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TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
TEXAS WORKFORCE COMMISSION  
AUSTIN, TEXAS

PUBLIC MEETING )  
FOR THE TEXAS )  
WORKFORCE COMMISSION)

COMMISSION MEETING  
TUESDAY, MAY 11, 2010

BE IT REMEMBERED THAT at approximately  
9:00 a.m., Tuesday, the 11th day of May 2010, the  
above-styled matter came on for hearing at the Texas  
Workforce Commission, TWC Building, 101 East 15th  
Street, Room 244, Austin, Texas, before TOM PAUKEN,  
RONALD G. CONGLETON and ANDRES ALCANTAR, COMMISSIONERS,  
and LARRY TEMPLE, EXECUTIVE DIRECTOR, of the Texas  
Workforce Commission; and the following proceedings were  
reported by Suzanne Zimmer, a Certified Shorthand  
Reporter of:

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P R O C E E D I N G S

MAY 11, 2010

(9:00 a.m.)

CHAIRMAN PAUKEN: Good morning. The meeting will now be called to order, and I'll turn over this portion of the meeting to Commissioner Alcantar to preside over Agenda Items 2 through 5.

COMM. ALCANTAR: Thank you, Chairman Pauken. Good morning.

AGENDA ITEM NO. 2

Discussion, Consideration and Possible Action Regarding Whether to Assume Continuing Jurisdiction on Unemployment Compensation Cases, Wage Claim Cases, and/or Tax Liability Cases and Reconsideration of Unemployment Compensation Cases, Wage Claim Cases, and/or Tax Liability Cases, if Any.

No discussion.

AGENDA ITEM NO. 3

Discussion, Consideration and Possible Action Regarding Tax Liability Cases Listed on the Texas Workforce Commission Docket 19.

The Commission considered and took action on all tax liability cases listed on Docket 19.

AGENDA ITEM NO. 4

Discussion, Consideration and Possible

1 Action Regarding Higher Level Appeals in Wage Claim  
2 Cases Listed on the Texas Workforce Commission Docket  
3 19.

4 The Commission considered and took action  
5 on all wage claim cases listed on Docket 19.

6 AGENDA ITEM NO. 5

7 Discussion, Consideration and Possible  
8 Action Regarding Higher Level Appeals in Unemployment  
9 Compensation Cases Listed on the Texas Workforce  
10 Commission Docket 19.

11 The Commission considered and took action  
12 on all unemployment compensation cases listed on Docket  
13 19.

14 COMM. ALCANTAR: That brings us to the end  
15 of Agenda Item 5. I will now turn the meeting back over  
16 to Chairman Pauken.

17 CHAIRMAN PAUKEN: We'll take a brief  
18 recess.

19 (The Commission paused, then continued  
20 with the remainder of the agenda.)

21 CHAIRMAN PAUKEN: All right. I think  
22 we're ready to begin. First of all, I would like to  
23 welcome some special guests today to this commission  
24 meeting and ask them to stand, and then also, I believe,  
25 one of our guests has public comments.

1                   Sam Vale, Chairman of the Lower Rio Grande  
2 Workforce Solutions. Sam, thanks for being here.

3                   Bonnie Gonzalez, Executive Director and  
4 Stella Garcia, who's also on the Workforce Solutions  
5 Staff; and Bonnie Gonzalez, Executive Director, would  
6 like to make a brief public comment.

7                   Come forward, Ms. Gonzalez, glad all of  
8 you are here.

9                   MS. GONZALEZ: Good morning.

10                  CHAIRMAN PAUKEN: Good morning.

11                  MS. GONZALEZ: Normally, Gene, my voice  
12 carries and most people don't normally turn on the  
13 microphone.

14                  CHAIRMAN PAUKEN: And I'll testify to  
15 that.

16                  (Laughter)

17                  MS. GONZALEZ: Sir, I just got up here be  
18 nice.

19                  CHAIRMAN PAUKEN: Oh, that's a compliment.  
20 You're taking it the wrong way.

21                  PUBLIC COMMENTS BY BONNIE GONZALEZ

22                  MS. GONZALEZ: Good morning, everybody,  
23 good to see everybody and thank you so much for giving  
24 us just a few minutes. Mr. Vale and I have made the  
25 rounds. Commissioner Congleton, you're the last one on

1 our list. We're coming up this afternoon to see you.

