employers will want to work with us. And I'd hate  
6 to see us lose any advantage that we've gotten there.

7 I think we also ought to comment, to the  
8 extent we have estimates, of the costs that we've  
9 spent promoting our respective names over the years.  
10 And I think the Finance Committee under Kent Triton  
11 undertook, a couple of years ago, to gather those  
12 numbers. I guess we'll have to see if we can find  
13 them or where that effort ended up.

14 And I think that is my report and what I  
15 propose to go forward with in the subcommittee.  
16 Again, we need to come up with deadlines for  
17 completing the draft of the report and the mechanism  
18 for this full body to approve the report in a public  
19 meeting, since we're obligated to do so.

20 MR. BELK: All right. In the interest  
21 of trying to get some of us out of here in the next  
22 ten minutes, Joene, you had a comment.

23 MS. GRISSOM: Actually, two things.

24 I just -- one is, as we talk about  
25 branding and we're talking -- it's talking about

1 communication. It's talking about the branding issue,  
2 which, it seems to be, "Yes. We communicated." "No,  
3 we didn't." "Yes." "You didn't." So there's a  
4 failed system of communication right there.

5                   And then the other thing that I'm  
6 thinking of that we have talked about is the -- even  
7 the new performance measures that are coming up, you  
8 know, how were those identified and communicated to  
9 the Boards about "Does this need to be done and what  
10 are they going to be used for?"

11                   So it seems as though that our Boards  
12 are maybe not notified ahead of time or some --

13                   MR. JONES: Wait. Wait. Wait. Wait.  
14 Which performance measures, Joene?

15                   MS. GRISSOM: What's the new performance  
16 measures that are coming out?

17                   MR. GUTHRIE: Called the REEM measures.

18                   MS. GRISSOM: REEM measures.

19                   MR. GUTHRIE: R-E-E-M.

20                   MR. JONES: Well, as a matter of fact,  
21 that was generated by discussion from the Boards from  
22 the Executive Directors, and at the Executive  
23 Directors Council last quarter at the airport, I made  
24 a presentation to all of the EDs and told them that  
25 we, Adam Leonard and me, had gone to the Commissioners

1 and had gotten them to agree to consider changing any  
2 or all of those REEMs measures and that the only thing  
3 we wouldn't do is do away with those, but that the  
4 Commissioners would consider changing or substituting  
5 other measures for those.

6                   So it is true that that information was  
7 passed to Boards through the Executive Directors, and  
8 I, for one, did that. And that bubbled up from you  
9 folks, from the Boards. So that's not something that  
10 TWC is implementing and pushing onto the Boards.

11                   MS. GRISSOM: Well, my point wasn't  
12 that. My point is -- saying is it looks as though  
13 even though that -- maybe it had gone through the  
14 process, and from the branding staff, that we need  
15 some kind of system that's set in place that would go  
16 through a process to document that stuff so this won't  
17 come back to "he said/she said."

18                   And I don't know if when you have a  
19 meeting and present it and then you don't and then --  
20 is there anything formal that we would -- might want  
21 to suggest to TWC, if like -- if we're going to get  
22 something new, that this is a process it goes through?  
23 I don't know that.

24                   MS. BATES: We used to use the Policy  
25 Committee, and something like these new measures would

1 have been presented there.

2 MS. GRISSOM: Well, I'm just saying if  
3 we have a process that it's presented, what's the  
4 action taken? What's the next step? It goes to here.  
5 Do we vote? Do we -- and I don't think that that's  
6 anywhere in place. I'm just suggesting that might be  
7 a suggestion, that we get something a little bit more  
8 formal with TWC and the Boards. You know, the  
9 branding issue is a real good example right now.

10 MR. BELK: Well, Joene, I would say that  
11 when TWC established the rules for the Advisory  
12 Committee, they voted to do away with communicating  
13 with the Policy Committee; so that -- all that  
14 information now should come through the Advisory  
15 Committee, and it doesn't. But possibly we need to  
16 recommend that they reinstate their policy of going to  
17 the Advisory Committee with any changes or updates or  
18 whatever in their -- whatever rules are --

19 MR. GUTHRIE: Well, I understood that to  
20 be the policy, the -- to go through the Advisory  
21 Committee now.

22 MR. BELK: I understand that, but --

23 MS. GRISSOM: Well, here's my question:  
24 Do we not dissolve in September?

25 MS. DIETZ: I think that's at the

1 pleasure of the Commission.

