



Administration Office
503/645-6433
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**Board of Directors Regular Meeting
Wednesday, November 13, 2024**

**5:30 pm Work Session
6:30 pm Executive Session
7:30 Regular Meeting**

Location: Tualatin Valley Water District, 1850 SW 170th Avenue, Beaverton, OR

AGENDA

1. Work Session
 - A. [Art in Parks](#)
 - B. [Elections Roles & Responsibilities](#)
2. Executive Session*
 - A. Legal
 - B. Land
3. Call Regular Meeting to Order
4. Action Resulting from Executive Session
5. [Proclamation: National Native American Heritage Month](#)
6. [Public Hearing: Resolution Amending Fiscal Year 2024/25 Budget](#)
 - A. Open Hearing
 - B. Staff Report
 - C. Public Comment**
 - D. Board Discussion
 - E. Close Hearing
 - F. Board Action
7. Audience Time**
8. Board Time
 - A. Committee Liaisons Updates
9. Consent Agenda***
 - A. [Approve: Minutes of September 11, 2024 Regular Board Meeting](#)
 - B. [Approve: Minutes of October 9, 2024 Regular Board Meeting](#)
 - C. [Approve: Board Values & FY 2025/26 Budget Priorities](#)
 - D. [Approve: Resolution Authorizing Metro Regional Flexible Funding Allocation Grant Application for Westside Trail](#)
 - E. [Approve: Resolution Authorizing Issuance of Interfund Loan](#)
 - F. [Approve: Resolution Approving Service District Initiated Annexation](#)
10. Unfinished Business
 - A. [Information: General Manager's Report](#)
11. Adjourn

***Executive Session:** Executive Sessions are permitted under the authority of ORS 192.660. Copies of the statute are available at the offices of Tualatin Hills Park & Recreation District.

**** Audience Time / Public Testimony:** Testimony is being accepted for this meeting in-person or virtually via MS Teams.

If you wish to testify in-person during the board meeting, please complete and turn in a testimony card at the meeting. Please wait until you are called upon by the board to speak and then proceed to the public testimony table. Testimony will be taken with a 3-minute time limit during the applicable agenda item, or Audience Time.

If you wish to attend the meeting virtually, or testify virtually, please sign up by emailing boardofdirectors@thprd.org or calling 503-645-6433 **by 12 pm the day of the meeting** with your name and email address (and testimony topic if wishing to provide testimony). You will be provided additional instructions and a link to access the meeting. Testimony will be taken with a 3-minute time limit during the applicable agenda item, or Audience Time.

Testimony regarding work session topics will be taken during Audience Time. At the board's discretion, agenda items may not be considered in the order listed. More information and helpful tips on how to provide testimony can be found at the following link: <https://www.thprd.org/district-information/how-to-give-testimony>

*****Consent Agenda:** Testimony regarding an item on the Consent Agenda will be heard under Audience Time. Consent Agenda items will be approved without discussion unless there is a board member request to discuss a particular Consent Agenda item. The issue separately discussed will be voted on separately.

In compliance with the Americans with Disabilities Act (ADA), this material in an alternate format, or special accommodations for the meeting, will be made available by calling 503-645-6433 at least 48 hours prior to the meeting.



MEMORANDUM

DATE: November 4, 2024
TO: Board of Directors
FROM: Doug Menke, General Manager
RE: Information Regarding the November 13, 2024 Board of Directors Meeting

Agenda Item #1 – Work Session

A. [Art in Parks](#)

Attached please find a memo announcing that a work session will be held at your meeting regarding the development of an art strategy and associated implementation guidelines.

B. [Elections Roles & Responsibilities](#)

Attached please find a memo announcing that a work session will be held at your meeting to review the roles and responsibilities of staff and elected officials as the district looks to the possibility of future elections.

Agenda Item #5 – [Proclamation: National Native American Heritage Month](#)

Attached please find a proclamation declaring November as National Native American Heritage Month.

Agenda Item #6 – [Public Hearing: Resolution Amending Fiscal Year 2024/25 Budget](#)

Attached please find a memo requesting that the board conduct a public hearing to amend the Fiscal Year 2024/25 Budget.

Action Requested: Board of directors' approval of Resolution 2024-18 amending the FY 2024/25 budget and appropriating grant and other funds in the amount of \$21,128,446.

Agenda Item #9 – Consent Agenda

Attached please find the following consent agenda items for your review and approval:

- A. [Approve: Minutes of September 11, 2024 Regular Board Meeting](#)
- B. [Approve: Minutes of October 9, 2024 Regular Board Meeting](#)
- C. [Approve: Board Values & FY 2025/26 Budget Priorities](#)
- D. [Approve: Resolution Authorizing Metro Regional Flexible Funding Allocation Grant Application for Westside Trail](#)
- E. [Approve: Resolution Authorizing Issuance of Interfund Loan](#)
- F. [Approve: Resolution Approving Service District Initiated Annexation](#)

Agenda Item #10 – Unfinished Business

A. [General Manager's Report](#)

Attached please find the General Manager's Report for the November regular board meeting.



MEMORANDUM

DATE: October 28, 2024
TO: Doug Menke, General Manager
FROM: Aisha Panas, Deputy General Manager
RE: **Art in Parks**

At the December 2023 board meeting, staff provided an overview regarding art within park district sites. During that meeting, board members were asked for input on potential policy elements that would relate to incorporating art into more park projects as well as the desired size and scale of art installations. Staff have continued to gather information regarding the current distribution of art across the district and will provide that information to the board during the November 13, 2024 work session.

During the work session, staff will share recommendations for the board's consideration and seek additional input on developing an art strategy and associated implementation guidelines.



[1B]

MEMORANDUM

DATE: November 4, 2024
TO: Doug Menke, General Manager
FROM: Holly Thompson, Communications Director
RE: **Elections Roles & Responsibilities**

THPRD recently completed a successful local option levy process in May 2024. Prior to the passage of the local option levy this May, it had been 16 years since the district's last voter ask, the successful 2008 bond measure. Looking ahead, staff anticipate the district will be re-engaging voters in a much shorter timeframe with, at a minimum, the local option levy renewal (anticipated for 2028) and a possible bond measure to replace the 2008 bond measure which will be retiring soon.

In anticipation of a shorter turn-around time before future elections, staff would like to review with board members the roles and responsibilities of staff and elected officials as we look to the possibility of future elections. Staff will be on-hand for the work session to walk the board through a brief recap on ORS 260.432 and state rules and guidance for administering elections. The intent of the work session is to root district leadership on the different roles and responsibilities of staff and elected officials, as dictated by state law, in preparing for future elections.

