



August 14, 2014

The El Paso Central Appraisal District Board of Directors held its regular meeting on Thursday, August 14, 2014, at 5:05 p.m., in the Conference Room of the El Paso Central Appraisal District at 5801 Trowbridge, with the following members present:

Rey Sepulveda, Chairman	Gary Gandara
Ann Morgan Lilly, Vice-Chairman	Sergio Lewis
Patricia McLean, Secretary	Dee Margo
Ed Archuleta	Laure Searls

There was a quorum, with eight members present. Joe Longoria and Carmen Hegeman, attorneys were in attendance for the entire meeting.

Ms. McLean joined the meeting at 5:24 p.m., and Mr. Lewis joined the meeting at 5:28 p.m.

First order of business was to recite the pledge of Allegiance to the flag of the United States of America.

AGENDA ITEM 1 – APPROVAL AND SIGNING OF MINUTES FOR JUNE 12, 2014

Mr. Margo made a motion to approve the minutes for June 12, 2014. Ms. Lilly seconded the motion. Motion passed unanimously.

AGENDA ITEM 2 – PUBLIC COMMENT

No public comment was made.

AGENDA ITEM 3 – EMPLOYEE RECOGNITION

Mr. Stone, Assistant Chief Appraiser, recognized Mr. James E. Thompson, Jr. for his 20 years of service. Mr. Thompson was presented a certificate by Chairman Rey Sepulveda and congratulated by the Board and those in attendance.

AGENDA ITEM 4 - DISCUSSION & POSSIBLE ACTION REGARDING REVIEW OF FINANCIAL STATEMENT FOR MAY & JUNE, 2014

Ms. Rosa Goldmann, Chief Financial Officer, presented the May and June, 2014 financial statements. All financial statements are on file and a matter of record in the District's accounting office.

MINUTES PAGE 2
BOARD OF DIRECTORS
AUGUST 12, 2014

As requested by the Board at the August 2013 meeting, Ms. Goldmann also presented a Power Point overview of EPCAD's financial picture for the stated months.

Mr. Margo questioned if the overage for advertising was due to a miscalculation. Mr. Stone responded that in addition to an increase in newspaper advertising rates, new postings had to be placed for the ARB selection process.

Mr. Margo continued that he had requested a breakdown of professional services and legal fees. Regarding the appraisal service at \$276,915.00, Mr. Margo wanted to confirm this was the amortized amount of Capitol Appraisal Group's contract, which is \$369,220.00 per year. Ms. Goldmann replied yes. Mr. Margo referred to the legal fees and asked what was litigation for Appraisal Review Board (ARB). Ms. Goldmann replied that the ARB is required to have its own attorney. Mr. Stone added that the ARB attorney is not physically on the premises during the hearings. The ARB had previously contracted with the County attorney, but has since contracted with an out-of-town attorney who has expertise in this area. Although the attorney is not on the premises, he is always available via telephone.

Mr. Margo inquired of the expenditures for this service. He continued that since this was new, were there any cost projections? Mr. Margo asked, regarding mediations, if there were any noted trends. Mr. Stone replied that the mediations are going up and since they began, arbitrations are also going up. He continued that during the last session, the legislature loosened the rules which allowed for more property owners to take advantage. Additionally, law suits are also increasing.

Ms. Searls commented that the Canutillo School Board feels so strongly about the fact that the CAD Board under budgeted legal, that they passed a resolution that the CAD Board should increase the legal budget next year. Mr. Archuleta said to clarify that the line item for legal was changed but the overall budget was still intact.

Ms. Searls made a motion to approve the financial statements for May and June, 2014. Mr. Gandara seconded the motion. Motion passed unanimously.

AGENDA ITEM 5 – MONTHLY HEALTH BENEFITS USAGE REPORT – JUNE & JULY, 2014

Ms. Gabrielle Melendez, Human Resource Manager, presented the Health Benefits Usage Report for June and July, 2014.

The Year-to-Date Loss Fund for June is \$550,942.34, with the Year-to-Date Paid Subject To-Loss Fund being \$584,141.86, leaving a negative balance of (\$33,199.52).

The Year-to-Date Loss Fund for July is \$611,078.22, with the Year-to-Date Paid Subject to-Loss Fund being \$718,131.00, There is a Specific Year-to-Date Reimbursement amount of \$30,712.91, leaving a negative balance of (\$106,339.87).

The benefit history for July 2014 reflects that we are a little over the \$700,000 mark. Mr. Margo commented but comment was not clearly audible.

Mr. Margo noted that March and April averaged out; and although there were fluctuations in March and April of 2013 and 2014, the average numbers were typical.

AGENDA ITEM 6 – DISCUSSION & POSSIBLE ACTION REGARDING EPCAD's HEALTH INSURANCE RENEWAL

Mr. Stone introduced Mr. Mike Dennis, EPCAD's insurance broker and President of Compass Benefits.