2           We've made the rounds to share that we  
3 have a new strategy that Mr. Vale has directed the board  
4 and the board staff to come in and visit with our  
5 commissioners at least once a quarter. You received our  
6 letter that we are no longer going to be part of the  
7 Texas Association of Workforce Boards. That was a  
8 decision that the entire board made based on the fact  
9 that dues have gone up. Money is a little tighter and  
10 the board felt that we needed to consider our return on  
11 that investment and decided instead to encourage the  
12 chair of the board and the CEO of the board to visit on  
13 a regular basis with you. So just to put you on notice,  
14 we will be coming up at least once a quarter.

15           I also, though, do want to take a few  
16 minutes, Commissioners, and share with you that your  
17 staff has been absolutely phenomenal. Your legal staff,  
18 your contract staff, obviously the "Larrys," as we call  
19 them lovingly, have been most supportive, but I do  
20 specifically want to say that your folks have been  
21 extremely helpful. In the last few months, we've had a  
22 few issues come up -- legal issues, and your legal staff  
23 has been absolutely phenomenal in their guidance and in  
24 their support. And I'm very happy to say that together  
25 with their direction, their guidance, we are a free and

1 clear board. No longer do we have to be concerned about  
2 a legal issue that came before us.

3 We look forward to discussions on child  
4 care. We had a discussion with Commissioner Alcantar  
5 yesterday. We look forward to new ideas and new  
6 discussions on repurposing of that money. We are, as I  
7 shared with you Commissioner Pauken, very concerned, and  
8 continue to be concerned about our veterans, and the Rio  
9 Grande Valley has a huge population of veterans. We  
10 continue to do outreach there.

11 Commissioner Pauken, we have a new labor  
12 representative on our board Mr. Gene Hanson, who is the  
13 chair or the president of the RGD Council, has just  
14 joined us recently and is a -- how should I put this?  
15 -- extremely committed and passionate about the role of  
16 labor and the support that workforce development needs  
17 to be providing to the labor population, if you will,  
18 the labor union population.

19 And other than that, we're just -- we're  
20 glad to be here. So thank you so very much. And, Gene,  
21 I'm going to turn off the mic now. Thank you.

22 CHAIRMAN PAUKEN: Thank you, Bonnie.

23 All right. No. 7.

24 AGENDA ITEM NO. 7

25 Discussion, Consideration and Possible

1 Action Regarding the Fiscal Year 2011 Planing Estimates  
2 for Employment Services Allocations and Supplemental  
3 Funding to Continue Staff-Assisted Reemployment Services  
4 in Local Workforce Development Areas, Mr. Townsend.

5 MR. TOWNSEND: Good morning, Mr. Chairman,  
6 Commissioners. For the record, Randy Townsend, Chief  
7 Financial Officer.

8 Under your Tab 7, we have a handout for  
9 you to go over just briefly. I was going to -- I'll be  
10 referring to Page A-4 of that document. A couple weeks  
11 ago, Commissioners, I had presented to you the Fiscal  
12 2011 Allocations and Planing Estimates. At that  
13 meeting, it was requested -- Commissioner Alcantar to  
14 come back and take a look at -- for employment services,  
15 another alternative for consideration. We've done that  
16 this morning for your consideration.

17 What you have in your notebook is Fiscal  
18 2011 Planning Estimates for Employment Services of  
19 32,163,565, which would be the same amount as we had  
20 made available as an allocation in 2010. What is  
21 different this time around as part of this planning  
22 estimate, we've included an amount referenced as  
23 Estimated Supplemental Resources amount of 9.9 million  
24 that would fund 300 additional staff through next  
25 August. That would primarily keep the staff that's in

1 place currently. That was funded from our Recovery Act  
2 Funds on board to provide employment services and  
3 reemployment services to our customers out there in need  
4 of those services.

5                   How we arrived at that amount, we looked  
6 at the staffing levels from September through this past  
7 March year to date, which averaged just over 300, I  
8 believe, 320 or so. We looked at what it would take to  
9 continue that staffing level, and this 9.9 million was  
10 the amount of salaries and benefits that would allow for  
11 that 300 staff to be retained. We did also look, as  
12 requested, at how to pay for that. And, of course, we  
13 identified employment services dollars earlier, as far  
14 as carry-forward dollars that would pay for about 60  
15 percent of this cost, and then also identified the  
16 remaining 40 percent of the salary benefit cost would be  
17 afforded from the special -- the UI special admin under  
18 that one purpose that allows for services to claimants  
19 receiving reemployment services.