Attachments included for the board's information:

- Attachment 1: Future Bond Measure or Levy Planning Doc, role of Staff and Board Members
- Attachment 2: Restrictions on Political Advocacy by Public Employees – State of Oregon Elections Guide
- Attachment 3: ORS 260.432 Quick Reference Guide
- Attachment 4: THPRD Public Employee Election Guide Generic EXAMPLE

Future Bond Measure or Levy Planning


Role of Staff and Board Members

Staff Role	Board Member Role
<p>Phase 1: Preparing for a Future Levy or Bond Measure Timeframe: 8+ months Key Activities: Research, Needs Analysis, Financial Modeling</p>	
<ul style="list-style-type: none"> • Prepare and coordinate district work in preparation for levy or bond (example: updating functional plans for bond measure preparation) • Form district work group to make recommendations for phase 2 development • Develop district need’s analysis • Work with bond counsel on financial modeling 	
<p>Phase 2: Developing a Plan for a Future Levy or Bond Measure Timeframe: 8 – 12 months Key Activities: Concept and Plan Development</p>	
<ul style="list-style-type: none"> • Identify Need • Design process, conduct research, prepare project schedule and workplan • Present initial concept ideas to board • Engage public opinion research to identify voter priorities and preferences • Staff present at board meetings • Recruit for and support a community advisory committee (CAC) • Develop a levy or bond package based on district needs and input from CAC and board • Present measure for board consideration 	<ul style="list-style-type: none"> • Provide guidance and direction to staff on process, schedule, work plan components, district needs, community engagement suggestions, and more • Provide feedback and direction at board meetings as plan develops • Select and appoint members to CAC • Determine and vote on whether or not to refer levy/bond measure to district voters
<p>Phase 3: Public Information Campaign for Levy or Bond Measure Timeframe: 6 months Key Activities: Inform the Public about Voter Measure</p>	
<p>INFORMATION ONLY</p>	<p>INFORMATION AND ADVOCACY</p>
<ul style="list-style-type: none"> • Develop public information campaign to inform district voters • Set up speaker’s bureaus • Table at district and community events • Lead signage and public information that is factual ONLY – no advocacy • Lead district social media, web updates and more • Produce factual public informational materials, FAQs, etc. • Complete all necessary requirements to place item on the ballot with the county 	<ul style="list-style-type: none"> • Board members should lead and coordinate ADVOCACY efforts without involvement or support from district staff. • If desired, organize private donor campaign and coordinate any election campaigning activities without the assistance of district staff or resources. • Lead /organize/ recruit for and manage any privately organized advocacy efforts. • Solicit endorsements from community members, elected officials, etc. • Submit county paperwork for voter’s pamphlet endorsements etc. • Attend/speak on behalf of measure at any speaking event that requires an advocate (voter’s forums etc.)

Restrictions on Political Advocacy by Public Employees

Published by

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Icons

The following icons are used in this manual to emphasize information:



alert icon

indicates alert; warning; attention needed



info icon

indicates additional information



deadline icon

indicates a deadline



example icon

indicates an example



form icon

indicates a reference to a form



search icon

indicates information located elsewhere

Assistance

If you have any questions about the material covered in this manual or need further assistance, please contact:

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Using this Manual

This manual sets forth allowable and restricted political activities by public employees, consistent with ORS 260.432 *et seq.*, and advice from the Attorney General. Any conflict between this manual and ORS 260.432 must be resolved in favor of the statute. This manual is adopted by Oregon Administrative Rule (OAR) 165-013-0030 and violations of this rule are to be enforced as violations of ORS 260.432. Examples and lists are used for illustrative purposes only and are not meant to be exhaustive or exclusive. Also included is information about the Elections Division's prior review process and obtaining safe harbor approval for documents and other materials prior to publication or distribution.

Essentially, public employees may not engage in certain political activity prohibited under ORS 260.432 while on the job during working hours or when acting in their official capacity. This manual details what it means to promote or oppose, and when a public employee is considered to be "on the job during working hours." An Oregon Attorney General opinion dated October 5, 1993 states:

"Public bodies may use public funds to inform voters of facts pertinent to a measure, if the information is not used to lead voters to support or oppose a particular position in the election. However, we also have pointed out that 'informational' material may be found to 'promote or oppose' a measure even if it does not do so in so many words if the information presented to the public clearly favors or opposes the measure and, taken as a whole, clearly is intended to generate votes for or against a measure."

Who Must Comply with ORS 260.432?

All non-elected public employees are prohibited from engaging in political activity proscribed by ORS 260.432. No person, including elected officials or a public employer, may direct a public employee to engage in certain political advocacy proscribed by the statute.

Federal employees, including persons principally employed by state or local executive agencies in connection with programs financed in whole or in part by federal loans or grants, are covered by the federal Hatch Act, which is administered by the U.S. Office of Special Counsel.

Candidates and Elected Officials

An elected official may engage in political activity during work time. Elected officials are not considered public employees for purposes of ORS 260.432. An individual appointed to fill a vacancy in an elective public office is considered an elected official for purposes of this statute.

Elected officials cannot request that public employees who are on the job during working hours or acting in an official capacity engage in political advocacy prohibited under ORS 260.432. A request made by an elected official is considered a command.

An elected official's quote, opinion piece, letter or speech advocating a political position may be published in a public agency's newsletter or other publication produced or distributed by public employees so long as public employees did not alter or edit the content in any substantive way. Equal access must be granted to any individual, person seeking appointment, nomination or election to public office or political committee.



See Material Produced by Public Agencies, page 12.

See Voters' Pamphlet, page 13, for an exception to this standard.

Public employees may not prepare material that promotes or opposes certain matters set forth in ORS 260.432, including but not limited to the text for a speech, a press release, constituent mail that advocates a vote, candidate filing forms, voters' pamphlet filing forms, file contribution and expenditure transactions online, etc. during their work time.

An elected official, as part of a governing body, may vote to support or oppose a measure under consideration for referral. The elected official may publicly discuss the vote. Elected officials may not use public employee staff time to develop political advocacy proscribed by ORS 260.432, except for administrative functions.

Appointed Board Members and Commissioners

ORS 260.432 applies to all appointed board and commission members when they are acting in their official capacity. This includes, but is not limited to, attending a meeting of the board or commission, working on a duty assigned by the board or commission, working on official publications (including website materials) for the board or commission, or when appearing at an event in an official capacity.

Appointed board or commission members may use their titles to engage in political advocacy (including endorsing people seeking appointment, nomination or election to public office, measures, etc.) as long as they are not on the job during working hours or acting in an official capacity when making the endorsement or authorizing use of their title.



A candidate approaches a planning commission board member and asks for their endorsement. The candidate asks if they can use the board member's title, and the board member agrees. This is allowable if the board member was on their personal time when they authorized the endorsement.



A candidate, attending a planning commission meeting, asks the board members for an endorsement and some board members agree. The board members are not allowed to do this because they are at a meeting and therefore acting in an official capacity.



See Use of Public Employee Title on page 7 for more information.

Salaried and Hourly Employees

Hourly employees' work time includes any time they are "on the job during work hours" which includes any time for which the employee is compensated, minus breaks and lunch periods protected by labor laws. This includes, but is not limited to, regular work hours, overtime, travel or conferences. Activities associated with attending a conference, such as award dinners or other sponsored events, could qualify as being "on the job during working hours" and are subject to the provisions of ORS 260.432.