Mr. Dennis directed the board's attention to the information packet provided. The packet contains a letter of recommendation, a brief history of the medical rates going back to 2002, a carrier list and a declination letter. The right hand side of the folder provides spreadsheets. The first spread sheet is the health insurance benefits and maximum liability. Due to some high medical claims, there is a high increase in the maximum liability. In addition, the overall fixed costs have gone down from \$272,000.00 per year to \$258,000.00.

The increase appears large, however; self-funded programs have two basic components – fixed costs which are re-insurance costs and administrative costs. The other component is the claims funding. The re-insurance companies are indicating EPCAD had a very bad year and for this coming year the insurance companies will give us an incentive at lower fixed costs, however, they want us to have a much larger claims file.

An example of this would be if EPCAD has a perfect health insurance year – no one goes to the hospital or submits any claims, the cost of the health insurance plan will be approximately \$150.00 per employee only.

The complete opposite example is if everyone had serious illnesses and stayed in the hospital and racked up hundreds of thousands of dollars in charges. With 160 employees it becomes a huge amount of money. However, due to the re-insurance that EPCAD has in the program, the maximum the district will pay is about \$587.00 per employee. The true figure of what the health insurance cost will be is somewhere in the middle, the expected cost. The projected expected cost for next year is around \$490.00 to \$510.00 per employee. Quotes from other insurance companies indicate the maximum liability is not bad. Aetna's fully insured quote, with similar benefits that are currently in place, is \$629.00. The other third party administrators run \$644.00 to \$662.00, with Blue Cross being at \$674.00. These insurance companies also know that EPCAD needs a much bigger funding level.

Mr. Margo asked if Mr. Dennis recommends the employee funding rate be \$587.00 – Mr. Dennis replied yes. Mr. Margo said the overall estimated cost differential between last year and this forthcoming year is about \$260,000.00, to which Mr. Dennis replied yes. He also said that

EPCAD's maximum funds each year does not mean that the district spends all that money.

Mr. Dennis then produced EPCAD's rate history since 2002. Mr. Margo said the cost to the Appraisal District is projected to be another \$260,000.00 for the next policy period year. Mr. Dennis said if there are any savings it goes into the reserve account which is reviewed each month. Mr. Margo said from a budgeted standpoint another \$260,000.00 will have to be funded.

Mr. Dennis said the funds were available in the reserve account to offset that amount. Mr. Stone advised EPCAD did not budget for the health insurance since the \$260,000.00 could be made up from the existing account with a balance of over \$400,000.00. This money cannot be used for anything else, only for health costs. Therefore, EPCAD wishes to take the \$260,000.00 from the reserve account which will cover the additional cost for the year. Hopefully next year EPCAD's rate will come down, because EPCAD hopes there will not be a large claim year as 2014 was. Mr. Stone continued that this scenario has happened two other times over the years; 2003 and 2007 saw increases due to catastrophic claims. EPCAD is not proposing that we add to the existing budget, but suggest that the Board consider taking the additional premium from the health reserve account.

Ms. McLean asked why it is that the co-pay is only \$25.00. Mr. Dennis stated that the Board asked for other options, which will be discussed. Mr. Margo confirmed the policy period is October 1–September 30.

Mr. Margo inquired of Mr. Lewis about what had happened to the Board committee that was formed to discuss benefit competition, etc. We had one meeting with you and since then nothing. What is the status of this committee? Mr. Margo stated that what we have is an estimate of costs for health insurance as of October 1. Mr. Dennis said this renewal information and the options to be presented are good, unless there is some catastrophic loss that comes-in during that time. Mr. Margo stated that this preliminary figure is being given to budget out of reserves for the excess and for an October 1 renewal.

Mr. Stone contributed that the research into insurance-provider competition continues to reflect few quote options without cost savings for EPCAD to change health benefit provider. Mr. Stone reiterated that it is the Board's decision. However, EPCAD would like to recommend remaining with the current provider because of Mr. Dennis' knowledge and familiarity with the District's history. Furthermore, it also avoids transitioning to another organization. Nevertheless, Mr. Dennis did prepare alternate options which are included in the packets.

Mr. Dennis directed the Board's attention to the sheet containing the option information. Option 1 is the current plan with \$25.00 office visit copay and a \$500.00 deductible. Option 2 is more typical in today's market with \$30.00 office visit copay and a \$1000.00 deductible. Option 3 increases the office visit copay to \$40.00 and the deductible to \$1500.00. After discussions with Mr. Dennis, option 3 is not cost effective because of the impact on the employee. Option 2 is similar to what other City entities have. Mr. Archuleta reiterated that EPCAD's current plan is atypical. Ms. Searls added that her entity [Canutillo] also has a health plan at no cost to the employee.

