



Meeting Minutes

05/07/09 - Meeting of the Bond Oversight Committee

Tualatin Hills Park & Recreation District

15707 SW Walker Rd, Beaverton, OR 97006
503/645-6433

The First 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 7, 2009, beginning at 6 p.m.

Present:

Committee Members:

Spence Benfield
Winslow Brooks
Brett Hayes
Fred Meyer
Deanna Mueller-Crispin
Dan Plaza
Marc San Soucie
Paul Waldram
Barbara Wilson

Ex-Officio Members:

Hal Bergsma
Keith Hobson
Bob Scott

THPRD Staff:

Doug Menke
Dave Chrisman
Steve Gulgren
Gery Keck

Absent:

Committee Members:

Ken Boire
Lauren Danahy
Rob Massar

Ex-Officio Members:

None

Agenda Item #1 – Opening Comments & Introductions

- A. General Manager Doug Menke, called the Meeting to order at 6:00 p.m.
- Welcoming comments and overview of the Bond Oversight Committee's importance to the community.
 - Individual member introduction and background as it pertains to the Bond Oversight Committee/Park District
 - **Brett Hayes:** Nike Global Real Estate Attorney
 - **Paul Waldram:** CPA for Moss Adams LLP; Trustee for Tualatin Hills Park Foundation
 - **Fred Meyer:** Corporate Transportation; current member of THPRD Budget and SDC Task Force Committees
 - **Marc San Soucie:** Beaverton City Council Member
 - **Spence Benfield:** Chair of THPRD Budget Committee
 - **Dan Plaza:** Former Superintendent of Springfield's Willamalane Park and Recreation District
 - **Wink Brooks:** Former Planning Director for City of Hillsboro

- **Deanna Mueller-Crispin:** Former Manager of Environmental Programs for State Agencies; Past Member THPRD Board of Directors, Past Budget and Park Foundation Committee Member
- **Barbara Wilson:** Community Activist/ Conservationist; Past Member THPRD Board of Directors

Agenda Item #2 – Committee Roles and Responsibilities

A. Ex-Officio Committee Member and Board of Directors Member, Bob Scott, thanked all those who were chosen to serve on this Bond Oversight Committee and reviewed the Roles and Responsibilities of the Committee, as established by a resolution of the Board of Directors.

- Ensure that the THPRD Parks Bond Capital Program meets the objectives of the Bond Measure and that funds are expended as promised, with a focus on overall delivery of bond measure obligations and not specific projects or activities.
- Annually report to the District Board of Directors regarding progress in meeting stated objectives of the Parks Bond Measure, and recommendations, if any, for improving the Parks Bond Capital Program efficiency, administration or performance. Recommendations made by the Committee must have the support of a majority of Committee members.
- The committee should work with District staff to develop performance measurement tools and reports for providing accountability and communication with District residents.
- Meet no fewer than two times per year.
- Be dissolved on July 1, 2018 or upon the issuance of a final report by the Committee after all funds authorized by the 2008 bond measure have been spent, whichever is earlier.

➤ **Barbara Wilson asked for clarification of “Special Projects”.**

Doug Menke reiterated that as part of the Oversight Committee’s function, members are to ensure THPRD delivers on the information provided to the public in November’s Voter Pamphlet. However, the Board of Directors approves all projects and the public can still give input at the Board meeting when a Master Plan is submitted for approval. The Oversight committee exists to ensure what was advertised to voters happens.

Agenda Item #3 – Elect Chair Person for Committee

A. Doug Menke opened the floor to all nominations for Committee chair and vice chair.

- **Spencer Benfield nominated Marc San Soucie as Committee Chairman based on his experience serving on the Beaverton City Council.**
- **Dan Plaza seconded the motion**
- Doug Menke put it to a vote; all were in favor/ no objections.
- **Fred Meyer nominated Spencer Benfield for Vice-Chairman.**
- Marc San Soucie put it to a vote; all were in favor/ no objections.

Agenda Item #4 – Review of Election Material

A. Hal Bergsma, Director of Planning, provided a brief overview of the Board approved Bond Package election materials.

B. Hal Bergsma provided a brief overview of the information that was made available to the public during campaigning.

- Overview of how public input was gathered in order to decide what projects were included in the Voter’s Pamphlet.

