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# Idaho State Capitol Commission

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## Official Minutes

September 24, 1999

A meeting of the Idaho State Capitol Commission was held on this date in the Senate Caucus Room, Room #350, Idaho State Capitol Building. Chairman Eiguren called the meeting to order at 1:15 p.m.

## Attendees

### Members Present:

Roy Lewis Eiguren, Chairman

Pam Ahrens, Director, Department of Administration, and Secretary/Ex-Officio Member

Carl Binachi, Director, Legislative Services Office and Ex-Officio Member

Andrew Erstad

Steve Guerber, Executive Director, State Historical Society and ex-Officio Member

Stephen Hartgen

Louise Shadduck

Skip Smyser

### Absent and Excused:

Sondra Dahl-Hansen

### Others Present:

Donna Hartmans, Capitol Architect, Arrow Rock Architects

Ben Hill, Arrow Rock Architects

Jeff Shneider, CSHQA Architects

Jerry Lowe, CSHQA Architects

Jan Frew, Senior Project Manager, Division of Public Works

Mike Despot, Manager, Facilities Services

Joanna Guilfooy, Deputy Attorney General, Department of Administration

Rick Thompson, Internal Management Systems Administrator, Department of Administration

Jan Cox, Administrator, Division of Purchasing

Jason Hancock, Legislative Services Office  
Diane Garcia, Management Assistant, Department of Administration

## Welcome and Introductions

Steve Silberman, Managing Editor and Carolyn Washburn, Executive Editor of the Idaho Statesman were present to express their support of the Capitol Commission. They expressed their enthusiasm in the project and belief that its activities will bring the state together. Access to the process to help citizens of the State understand the project is appreciated, they added.

## Approval of Minutes

**MOTION: Mr. Erstad moved and seconded by Ms. Shadduck that the minutes of the July 28, 1999 and August 26, 1999 Idaho Capitol Commission meetings be approved as written. The motion unanimously passed.**

## Review FY00 and FY01

Mr. Thompson reviewed the FY00 budget and explained the Commission has incurred \$10,300 in operating expenses for the year—major expenses included Capitol Architect Fees for \$7,374, air travel to Helena, Montana at \$1,342, web site design for \$675, and Administration support services at \$500. Additionally, the \$175,000 appropriation for lighting fixture replacements has been transferred to a Division of Public Works project. There is approximately \$52,000 remaining in the FY00 operating budget, he said.

The Commission's FY01 budget was approved at its August 26, 1999 meeting. Its \$115,000 operating budget for FY01 includes \$51,000 for fund-raising contractor fees and \$40,000 for the Capitol Architect fee. Also approved by the Commission at its last meeting was a request for \$900,000 of Permanent Building Fund moneys for continuation of the master planning process, as well as \$1.4 million for exterior stair repairs.

Mr. Hancock conducted an 11-year history of revenues from the Capitol Building Endowment Lands for the Commission's review. The United States granted the State of Idaho 32,000 acres at statehood to pay for the construction and maintenance of a Capitol building. Most of the acres have since been sold, he explained. Today 7,222 acres of Capitol Endowment land remain. Land revenues never exceeded \$100,000 per year between FY89 and FY92 because timber was

not sold during that era. Over the recent seven years, however, timber was sold which resulted in higher revenue figures.

He explained the Capitol Endowment Income Fund balance as of this date (minus FY99 encumbrances) is \$1,363,899. With the addition of projected interest earnings, minus the FY00 appropriation, and including a refund to the leaseholders, \$1,159,546 is estimated at the end of FY00. Consequently, with estimated interest earnings and a transfer from the Capitol Endowment Fund's 10% Land Improvement Funds, minus the FY01 budget request, the funds remaining at the end of FY01 is estimated at \$1,641,559. Since there are more funds available than originally anticipated for FY01, Chairman Eiguren noted, it may be possible to seek additional appropriations if the Commission realizes a need to do so. Director Bianchi responded that it is not until about March 15, 2000 when the FY01 appropriations become final.

