



Meeting Minutes

5/19/2011 - Meeting of the Bond Oversight Committee

Tualatin Hills Park & Recreation District

15707 SW Walker Rd, Beaverton, OR 97006

503/645-6433

The seventh meeting of the Tualatin Hills Park & Recreation District Bond Oversight Committee was held at the HMT Recreation Complex, Peg Ogilbee Dryland Training Center, 15707 SW Walker Road, Beaverton, on Thursday, May 19, 2011, beginning at 6:00 p.m.

Present:

Committee Members:

Marc San Soucie, Chair
Wink Brooks
Rob Drake
Wendy Kroger
Boyd Leonard
Rob Massar
Matthew McKean
Anthony Mills
Jack Platten
Barbara Wilson

Ex-Officio Members:

Bob Scott, Board of Directors
Hal Bergsma, Director of Planning
Keith Hobson, Director of Business
& Facilities

THPRD Staff:

Doug Menke, General Manager
Bruce Barbarasch
Cathy Brucker
Dave Chrisman
Steve Gulgren
Nicole Paulsen

Absent:

Committee Members:

Paul Waldram
Stephen Pearson

Agenda Item #1 – Opening Comments

- Marc San Soucie, Chair, called the meeting to order at 6:00 p.m.

Agenda Item #2 – Self-Introductions

- Marc San Soucie, Chair, noted three new committee members were present. He asked committee members to give a quick introduction of themselves.
 - **Marc San Soucie:** Beaverton City Council Member; Committee Chair
 - **Matthew McKean:** Attorney
 - **Boyd Leonard:** Retired US Forest Service with a discipline in budget
 - **Wink Brooks:** Former Hillsboro Planning Director, Planning Consultant
 - **Wendy Kroger:** THPRD Trails Advisory Committee Member
 - **Jack Platten:** Former Beaverton Planning Commission; Attorney
 - **Rob Massar:** Assistant Administrator, Washington County
 - **Barbara Wilson:** Former THPRD Board Member
 - **Rob Drake:** Former Mayor of Beaverton
 - **Anthony Mills:** Associate Director, Tualatin Soil & Water Conservation District
- Marc addressed the members of the public in attendance noting that public comments would be received at the end of the meeting.

Agenda Item #3 – Minutes of October 28, 2010 and February 17, 2011 Committee meetings and January 12, 2011 Subcommittee meeting

- Marc San Soucie, Chair, stated that he would entertain a motion to approve Agenda Item (#3), Minutes of October 28, 2010 and February 17, 2011 Committee meetings and January 12, 2011 Subcommittee meeting.
- October 28, 2010 meeting minutes.
 - ***Marc noted that Barbara Wilson had some additional thoughts she was investigating. Marc asked Barbara if she had any additional recommended changes.***
 - *Barbara's concern was regarding the natural resource conservation language written in the Bond Oversight Committee Draft Annual Report. She disagreed with the statement and felt as though the discussion was not mentioned in the meeting minutes along with the vote.*
 - *Anthony Mills directed Barbara to page 2 of the October 28, 2011 meeting where the discussion was captured as well as the vote to pass.*
 - *Barbara noted that she did not feel the minutes reflected the topic of discussion specifically regarding the sentence in question.*
 - *Marc shared his thoughts on the intent of the meeting minutes. He understands that meeting minutes are a document that records that there was a discussion and that they should reflect the essence of that discussion, not necessarily every phrase. He reiterated that the essence of the discussion was recorded along with the vote.*
 - *Barbara agreed with Marc's thoughts, but also felt that when reading the minutes, the reader will not understand the context without the sentence in question listed. She believes natural areas should not require recreation. She would like the statement that was being discussed to be included in the October 28, 2010 meeting minutes.*
 - *Marc suggested, and it was agreed on by Barbara, that the sentence in question be inserted into the October 28, 2010 meeting minutes*
- Marc called for a motion to approve the October 2010, with the amended language, January 2011 and February 2011 meeting minutes, noting that the three new Committee members should abstain from voting.
 - ***The motion was unanimously approved.***