➤ **Wink asked: What will be done with the savings, if any, on projects?**

Hal informed the committee that this exact question would be addressed in a later agenda item. It was tabled for the moment.

- **Dan asked: What answer was given to the public when that question arose?**
Doug shared that it was a policy level decision to be determined through input by the Oversight Committee, but that the Board of Directors had the final say in what policy recommendations were adopted.
- **Deanna asked if the same cost analysis “Bond Measure Material” sheet provided to the Oversight Committee was made available to the public during the campaigning?**
Yes
- **Marc wanted to know what other materials were mailed out to voters?**
Doug shared that the “Vote Yes Campaign” had three different mailings that went out.

Agenda Item #5 – Bond Program Update

- A. Keith Hobson, Director of Finance, shared information about the bond sales being released in two phases.
 - There must be a reasonable expectation that 85% of each phase’s funds can be spent within a 3 year period
 - The first phase contains \$58.5million, the second phase will include \$41.5million
 - Land acquisition is specifically being included in the first bond phase to take advantage of the current market.
 - **Brett asked: What are the grounds for more land acquisition?**
Hal shared that THPRD’s Comprehensive Plan bases land needs on projected population growth. A copy of the District’s Comprehensive Plan can be found on the Park District website.
 - **Barbara shared that two different surveys went out initially when drafting the Bond, and land acquisition, especially for natural areas and open spaces, was a top public priority.**
 - The District’s credit rating was upgraded by one company to an AA status.
 - **Wink asked: Are future possible higher interest rates figured in?**
Keith shared that if interest rates are higher than what has been projected/planned for, we may be able to delay the 2nd bond phase to hold out for a better rate if need be or adjust project schedules.
 - **Marc asked: Will policies about the structure of the 2nd Bond sale phase fall under the Oversight Committee? The Board has made decisions so far.**
Doug: The Board will continue to make the final decisions, however if problems occur, they will be looking to the Oversight Committee for input.
- C. Keith Hobson shared information about the Bond project budget.
 - Keith provided an example walk through of a project’s budget structure using Cedar Hills Park as an example
 - Went through the budget for new staff hired specifically for the Bond projects.
 - \$1.7million is needed to recover cost of Bond specific staff. The THPRD general fund will cover existing full time Planning & Development staff.
 - **Bob Scott took this time to reiterate that staff members hired specifically for the Bond are positions that exist only through the end of all Bond project completions. They are not permanent.**
 - The background info on the new staff hired to help with Bond projects was provided.
 - **Fred asked: Was a new facility needed to house the new staff**
Hal: No, they were absorbed within the East Annex offices where Planning and Development staff is housed.
- D. Hal Bergsma gave a Capital Program update.
 - Hal also went over The Consultant Of Record roster and how the process worked.

- **Deanna asked how the selection of a specific firm from off the COR list worked?**

Hal explained that Requests For Quote's are sent out to firms on the COR list, and one will be chosen based off those returned RFQ's. THPRD staff will make a recommendation as to which consultant team responding to the RFQ best fits the scope of the project. The Board has reserved the right to review the process for the larger budgeted projects.

Keith Hobson added that this type of hiring follows Oregon state guidelines for competitor procurement standards.

- **Brett requested that the District be cognizant that all firms on the COR list get a fair shot at bid, and that no one consultant walks away with several projects.**
- **Dan favored the way THPRD has structured the A&E project bids.**
- **Spencer asked: How many firms on the COR are local?**

Steve Gulgren answered they all are.

E. Hal Bergsma went over the Bond project schedules.

- *Memo dated January 7th, 2009 to the Board included the project timeline, and was examined in detail to explain why certain projects were started before others.*

- **Marc asked if the public gave any input as to the timeline the projects were chosen to follow.**

Doug: No, Mackay & Sposito was the consultant hired to help put it together.

- **Deanna asked for clarification on the NR project timeline. Were these projects big areas, or several smaller areas' grouped together under one project name?**

Doug: Both. We may be purchasing smaller natural area's that are currently on the border of THPRD owned property, and hope to acquire additional riparian property. We unfortunately cannot give away specific names of targeted areas, but will put together a progress report of the strategy and how many pieces of land are currently being looked at and what quadrant they are in.