20                   The 40 percent number is roughly the  
21 percentage of claimants that are receiving those that  
22 would be eligible for that funding source, is how we  
23 arrived at that amount. We also -- that would leave  
24 about 1.3 million that would allow, out of the  
25 Employment Services Grant, carry-forward dollars that

1 would allow for the funding of operating costs that  
2 couldn't be afforded by the workforce boards through the  
3 next -- next August.

4 So that is how we developed the proposal,  
5 how we arrived at the amounts for your consideration  
6 this morning. If you have comments? Questions?  
7 Further direction?

8 CHAIRMAN PAUKEN: Commissioner Congleton?

9 COMM. CONGLETON: Well, I'm very happy  
10 with what you-all have done here. I want to thank  
11 Commissioner Alcantar as well for his work and support  
12 on this, and hopefully an improving economy will create  
13 a lot of opportunity for the people working in the  
14 coming year, and ES has a big role in helping those  
15 folks find jobs.

16 CHAIRMAN PAUKEN: Is there a motion?

17 COMM. CONGLETON: So made.

18 COMM. ALCANTAR: I want to thank the staff  
19 for their wonderful work here. I think this is a very  
20 sound investment, and I would second.

21 CHAIRMAN PAUKEN: Okay. It's unanimous.  
22 Thank you, Mr. Townsend.

23 MR. TOWNSEND: Thank you, Commissioner.

24 CHAIRMAN PAUKEN: Okay. No. 8.

25

1                                   AGENDA ITEM NO. 8  
2                                   Discussion, Consideration and Possible  
3 Action Regarding Workforce Investment Act Statewide  
4 Initiatives.

5                                   MS. MILLER: Good morning, Chairman,  
6 Commissioners, Reagan Miller with Workforce Development.

7                                   This morning we're bringing forward three  
8 recommendations for WIA Statewide Initiatives. The  
9 first recommendation is a \$447,789 project operated by  
10 the Military Lawyers Support Foundation. This program  
11 CEO for Heroes will work with twelve partner companies  
12 to provide internships, mentoring, training and jobs for  
13 veterans.

14                                  The second recommendation is a \$175,895  
15 project operated by the Texas Engineering Experiment  
16 Station called POWER SET. This program will provide  
17 stem related programming for high school students to  
18 encourage and foster continuing interest in the stem  
19 fields as they pursue secondary education.

20                                  And the third recommendation is a \$150,000  
21 project operated by the Texas Engineering Technical  
22 Consortium to support the All Across Texas program.  
23 This initiative will provide internships, leadership  
24 development and mentoring opportunities in the  
25 engineering field. These recommendations total

1 \$773,684, and we're recommending approval.

2 CHAIRMAN PAUKEN: Well, I think all of  
3 these are excellent initiatives. We surely need more  
4 engineers and more young people to be aware of the  
5 opportunities available for an engineering career, to  
6 address that shortage particularly with an aging  
7 engineering population in our country; and always, of  
8 course, I'm pleased when we add the efforts to help our  
9 returning veterans from Iraq and Afghanistan as they  
10 come home and deal with a lot of issues they face as a  
11 result of their service, and also providing assistance  
12 to them to help find good jobs and make a successful  
13 transition to civilian life. So I'm very supportive of  
14 all of these.

15 Commissioner Congleton?

16 COMM. CONGLETON: I move that we approve  
17 the three projects as WIA Statewide Initiatives.

18 COMM. ALCANTAR: I would second.

19 CHAIRMAN PAUKEN: It's unanimous. All  
20 right. No. 9.

21 AGENDA ITEM NO. 9

22 Discussion, Consideration and Possible  
23 Action Regarding Extension of the Strategic State  
24 Workforce Investment Act Plan, Program Years 2005-2009,  
25 Title I of the Workforce Investment Act of 1998, and the

1 Wagner-Peyser Act, for Submission to the U.S. Department  
2 of Labor, Reagan Miller.

3 MS. MILLER: Again, for the record, Reagan  
4 Miller. In mid-April, DOL issued guidance to states  
5 regarding their existing WIA ES State Plans. In this  
6 guidance, DOL gives states the option of extending their  
7 existing plan for one year. That would be through  
8 program year 2010. This morning we're recommending that  
9 the commission authorize staff to pursue a one-year  
10 state plan extension with the Department of Labor.