Salaried employees' work time is not as easily measured as hourly workers. When a salaried employee is acting in their official capacity ORS 260.432 prohibitions apply regardless of the time of day or location.

If a salaried employee applies for expense reimbursement for a function or event, the employee is deemed to be on the job during working hours for the applicable time period. A regular workday may not be definable for a position, or may not have a specific time period or schedule. Whether the employee is on the job during work hours is determined by the activities performed and whether the person is acting, or appears to be acting, in an official capacity.

It is a good practice for salaried employees to keep personal notes to record when they are on or off duty. During public appearances, the employee is encouraged to specifically announce to the audience that they are not acting in their official capacity. However, such an announcement would not negate a subsequent statement or action that indicates the public employee is acting in his or her official capacity (such as handing out official publications, or speaking on behalf of the public agency).

Certain activities that are always undertaken in an official capacity (regardless of time of day or location) and are therefore subject to the provisions of ORS 260.432 include:


- Drafting material for, or approving material, to be posted on an official website;
- Drafting or distributing an official publication from the public agency; and
- Appearing at an event as a representative of a public agency.

ex If a salaried police officer attends a meeting about a bond measure on their own time (i.e. while not "on duty") and advocates for the measure, the officer should announce to the audience that they are appearing in their capacity as a citizen, and are not representing the police department.

However, if the police officer hands out official publications from the public agency, the police officer would be acting in their official capacity (despite their previous announcement) and would be subject to the requirements provisions of ORS 260.432.

ex A school superintendent acts in their official capacity at all school board meetings and school functions.

Public employees have the right to participate in political activity on their own time. A public employee is not on the job during working hours or acting in their official capacity solely because they may be subject to a call back to duty at any time.

 See [Use of Public Employee Title on page 7](#) for more information.

Volunteer Personnel at a Public Agency

Volunteers, other than members of appointed boards or commissions, receiving no compensation are not considered public employees and therefore are not subject to the provisions of ORS 260.432(2) which prohibits public employees from engaging in political advocacy while on the job during working hours or in their official capacity. However, all persons are subject to the provisions of ORS 260.432(1) which prohibits anyone from directing a public employee to engage in prohibited political advocacy set forth in the statute. Workers' compensation coverage is not considered compensation.

Volunteers may be bound by the policies of the public agency. The policies may include limits on political advocacy during their volunteer activities as well as limits on access to agency resources for advocacy purposes. While a volunteer will not be liable under ORS 260.432, a public employee may violate if the public employee directs a volunteer to engage in political advocacy.

ex If a public employee directs a volunteer to generate and distribute a flyer advocating for or against a measure, this would constitute a violation of ORS 260.432 on the part of the public employee.

Government Contractors

Public employees may not direct government contractors to engage in prohibited political activity as part of the contracting service.

Contractors are bound by the policies of the agency and the terms of the contract. A public employee may be liable under the statute if they direct a contractor to engage in prohibited political advocacy.

ex A school district may hire a public relations firm to help communicate with the public about an upcoming measure. If the public relations firm drafts material to be approved and disseminated by public employees, the material must be impartial. If the material is violative of ORS 260.432, the public employee who approved it would be liable.

National Voter Registration Act (NVRA) and ORS 247.208(3)

While the restrictions imposed under ORS 260.432 apply generally to all public employees, ORS 247.208(3) imposes a separate and rigorous set of restrictions that apply only to persons who provide voter registration services required under the National Voter Registration Act (NVRA). NVRA is a federal law enacted by Congress in 1993.

Public employees or other persons providing NVRA-required voter registration services on behalf of a designated agency may not:

- seek to influence the political preference or party registration of a person registering to vote;
- attempt to or actually discourage a person from registering to vote;
- display any indications of political preference or party allegiance (including the choice of people seeking appointment, nomination or election to partisan political office);
- make any statement or take any action while assisting a person with voter registration that would lead the person to believe the voter registration has any bearing on the availability of services or benefits;
- seek to induce any person to register to vote or to vote in any particular manner.

These restrictions prohibit public employees from wearing political buttons while performing NVRA services, which is more restrictive than the general rule set forth on [page 8](#).

Q See OAR 165-005-0070 for detailed guidelines.

Overview of Common Activities

Essentially, public employees may not use their work time to engage in certain types of political advocacy. This applies only to activities restricted by ORS 260.432, such as supporting or opposing measures, a person seeking appointment, nomination, or election to public office, recalls, political committees or petitions. The following are examples of when provisions of ORS 260.432 begin and cease to apply:

- for initiative, referendum and recall petition efforts, as soon as a person is considering filing a prospective petition or actually does file a petition with the appropriate elections filing officer (for a statewide initiative, this is the date the sponsorship prospective petition is filed) and ending on the date the petition is withdrawn or otherwise becomes void;
- for a ballot measure, as soon as the measure is referred to the ballot by a governing body (district, city, county, state) or is otherwise certified to the ballot and ending at 8:00 pm on the date of the election at which the measure is being voted on. A county, city or district measure is certified to the ballot when the elections official files the referral with the county election office;
- when a person seeks appointment, nomination, or election to public office and ending when the person is no longer seeking public office; and
- for political committees, whenever the political committee is active regardless of whether the committee is registered on ORESTAR and ending on the date the political committee is discontinued.



The prohibitions may begin to apply again immediately after an election.

An elected official or public employer may not require or direct public employees to prepare or distribute advocacy materials, or otherwise engage in prohibited political advocacy while on the job during working hours or while acting in their official capacity. Oregon election law does not specify any amount of work time that may be used before a violation occurs. Accordingly, a public employee may be found in violation even if they used a minimal amount of work time.

Notice to Public Employees

Public employers are required to post a notice to employees about the requirements of ORS 260.432 in a conspicuous place.



Visit the Elections Division's website to obtain a flyer for posting.

Use of Public Employee Title

Public employees may use their work title in political advocacy so long as the title is the only indication that the public employee is acting in an official capacity. Use of a title may give the impression that a public employee is acting in an official capacity, so public employees should exercise caution. Public employees may not always have control over whether people or political groups add their title to a publication.



A public employee, after work on personal time, is asked whether they are willing to endorse a candidate with the purpose of including the endorsement on the candidate's website. The public employee agrees. Regardless of whether the candidate adds the title of the public employee on their own or whether the public employee specifically agrees for their title to be included, this is not prohibited by ORS 260.432 because the endorsement occurred after hours and the title is the only indication that the public employee may be acting in an official capacity. However, ORS 260.432 prohibits a public employee from discussing or agreeing to endorse a candidate while on the job during work hours or in their official capacity.

Public Employers Discussing Possible Effects of a Measure with Public Employees

A public employer may tell employees about the possible effects of a measure so long as the information presented is impartial and balanced. Public employers may not encourage public employees to support or oppose the measure, implicitly or explicitly.



ORS 260.665 prohibits threatening loss of employment (or other loss) or offering a thing of value to induce someone to vote in a particular manner.