- **Dan reminded the committee that as a public meeting, members should be sensitive that THPRD cannot always share the exact names and locations of potential land acquisitions.**

Hal referred the committee to a memo that addresses the bond measure land acquisition program.

- **Barbara wanted to know if a timeline for land acquisition had been done, not just a timeline for projects.**

Doug shared that to fall within the required 85% of funds spent within three years; most land acquisition should be completed within that time frame. The process as a whole of buying land can be time consuming depending on the property in question. THPRD has a short list of properties it hopes to acquire, and is open to input from the public. No timeline can be made for land acquisition like it is for construction projects, because land acquisition tends to be more opportunity driven.

- **Barbara is cautious about building project costs running over, and funds being taken from acquisition budgets to help offset this potential problem.**

Doug assured Barbara that with the structure of this specific Bond Program, \$8.4 million has been set aside for Natural Resource land acquisition and those funds will not be used for anything else.

Bob also reassured the committee that the Board plans to uphold land acquisition bond funds for that purpose only.

- **Both Fred and Dan echoed that Barbara's concerns are legitimate based on past bond programs, but that this current program seems to have that concern very well under control and the Oversight Committee is here to make sure that happens.**

- ***Wink wanted to ensure that the Natural Resource Management Plan (NRMP) to protect and restore Natural areas is followed. Does NR have priorities as to what areas will be focused on first?***

Doug: There are priorities, and if the NRMP is not currently listed on our THPRD website under Natural Resources, we will work to get it on there. We will also e-mail these to Oversight Committee members as well as land acquisition updates, as they are available.

Agenda Item #6 – Committee Governance

A. Chair Marc San Soucie asked how the committee wants to go about voting on issues.

- ***Spence would like to avoid a hard-line vote with hands. He is in favor of a consensus.***
- ***Barbara wants to avoid steamrolling, and suggests a vote is the way to insure each person must vote and that it's heard.***
- ***Dan finds a consensus favorable to help expedite the meetings. If a vote is needed for each issue, it could become cumbersome.***
- ***Wink finds a consensus good enough unless it becomes a controversial issue, and then a vote can be used if the committee comes to an impasse.***
- ***Paul and Brett both agreed with Wink's suggestion.***
- ***Deanna also concurs, but asks that Marc, as the chairman, be the final decision as to whether a topic needs a vote.***

It was concluded that the committee would function under a consensus method unless it is a controversial issue, or if there is not clear majority. In these cases, Marc will decide if and when a vote is needed.

B. Chair Marc San Soucie asked how the committee wants to go about reporting to both the Board of Directors, and to the public.

- Reporting to the Board of Directors.

- ***Marc would like to see the minority opinion published on certain items if it was expressed but over-ruled.***
- ***Bob posed the question for whether the committee's presentations to the Board of Directors would be verbal or written document?***
- ***Dan believes a written document would ensure that no information was misconstrued or unintentionally left out.***
- ***Barbara seconds this idea.***
- ***Wink asked if THPRD staff would generate the report to be presented, or would a committee member?***
- ***Marc thought committee members, not THPRD staff, should draft any memos to the Board.***
- ***Spence cautioned the committee to be flexible and to keep written documents brief and not as fine detailed as a written document could become.***
- ***Deanna referenced and liked the memo that was provided from Metro as an example for exactly how detailed their Bond Oversight Committee was within written documents.***

Keith reviewed the Metro memo as an example of a successful reporting system from Metro's Bond Oversight Committee.

- Reporting to the public.

- ***Marc asked if the committee is overseeing how communications happen between the Bond Oversight Committee and the public?***

Doug answered yes.

Marc volunteered to help write any memos or excerpts as needed.

- **Dan asked how the public would be aware that information coming from the committee is truly from the Bond Oversight perspective and not from THPRD staff?**

Keith: There is an availability for the Bond Oversight Committee to establish a link on THPRD's website to post updates to the public about when the committee meets, establish a statement about who the committee is, and can be added to or changed as often or as much as the committee wants.

- **Spence asked how the public would be made aware that the committee is meeting being that it is open to the public?**

Notices are sent out to the Oregonian, Valley Times, and are posted at THPRD facilities and on THPRD's website.