11 CHAIRMAN PAUKEN: Commissioner Alcantar?

12 COMM. ALCANTAR: No questions.

13 CHAIRMAN PAUKEN: Commissioner Congleton?

14 COMM. CONGLETON: I move that we approve  
15 option one as presented by staff.

16 COMM. ALCANTAR: Second.

17 CHAIRMAN PAUKEN: It's unanimous.

18 MS. MILLER: Thank you.

19 CHAIRMAN PAUKEN: No. 10.

20 AGENDA ITEM NO. 10

21 Discussion, Consideration and Possible  
22 Action Regarding Deobligation and Reallocation of  
23 Board-Allocated Funds in Accordance with 40 T.A.C.  
24 Sections 800.74 and 800.77, again, Reagan Miller.

25 MS. MILLER: Thank you, Chairman. In

1 accordance with the commission rules regarding the  
2 deobligation and reallocation of funds, these funds are  
3 subject to review in the fifth through eighth month.  
4 This morning we have a recommendation for a TANF choices  
5 deobligation based on our analysis of expenditures in  
6 the fifth month. We were recommending a \$125,000  
7 deobligation from the South Plains Workforce Board.  
8 They have concurred with this amount, and we're  
9 recommending that this amount be reallocated to the  
10 Rural Capital Board.

11 I would be happy to answer any questions.

12 CHAIRMAN PAUKEN: Commissioner Alcantar?

13 COMM. ALCANTAR: I have no questions.

14 CHAIRMAN PAUKEN: Commissioner Congleton?

15 COMM. CONGLETON: I move that we approve  
16 the deobligation of \$125,000 in TANF funds from South  
17 Plains Workforce Development Board and reallocation at  
18 that amount to Rural Capital Workforce Development Board  
19 as discussed.

20 COMM. ALCANTAR: And I would second that.

21 COMM. CONGLETON: Okay. It's unanimous.

22 All right. No. 11.

23 AGENDA ITEM NO. 11

24 Discussion, Consideration and Possible  
25 Action Regarding a Modification of the Use of American

1 Recovery and Reinvestment Act of 2009 (Recovery Act)  
2 Child Care Funds in Support of Enhanced Child Care  
3 Quality Activities, again, Reagan Miller.

4 MS. MILLER: Commissioners, this morning  
5 we do want to request a postponed consideration of this  
6 item for two weeks. We are working with the boards to  
7 develop some recommendations for your consideration and  
8 have requested some additional information from the  
9 boards. So at this point, we would like to delay it to  
10 ensure that we get sufficient board input.

11 CHAIRMAN PAUKEN: That's fine. Okay.  
12 Thank you. No. 12.

13 AGENDA ITEM NO. 12  
14 Discussion, Consideration and Possible  
15 Action Regarding Results from the 2009 Survey of  
16 Employee Engagement -- executive overview. Who's going  
17 to make that report?

18 MR. LeDOUX: Good morning, Commissioners.  
19 For the record, I'm Louis LeDoux with the Training and  
20 Development Department, and this morning I am here to  
21 present to you the results of the Survey of Employee  
22 Engagement of 2009.

23 The University of Texas has replaced the  
24 Survey of Organizational Excellence with the Survey of  
25 Employee Engagement. We had a total of 7,886 surveys

1 that were distributed across the Texas Workforce  
2 Solutions, and all 28 boards participated in the survey  
3 at various levels. The 2009 survey response rate for us  
4 was 71 percent, which is the largest -- the highest  
5 response rate we've ever had. Last time it was  
6 64 percent. The survey asks questions related to the  
7 ability to engage employers -- employees toward  
8 successful fulfillment of the vision and mission of the  
9 organization.

10 A little bit about the score definitions.  
11 It's changed a little bit from last time. And so a  
12 score of 100 to 325 is an item that needs improvement,  
13 and scores of 325 to 350 are considered average and 350  
14 to 500 is a positive issue.

15 Now, let's take a look at the 14  
16 constructs in the survey. There used to be 20, so the  
17 survey did get a little smaller and we're left with 14  
18 constructs. And as you will see here in 13 of the 14  
19 constructs, we scored in the positive area, and our  
20 highest scores were with strategic orientation of 401  
21 and that has been true over a number of years for our  
22 agency. It's always been our highest construct.  
23 Supervision, 397; that's a new one for us, too, to score  
24 in the top; and physical environment.