2 MR. BELK: Well, we don't know. We  
3 don't know that yet.

4 MS. GRISSOM: Okay.

5 MR. BELK: And we won't know until they  
6 decide, but --

7 MS. GRISSOM: Is that going to be in our  
8 report, that we recommend that we continue?

9 MS. DIETZ: Well, you know, that's very  
10 reasonable. I think if we are disbanded by the  
11 Commissioners in September, that we recommend in this  
12 report that they begin -- or that they re-establish --

13 MS. GRISSOM: Right.

14 MS. DIETZ: -- contact with the Policy  
15 Committee.

16 AGENDA ITEM NO. 6

17 MR. BELK: All right. I'm going to use  
18 Chairman's prerogative and move us on in a hurry.  
19 It's quite evident that we're not going to be able to  
20 take any action on anything today. I think the  
21 subcommittee needs to meet some more; probably by  
22 phone conference, if -- you know, in the interest of  
23 expense. It's also evident that we're going to have  
24 to have another official meeting of this Advisory  
25 Committee before the 1st of July. So that at this

1 time, I think we need to set a date for that meeting,  
2 and we can clear up a couple of days before the 1st --  
3 just give us time to get printed up whatever we  
4 approve. So maybe --

5 MS. DIETZ: Mr. Chair, is there any way  
6 for a document to be submitted by the subcommittee to  
7 the full membership of this Advisory Board without  
8 them having to come back together?

9 MR. BELK: I think if it's got to be a  
10 posted meeting to approve it, we'll have to come back  
11 together.

12 Yes, Mary.

13 MS. ROSS: This is Mary Ross from West  
14 Central.

15 Can you do that via distance learning if  
16 you post it in numerous locations? Because our  
17 Executive Committee actually meets via distance  
18 learning and we just post the times and locations so  
19 that everybody doesn't have to travel in. So we could  
20 potentially say "You can go to any one of these five,"  
21 or however many places, "and participate" --

22 MS. BATES: Don is saying no.

23 MR. BELK: That's up to our counsel. He  
24 says no.

25 MR. BALLARD: No.

1 MS. ROSS: That's allowable under the  
2 Open Meetings Act.

3 MR. BALLARD: I'd like for you to show  
4 me that. Teleconferencing is not allowed.

5 MS. ROSS: It's not teleconference.  
6 It's video teleconferencing with a posted meeting  
7 notice of a location, and we post all of the locations  
8 that you can participate in the activity.

9 MR. BALLARD: Okay. You're talking  
10 about a video conference?

11 MS. ROSS: Yes.

12 MR. BALLARD: Okay. We can look at  
13 that, but --

14 MS. ROSS: Yeah. It's video  
15 teleconference.

16 MR. BALLARD: But I don't believe you  
17 can do that on a statewide level.

18 MS. ROSS: I don't know. We can just do  
19 it locally and it's a video teleconference.

20 MS. GRISSOM: It's like being at the  
21 meeting.

22 MR. GUTHRIE: Don, do you have any  
23 objection to us actually issuing a draft that is  
24 attached to an agenda.

25 MR. BALLARD: Oh, no. And you-all --

1 you could circulate the draft any time. You just  
2 can't deliberate outside of an Open Meeting.

3 MR. GUTHRIE: Yeah. Well, I'm sensitive  
4 about circulating the draft and including, I guess,  
5 any more comment about the draft, lest that be  
6 considered a communication by me that seeks  
7 deliberation.

8 MR. BELK: I would think, Mark, that you  
9 could --

10 MR. BALLARD: As long as it's one way --

11 MR. BELK: Yeah.

12 MR. BALLARD: -- you don't have a  
13 problem.

14 MR. BELK: You can --

15 MR. BALLARD: You just couldn't then  
16 hear back from somebody.

17 MR. BELK: You can circulate the draft  
18 to us.

19 MR. GUTHRIE: That's fine.

20 MR. BELK: And, as individuals, we can  
21 reply, can we not, to him?

22 MR. GUTHRIE: That makes me  
23 uncomfortable.

24 MR. BALLARD: I prefer that you do not  
25 do that.

1                   MR. GUTHRIE: That makes me  
2 uncomfortable.

3                   MR. BELK: Okay.

4                   MR. GUTHRIE: You know, I don't mind  
5 circulating that draft out, but I don't want to run  
6 afoul of Open Meetings laws --

7                   MR. BELK: No.

8                   MR. GUTHRIE: -- you know, on this or  
9 anything else that --

10                  MS. DIETZ: Well, based on direction of  
11 this committee today --

12                  MR. GUTHRIE: Just don't reply back to  
13 me.

14                  MS. DIETZ: -- to send the subcommittee  
15 back to finalize the document, then, you and I will  
16 offer assistance, can put this into written form --  
17 I'll assist you as you see fit. Then you can submit  
18 it to the full body saying "Don't respond," and I  
19 guess we do need to set a date.