Agenda Item #4 – Financial Report (including exceptions)

- Keith Hobson, Director of Business & Facilities, stated that, based on past Committee meeting comments, minor modifications were made to the quarterly financial report that was passed out. Keith summarized the revisions and additions related to added financial columns as well as exception reporting. Keith summarized key points, including project categories with estimated costs notably in excess of budget, which included: neighborhood park development, neighborhood park renovation and athletic field development. Keith noted that the categories would continue to be monitored as more sites are designed. The process is still early therefore there seems to be no real reason for concern at this time. The overage in the athletic fields category is the expanded scope, above what is stated in the bond measure, at the Winkelman Park project, for which the Board of Directors has already approved the use of System Development Charge (SDC) funds to offset the cost overage.
 - ***Marc San Soucie, Chair, noted that a discussion may need to take place regarding how the Committee would like to see Board of Director actions noted on upcoming reports.***
 - *Keith noted the Board of Director information was listed in the exceptions report.*
- Keith summarized a trends report, requested by the Committee, both financial as well as timeline. Financial trends have shown that permitting and design costs on smaller projects (especially in the

neighborhood parks, smaller trails and athletic fields) are higher as a percent of overall project cost than was originally anticipated. Fortunately the reverse is happening on the larger projects. Another trend is the construction bid results have consistently been at or often below the design cost estimate, including for non-bond projects. Keith also informed the Committee of the timing of the second bond issuance and the different options the District is looking at. The bonds will likely be sold prior to the next Committee meeting.

- **Rob Drake asked what kind of interest is paid on a debt anticipation bond compared to a regular bond.**
 - *Keith responded the interest rate is very low since the yield curve is very steep. If a one-year note is issued, the interest rate would likely be less than one percent.*
- **Jack Platten asked who would be issuing the bonds.**
 - *Keith responded that proposals would be taken from various banks.*
- **Wendy Kroger noted she had trouble tracking the bridge projects compared to the exceptions report. She also questioned the Winkelman Park project added SDC funds and how that will be incorporated. Her concern is that if the additional funding is entered into the financial report, the overall numbers would be skewed. Wendy made note that the District tends to receive grants or has partnerships with other jurisdictions, which would also add a new funding source to the project. She would like to see that tracked. Wendy asked for clarification on the footnotes for the Waterhouse Trail project as they seem to conflict.**
 - *Keith noted as a general rule the original budget is never altered so that a baseline can be kept. One of the bridge projects was removed based on project feasibility so the budget was retained, but the estimated cost was removed therefore it shows a savings on that project. The additional money is being used to do a little more work on the Willow Creek Boardwalk. He also responded regarding Winkelman Park, stating the project budget is not altered, as noted above, therefore the project looks as though it is over budget, yet it is noted in the exceptions report that additional funds are being allocated per the Board of Directors. Keith clarified Wendy's question relating to the Waterhouse Trail noting that one footnote was financial and the other is schedule related. Keith does not see that there will be a correlation between the delay of the schedule and finances.*
 - *Wendy noted that her concern was with the Jenkins Estates line item. Wendy suggested possibly a completions report.*
- **Boyd Leonard asked if Winkelman Park's additional funding is a firm decision. For example, if savings are realized on other projects, can the additional SDC funding amount be reduced.**
 - *Keith confirmed this.*
- **Marc questioned whether or not the AM Kennedy Park budget is over contingency and if so it might be worth reviewing, at a later date, a way to track the drawdown of contingency. Marc also looked for clarity regarding the Teufel property and whether or not it was intended to satisfy the New Community Park category.**
 - *Keith confirmed the AM Kennedy Park budget is likely over contingency and also noted that the contingency is being drawn down on a percent basis at the completion of each phase. Keith also noted that the Teufel property did satisfy the New Community Park category, but did not spend the full \$10 million allocated; therefore, it leaves room for future opportunity to possibly expand acquisition in that category.*

Agenda Item #5 – Progress Timeline (including milestones and exceptions)