Additionally, he reported, there is a conflict within the Commission statute that needs to be resolved. Prior to the Capitol Commission statute, the Endowment Reform Constitution amendments and bills were passed to address all endowment funds. However, the Capitol Commission statute also creates a permanent fund for the endowment funds related to the Capitol and an Income Fund which is the fund we use to pay money from. A housekeeping item on the Legislative Council's October 28<sup>th</sup> agenda will be to repeal the earlier amendments, which are in conflict with the Capitol Commission statute.

Chairman Eiguren suggested some FY01 funds could be used for the development of a video for recording the progress of the Capitol restoration/rehabilitation. He asked Director Ahrens, Ms. Hartmans, and Mr. Shneider to compile all suggestions for items worthy of funding that were discussed at the morning brainstorming session. The Commission will consider those items at its November 9<sup>th</sup> meeting. The Commission's FY01 appropriation will be provided on an emergency basis which means funds would be available about April 1, 2000.

Should the Permanent Building Fund Advisory Council not prioritize for funding the Capitol Commission's FY01 capital requests, Director Ahrens remarked, the Commission could utilize available funds in the Capitol Endowment Income Fund. Mr. Smyser added if the Commission wishes to utilize FY00 funds, a supplemental would be necessary. Director Bianchi remarked that the Joint Finance and Appropriations Committee will be deciding supplementals in January; therefore, the Commission would need to approve a supplemental request at its November 9, 1999 meeting.

# Report by Capitol Architect

## Harrison Tree

At the last Commission meeting, members were informed that the Harrison Tree, located on the east lawn of the Capitol, was dying and becoming a safety hazard. At that time, Executive Director Guerber was asked to research uses to preserve the wood from the tree because of its unique significance in that President Benjamin Harrison planted the tree soon after Idaho joined the union in 1890.

Executive Director Guerber recalled that at that meeting, the Commission was under the assumption that the tree was to be removed, so via the media, ideas were solicited from the public for uses of the wood. Widespread response was received and the Commission benefited from the visibility this one activity provided, he said.

The recommendation that impressed him the most was the one that stepped completely outside the original concept of using the wood from a dying Harrison Tree. Jim Zamzow, chairman of a ad hoc task force he created to investigate the physical status of the tree, recommended trying to keep the tree alive. The task force concluded it believes there are adequate signs existing that the tree could still be saved.

**MOTION:** Executive Director Guerber moved seconded by Mr. Smyser that First, the Idaho Capitol Commission authorize Mr. Zamzow and the Ad Hoc Harrison Tree Task Force, under the coordination and direction of Mr. Despot, to initiate life-saving measures on the tree as outlined in his letter (attached); Second, to alleviate the concerns expressed by the Division of Public Works to the Commission regarding safety around the tree, that construction of a small and attractive fence take place around the tree with a sign indicating that “The Harrison Tree is Under Special Care of the Idaho Capitol Commission. Please Do Not Disturb. We are Working To Improve The Health Of This Tree For the Enjoyment of Future Generations”; and Third, that the Commission conduct a competition with squirrels on the grounds of an adequate nature that acorns be obtained from the Harrison Tree, thus allowing the Commission to provide the horticulture programs at the University of Idaho and Boise State University adequate resources from which to produce Harrison Tree offspring. Such stock would assure an appropriate replacement might exist for the original tree at some future date, and that a potential source would exist to allow plantings to take place elsewhere in the state. In addition, the Commission would at some future date consider a formal request to administrators at the Harrison Home Historical Site in Ohio for acquisition of acorns or a sapling that could replace the historic tree on the Idaho statehouse grounds. Should it become apparent that the tree cannot be saved despite efforts of the task force, the

**Commission would have an opportunity to again consider the numerous proposals for use of the actual wood. The motion unanimously passed.**

Mr. Smyser thanked Mr. Zamzow for taking the time and self-motivation to put the task force together. Joshua Zamzow, Jim Zamzow's son, was present at the meeting on behalf of his father and expressed appreciation for the opportunity to work on the Harrison Tree. Chairman Eiguren also expressed his appreciation for the interest expressed by Mr. Zamzow and noted that the Capitol and its grounds belong to all citizens of the state--this is a great example of citizens stepping forward with their own time, and at their own cost to help take care of the building and its surrounding grounds. The entire restoration effort will be a great story to be told, Ms. Shadduck added, including citizen involvement.