Distribution of Political Material within an Agency

Public employees may not distribute or post material that promotes or opposes certain political matters set forth in ORS 260.432 while on the job during work hours. However, public employees may, as part of their job duties, process and distribute incoming mail addressed to specific employees that contains such political advocacy.

Political material can be distributed within an agency if the person doing the distribution is not on the job, if other people would be granted such access, and the activity does not violate the applicable agency's policies.

Unions may distribute political materials to their members pursuant to their contract.



A teacher may place information about their candidacy for a local office in the boxes of the other teachers at the school so long as any other candidate who asked would be allowed to distribute materials into the boxes and the material was distributed during their personal time.



See [Email](#) on page 14 regarding responding to or forwarding political emails.

Political Buttons and Clothing

Except as prohibited under the National Voter Registration Act (NVRA) and ORS 247.208(3), public employees may wear political buttons or clothing at work so long as it does not violate their employer's policy. However, a public employer may not request or require that public employees wear political clothing, buttons, or other accessories.

Uniforms

Generally, wearing a uniform while engaging in political advocacy is governed by the uniform policy of the public agency that issues the uniform. Wearing a uniform to a political event, or while giving a political presentation, is not prohibited by ORS 260.432, unless other elements of the presentation violate the statute. Public employees who wear uniforms and engage in advocacy should notify the audience that they are not acting in their official capacity.



If a salaried police officer attends a meeting about a bond measure in their official uniform, it is not necessarily a violation of ORS 260.432, unless they engage in some form of prohibited political advocacy while wearing the uniform. The officer should announce to the audience that they are there in their capacity as a citizen and are not representing the police department. However, if the police officer attends the meeting while in uniform and makes a statement showing support for the bond measure, this could constitute a violation of ORS 260.432.

Union Bulletin Boards

Public employee unions may have a designated bulletin board to post information. The location and contents of those bulletin boards are regulated by collective bargaining agreements and are not subject to the requirements of ORS 260.432. Unions may distribute political materials to their members pursuant to their contract.

Unions may email their members with political information so long as it does not require the employee to promote or oppose matters as prohibited under ORS 260.432 while on the job during working hours or while acting in their official capacity.



See [Emails](#) on page 10 regarding responding to or forwarding political emails.

Campaign Signs

Public employees may generally have political stickers on their personal property or display political signs in their work area, as long as they do so on personal time and such action does not violate ORS 260.432 or any employer policy. Public employers are encouraged to have written policies about posting political material at work.

Oregon election law does not address the size, location or timing of political campaign signs. Depending on the context, the relevant local or state government agency may have ordinances or policies that address campaign sign matters.

Public employees may not display any indications of political preference or party allegiance or wear political buttons while performing NVRA services.


 See [National Voter Registration Act \(NVRA\)](#) on page 6 for signage rules specific to NVRA employees.

Public Property

If a governing body makes their property available for political events, they must grant equal access for all individuals, people seeking appointment, nomination or election to public office, and committees to use that same public property. This includes charging the same fee or requiring the same permit.

Public agencies may have policies that regulate the use of public property and/or other public resources. An agency's policy may be more restrictive than the requirements of ORS 260.432.


An elected official is not required to grant equal access to their office or equipment, even if it is in a public building.

 ORS 294.100 provides a limited remedy for possible inappropriate use of public resources. That statute is not within the jurisdiction of the Elections Division, and therefore we cannot give advice about compliance with that statute.

Public Records

Public agencies must grant equal access to public records. All persons should be charged according to the same fee schedule, if applicable.

Public employees may respond to public records requests with information that contains advocacy, but may not proactively distribute advocacy material in a manner prohibited by ORS 260.432.

 See [Websites](#) on page 11, for information about links to previously published materials.

Agency Interaction with Media

A spokesperson for an agency may respond to media inquiries about the possible effects of a measure or initiative so long as the information they provide is balanced and impartial. The public employee must not state or imply support or opposition.

A public employee may draft and distribute an impartial news release, but may not draft a news release promoting or opposing a resolution or political position on a measure.

Information that is entirely factual may nonetheless be considered advocacy if, for example, it omits the required cost information or indicates only what would happen if a measure passes and does not indicate what would happen if it does not pass.

 See [Resolutions \(Vote Taken\) by an Elected Governing Body](#), page 14.

Guest Opinions or Letters to the Editor

If a public employee is asked in their official capacity to produce a guest opinion related to a ballot measure or a person seeking appointment, nomination or election to public office, the content must be balanced and impartial. A public employee may write a letter to the editor that contains political advocacy so long as they do so on their own time and not in their official capacity.

Contact Lists

Contact lists are considered public property if they are generated or supplied by a public agency. If contact lists are available to the public, a public employee must grant equal access to anyone who requests the list. This includes any list that the public body administers or maintains. The public body must charge the same fee, if any. This includes any list that the public body administers.

Candidates may use contact lists that they created themselves (including constituent contacts collected as an elected official) without granting equal access to other candidates.

ex This issue commonly arises with the use of personnel lists, public utility lists, email lists, voter lists, etc. Public bodies must allow equal access to these lists.

Emails

Elected officials can send emails that contain political advocacy to their employees, so long as they do not request the employees promote or oppose matters prohibited under ORS 260.432 while on the job during working hours or while acting in their official capacity. An elected official cannot require that public employees read or respond to any email that contains such political advocacy and cannot require them to engage in any sort of political advocacy. This includes requiring their attendance at a political event, wearing political attire or sharing political emails or content. Requests made by an elected official are considered a command.

- Public employees may open and read emails that contain political advocacy. They may not, while on the job during working hours, send or forward emails that promote or oppose matters prohibited under ORS 260.432, except as outlined below. A public employee may:
 - forward an email containing advocacy to their personal email;
 - unsubscribe or otherwise ask to be removed for an email list while they are on the job during working hours;
 - forward an email containing links to advocacy material only when that material is pertinent to the agency and the public employee does not provide commentary.

Agencies are advised to have a policy on use of government email that incorporates the requirements of ORS 260.432. Unions can email their members with political information so long as it does not require the employee to engage in political advocacy while on the job during working hours or while acting in their official capacity.

Websites

Material which promotes or opposes matters as prohibited under ORS 260.432 may not be posted by a public employee on a government website or blog unless it is part of an official function of the agency.

ex An elections website may contain voters' pamphlet information and a public agency may post information that is a record of a public meeting, even if such material contains advocacy.

Candidates and other political groups may link to government websites, but government websites may not contain links to advocacy prohibited material. A public employee could be considered to be acting in their official capacity, even during their personal time or when using personal equipment, when posting prohibited materials to an official agency website or social media account. This activity could constitute a violation of ORS 260.432. Government websites may contain public records about measures or people seeking appointment, nomination or election to public office. Those public records must be treated the same as other public records, which do not contain advocacy. Public records which contain advocacy cannot be proactively distributed or placed in a prominent location on a website when a measure or other restricted issue is pending.

Government agencies are advised to have a policy in place for their website that incorporates the requirements of ORS 260.432.

