

# Texas Public Finance Authority

## Board of Directors:

Gary E. Wood, Chair  
Ruth C. Schiermeyer, Vice Chair  
Linda McKenna, Secretary  
Gerald Alley  
D. Joseph Meister  
Robert T. Roddy, Jr.



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Judith Porras  
Interim Executive Director

## MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE TEXAS PUBLIC FINANCE AUTHORITY

February 5, 2009

The Board of Directors (the "Board") of the Texas Public Finance Authority (the "Authority") convened in open meeting, notice duly posted pursuant to law (a copy of which notice is attached hereto as Exhibit "A") at 10:00 a.m., Thursday, February 5, 2009, Stephen F. Austin State Office Building, Room 170, Austin, Texas. Present were: Mr. Bert Mijares, Chair; Ms. Ruth Schiermeyer, Vice Chair; Ms. Linda McKenna, Secretary; Mr. Joe Meister, Member; Mr. Gerald Alley, Member; and Mr. Tom Roddy, Member.

Representing the Authority's staff were: Ms. Judith Porras, Interim Executive Director and General Counsel; Mr. John Hernandez, Deputy Director; Ms. Pamela Scivicque, Business Manager; and Ms. Paula Hatfield.

Present in their designated capacities were the following persons: Lester Lennon, Stone & Youngblood; Debi Jones, Morgan Keegan; Andy Bynam, Citigroup; Keith Richard, Banc of America Securities; Dale Lehman, Piper Jaffray; Patrick Scott, Barclays Capital; Ricardo Villasenor, Cabrena Capital Markets; Nora Chavez, Stifel Nicolaus; Yava Scott, Siebert Brandford Shank; Timothy Peterson, First Southwest Co.; Tim Kelley Coastal Securities; and Dorothy Drummer, Dorothy Drummer & Associates.

### **Item 1. Call to order.**

Mr. Mijares called the meeting to order at 10:00 a.m.

### **Item 2. Confirm meeting posting compliance with the Open Meetings Act.**

Mr. Mijares confirmed the meeting had been duly posted in compliance with the Open Meetings Act.

**Item 3. Approve the minutes of the December 4, 2008 Board meetings.**

Ms. Schiermeyer moved to approve the minutes. Mr. Alley seconded. The motion passed unanimously.

**Item 4. Report on the sale of Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds, Series 2009.**

Ms. Porras stated these bonds were priced on January 14, 2009, in the offices of Morgan Keegan in Dallas. She introduced Debi Jones, Morgan Keegan, to report on the sale of the bonds. Ms. Jones noted that market conditions during the two months preceding this sale had been terrible. Despite market conditions, the syndicate achieved a successful sale with an overall true interest cost of 4.341%. Retail sales made up approximately 18% of the orders.

She thanked the underwriting team members, Citibank Global markets, Inc., Edward D. Jones & Co., L.P., RBC Capital Markets Corporation; and Siebert Brandford Shank & Co. for their participation. She also thanked the Board for the opportunity to serve the Authority.

**Item 5. Consideration, discussion, and possible action to adopt proposed amendments to rules 34 TAC Chapters 221, 223, and 225.**

Ms. Porras stated the amendments to the rules included updates in citations and edits or additions to clarify language. She thanked Mr. Meister for his work on the text. Staff recommended the proposed rules be adopted and published, as proposed rules, in the Texas Registrar. Mr. Meister moved to adopt the rules. Mr. Roddy seconded. The motion passed unanimously.

**Item 6. Report on the executive search for the selection of an Executive Director.**

Mr. Mijares stated this topic would be addressed in a closed executive session and proceeded to Item 7.

**Item 7. Other Business/Staff Report.  
Legislative Update.**

Ms. Porras advised the Board that the Authority was currently scheduled for the Senate Finance Committee hearing on the Authority's appropriation for February 17. The Legislative Budget Board's recommendation, filed as S.B. 1, included 100% of the Authority's base operating budget request. The exceptional item, consisting of an increase in the cap on the executive director's salary and a salary merit pool, was not recommended.