Mr. Hartgen asked that Mr. Despot respond in the form of a report to the Commission, to questions outlined on page 3 of Mr. Zamzow's letter regarding practices used in maintaining the Capitol grounds. Governor Kempthorne has expressed his belief, Chairman Eiguren said, that it would be appropriate to include in the master plan a long term plan for the Capitol grounds to include plant species from other areas of the state.

### **Community Team Chairs Meeting, and Today's Work Session**

The chairs of each of the eight community committees were convened for a brainstorming session on August 4<sup>th</sup>, Ms. Hartmans said. The chairs were introduced, toured through the Capitol, and provided an overview by Chairman Eiguren of the Commission legislation and by Mr. Shneider of the proposed master planning process. Small break-out groups were formed which led to the larger work session including *all* members of the committees that occurred this morning, she said. From this session, she will distill out all of the topics and issues of benefit to the design team.

Mr. Erstad observed that each of the community committees inquired about their next step in the process. He asked that a letter be sent to each of the volunteers thanking them for their participation and outlining how the Commission sees the continuation of the project.

**MOTION: Mr. Erstad moved and seconded by Ms. Shadduck that the Commission respond to all participants in today's session first with a thank you letter, second with an outline and timeframe for decision making, and third with a concept from the Capitol Architect and Master Planners that deals with the interaction and role the community involvement team will play over the course of the project. The motion was unanimously passed.**

Ms. Hartmans inquired about travel reimbursement for out-of-town members of the community involvement team. Director Ahrens replied funds are available from the Commission's out-of-state travel budget. She suggested a threshold be placed on the amount to be reimbursed, but at the same time citizen participation should be encouraged.

**MOTION: Mr. Hartgen moved and seconded by Mr. Erstad that the Commission agree to pay receipts for reimbursable expenses up to \$100 per trip for those participants authorized by the Commission Secretary, not-to-exceed \$3,500 total reimbursements in fiscal year 2000. The motion passed unanimously.**

Chairman Eiguren reminded the group that video conferencing capabilities are available through various locations in the state. He also noted under the Internal Revenue Guidelines, the contribution of travel costs may be tax deductible and members should be made aware of this fact as well.

### **October 19<sup>th</sup> Work Session**

Mr. Lowe reviewed the upcoming day-long work session planned for October 19<sup>th</sup>. CSHQA Architects, Capitol master planners, have organized the session to include a subcommittee of the Commission, Capitol Architect, and members of both the Space Use and Space Quality Committees. The goal of the session, he said, is to go over the historical research recently completed, and to present to the group their observations and recommendations of identified significant spaces for possible preservation, restoration, rehabilitation or renovation. This is a decision-making meeting, he said, that will enable the designers to enter into the next planning process. At the same time, he said, master planners are conducting a space needs assessment of all agencies located within the statehouse as well as the two elected officials located outside the statehouse.

### **Legislative Presentation**

Chairman Eiguren noted he will provide an informational presentation to the Legislative Council, which plans to meet on October 28<sup>th</sup>.

## **Report on meetings with Governor Kempthorne And Other Elected Officials**

Given the sensibility associated with reviewing work spaces of the Capitol Building, Chairman Eiguren explained he along with Director Ahrens met with the Governor as well as other elected officials located within and outside the building.

Each of the officers had their own points of views regarding whether or not they would stay in the Capitol. Several of the officers believe that each of the elected officials should at least have a ceremonial office in the building.

He and Director Ahrens, along with Director Bianchi, also visited with President Pro Tem Twiggs and Speaker Newcomb. Representatives from the non-partisan staff, the House and the Senate are planning to meet with the designers to identify some long term needs.

Another long range planning process is currently underway with the Capitol Mall Master Plan to include all buildings making up the Mall, Director Ahrens reported. Issues to be addressed include which agencies will be located in the Mall—the state currently leases about 1.7 million square feet of office space statewide. The state has also purchased the Ada County Court House and the Capitol Mall Master Plan will address how that structure will be used, as well. The Capitol Mall Master Plan really needs to be completed before or at least at the same time as the Capitol Building Master Plan so that the Commission has adequate information for deciding the most efficient office placements.