- ex** A city manager may produce a memorandum to the city council about the need for a possible future bond measure referral. If the city council refers the bond measure, then that memorandum cannot be proactively distributed after the measure is certified. The city could respond to a public records request for the memorandum or maintain it with, for example, the minutes for the meeting in an archival section of the website.

Social Media

Public employees may not post material to an official government social media account that contains political advocacy prohibited by ORS 260.432. This includes “re-tweeting” or sharing a post or news article that contains political advocacy. Posts or shared materials must meet impartiality requirements, even when sharing outside links, articles or materials.

If a government agency interacts with individuals, people seeking appointment, nomination or election to public office or political committees on social media the agency must ensure that they treat them equally and that any agency interaction remains impartial.

For instance, if an agency allows comments on social media posts, it must ensure that comments in support of and in opposition to the political issues are treated equally.

A public employee may be acting in their official capacity even during their own personal time or when using personal equipment, when posting prohibited materials to an official agency website or social media account. This activity could constitute a violation of ORS 260.432.

- ex** An official school district Facebook page posts a "get out the vote" message. Several people offer comments, both in support of and in opposition to, a school district bond measure that is on the ballot. ORS 260.432 prohibits the school district from deleting negative comments while maintaining positive comments. A school district may delete a comment opposing or promoting the measure if the comment violates school district comment policy.

Agencies are advised to have policies on use of government social media accounts that incorporate the requirements of ORS 260.432.

Images

The placement of an image can be as important as the image itself. An image that would not normally be persuasive on its own could urge support of or opposition to a measure, initiative, person seeking appointment, nomination or election to public office, or recall, depending on context.



Logos used as part of an agency’s normal activities are generally allowable under ORS 260.432, even if the image could be considered persuasive. Altered logos or images that are not used in the regular course of business may be violative of ORS 260.432.

- ex** A school bond measure is being considered in an upcoming election. The school district distributes a flyer with information about the measure. The logo used on the flyer is different than what is normally used for the school district and adds the phrase “For Our Future.” Since this image is not generally used by the district, it would fall under the requirements of ORS 260.432 and may be violative of ORS 260.432.

Verbal Communication

ORS 260.432 does not restrict the right of a public employee to express personal political views during their personal time. Further, it doesn’t prohibit a public employee from expressing personal political views during work time provided that a reasonable person would not infer that the employee’s opinion represents that of the public agency. However, a public employee may not express personal political views in a context that would lead


a reasonable person to infer that the employee's opinion represents that of the public employer or public agency.

-  A City Manager gives a presentation to staff about a pending measure. During the presentation, they say "I hope we all agree that it is important that this measure passes". That verbal communication would constitute a violation.
-  A city employee is speaking to their co-worker about a pending measure and expresses their personal political opinion about the measure. This would not constitute a violation because the co-worker could not infer that the employee's views represent that of the public agency.

Public Presentations and Speeches

A public employee cannot give a speech or presentation advocating a political position prohibited under ORS 260.432 if they are on the job during working hours or acting in their official capacity. An elected official may give political presentations and speeches, so long as no public employee contributes substantively to the material.

When making a presentation that contains political advocacy during non-work time, the public employee should announce that they are acting in their capacity as a private citizen. The employee should also document that they were not on the job during working hours or acting in their official capacity.

-  Employees may document that they are on personal time by keeping a log, payroll records that indicate when they were on the job, time off slips, etc.

Meetings


Public employees may attend meetings at which political issues are discussed, so long as they do not engage in prohibited political advocacy themselves while on the job during working hours or acting in their official capacity.

Public employees cannot be compelled to attend political presentations. If a public agency has a mandatory staff meeting and a political group is making a presentation, the agency must make it clear that attendance at the political presentation is optional. Public employees who do attend the political presentation must do so during personal time. Presentations promoting or opposing political matters set forth in ORS 260.432 should not occur in close proximity to events requiring public employee attendance.

Forums/Debates

A governing body may sponsor a forum or debate if it is open to all sides but it is not necessary that all sides attend. A forum to allow political proponents and opponents to debate may be held using public employee work time so long as equal access is granted.

Public employees may use work time to arrange the forum and may perform administrative support functions in conjunction with the forum or debate and may attend on work time.

-  All public employee involvement in the forum or debate must be impartial. Public employees may not draft or select questions for the forum or debate.

Advertising

Public agencies which raise funds through selling or hosting advertisements must grant equal access to any political group or person. The public body must charge the same fee, if any, to any individual, person seeking appointment, nomination or election to public office or political committee for the same level of advertising space or time.

Public employees, while on the job during working hours or acting in their official capacity, should not design an advertisement or verbally promote, sponsor or oppose a person seeking appointment, nomination or election to public office, political committee, measure, initiative or referendum at an event. A public employee may make edits to an advertisement that are administrative in nature, such as reviewing to ensure it will fit in the

designated space but must not make any substantive changes to the advertisement. Public agencies are advised to have written policies on advertising which incorporate the requirements of ORS 260.432.

Video and Audio Productions

Video and audio productions created or distributed by public employees must be impartial. Public employees may not make recordings that advocate a political message prohibited by ORS 260.432.

Public employees may not edit a video in a manner that promotes or opposes matters prohibited by ORS 260.432.

Public employees may broadcast videos of meetings for public access channels and post the videos on government websites, even if the videos contain advocacy. Posting excerpts of a meeting in a manner which promotes or opposes prohibited matters is violative of ORS 260.432.



ORS 260.432 does not prohibit a public employee from videotaping or recording a city council meeting and post it on the city's official website. It may be a violation of ORS 260.432 if a public employee records a presentation supporting a ballot measure and distributes the video in a manner that promotes or opposes a measure.

Scheduling Political Appearances

Public employees may maintain the schedule of a public official. Public employees may not solicit political scheduling opportunities for a public official but may respond to scheduling requests. Prohibited activities include, but are not limited to, organizing campaign events, communicating about political matters with the press or constituents, or initiating any other political activity on behalf of the official.

Visits to a Public Agency

A person seeking appointment, nomination or election to public office may request to visit a public agency work site. The public agency must grant equal access to all similarly situated people and should not initiate these types of visits, except for forums or debates. Public employees involved with arranging for the visit may perform necessary administrative duties.

No public employee may take any actions to promote or oppose a person seeking appointment, nomination or election to public office before or during the visit. This includes taking a political position when announcing the event, holding a campaign sign during the event or assisting a candidate in distributing campaign materials.

Voters' Pamphlet

A public employee's duties may include producing an official voters' pamphlet. Public employees may not prepare measure arguments or candidate statements for inclusion in the voters' pamphlet while on the job during work hours or in their official capacity.



See [page 16](#) for information about ballot titles and explanatory statements.

Postcards

Postcards produced or distributed by public employees must be impartial, balanced, and must not otherwise violate ORS 260.432. When a public employee is involved in the production of a series of small mailers, each piece must be individually impartial. Read together, the series of mailers must also be impartial. If a measure would affect taxes or fees, the material must state how taxes or fees would be affected. "Get Out The Vote" Materials (GOTV).