25 A little bit about the survey definitions.

1 When we talk about TWC staff for the purposes of this  
2 survey, we're talking about state office staff,  
3 telecenter staff, field appeal staff, field tax staff,  
4 but when we define board areas, we're including board  
5 staff, service provider staff, or contractor staff, and  
6 TWCES staff that work in the workforce centers, and the  
7 survey does not include board members since this is a  
8 survey of employees.

9                   Okay. Now, as we look at the 2009  
10 construct comparison comparing TWC and the board  
11 scores, they're very similar across the board. We had  
12 a few areas that were a little bit different.  
13 Supervision, again, we had gone up in that particular  
14 construct. So the TWC score was a little higher  
15 there, and on the pay item, the construct, the board  
16 scores were a little bit higher than TWC scores there.  
17 Again, that's a measurement of the satisfaction level,  
18 and most of the others were very similar when you  
19 compare TWC to the board.

20                   We don't have benchmarking data for you  
21 this cycle like we normally would since the survey did  
22 change a little bit in terms of the number of  
23 constructs and survey questions. So we'll have that  
24 for you in the next cycle. Our communication plan is  
25 to seminate the survey results to the boards and to

1 communicate the survey results to TWC staff through a  
2 CHAPS email. We will also submit notification for  
3 Mr. Temple to send out on his Internet message.

4                   We also work with TWC division directors  
5 and department heads and boards to conduct focus  
6 groups, if they're interested, with their staff about  
7 the survey results and how to make workplace  
8 improvement ideas happen. I would also like to thank  
9 the board staff liaisons who coordinated this at the  
10 local level, and I would also like to thank Christa  
11 Julian with training and development, who was our team  
12 lead for the survey, and Charles Gordon, who will be  
13 taking the lead on seminating the results to the  
14 boards.

15                   That concludes my presentation, and then  
16 if you have any questions, I would be happy to answer  
17 them.

18                   COMM. CONGLETON: Commission Alcantar?

19                   COMM. ALCANTAR: I just want to say, good  
20 work. I appreciate the effort, and you've obviously  
21 done a nice job in this area. Thank you.

22                   MR. LeDOUX: Thank you.

23                   CHAIRMAN PAUKEN: Commissioner Congleton?

24                   COMM. CONGLETON: Thank you, Louis.

25                   MR. LeDOUX: Thank you. Have a great day.

1 CHAIRMAN PAUKEN: Okay. All right. Item  
2 13.

3 AGENDA ITEM NO. 13  
4 Discussion, Consideration and Possible  
5 Action Regarding Approval of Local Workforce Development  
6 Board Nominees, Mr. Fuller.

7 MR. FULLER: Good morning, Mr. Chairman,  
8 Commissioners and Mr. Temple. For the record, I'm John  
9 Fuller with the Workforce Development Division.

10 Today before you, Commissioners, you have  
11 nominees from the Northeast Workforce Development Board  
12 and the Lower Rio Grande Workforce Development Board.

13 CHAIRMAN PAUKEN: Okay. They all seem  
14 fine to me. Any questions or concerns?

15 (No response)

16 CHAIRMAN PAUKEN: All right. Is there a  
17 motion to approve?

18 COMM. CONGLETON: So may.

19 COMM. ALCANTAR: Second.

20 CHAIRMAN PAUKEN: It's unanimous.

21 MR. FULLER: Thank you.

22 CHAIRMAN PAUKEN: All right.

23 AGENDA ITEM NO. 14  
24 Discussion, Consideration and Possible  
25 Action Regarding the Texas Workforce Commission

1 2009-2010 Report on Customer Service to the Texas State  
2 Legislature, Mr. McCarty.

3 MR. McCARTY: Good morning, Chairman  
4 Pauken, Commissioner Alcantar, Commissioner Congleton.

5 Before you today is the Customer Service  
6 Report for 2009 and 2010 for your approval. I thought I  
7 would go through and highlight some of the results from  
8 the report and compare them to previous -- to the  
9 previous biennium report. Overall satisfaction was  
10 83 percent two years ago, and then this report is  
11 84.99 percent for this report.

12 On the specific customer satisfaction  
13 survey items we have four categories; unemployment  
14 insurance taxes, unemployment insurance benefits,  
15 employers using Work in Texas and job seekers using Work  
16 In Texas.

17 For unemployment insurance tax services,  
18 we have a satisfaction rating of 93.03 percent, and if  
19 you turn to Page 10 of your report, you will be able to  
20 see the chart that will reflect this -- these numbers.  
21 That is an increase from 90.3 percent in the previous  
22 biennium, and the unemployment insurance benefits, we  
23 have a satisfaction rating of 84.36 percent, which is an  
24 increase from 80.8 in the previous biennium.