- **Will the committee be taking public input if it is given during a meeting?**
- **Fred believed the committee should as long as the public is aware that this is an Oversight Committee and does not concentrate on specifics of projects.**
- **Dan seconded that opinion reiterating that this committee is advisory.**
- **Deanna cautioned that a specific time limit should be set if the public wants to speak to avoid any long-winded input.**
- **Paul stressed the importance of communicating that this committee is not a public outreach to make changes to the bond projects.**
- **Marc, as chairman, agreed that if the public wanted a contact within the committee he would be the liaison.**

C. Chair Marc San Soucie posed the question of how often the Bond Oversight Committee should convene.

- **Marc asked staff when they anticipate enough happening on the projects to make it worth meeting.**

Doug believed that by late summer, projects would be into enough action to warrant review from the committee.

- **Barbara requested reports/updates throughout the year on projects, regardless of how many times the committee decided to meet.**

Doug will make bond project quarterly reports available through e-mail to the committee members, and will make sure land acquisition updates are included. THPRD will also e-mail the Board of Director's monthly meeting minutes out as well to keep the committee apprised on what is happening.

- **Spence recommended meeting every quarter.**
- **Fred thought a meeting should happen within each phase that was broken down in the timeline chart. He cautioned on meeting too frequently to avoid micro managing.**
- **Dan suggested meeting in September and reviewing how much forward progress has happened. At that time a better idea of how often to meet may be more possible.**

- The discussion was tabled until the end of the meeting.

Agenda Item #7 – Policy Issues

A. Keith Hobson, Hal Bergsma, and Doug Menke, went over a list of policy items THPRD is anticipating the Bond Oversight Committee giving input on as projects unfold.

- Keith went over the Bond Oversight Scope of Issues found on the provided Memo 9A dated January 23, 2009.
 - Three main policy issues have been identified: Budget, Cash-Flow and Performance Measures
 - Potential questions that may arise in future meetings were specified and the background info about each of these three issues was detailed.

- Hal went over the Bond Oversight Scope of Issues found on the provided Memo 9A dated January 23, 2009.
 - Policy issues were identified pertaining to land acquisition
 - **Dan asked for clarification: Is THPRD wanting the committee's advice on policy questions or general guidelines?**

Doug clarified: THPRD is looking for advice on how to proceed when policy issues arise. In providing this advice, the Oversight Committee should review examples of what other agencies are doing. The Committee's input will be brought before the Board for their consideration before a final policy direction is given to staff. Once the Board has adopted policies, (which is the only body making these judgments) the Oversight Committee will then review, District decisions to be sure they are consistent with the policy direction provided by the Board.
 - **Brett reiterated that the Bond Oversight Committee is charged with reviewing the rationale of decisions the Board is making based on their policies. The Committee then reports that yes, they agree with the decision, or no they don't based on certain factors. The Committee does not exist to set policies or over-rule the Board's decisions.**
 - **Bob assured the committee that he and the Board would be taking any input the committee gives into strong consideration when setting policies.**

Agenda Item #8 – Set Next Meeting Date

- B. Chair Marc San Soucie asked everyone to review his or her schedules for the second or third week in September for a tentative date for the next meeting.

Doug offered that Jessica Collins, the Executive Secretary at THPRD, could receive each person's e-mail, and then send out the date of what worked best for the majority.

Agenda Item – Other

- **Brett asked how federal stimulus money could affect the bond projects?**

Doug shared that THPRD had hoped to receive funds through the federal stimulus to complement certain trail projects, but that it was not awarded to THPRD. However, the District is still in hope of receiving funding to help pay for various improvements to its facilities to improve energy efficiency and provide alternative energy sources.
- **Wink asked if grants were being sought to financially help Bond funding**

Doug shared that THPRD is actively seeking grants to complement Bond projects.
- **Marc asked for clarification on what the exact criteria is to consider an area a "natural area"**

Doug believed this definition should be found on the THPRD web site, and will be sure it is added if not already there.
- **Deanna wants to be sure restoration projects set aside for "Natural Area's" are truly being done in Natural Areas.**

Hal shared that Natural Area sites being restored will be brought to the committee meetings along with the standards and conditions used to deem it so.

Agenda Item #9 - Adjourn

- A. They're being no further business; the meeting was adjourned at 8:50 p.m.