Mr. Sepulveda inquired how EPCAD's plan compared to other CADs. Mr. Stone responded that from a survey done of similar size CADs, they all pay the insurance. He furthered at Mr. Margo's clarification, that EPCAD does not cover dependent costs. Ms. McLean stated that EPCAD does pay retirees' plans. Mr. Margo reiterated that EPCAD pays 100% for retirees and asked what the aggregate cost for retirees' plans. To which Mr. Dennis replied, that that figure was not at hand. Mr. Margo stated that this information is important to know. Mr. Stone contributed that the District had 33 retirees. Mr. Archuleta expressed that he thought the Board would be provided with a survey of what other entities were providing for their employees. Mr. Dennis added that that information was provided to the Benefits Committee and was also available in items on hand. Mr. Dennis cited three examples of local entities and their respective health contributions to their plans.

Mr. Margo recommended to the Chairman that EPCAD's health plan not be compared to other CADs but be more commiserate with what local taxing entities are doing in the aggregate and comparison. He re-stated that EPCAD's benefit structure should be more closely aligned with what we have in this county and those that support the District. He continued that the Board had until October to vote on the Benefits Package and did not have to be decided at this meeting. He addressed Mr. Lewis that the Benefits committee should meet to review the information provided by Mr. Dennis and that the committee return a recommendation to the Board at the next meeting.

Ms. McLean added that for the three years she has sat on the Board, she has asked to receive item pertinent information prior to the regular meeting to allow time to digest it. She agrees with Mr. Margo that EPCAD's benefits should be more in line with what the other entities are doing in regard to health benefits.

Mr. Margo made a motion that no action be taken today, that Mr. Lewis calls a Benefits Committee meeting within the next few weeks and that they meet to review this data, where he will discuss an idea for an agenda item with the committee. With this done, the Benefits committee can present a recommendation to the Board for a vote. Mr. Lewis seconded the motion. Forum was open for discussion. Ms. Searls asked Mr. Stone for clarification on the following: if the Board was to go ahead with the plan as presented, it would not cost any additional money as the funds would be taken from the reserve fund. Mr. Stone responded that she was correct. Motion passed unanimously.

Mr. Archuleta inquired about the Dental Insurance. Mr. Dennis reviewed the cost analysis comparisons included in the packets.

AGENDA ITEM 7 – DISCUSSION & POSSIBLE ACTION REGARDING 2015 ESRI MAINTENANCE CONTRACT

Mr. Stone explained this is an annual contract for the GIS System software. The amount for 2015 is under budget. It is budgeted for \$44,600.00 and the quote came in at \$31,153.69. This item is being brought before the Board, as it exceeds the amount that the Chief Appraiser can approve. Mr. Margo made the motion to approve as presented. Mr. Archuleta seconded. Motion passed unanimously.

AGENDA ITEM 8 – DISCUSSION & ACTION REGARDING APPRAISAL SERVICES RFQ

Mr. Stone made a clarification regarding Agenda Item 8. The item was requested by Mr. Archuleta, not Mr. Margo.

Mr. Archuleta stated that his purpose in placing this item on the agenda was in reference to the general direction given, several meetings ago, to the Chief Appraiser with regard to request qualifications or proposals for appraisal services. Mr. Archuleta thinks it is important that the Board take action if they agree with the motion. He furthered that he needed legal clarification on the point that his understanding was that appraisal services are not subject to price proposals. He directed this question to Mr. Joe Longoria, Board Counsel. Mr. Longoria responded that it falls under the exceptions of professional services. Price proposals can be obtained; however, they do not fall into the publication requirement. Mr. Archuleta continued that he thinks it is healthy for an organization to look periodically at their professional services, whether they are appraisers, architects, auditors, etc. He suggests that this be done as a request for proposals. Included in that proposal should be how the firm approaches the job; and if local firms respond, make sure that there is not a conflict of interest. Is there a different approach in terms of the number and type of facilities that are appraised – land versus occupied commercial and industrial appraisals, etc. As he previously stated, Mr. Archuleta thinks it is important to have a request for proposals. Whether or not we choose to have price proposals, or look at best value based on qualifications and then decide to negotiate fees needs to be addressed.

Mr. Archuleta continued that it is important for us to know who is doing the appraisals, what their approach is (including the present firm) and if they recommend doing anything different. El Paso is a growing city and a lot of the things that are hamstringing us is because we [EPCAD] does not have the legislation. It is important for the committee, the whole Board, the Chief Appraiser and her staff, to review the proposals and, if necessary, have interviews with the top two or three firms in accordance with the timeline given to select a firm. These are the reasons I placed this on the agenda and think it is important for the Board to take formal action. Mr. Archuleta summarized that after the Request for Proposals (RFP) is done, the full Board can interview and make a selection based on approach, not only qualifications, on who they think is best. He is aware that there are five or six firms in Texas that perform this work; and as often happens, it is difficult to distinguish one from another based only on qualifications. Therefore, who the firm works with and what their approach is to the work is valuable information. He concluded that it should be an RFP and not a Request for Quotations (RFQ).

