



**TSCC Regular Business Meeting
Meeting Minutes
Wednesday March 30, 2021
2:00 pm**

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

Absent: Commissioner James Ofsink

Chair Barringer convened the TSCC Regular Meeting at 2:03.

The first item on the agenda was the Executive Session. Chair convened the Executive Session.

REGULAR MEETING

Following the Executive session, Chair Barringer reconvened the TSCC Regular Meeting.

Recruitment

The commissioners gave direction to Executive Director Gibons to extend the recruitment and notifying the two applicants of that extension. During this time Executive Director Gibons can develop a strategic, aggressive plan showcasing the benefits, advantages and rewards of the executive positions with TSCC also the positive work environment.

Commissioners will also actively participate in recruiting applicants to consider.

The timeline to take applications will be three weeks and then discuss the applications at the next regular meeting on April 20.

Minutes

The minutes for TSCC March 10 Commissioners Regular Meeting were approved as presented.

District Budgets to be considered

- 1) Commissioners reviewed and discussed Burlington Water district. Executive Director Gibons explained the district changes, including all new contract employees and all new board members. The budget increased due to an increase in water rates charged to customers to cover the upcoming water rate increases for water purchased from the City of Portland. The district is also planning for some capital projects, so they are building their reserves. Burlington Water district did have an over-expenditure in the fiscal year 2020 noted in the audit and is recognized in the Certification Letter. The Certification Letter will require a written answer from the district; and must be addressed during the Budget Hearing. TSCC staff will instruct the district on how to handle this during the hearing and help prepare the resolutions adopting the budget.

Commissioner Norton moved to certify that the Commission has one recommendation concerning the over-expenditure in the fiscal year 2020 and how to avoid it in the future. Commissioner Wubbold seconded the motion which carried with a unanimous vote.



- 2) The commissioners reviewed Corbett Rural Fire Protection District's 2021-22 budget. There was a conversation about the purchase of a new fire truck, the decrease in reserves, and the difference in ending fund balance and beginning fund balance the following year. Executive Director Gibons explained with smaller districts, many do not update the budget numbers for the current year, so the Revised Budget figures are not updated from the Adopted figures. The unspent or underspent expenditures show up as the beginning fund balance. One of the reasons for the drop in ending fund balance is that after years of budgeting for a new fire truck and not getting it, the district has concluded that transaction and will begin paying for it in FY21. The manufacturer will deliver the fire truck in November of 2021.
- 3) Commissioner Wubbold moved to certify the Commissioners have no recommendations or objections concerning the 2021-22 budget or the budget process. Commissioner Norton seconded the motion which passed with a unanimous vote.

PPS Demand Letter

The next item on the agenda was to discuss the demand letter investigation progress concerning Portland Public School District. Executive Director Gibons provided the commissioners with an informative memo¹ of the process to date to be considered background when deciding how to proceed. Commissioners will take no actions today, but just a discussion on the response received from PPS² to the questions asked by TSCC³ and a discussion on how to proceed.

Commissioners' concerns and observations were regarding:

- 1) Transparency of the actions of the district regarding the West Sylvan Middle School project.
 - a) The West Sylvan Middle School site was eliminated due to the limitations on conditional use application, possibly as early as July of 2020. This came as a surprise to the Commissioners and possibly to the complainants.
 - b) Since the district has had contact with the petitioners about this project for some time, the school district should have conveyed this information to them and the public when PPS decided to discontinue the project. Communications would promote good relationships with the district's residents who vote on the bond measures.
 - 2) Purpose of the funds used for the West Sylvan Middle School swing site being beyond those identified in the bond measure.
 - a) The concern for the "purpose of the funding" was if funds were to be used for a new permanent facility which is not going forward, so that becomes a moot point.
 - b) Commissioner Norton compared this project to what happened at Grant High School. They made significant improvements at Grant High School to the athletic facilities during the modernization. During the modernization process, PPS discontinued the discussion of new baseball fields due to Title IX issues. They later partnered with Portland Parks and Recreation on the facility and did not use bond dollars to support this project. This happened in 2020.
 - 3) Amount used exceeding appropriations of the bond measure for the West Sylvan Middle School swing site planning.
 - a) The spending was within appropriations since the district appropriates all bond spending under one appropriation annually, Facilities Acquisition and Construction and the planning falls well within that category.
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- b) Planning is a cost that appears in every significant bond project.
 - c) The \$300K would not be an unusual amount for planning this project nor did it cause the appropriation to be over spent.
 - 4) Bond Accountability Committee's (BAC) involvement or knowledge of the project.
 - a) Commissioners were surprised by PPS's answer that the BAC does not approve projects or scope of work since the BAC's website includes reports, presentations on many projects, giving the impression that they are looking at most project developments.
 - b) What does the Committee do if not looking at the bond projects?
 - c) It is hard to understand why the BAC would not have seen Lincoln High School's planning.
 - 5) Observations Commissioners would like to convey to the Portland Public School District.
 - a) The Commissioners see the project is not proceeding at this time. If it does move forward in the future, they would like to suggest if PPS uses bond funding, the district needs to bring its intentions to the BAC and communicate this to the public.
 - b) Could this project be compared to the Grant High School Modernization project?

How to proceed

- 1) Decide on a date to meet with both parties at a Regular TSCC Meeting
The next Regular Meeting of the Commission is April 20. The Demand Letter will be the first item on the agenda. The meeting agenda will be limited the PPS Demand Letter, preparation for TriMet's Hearing and Executive Director Recruitment.
- 2) Provide the petitioners with the Portland Public School District's response to the questions asked by TSCC.
- 3) Notify both parties of the meeting date
 - a) Notify both parties that commissioners will consider taking action on the demand letter at the April 20 Regular Meeting of the Commission. If any of the parties wish to appear and provide a written testimony to supplement the record and avail themselves for public comment, they are encouraged to do so.
 - b) Staff will prepare a recommendation of the findings for the determination of the demand letter based on today's conversations and will present it to both parties before the April 20 meeting.

The Executive Director will ask Commissioners to act on the recommendations at the April 20 meeting.

There being no other business Chair Barringer closed the meeting.

Minutes approved by Commission at April 28th meeting

¹ Memo dated March 26, 2021

² Exhibit A dated March 25, 2021

³ Exhibit B dated March 23, 2021