Public employees may produce "don't forget to vote" materials that generally promote voting so long as the material is impartial. Material can contain information about the date of the election, how to return ballots, etc. and can also include information about a measure, so long as the information is impartial.

Government Logos

A governing body must allow equal access to logos for political purposes, meaning that if any a person seeking appointment, nomination or election to public office is allowed to use the logo, all similarly situated people must

be allowed. An agency may not allow certain individuals to use their logos while prohibiting others from doing so. Public agencies are advised to have written policies about use of their logos.

Government Letterhead

Election law does not regulate the use of government letterheads. Agencies are advised to have policies governing letterhead use which incorporate the requirements of ORS 260.432.

State Seal

ORS 186.023 governs the use of the Oregon State Seal. Elected officials may use the state seal in an official capacity, but not in their capacity as a person seeking appointment, nomination or election to public office.



For questions about the use of the Oregon State Seal, contact the Secretary of State, Executive Office at 503-986-1523.

Resolutions (vote taken) by Elected Governing Body

Elected boards of governing bodies may take a position on a ballot measure (or initiative, referendum or recall petition) provided there is no use of public employee work time to advocate that position. With regard to a governing body's resolution that advocates a political position on a ballot measure, initiative, referendum or recall, a public employee:

May	May Not
Edit the public agency's name and board member names to conform it to the requirements for the resolution	Draft, type, or edit substantive content contained in the resolution
Prepare neutral, factual information for the board to use in taking a position on the measure, including impartial information on how the measure could affect the public agency	Recommend how to vote on the resolution
Be available at the board meeting to offer impartial information upon request	Sign a resolution, unless the public employee's signature is ministerial and included only to attest that the board took the vote
Respond to direct questions from the media about the resolution, if their response is impartial	Prepare a news release or other announcement promoting or opposing the resolution
If the public agency lists all votes on resolutions in a regularly published publication, they may include the vote in an impartial manner	Prepare and include impartial information about the vote or position of the governing body in a newsletter or other publication
Use work time to record the vote if that is part of the employee's work duties	
Use work time for regular job duties, such as responding to public records requests, taking minutes, retyping the resolution to conform to the required format, etc.	

Petitions and Measures

Public employees may produce and distribute advocacy material about referrals prior to the measure being certified to the ballot. Any public employee work time used to change, amend, edit, distribute, etc. a document found to be supporting or opposing a referral between the date it is certified to the ballot until the date of the pertinent election could be a violation of ORS 260.432.

The actions taken by a governing body and its public employees in the planning stages of a possible measure are not subject to ORS 260.432.

Public employees may respond to public records requests for documents that contain advocacy, even if the measure has been certified. They may not proactively distribute those materials after the measure is certified.

- ex** If a school district has a recurring bond levy, district employees may not proactively distribute any materials from the previous levies (even though those elections have passed) during the period between certification and the current election.

Ballot Titles

Public employees are not liable under ORS 260.432 for drafting ballot titles as part of their regular job duties. Public employees may use work time to draft ballot titles. A public employee may also defend a challenged ballot title. Because the impartiality requirements and ballot title challenge process in ORS chapter 250 are distinct from the requirements of ORS 260.432, this office will not review ballot titles for impartiality.

Explanatory Statements

Public employees are not liable under ORS 260.432 for drafting explanatory statements as part of their regular job duties. Public employees may use work time to draft explanatory statements. Because the impartiality requirements and explanatory statement process in ORS chapters 251 are distinct from the requirements of ORS 260.432, this office will not review explanatory statements for impartiality.

Legal Challenges

Public employee's involvement in legal court challenges as part of their regular job duties is not a violation of ORS 260.432.

- ex** Examples of legal challenges include whether an initiative petition meets constitutional requirements, whether a ballot title complies with statutory standards, etc.

Legislation and Lobbying

Legislative bills are not covered by ORS 260.432. Therefore, it is allowable, under Oregon election law, for public employees to lobby governing bodies. Once a referral has been certified to the ballot, political advocacy is restricted by ORS 260.432.

- i** For more information about lobbying, contact the Oregon Government Ethics Commission.

Advising Elected Official on Appointments

A public employee may communicate with other employees and with an elected official about the appointment of a person to a public office if the communication is made in furtherance of their official duties to make an appointment required by the Oregon Constitution or a state statute.

- ex** It is not a violation for a public employee to provide the governor with their personal opinions about a list of people being considered for appointment to a vacant judicial position.

Review of Public Agency Material

Material produced by public employees while on the job during work hours or by a contracted entity must be balanced and impartial. At a public agency's request, the Elections Division will review materials created by the public agency under the Division's Safe Harbor program to ensure compliance with ORS 260.432. If Safe Harbor is granted, and the Division later receives a complaint concerning the material, the Division will not investigate or issue civil penalties so long as the material does not deviate from the approved version. However, safe harbor approval does not shield agencies from associated activities which may be violative of ORS 260.432.

Submitting Documents for Review


Documents must be submitted in an editable format such as Microsoft Word or Adobe PDF. In the case of videotaped material, agencies are encouraged to submit a proposed script prior to submitting in video form. The Elections Division will only review material which has not been previously published.

Review Process

Material submitted to the Elections Division under the Elections Division's Safe Harbor program is edited for compliance with ORS 260.432 and returned to the agency for review and further editing. Participating agencies are encouraged to build plenty of time into their communications plan if safe harbor approval is desired. Safe harbor approval is not guaranteed, even if the agency resubmits the material.


Review of the initial submission of material can take up to 5 business days. However, if five or more requests are submitted for review in the aggregate within one calendar week (Sunday through Saturday), the Elections Division will review the materials within 10 business days.

Each public agency may submit a total of 5 original submissions for review per election. Materials may be resubmitted once, for a total of two reviews prior to a final determination. Resubmissions will be processed in as timely a fashion as possible, given other business demands on the Division.

 Safe harbor material must be submitted by the 21st day before the applicable election.


Once a document has received safe harbor approval, the submitting agency may include a disclaimer that reads: "This information was reviewed by the Oregon Elections Division for compliance with ORS 260.432." The above disclaimer and addition of the applicable measure number are the only acceptable alterations that may be made post-approval.

If safe harbor is granted, the text of the material may be replicated in different formats so long as all the content is unchanged. If approved material is substantively altered and published by the submitting agency, safe harbor protection is rescinded.

 If an agency submits a postcard for review, the agency may use the exact same content on a mailer without receiving safe harbor approval for the mailer.

The Elections Division does not review materials for the following:

- typographical, or grammatical errors
- accuracy or truthfulness of the content
- accuracy of translated materials

 ORS 260.532 governs false statements in elections material. It prohibits false statements of material fact about candidates, political committees, or measures. The Elections Division does not have the authority to enforce the statute. Rather, a person may file their claim with the appropriate circuit court.