- Hal Bergsma, Director of Planning, noted additional pages in the packet addressing the definitions of the various phases, as well as a report on how contingency funds are allocated. Hal reported on timeline trending, including ownership issues, as well as accommodating adjacent neighbors who have concerns.
 - *Marc San Soucie, Chair, posed a question to the Committee relating to the exceptions report and at what threshold should the exceptions report take place. He noticed the delay of multiple projects and noted that since they were not anticipated to start, they did not “miss” a milestone; therefore, delayed projects are not being noted on the exceptions report. Marc also noticed a new bar had been added on the graphic timeline called “project redirection”. Marc noted that some of those “project redirections” are delaying the projects’ schedule in a meaningful way, yet the redirection is not clarified.*
 - *Steve Gulgren, Superintendent of Planning & Development, explained that some of the projects have been delayed due to staff time as well as project redirection. Steve noted that grant projects have resulted in removing staff time on bond projects to focus more on the grant projects. He concluded that if there is a shift in the schedule it will be noted in future exceptions report.*

Agenda Item #6 – Land Acquisition Report

- Hal Bergsma, Director of Planning, spoke about land acquisition, noting three acquisitions: a community park site, a neighborhood park site, and an easement acquisition for a neighborhood trail access. Hal handed out maps showing the locations of the acquired properties.
 - *Wendy Kroger would like to see a quarterly report as well as a narrative report updating the Committee on the most up-to-date acquisitions. She would like to see the acquisitions more clearly defined on the report, not just a category.*
 - *Barbara Wilson noted her delight on the Teufel property accomplishment.*
 - *Jack Platten asked for clarification whether or not it is a lease back. Jack noted that the eight-year lease precludes development.*
 - *Hal noted that development may be precluded, but master planning the site is not. Hal also noted eight years as being the maximum lease period with no option to extend.*
 - *Rob Drake asked if an extra territorial purchase was allowed, if they were willing to vacate, since part of the property is in Multnomah County.*
 - *Doug Menke, General Manager, confirmed that the District can purchase property in another county.*

Agenda Item #7 – Next Annual Report

- Marc San Soucie, Chair, briefly reviewed the previous Annual Report while noting a possible schedule for the upcoming 2011 Annual Report. Marc confirmed an end of fiscal year (June 30, 2011 end date) annual report.
- **Timing** - Marc noted November 2011 as being a target date for voting on the final report.
- **Subcommittee Volunteers** - Marc asked if any Committee members were interested in creating a subcommittee to contribute to writing and editing the report.
 - *Wendy Kroger noted the time commitment from developing last year’s report and suggested that this year’s report focus more on what has occurred in the last year rather than the bond overall.*
 - *Jack Platten, Marc San Soucie, Boyd Leonard, Wendy Kroger, Wink Brooks and Barbara Wilson volunteered to start a subcommittee.*