Mr. Sepulveda agreed that having other firms address the proposal not only on how they would approach the work, but also on how the work was being done. He furthered that the RFP was a good tool and would safeguard them [EPCAD]; and that the exercise would be healthy.

Mr. Stone added that Ms. Kilgore has been in contact with appraisal companies with the intention of bringing the information before the board.

Mr. Archuleta questioned if the RFP would be given to the Board? Mr. Stone responded yes.

Mr. Margo clarified that the RFP will be brought before the Board for approval before it is received by the appraisal firms. Mr. Archuleta also stressed that the board would review the RFP prior to its release to companies for contention.

Mr. Sepulveda defined that a motion had been made. Mr. Archuleta reiterated the motion that an RFP for appraisal services be issued. Mr. Margo seconded the motion. Motion passed unanimously.

AGENDA ITEM 9 - TAXPAYER LIAISON OFFICER REPORT

Ms. Tracy Carter, Taxpayer Liaison Officer, stated that the EPCAD staff and the Appraisal Review Board (ARB) had done a wonderful job in hearing all the protests this summer. Due to their dedication and professionalism, the ARB hearing process was completed two weeks ahead of schedule. Ms. Carter informed the Board that she had compiled a survey of ARB members' evaluation and rating of the ARB Chairwoman and Secretary's performance. Survey copies were available for the Board. The outcome of the survey rating the Chair's performance is as follows:

- Excellent – 33%
- Good – 37%
- Fair – 19%
- Poor – 11%

The overall numbers rated the Chair's performance as 70% -- Good and 30% -- Satisfactory.

The outcome of the survey on the Secretary's performance is as follows:

- Excellent – 63%
- Good – 33%
- Fair – 4%
- Poor – 0%

The ARB Secretary's overall rating was 96% pretty good and 4% Fair.

MINUTES PAGE 8
BOARD OF DIRECTORS
AUGUST 12, 2014

Ms. Carter continued that 412 surveys had been collected by the State Comptroller's Office. She will inform the Board of these results in December when the Comptroller returns the numbers. Ms. Carter is in communication with Judge Patrick Garcia to set-up a meeting next month to begin planning for 2015. Seven ARB members will be leaving, two members will re-apply for reappointment; and 21 of those members have another year to serve.

Mr. Margo asked for the total number of ARB members. Ms. Carter replied thirty (30). Mr. Margo asked if within the survey there were any specific recurrences, conversations, or areas noted for improvement. Ms. Carter responded that the survey included an area for comments and that she had copies of the survey to provide to the Board. Mr. Margo added that if she had a synopsis of the results, he would prefer that format rather than reading the surveys.

Mr. Sepulveda thanked Ms. Carter for the emails that kept the Board informed of the ARB's progress. Mr. Margo inquired if there was any issue as a result of the surveys that needed to be addressed by the Board. Ms. Carter replied no.

Mr. Archuleta posed several questions regarding the distribution of panel members and the assignment of panels to residential, commercial and land properties; and the hearing time allowed to the same. Ms. Carter invited Ms. Aimee Raspopovich, ARB Chair, to respond to the questions. Ms. Raspopovich stated that the panel chairperson is instructed to be time-flexible according to the case before them. Agents are limited to eight minutes per presentation with four minutes for rebuttal and closing arguments.

The discussion touched on various aspects of the ARB body and process with input from Mr. Archuleta, Mr. Margo, Mr. Gandara, Ms. Raspopovich and Mr. Sepulveda. Mr. Joe Longoria, Board counsel contributed that the procedures are controlled by State mandates and many procedure mandates are recent.

Mr. Stone also told the Board that nothing can be discussed about a property going into a hearing prior to the hearing, which is State law. Ms. Raspopovich then presented in detail how she schedules ARB members for panels, etc. As far as training is concerned, the ARB members are given two days of training for new members by the State Comptroller. Ms. Raspopovich has encouraged members to self-study due to the given short training period.

Mr. Stone advised the Board that EPCAD is always willing to work with the tax representatives and taxpayers, should they choose to come-in prior to having a hearing. Many times issues can be resolved outside of the formal process.

Mr. Archuleta said he felt it would be good to have some statistics rather than ratings in order to help solve some of the issues within the ARB; even though certain issues will take legislative action. Mr. Gandara stated that perhaps more ARB members are needed.

Ms. Raspopovich introduced Mr. Roy Armstrong, ARB Attorney, to answer questions from the Board. Mr. Armstrong said he works with ARBs throughout Texas and the hearings in El Paso are handled similarly to those across the state. ARB's across the state do not devote additional time to any one case solely based on whether it is residential or commercial.