Review Criteria

The overall inquiry for determining impartiality is whether the material "promotes or opposes" an initiative, referendum or recall petition; a person seeking appointment, nomination or election to public office; measure; political committee; or recall question. In order to be impartial for the purposes of ORS 260.432, a document must meet certain requirements such as:

- Materials must not implicitly or explicitly urge a yes or no vote;
- Materials must be factually balanced;
- If the material includes information about what a measure would pay for or do, it must also describe information about what would happen if the measure does not pass;
- If the material pertains to a measure that would affect property taxes, it must include the cost per \$1,000 of assessed property value.

Material that is entirely factual can still be prohibited if, for example, it omits the required cost information or indicates only what would happen if a measure passes and does not indicate what would happen if it does not pass. The requirements are discussed in further detail below.

Vote Yes/No

The contents of the document must not urge a yes or no vote for the measure. There should be no “vote yes” or “vote no” language. The document must not include phrases such as:

- “Vote Yes on Measure 99,”
- “Support for Measure 99 is encouraged,”
- “The County is asking voters to approve,”
- “Why Should I Vote for Measure 99?”
- “Voters are asked to support Measure 99,”
- “At election time, please support the Home Rule Charter,”
- “On May 15, 2012, Anytown voters are being asked to continue their support of the community youth by renewing the Youth Action Levy, Measure 57,” and
- “Please support our incumbent mayor.”

Even if the remainder of the document is impartial, explicitly urging someone to vote in a particular manner would be a violation of ORS 260.432.

Balance of Factual Information

Documents produced by public agencies must not be one-sided. They must include a balance of factual information. If a document states what would happen if a bond measure were to pass, it must also include information regarding what would happen if it does not pass. If the material includes just one side of a matter, it is potentially violative of ORS 260.432 because it is not balanced and impartial.

Description of Cost

If a measure proposes a change to taxes or fees, the cost of the measure to an individual taxpayer or consumer must be included. In the context of a bond levy, this is generally the cost per \$1,000 of assessed property value. The cost must not be worded in a way to minimize it. An estimate is allowed if the exact cost is not known.

ex Describing a cost as “less than”, “merely”, or “only” is not compliant with ORS 260.432.

A public agency may state that the bond, if renewed, would continue to cost \$X.00 per \$1,000 of assessed property value where the measure proposes a continuation of the tax at the same rate. It is also allowable to state how much the bond would increase taxes compared to the previous bond, so long as the full cost information is also included.

ex “The ABC School bond, if passed, would cause an increase of \$0.25 per \$1,000 of assessed property value over the previous bond. The total rate if the bond is passed would be \$1.45 per \$1,000 of assessed property value.”

For measures that use funding mechanisms other than cost per \$1,000 of assessed property value, the cost must be described in a way that clearly informs the public of how the measure would affect taxes.

Persuasive or Minimizing Language and Images/Graphics

Material created by a public agency should only provide factual, balanced and unbiased information regarding the topic at issue. Language prohibited under ORS 260.432 can include anything that implicitly or explicitly urges an individual to support or oppose a measure, recall, petition or person seeking appointment, nomination or election to public office. Avoid language that would be considered persuasive, emotional or vague. These types of words or phrases may be violative of ORS 260.432.

Commonly Used Words or Phrases & Alternatives

Common words or phrases to watch for when drafting a document that falls under ORS 260.432:

→ **Use** “If the bond measure passes, it would...” but not “The bond will...”

It is important to avoid language that might indicate certainty that the bond will pass or fail as this can be considered as persuasive. If the document reads that “The bond will...” it can lead a voter to believe that their vote against the bond is insignificant and they should either not vote or vote for the bond.

→ **Use** “Please remember to vote” but **not** “Please vote for Measure...”

Asking the reader to vote for the measure is violative of ORS 260.432 because this encourages people to vote in a certain way.

→ **Use** “The bond measure would cost \$x...”, but **not** “The bond would only cost \$x...”

Using the word “only” minimizes the cost of the bond and encourages a vote in support. Alternative wording may include, “If the bond passes, the tax rate would be...” By changing the wording the statement becomes neutral and provides factual information regarding the cost of the measure. It is important to also include language regarding the cost and consequences if the bond does not pass.

Unbalanced Language or Content

The material published or otherwise provided to voters should not be one-sided. It must include a balance of factual information and the information should fairly and neutrally explain the effect of the measure. The text should set out objective advantages or disadvantages of the measure.

ex If the bond passes, the city would hire five new police officers.

→ Information is only provided for what would happen if the bond passes. Material which omits information regarding what happens if the bond does not pass is unbalanced and biased.

Alternative language could be: If the bond passes, the city would hire five new officers. If the bond does not pass, staffing would remain at the current level, and taxes would not be increased.

Enforcement

Any Oregon elector may request an investigation into potential violations of Oregon election law. Requests may be submitted using the Elections Division’s online form or in writing. If the Elections Division receives a complaint after an agency’s materials are granted safe harbor approval, the Division will not investigate or penalize the agency so long as:

- 1 The agency did not alter the approved materials;
- 2 The material was used in a manner consistent with all provisions of ORS 260.432

If the Elections Division opens an investigation and determines that a violation occurred, the Division will proceed as set forth under OAR chapter 165, ORS chapter 260 and ORS chapter 183.

Who is Liable

Any public employee who authors, drafts or approves the use of material that promotes or opposes certain matters as set forth in ORS 260.432 may be liable. This includes any public employee who creates content for inclusion in material prohibited by ORS 260.432. A supervisor or any other person who requests or directs that a public employee create prohibited materials or who oversees creation of the material, may also be in violation of ORS 260.432, even if they are not the author of the document.



ORS 260.432 Quick Reference— Restrictions on Political Campaigning for Public Employees rev 12/13

Generally, ORS 260.432 states that a public employee* may not, while on the job during working hours, promote or oppose election petitions, candidates, political committee or ballot measures. Additionally, no person (including elected officials) may require a public employee (at any time) to do so.

*A “public employee” includes public officials who are not elected, whether they are paid or unpaid (including appointed boards and commissions).

As used in this Quick Reference

We use the phrase “advocate(s) a political position” to mean—

promote or oppose an initiative, referendum or recall petition, candidate, political committee or ballot measure.

The term “impartial” means equitable, fair, unbiased and dispassionate.

See the Secretary of State’s detailed manual on ORS 260.432 for specific factors to assist in ensuring impartiality in communications about ballot measures. It is posted on the website under Election Laws, Rules and Publications, Manuals and Tutorials.