20                  MR. BELK: Well, I would also say -- and  
21 I think this would be perfectly legal, anybody that's  
22 not on the subcommittee that has something they want  
23 the subcommittee to add, you can at least make that  
24 known to them or change from what Mark has reported  
25 today if we get the final draft.

1 MS. ROSS: I was going to say maybe you  
2 should send us a notice of when you're going to send  
3 us the draft so we can send you our comments before  
4 you send us the draft.

5 MR. BELK: I would say get your comments  
6 in pretty quick, because we're on a pretty short  
7 time --

8 MS. DIETZ: Well, we've got two weeks  
9 left, basically.

10 MS. GRISSOM: When is it due?

11 MR. BALLARD: June 1st.

12 MS. DIETZ: June 30th or --

13 MR. BELK: July 1st.

14 MR. BALLARD: Right. July 1st.

15 MS. DIETZ: I kept saying that and  
16 you-all kept correcting me.

17 MR. BALLARD: Well, I'm going to look  
18 again.

19 MS. DIETZ: You told me June, the end of  
20 June.

21 MR. GUTHRIE: July 1st is the date of  
22 last year's --

23 MR. BELK: July 1st is what the  
24 regulations say.

25 MS. DIETZ: Well, I think that's a

1 Sunday; perhaps a Monday.

2 MR. GUTHRIE: Well, yeah. Then there's  
3 that.

4 MR. BELK: Well, then we should go to  
5 the next working day, which would be July 2nd, maybe,  
6 but --

7 MR. GUTHRIE: That gets us into the  
8 July 4th week.

9 MR. BELK: Well, let's have it done and  
10 ready before the 1st.

11 MR. GUTHRIE: Yeah. I can't meet on the  
12 25th, which is Monday. I can meet, it looks like any  
13 day -- well, before I --

14 MS. DIETZ: What's the Thursday? 28th?

15 MR. GUTHRIE: 28th.

16 MR. BELK: That's not going to leave  
17 much time to get it printed up and --

18 MS. DIETZ: No.

19 (Simultaneous discussion)

20 MS. DIETZ: Okay. What about -- would  
21 we have enough time if we met Wednesday, the 27th?

22 MR. GUTHRIE: As far as I'm concerned,  
23 we can do that. I mean, these are Word processed,  
24 generated documents.

25 MS. DIETZ: Okay.

1                   MR. BELK: Well, we've got -- well, if  
2 we met -- the problem is getting it signed and --

3                   MR. GUTHRIE: Well, we could  
4 presumably -- well, not presumably. We could generate  
5 a final draft, you know, wherever we're meeting, print  
6 it out, get it signed and then get it duplicated.

7                   MR. BELK: Okay. Wednesday, the --

8                   MS. DIETZ: No. Let me pull that back  
9 and offer the 28th again. Did we have a conflict on  
10 the 28th?

11                  MS. ROJAS: I do.

12                  MS. DIETZ: Okay. That's one on the  
13 27th; one on the 28th.

14                  MR. BELK: Who had one on the 27th?

15                  MR. REESE: Is that a Tuesday?

16                  MS. DIETZ: That's a Wednesday.

17                  MR. REESE: That's fine with me. It's  
18 just that I have --

19                  MS. BATES: But that's okay if everybody  
20 else can.

21                  MR. REESE: I have a Board meeting on  
22 the 26th. So other than that --

23                  MS. BATES: If I'm the only one, then go  
24 for it.

25                  MS. DIETZ: Mr. Guthrie, would --

1 really, sir, we should accommodate your schedule.

2 MR. GUTHRIE: It's -- I'm okay  
3 Wednesday. I'm okay Thursday. I'm okay Tuesday.

4 MS. DIETZ: Okay.

5 MR. GUTHRIE: I can deal with everything  
6 I've got to deal with that week except for something  
7 on Monday, and I think Friday is too late. So  
8 whatever the most of us will be available -- whatever  
9 date that most of us will be available other than  
10 Monday is fine with me.