Additionally, on Monday (February 2) the Lt. Governor and Speaker asked agencies to reduce their fiscal year 2009 General Revenue budgets by 2.5%. Staff has met that request by: (1) reducing the amounts budgeted for one additional board meeting this year, and the related per diem; (2) reducing staff training and travel funds to zero; (3) deleting a budget amount for computer maintenance contracts; and (4) cutting subscriptions and outside legal services not charged to a bond issue.

Mr. Alley asked if the loss of funds for computer maintenance would pose a problem. Ms. Porras stated that in the past reliance on the Authority's IT staff had been adequate. Mr. Mijares asked Mr. Hernandez if he agreed and Mr. Hernandez responded "yes." Mr. Meister asked about the lapsed Executive Director salary. Ms. Porras explained that the lapsed salary would be called upon to pay some of the contract for the executive director search, and that remaining lapsed salary funds would be maintained for paying accrued annual leave should that be needed.

### **Executive Session**

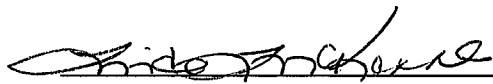
Mr. Mijares announced the Board would adjourn the open meeting and convene an executive session at 10:15 a.m. for discussion with Dorothy Drummer on the Executive Director search.

The Board reconvened the open meeting at 10:59 a.m. (No action was required as a result of the closed session.)

### **Item 10. Adjourn.**

The meeting adjourned at 11:00 a.m.

The foregoing minutes were approved and passed by the Board of Directors on April 2, 2009.

  
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Linda McKenna  
Secretary

Attachment: Posting Notice - Exhibit "A"





## Open Meeting Submission

***Success!***  
Row inserted

**TRD:** 2009000674  
**Date Posted:** 01/27/2009  
**Status:** Accepted  
**Agency Id:** 0113  
**Date of Submission:** 01/27/2009  
**Agency Name:** Texas Public Finance Authority  
**Board:** Texas Public Finance Authority  
**Liaison Id:** 3  
**Date of Meeting:** 02/05/2009  
**Time of Meeting:** 10:00 AM (###:## AM Local Time)  
**Street Location:** 1700 North Congress Avenue, SFA State Office Building  
**City Location:** Austin  
**State Location:** TX  
**Liaison Name:** Paula Hatfield  
**Additional Information Obtained From:** If you need any additional information contact Paula Hatfield, 512/463-5544, 300 W. 15th Street, Suite 411, Austin, Texas 78701.

TEXAS PUBLIC FINANCE AUTHORITY  
 THURSDAY, FEBRUARY 5, 2009 10:00 A.M.  
 STEPHEN F. AUSTIN STATE OFFICE BUILDING, ROOM 170  
 1700 NORTH CONGRESS AVENUE  
 AUSTIN, TEXAS 78701

- Agenda:**
1. Call to order.
  2. Confirm meeting posting compliance with the Open Meetings Act.
  3. Approve the minutes of the December 11, 2008 Board meeting.
  4. Report on the sale of Texas Public Finance Authority Stephen F. Austin State University Revenue Financing System Revenue Bonds, Series 2009.
  5. Consideration, discussion, and possible action to adopt proposed amendments to rules 34 TAC Chapters 221, 223, and 225.
  6. Report on the executive search for the selection of an Executive Director.

7. Other Business/Staff Report.  
Legislative Update.

Closed Meeting

8. The Board may convene in closed session, as authorized by Texas Government Code, Section 551.074(a) to deliberate personnel matters concerning the selection of an Executive Director and related matters.

9. The Board may convene in closed session as authorized by Texas Government Code, Section 551.071(2), to obtain legal advice from its counsel concerning any matter listed on this agenda in which the duty of its attorney under the Texas Disciplinary Rules of Professional Conduct conflict with Texas Government Code, chapter 551.

Reconvene Open Meeting

10. The open meeting will be reconvened for final action of the Board concerning matters deliberated in the Closed Meeting, if such action is required.

11. Adjourn.

Persons with disabilities, who have special communication or other needs, who are planning to attend the meeting should contact Paula Hatfield or Donna Richardson at 512/463-5544. Requests should be made as far in advance as possible.

Certification: I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements. Judith Porras, Interim Executive Director and General Counsel, Certifying Official; Paula Hatfield, Agency Liaison.

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