25 Employers using Work in Texas, we've seen

1 a satisfaction rating of 86.89 percent, which is also an  
2 increase from 85 percent in the previous biennium,  
3 followed by job seeker satisfaction rating, which  
4 increased from 74.7 percent to 75.68 percent.

5 This concludes my prepared remarks. I'm  
6 available for any questions you may have.

7 CHAIRMAN PAUKEN: Well, clearly, you know,  
8 the issue of the job seekers using Work in Texas is --  
9 continues to be an issue and that's something I hope  
10 with our upgrade and improvements in the site, we'll see  
11 an improvement there. It's also an issue, as I said we  
12 discussed, and I think you were going to -- there was  
13 going to be a follow up in some terms of the briefing  
14 with respect to employers who -- some employers who seem  
15 to have a problem getting on to the site, or being able  
16 to use it, or find it difficult. So I think that's an  
17 area obviously of continued concern.

18 I guess the encouraging news is obviously  
19 it was so much stress on the system with this  
20 extraordinary increase in claimants, so it's encouraging  
21 to see the customer satisfaction being what it is.  
22 Although I suspect that maybe some people that were not  
23 satisfied did not participate in the survey. So we  
24 always have to keep that into account as to who  
25 participated and who didn't.

1 Mr. Congleton?

2 COMM. CONGLETON: Your numbers look a lot  
3 better than the numbers in my office look --  
4 complaints -- so I'm happy with it. I don't know how  
5 you did that, but outstanding job.

6 CHAIRMAN PAUKEN: I don't quite know how  
7 to take that.

8 Commissioner Alcantar?

9 COMM. ALCANTAR: Chairman, I would agree  
10 that we have efforts underway to improve our system,  
11 primarily Work in Texas. And I do think that beyond the  
12 work that's being undertaken by the IT staff, that we  
13 have opportunities to really better engage employers and  
14 make the system more assessable and more meaningful in  
15 terms of their participation. So I join you in making  
16 sure that we undertake a concerted effort to improve the  
17 product that we offer to all our customers, and I think  
18 the IT work underway is a good launching point for that  
19 effort and look forward to working with you and staff  
20 and Commissioner Congleton in that regard.

21 CHAIRMAN PAUKEN: Okay. Thank you.

22 COMM. CONGLETON: Do you need a motion?

23 MR. McCARTY: Yes, sir.

24 COMM. CONGLETON: I move that we approve  
25 the 2009-2010 Customer Service Report.

1                   COMM. ALCANTAR: I would second.

2                   CHAIRMAN PAUKEN: It's unanimous.

3                   MR. McCARTY: Thank you, sirs.

4                   CHAIRMAN PAUKEN: Anything to report on  
5 the legislative fund, Mr. McCarty?

6                   MR. McCARTY: No, sir.

7                   CHAIRMAN PAUKEN: Nothing at this time.

8                   How about you, Mr. Temple, any issues that  
9 you --

10                  MR. TEMPLE: Just one thing that came up  
11 in the last couple of days. We got a call from our  
12 counterparts in Louisiana requesting assistance for  
13 mobile units deployed in the southwestern part of the  
14 state. They're having a lot of UI claims, as you can  
15 imagine, with the oil spills. So the boards will let us  
16 know which ones they have available and will be  
17 deploying. We'll let you know when they --

18                  CHAIRMAN PAUKEN: Okay.

19                  MR. TEMPLE: -- hopefully, we won't need  
20 them. Hopefully it won't come our way.

21                  CHAIRMAN PAUKEN: All right. Well, thank  
22 you. My understanding is, I guess it was moving  
23 eastward, from what people were saying, but obviously a  
24 terrible situation.

25                  All right. Is there a motion to adjourn?

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COMM. CONGLETON: So may.  
COMM. ALCANTAR: Second.  
CHAIRMAN PAUKEN: Okay. It's unanimous.  
(Proceedings concluded at 9:49 a.m.)

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C E R T I F I C A T E

STATE OF TEXAS )  
COUNTY OF TRAVIS )

I, SUZANNE ZIMMER, 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 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 17th day of May 2010.

\_\_\_\_\_  
SUZANNE ZIMMER  
Certified Shorthand Reporter  
CSR No. 8323-Expires 12/31/10  
  
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