



**TSCC Regular Business Meeting
Meeting Minutes
Wednesday, March 10, 2021
12:00 pm**

Commissioners Barringer, Norton, Wubbold, Quiroz and Ofsink were present as were Executive Director Craig Gibons and Budget Analyst Tunie Betschart all via Google Meeting.

Absent: None

Chair Barringer convened the TSCC Regular Meeting at 12:05.

Minutes

The minutes for TSCC's February 11 Commissioners Regular Meeting were approved as presented.

Budget Report

Since there were no comments or questions on the In-House budget presented at the February Commissioners meeting, Commissioner Ofsink moved to adopt the In-House budget as presented. Commissioner Quiroz seconded the motion which passed with a unanimous vote.

Executive Director Gibons gave a brief explanation of February 2021 expenditures saying as of the latest run by the county, there are no Materials & Service expenditures. This is very unusual but because of the circumstances brought about by the current pandemic, staff is working from home and not creating expenditures for supplies. This could change when the accounting period closes next week.

PPS Demand Letter

The next action item on the agenda was to discuss the T. McClelland demand letter concerning Portland School District's Actions – Investigation Process (see attached memo dated March 6, 2021). There was a lively discussion around the various aspects of this demand letter:

- 1) Does TSCC have the jurisdiction to act upon this?
 - a) In the opinion of Executive Director Gibons, the petitioner met all requirements set out by ORS 294.100(3) to initiate an investigation by the TSCC Commission into this matter.
 - b) The signatures were verified as taxpayers of the district.
- 2) Moving forward, the investigation needs to center around the following:
 - a) Did the district act with responsibility and accountability to the taxpayers?
 - Were the actions taken by the district discussed and decided outside the Oregon Open Meeting Law?
 - If TSCC finds the district's public officials acted without transparency and intentionally kept the decisions to build a large athletic facility in Washington County this would not fall under the Open Meetings Law but rather the district's



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- conduct. In that case what are the actions to be taken by TSCC?
- Was the Bond Accountability Committee involved in the decision?
- b) Is the basis of the complaint that bond revenue was used for expenditures that are different than what was intended in the bond measure presented to and approved by the taxpayers?
- Is this letter addressing an individual within the district who exceeded his/her authority to spend money? If so the commission certainly should investigate this matter.
 - Is the letter claiming the district's elected Board of Directors approved to build this project, giving authority to provide appropriations for the erroneous project? If so Chair Barringer believes that is above the authority of the TSCC Commission. Commissioner Norton gave examples of possible improper use of appropriations by the City of Portland, the way it was handled, and how it could have been handled. She stated that the TSCC needs to notify PPS of the complaint filed against them and allow them to answer the questions. After doing their initial investigation, TSCC may find they cannot find a basis for the complaint against the district. If the citizens disagree, they can then file a suit against the district if they choose to do so.
 - Did the official bond statement or the statement that went to the voters reference the permanent nature of the enhancements for the athletic facility?
- c) TSCC has been given authority to investigate on behalf of the taxpayers and ask the questions.
- The Commission owes the citizens an opportunity to get a formal answer from the school district through TSCC as an intermediary.
 - The district may welcome the opportunity to officially answer these questions.
 - Once this has happened the Commissioners will decide as to the path they need to follow concerning this demand letter.

Commissioner Norton made a motion to accept the jurisdiction of this claim by the taxpayers and initiate an investigation of the school district to provide factual information about how this project was authorized and how it conforms to the use of bond proceeds. Commissioner Ofsink seconded the motion which passed with a unanimous vote.

Executive Director Gibons will construct a letter to Portland Public School District and include very narrow specific questions. It was suggested to give the district about two weeks to respond. The questions should be addressed to Deputy Superintendent, Claire Hertz and possibly copied to Senior Director of Office of School Modernization Marina Creswell; and the governing board.

Schedule Next TSCC Meeting

The date for the next meeting will be determined and will be held in the last part of March.

Adjourn

There being no other business Chair Barringer adjourned the TSCC Regular Meeting at 1:13

~~Approved 4/10/2021~~



Attachments:

Memo dated March 6, 2021; Subject: T. McClelland Demand Letter on PPS Actions
~Investigation Process.