- ***Marc explained the reason for a subcommittee and informed all Committee members that they are welcome to contribute at any time. Contacting one of the subcommittee members would be the most effective way to get involved with helping to contribute to the Annual Report.***
 - *Barbara suggested that the language “the Committee believes” or “the Committee thinks”, as noted in the 2010 Annual Report, not be included in the upcoming document. She noted that there was no such discussion of topics warranting the statement. She also noted her disagreement in some of the editorializing in commending the Park District, for example staff and Board members. Barbara noted her agreement in the statement, but did not feel it was an appropriate venue.*
 - *Marc offered a different perspective regarding “the Committee believes” language. He noted the intent was that it was a Committee consensus based on past Committee discussions, minutes, conversations and what transpired at the Committee meetings. The subcommittee then reported what they believed the consensus of the Committee was then listed it in the draft report to bring back to the Committee for review to decide whether or not they agree. In the end, the language was removed from the final document as it was not deemed important to have it.*
 - *Barbara cautioned the Committee to be careful if there is not a motion or a vote since there might be quiet members who disagree. She explained that the Committee may not find out what is truly on their mind unless there is a vote.*
 - *Jack noted a final report should reflect the Committee’s opinion. Jack stated if someone disagrees, they should say so, and if they feel they don’t agree with the rest of the Committee, it will be included in the minority report. As a Committee, a report is created and voted on and if there is disagreement the vote should be noted in the report. The job of the Committee is not to agree on all topics, it is examine and give a report that reflects the overall Committee. He also noted that if a person does not speak up, but then votes against or criticizes something after the report is approved, that person is not doing their job as a Committee member.*
 - *Marc added last year the Committee chose not to include minority reports. It was decided, as a Committee, to have the report reflect the majority consensus. Marc noted that this year can be different, if desired.*
- **Report Approach** - Marc noted that the first report had to include a lot of background and narrative referring to decisions made in the bond measure and other logistical information. Marc questioned whether or not that information should still be included or if it should be a short blurb with the majority of the report discussing current information.
 - ***Bob Scott agreed with Wendy’s previous statement relating to the new report focusing on the last year. He feels this report should act more as a progress report indicating successes and struggles that have happened over the last year.***
 - ***Anthony Mills disagreed, noting that committees tend to assume that the community has read all of the previous documents. By using the previous report as a template and updating the information as necessary it allows for all persons reading the report to have the back story as well as the updated information.***
 - ***Rob Drake added that the Committee should not lose the opportunity to remind the public of the background. It is also important to include trends and updates.***
 - ***Matthew McKean noted he read the report and would like to see more graphs. He stated a high level wrap-up is nice to see in a graphical representation to help convey information.***

- *Marc noted that this year there are many accomplishments to be noted, whereas last year, not a lot of accomplishments had been reported on.*
- *Anthony asked the Committee to allow for any relevant thoughts to be included within the initial rough draft. He views a rough draft as an opportunity to toss in any relevant thoughts and encouraged the members to view the initial rough draft as being ideas that may or may not be true and cautioned them not to view the document as though the group is trying to impose a particular idea without consulting the group. He would rather see all of the topics laid out in the report so that they can be discussed as a group.*
- *Barbara noted that when receiving colorful, glossy literature from a government agency, her first thought is “who is paying for this?” She recommended not making the document too beautiful. She felt last year’s report was appropriate.*
- *Marc concluded this topic by stating that a draft outline should be created so the Committee can comment.*
- **Performance Assessment** - Marc asked what more does the Committee need in order to facilitate assessing performance of the program, assessing the District, and informing the public.
 - *Wink Brooks believes the Committee should be looking at broad trends.*
 - *Marc asked if the Committee wanted to go out in the field to verify project completions as well as view accomplishments.*
 - *Doug Menke, General Manager, noted that a tour can be facilitated. The concept of having a Board tour is being looked into and if it comes to fruition the Committee members could be included.*
 - *Barbara felt uncomfortable asking staff to take additional time to facilitate the Committee.*
 - *Marc agreed and thought some projects could be reviewed on member time and take a photograph then report back.*

Agenda Item #8 – Bond Projects’ Public Process

- Marc San Soucie, Chair, raised the topic of the role of the Committee relating to public process and what that means regarding understanding, acknowledging, commenting on, recommending and/or reporting on. Marc cited the Lowami Hart Woods bond project as an example, where the community has a strong difference of opinion with the District in how the project should be implemented. What is the role of the Parks Bond Citizen Oversight Committee? Marc requested input from Board member, Bob Scott, and General Manager, Doug Menke on the District’s point of view.
 - *Bob Scott spoke on behalf of the Board of Directors identifying the Parks Bond Citizen Oversight Committee as a committee that gives broad oversight of the implementation of the bond program. The Committee is assembled to confirm that the District is fulfilling the promises that were made to the voters. It is the Board’s opinion that it should be a high-level observation of what is going on. The Committee is confirming, by looking at each project category, that the District is following the guidelines that have been set forth. Bob also added that by looking at project categories, it does not allow for the Committee to get too specific and look at each individual project.*
 - *Doug Menke agreed with Bob’s comments and added that some projects meet with stronger interest than others. The strong interest is a phenomenal value for the District. It is the broad oversight of the Committee that ensures the basic components of the projects happen, whether it is a trail, park or sports field.*
 - *Marc wondered what happens if over the course of a project, the definition of the project changes and to what extent is that a concern of the Committee.*