## **Presentation: Idaho State Building Authority**

Chairman Eiguren reminded the group of its responsibility to recommend how the master plan will be funded. The funding program currently proposed will consist of private moneys through donations, and a combination of tax-supported dollars through appropriations as well as potentially the sale of bonds. The Idaho State Building Authority (ISBA) has statutory authority to issue bonds for public buildings, and Mr. Wayne Meuleman, Executive Director was present to address the Commission.

Mr. Meuleman explained the ISBA was created by an act of the Legislature in 1974 to provide for a funding mechanism, previously unavailable to the state, to utilize revenue bonds for the acquisition or construction of state facilities. It is a quasi-state agency in an effort to make the debt of the ISBA incurred through revenue bond financing and not to become a debt obligation to the state. A board of seven commissioners appointed by the Governor and confirmed by the Senate governs the ISBA.

To date the ISBA has financed eight major state projects beginning in 1978. The process for utilizing revenue bonds through the ISBA begins with legislative approval to enter into an agreement with the ISBA. That approval is in the form of a joint resolution authorizing a particular state agency or body to enter into an agreement with the ISBA to finance a particular project. Many times payment of

the bond is designated to come out of the Permanent Building Fund appropriation, or out of the particular agency's operating budget.

After the resolution is obtained, the ISBA can structure the financing to meet the needs of the project and of the agency seeking the financing. Payments for the project to the ISBA have been structured to begin after the building is available for state use, and typically the bond is issued for a period of about 20 years with payment on an annual basis. At the time the debt is paid off, the building becomes the property of the state.

To give the Commission an idea of what the financing will cost, he said, he analyzed a figure of \$10 million. The larger the bond issue the better the economy of scale. Assuming \$10 million for 20 years in today's interest rate market of about 5.2%, it would take about \$970,000 per year for 19 years to retire the debt. Chairman Eiguren remarked that in brainstorming ways to fund the special debt payment, one idea is to increase the rent slightly of agencies located in the Capitol; or secondly, deposit private contributions and one-time appropriations into the Capitol Permanent Endowment Fund which would get the Fund to a level of endowment earnings that could pay at least a portion of the debt service.

**MOTION: Mr. Smyser moved and seconded by Director Bianchi that the Commission allow the Chairman and the Secretary to engage in more detailed discussions with the Idaho State Building Authority to explore the potential use of bonds issued by that agency for restoration of the Capitol. The motion passed unanimously.**

## **Approve Capitol Display and Usage Guidelines**

Director Ahrens noted as directed at the last Commission meeting, both sets of guidelines were provided for comment to the Governor's Office, as well as to Legislative Leadership. All comments received from these entities, as well as from the members of the Capitol Commission, have been incorporated. The guidelines were also made available to members of the media and general public.

### **Public Space Use in the Idaho State Capitol**

Some of the changes made to this set of guidelines, she said, include clarification of responsibilities between the Department of Administration and the Legislative Services Office during and after the Legislative Session. Once approved, the guidelines will be made available on the website.

Item #15, she continued, states that no dinners, proms or similar private events are allowed in the Capitol Building, and item #17 states that no item may be set on the

railings of the Rotunda or stairway unless authorized by the Capitol Commission. Director Ahrens suggested that both items be modified to read, “*unless authorized by the Department of Administration*”. The Commission should not have to get involved in daily routine decisions, she said.

All users of the Capitol are asked to fill out a “**Statement of Responsibility for Users of Public Space**”. The State has the responsibility for property liability coverage and does not expose state taxpayers when the event in the building is sponsored by a private group, she explained. Mr. Hartgen suggested the Statement of Responsibility for users of the building also include a line to list the sponsor’s insurance coverage and carrier name(s).