11 MR. BELK: All those in favor of  
12 Wednesday -- who had Wednesday? Mary Ann?

13 MS. BATES: All those who can be there  
14 Wednesday, raise your hand.

15 MR. BELK: Everybody that can be there  
16 Wednesday.

17 MS. GRISSOM: I think -- I don't know.

18 MS. DIETZ: I think we can. I think  
19 I've got to be here anyway Thursday. I just am sick  
20 of this place.

21 MR. BELK: Janie, you can't be here  
22 Wednesday?

23 MS. BATES: I have a Board meeting that  
24 day.

25 MR. BELK: Wills has one Tuesday.

1                   MR. GUTHRIE:  Would it help -- what time  
2 is your Board meeting?

3                   MS. BATES:  It's at 9:00.

4                   MR. GUTHRIE:  How long do they take?  
5 Could you get here after that?

6                   MS. BATES:  Done to 11:00, and then,  
7 depending on traffic, it could take me three hours to  
8 get to the airport.

9                   (Simultaneous discussion)

10                  MS. BATES:  It's not easy to get here.

11                  MR. BELK:  Well, what if we met in  
12 Dallas?

13                  MS. BATES:  That would be better.

14                  MR. GUTHRIE:  I'm fine with that.

15                  MS. ROSS:  Good for me.

16                  MR. REESE:  Dallas, Wednesday?

17                  MR. BELK:  Is that all right with --

18                  (Simultaneous discussion)

19                  MR. BALLARD:  And I was going to ask  
20 you:  Do you still want us to look into the  
21 possibility of video conferencing?

22                  MR. BELK:  I don't think we have time to  
23 get all that done.  Maybe for later.

24                  MR. BALLARD:  Okay.

25                  MS. BATES:  So you can't do Dallas?

1 MS. GRISSOM: I don't even know if I can  
2 do that day. I don't have my book. It's in the car.

3 MR. BELK: Well, it looks like we're  
4 going to have to meet without someone anyway.

5 MS. BATES: Go for Wednesday anyway.  
6 Don't worry about --

7 MR. BELK: Well, shall we go for  
8 Wednesday in Dallas?

9 (Simultaneous responses)

10 MR. BELK: And if you can make it, fine.  
11 If not --

12 MS. GRISSOM: But now we don't need to  
13 do Dallas if Janie is not coming.

14 MS. DIETZ: I have to be here on the  
15 28th, which is a Thursday.

16 MR. BELK: Oh, okay. All right.

17 MS. BATES: Do it here because it would  
18 be better for Tyane and for Joene.

19 MS. DIETZ: Well, what I'm saying is I  
20 probably can't get to Dallas Wednesday, get to Austin  
21 Thursday.

22 MR. BELK: That's true. All right.

23 MS. BATES: I understand.

24 MR. BELK: Can we meet at the workforce  
25 center?

1 MS. GRISSOM: Sure. I'll make  
2 arrangements.

3 MR. BELK: Wednesday, eleven o'clock.

4 MR. GUTHRIE: We can start earlier if  
5 you want.

6 MR. BELK: Well, I'd rather fly in and  
7 fly out that day.

8 MR. GUTHRIE: Well, I'm going to fly in  
9 and fly out on the highway.

10 (Laughter)

11 MR. BELK: Well, I possibly can be here  
12 by 10:00.

13 MS. GRISSOM: Okay. I'll --

14 MR. BELK: Wills? Mary?

15 MR. REESE: It's fine with me.

16 MS. ROSS: Fine.

17 MR. REESE: If I can just -- I know  
18 you're in a hurry. If I could just make one real  
19 quick comment about the Tough Time/Tough Choices  
20 Resolution. Our Board is certainly for that, but they  
21 wanted to change the language in it just a little bit  
22 because of our -- to work with our partners in the  
23 future, we have to. And I think --

24 MS. BATES: We did.

25 MR. REESE: Did you?

1 MS. BATES: Uh-huh.

2 MR. REESE: I think we did a good job of  
3 changing and I think it reads good. So if that's  
4 okay --

5 MR. BELK: Yeah.

6 Anything else?

7 (No response)

8 AGENDA ITEM NO. 7

9 MR. BELK: We stand adjourned.

10 (Proceedings concluded at 4:42 p.m.)

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C E R T I F I C A T E

STATE OF TEXAS )  
COUNTY OF TRAVIS )

I, Patricia Gonzalez, a Certified  
Shorthand Reporter in and for the State of Texas, do  
hereby certify that the above-mentioned matter  
occurred as hereinbefore set out.

I FURTHER CERTIFY THAT the proceedings  
of such were reported by me or under my supervision,  
later reduced to typewritten form under my supervision  
and control and that the foregoing pages are a full,  
true and correct transcription of the original notes.

IN WITNESS WHEREOF, I have hereunto set  
my hand and seal this 18th day of June 2007.

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