- *Doug gave an example of the Rock Creek Trail project, which was a regional trail project with strong opposition from adjacent neighbors. In the end, the District was able to move the trail a little further from the neighboring homes and the trail location was set in the master plan. Doug added, had the project been frozen and the Board chose not to build the trail, at that time the Committee may have input since the intent of the bond program was not being carried out.*
- *Jack Platten added that one thing the Committee has an obligation to deal with is the changes that come through. He explained that there will likely be changes as well as projects that just aren't feasible, or the focus may need to change. Jack added that there isn't a requirement stating changes can't be made. It is the obligation of the Committee to report on those changes and why they were made.*
- *Anthony Mills agreed with Jack's comments, noting that it was stated in the beginning the high level of oversight that was expected. He feels it is necessary to maintain the high level scope and not get involved with individual projects.*
- *Rob Drake commented that the Committee is essentially an advisory committee that needs to listen and to make sure that the general intent of the bond was kept. Rob feels it is unnecessary to provide input on the specific details of a decision making process, such as whether or not a trail should go into the woods. Rob added his thoughts about when the City of Beaverton helped purchase Lowami Hart Woods, noting that it was slated to be purchased by a developer, which would have been a shame.*
- *Matthew Mckean agreed and added that it is the Committee's job to ask questions of why a decision is made, not to make the decision.*

Agenda Item #9 – Opportunity for Audience Comments

- Marc San Soucie, Chair, asked if any members from the public would like to speak.
 - *Mark Hereim took a moment to reiterate and redefine the original question that Marc stated previously regarding public process and the role of the Parks Bond Citizen Oversight Committee. Mark stated his lack of knowledge of what the Committee is. His understanding was that the Committee was a group that was constituted to make sure the public got its money's worth. Based on previous and current attendance at the Committee's meetings, he has observed a lot of really detailed questions of what reports look like, but there has been no sign that there was any kind of capacity to ask more fundamental questions such as, "is this the right set of things to spend this money on?" and "is this the right allocation of resources?" Mark believes there ought to be an independent, outside assessment to answer the question and it seems this Committee is not the right avenue. Mark also added his building confidence of the District's public process. Overall, he would like to see a body of people review the total expenditure of bond funds. Lastly, he verified his original question was not in relation to having the Committee make a decision, but rather wondering if there was a body of people to oversee expenditures.*
 - *Marc responded by stating the Committee spent a lot of time and detail understanding what the level of communication was to the public regarding what types of projects were listed and how much money was being allocated to each project, including what amenities those dollars would fund. He noted other jurisdictions bond programs, unlike the THPRD bond program, do not have a detailed list indicating where projects will happen and how much funding they will receive.*
 - *Anthony Mills suggested the Committee come up with a mission statement to keep a focus on why the Committee has been comprised. He noted that incorporating the statement as a header or footer on each agenda would be beneficial.*

- *Jack Platten noted that a mission statement is listed in the resolution.*
- *Priscilla Christenson paraphrased a comment a Committee member made that resonated with her. The statement was to the effect that it's the Committee's job to ask questions to see if there are exceptions and to report why there is a slight variance from what was done before. Priscilla also quoted, "Willingness to make changes to reflect reality, rather than denying real problems, is also a positive sign", from the 2010 Bond Oversight Committee Annual Report. She explained her thoughts stating exceptions should have a positive connotation as well. She described the Lowami Hart Woods bond project as a good example of how exceptions should be viewed as a good thing based on the new circumstances.*

Agenda Item #10 – Plan for the Next Meeting

- Marc San Soucie, Chair, identified the month of August for the next meeting.
- Barbara Wilson suggested members of the public be offered a chance to speak at the start of the meeting so they aren't required to stay for the entire meeting if they so choose.

Agenda Item #11 - Adjourn

- There being no further discussion, the meeting was adjourned at 8:05 p.m.

Transcribed by,
Nicole Paulsen,
Recording Secretary