**MOTION: Mr. Erstad moved and seconded by Ms. Shadduck that the Commission approve the draft public space use guidelines of the Idaho State Capitol (dated 9/17/99) with the modifications to Items #15 and #17 as discussed, and with the addition to the Statement of Responsibility of a line requesting the event sponsor’s insurance coverage and carrier name. The motion passed unanimously.**

## **Idaho State Capitol Commission Guidelines for Objects of Art, Memorials, Statues and Exhibits at the Idaho State Capitol and Its Grounds**

Guidelines for Statehouse displays were modeled after those of other state’s, Director Ahrens said. Before the Commission takes action on these guidelines, Chairman Eiguren said, he would like the Space Quality Subcommittee to review them prior to the November 9th meeting when they will be placed back on the agenda for action. Mr. Despot noted once the guidelines are approved, the Commission will then need to appoint a Capitol Display Advisory Committee to serve as an advisory group to the Committee.

## **Millennium Celebration**

The City of Boise has verbally requested the use of the Capitol Building, Chairman Eiguren noted, for the Millennium Celebration planned in downtown Boise on New Years Eve.

Months ago. Mr. Despot said, he began hearing indirectly of plans being made by the city for a celebration using the Capitol Building as a focal point of the event. The city has proposed a large entertainment stage to be constructed in front of the Capitol which has since been reviewed by the Department of Administration. Along with the stage, they are proposing a large fireworks display with a number

of fireworks to be attached to the building and roof. He said Facilities Services staff will support the millennium celebration as much as possible without discharging fireworks from the building itself. Rather, the Department has suggested firing the fireworks from lots surrounding the Capitol or from roofs of nearby buildings, if allowed by law. The Capitol Architect, master planners, and State Fire Marshall have reviewed the preliminary proposal and agree with the recommendation that fireworks not be attached to the building.

Chairman Eiguren added in reviewing the request to place fireworks directly on the Building, it was determined not possible via state law and for the safety of the building itself. At this time, the state is requesting additional information from the city as to what exactly it is proposing and how it will go about accomplishing the plan. Then, the state will work with the city to accommodate its needs. A countdown of the last minute before the event is scheduled with a series of 60 balloons to be released down Capitol Boulevard in one-second intervals followed by fireworks at the hour. The proposed fireworks display is to be conducted by Zambelli Fireworks Corporation. Planners say that they may have national and international coverage.

Mr. Despot added that the Capitol will not be open to the public. A report on the progress of this event will be provided at the November 9<sup>th</sup> meeting.

## **Historical Society Progress Report**

### **Capitol Tour Program and Booth**

The Capitol tour booth is currently being constructed, Executive Director Guerber reported. It should be installed on the first floor of the Capitol by the Commission's next meeting in November.

### **Spanish American War Battle Flags Update**

The Spanish American War battle flags have been shipped to Pennsylvania for conservation. It will not be until early next year before they are completed and returned, he said. Once the master plan is complete, the location of those flags within the Capitol will be determined.

## **Fundraising**

### **RFP**

A meeting was held the day earlier, Mr. Hartgen reported, with Director Ahrens, Mr. Cox, and Mr. Lyle Gessford from Administration's Division of Purchasing. The group discussed the next step in the process of selecting a fundraiser. In summary, he reported the first RFP resulted in three proposals; however, the RFP was eventually withdrawn. Mr. Gessford contacted each of the proposers and explained the Commission had run into sticker shock in that the Commission allocated \$8,000 for the first phase feasibility study, but proposals came in at \$36,000, \$46,000, and \$55,000. Phase II of the process was estimated in the range of \$500,000 to \$700,000.

The group devised a schedule for issuing a second RFP, timing it with legislative appropriations so that the feasibility study could begin in either late winter or early spring. The group agreed to send the RFP out by the first week in October to be returned by mid November with the initial review of the proposals about December 7. The selection would then be made around January 15<sup>th</sup> with April 1<sup>st</sup> as the earliest date that funds may be available to initiate the study.

## **Future Meeting Dates**

The next meeting of the Commission will be at 8:30 a.m. on the 9<sup>th</sup> of November. Subsequent meetings will be January (on the date that the Capitol Commission address the Joint Finance and Appropriations Committee), April, and June.

## **Adjournment**

The meeting was adjourned at 3:50 p.m.

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Roy Lewis Eiguren, Chairman  
Idaho State Capitol Commission

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Diane K. Garcia, Management Assistant  
Department of Administration