For more detailed information about ORS 260.432 and information about other election laws, contact:

Elections Division	phone	503-986-1518
Secretary of State	fax	503-373-7414
255 Capitol St NE, Suite	tty	1-800-735-2900
Salem, OR 97310	web	www.oregonvotes.gov

Prohibited Activities

A public employee, while on the job during work hours may not:

- prepare or distribute written material, post website information, transmit emails or make a presentation that advocates a political position
- collect funds, prepare filing forms or correspondence on behalf of candidates or political committees
- produce or distribute a news release or letter announcing an elected official’s candidacy for re-election (except for an elections official doing so as an official duty) or presenting an elected official’s political position
- make outgoing calls to schedule or organize campaign events or other political activity on behalf of an elected official or political committee (however, a scheduler may, as part of official duties, take incoming calls about the official’s availability and add an event to the schedule)
- grant unequal access to public facilities to candidates or political committees
- direct other public employees to participate in political activities, when in the role of a supervisor
- draft, type, format or edit a governing body’s resolution that advocates a political position (except to conform the resolution to a standard format)
- prepare or give recommendations to the governing body urging which way to vote on such a resolution
- sign such a resolution, except if the signature is only ministerial and clearly included to attest the board took the vote
- announce the governing body’s position on such a resolution to the media
- include the governing body’s position or vote on such a resolution in a jurisdiction’s newsletter or other publication

A public employee who provides voter registration assistance under the federal National Voter Registration Act (NVRA) must not, when performing voter registration services, influence a client’s political choices. This means no display of political preferences, including a restriction that no political buttons may be worn. ORS 247.208(3)

Allowable Activities

A public employee, while on the job during working hours may:

- prepare and distribute impartial written material or make an impartial presentation that discusses election subjects (using the guidelines provided in the Secretary of State's detailed manual on ORS 260.432.)

The Secretary of State's Elections Division is also available for an advisory review of draft material about ballot measures produced by government agencies.

- perform standard job duties, such as taking minutes at a public meeting, maintaining public records, opening mail, inserting a proposed resolution into a board agenda packet, etc.
- impartially advise employees about possible effects of a measure, but not threaten them with financial loss to vote a particular way
- address election-related issues while on the job, in a factual and impartial manner, if such activity is legitimately within scope of employee's normal duties
- as staff of an elected official, handle incoming calls about the official's availability for political events
- prepare neutral, factual information for a governing body to use in determining what position to take on an issue (planning stage of a governing body's proposed issue before certified as a measure to a ballot is not subject to ORS 260.432)
- in a clerical manner, incorporate amendments into a finalized version of a governing body's resolution on an issue respond to public records request for information, even if the material advocates a political position
- wear political buttons subject to applicable employer policies unless the public employee is providing voter registration services under NVRA, where additional restrictions apply - see note on previous page about ORS 247.208(3)

A public employee, on their own, off duty time, may send letters to the editor that advocate a political position and may participate in any other lawful political activity.

It is advised that a salaried public employee keep records when appropriate in order to verify any such political activity that occurs while off duty.

Prohibited and Allowable Activities for Elected Officials*

*includes a person appointed to fill a vacancy in an elective public office

Elected officials may:

- advocate a political position at any time. Elected officials are not considered a "public employee" for purposes of ORS 260.432. ORS 260.432(4)(a).
- vote with the other elected officials of a governing body (such as a school board, city council or county commission) to support or oppose a measure, and publicly discuss such a vote—but must not use the public employee staff time to assist in this, except for ministerial functions
- perform campaign activity at any time, however must take caution not to involve any public employee's work time to do so

Elected officials may not:

- in the role of a supervisor, request a public employee—whether the public employee is on or off duty—to perform any political activity
A request made by a person in a position of supervisor or superior is viewed as a command for purposes of this election law.
- have an opinion piece or letter advocating a political position published in a jurisdiction's newsletter or other publication produced or distributed by public employees



FREQUENTLY ASKED QUESTIONS (FAQs)

THPRD Public Employees Election Information Reference Guide

Upcoming Election Information

- On XXXXXXXX an election will be held for XXXXXXXX:

Restrictions on Political Campaigning for Public Employees

- Generally, ORS 260.432 states that a public employee* may not, while on the job during working hours, promote or oppose election petitions, candidates, political committee or ballot measures. Additionally, no person (including elected officials) may require a public employee (at any time) to do so.
- A “public employee” includes public officials who are not elected, whether they are paid or unpaid (including appointed boards and commissions).

Examples of Allowed Activities (allowed on the job)



- Process a room reservation or shelter rental from a political group.
- Prepare & distribute **impartial** materials that inform on election information such as how or where to apply for office.
- Take meeting minutes, open mail, maintain public records.
- Address election questions on the job in a factual and impartial manner.
- A public employee, on their own time, may send letters to the editor that advocate a political position and may participate in any other lawful political activity. Salaried employees are advised to keep records when appropriate to verify any such political activity that occurs while off duty.

Examples of Prohibited Activities (not allowed on the job)



- Prepare & distribute any materials that advocates a political position.
- Collect \$ or prepare filing forms or materials for candidates.
- Produce or distribute announcements for candidates.
- Call, schedule, or perform political activity for candidates.
- Grant unequal access to facilities to candidates.
- Direct other employees to assist candidates.
- Use your official position or title, as a THPRD employee, to endorse or support a candidate.



TUALATIN HILLS PARK & RECREATION DISTRICT

PROCLAMATION

By the Board of Directors

WHEREAS, each year, Americans observe National Native American Heritage Month by affirming and acknowledging the culture, heritage, innumerable contributions, and by raising awareness of the ongoing challenges faced by Native Americans; and

WHEREAS, the national observance began in 1990; and

WHEREAS, THPRD honors and values the unique and rich contributions of all community members and strives to create a welcoming and inclusive park and recreation system that is accessible and welcoming to everyone; and

WHEREAS, the THPRD community is strengthened and made better by the many significant contributions of native and indigenous tribes and communities that have long made these lands their home; and

WHEREAS, Indigenous People have handed down oral histories, science, governance, a distinct relationship with nature, and continue to contribute to the cultural, educational, and spiritual fabric of our community; and

WHEREAS, THPRD recognizes that the district rests on native lands and was originally home to the Tualatin Kalapuya affiliated with the Confederated Tribes of Grand Ronde; and

WHEREAS, we honor the rich diversity of the people we serve and have much work to do to develop active partnerships with the Native American Community today; and

WHEREAS, THPRD is committed to honoring the history, culture, and traditions of Indigenous Peoples, and affirms our commitment to stand with Indigenous Peoples against systemic racism.

NOW, THEREFORE, the Board of Directors of the Tualatin Hills Park & Recreation District does hereby declare the month of November 2024 as

National Native American Heritage Month

And do urge all those in the Tualatin Hills Park & Recreation District to support and promote this observance.

Signed this 13th day of November 2024.

Barbie Minor, President

Alfredo Moreno, Secretary



MEMORANDUM

DATE: October 29, 2024
TO: Doug Menke, General Manager
FROM: Jared Isaksen, Finance Director
RE **Resolution Amending Fiscal Year 2024/25 Budget**

Introduction

The district has received the Metro Regional Travel Options Grant for replacing all regional trail signage and the Metro Community Choice Grant for re-paving the Vine Maple Trail within the Tualatin Hills Nature Park. The district is also working on land deals which would sell a current facility and purchase a replacement facility. Staff are asking the board to approve the resolution to add the grants and asset sale/purchase appropriation to the FY 2024/25 budget.

Background

The board adopted the FY 2024/25 budget at the June 12, 2024, board meeting. These grants were received after the board adopted the budget. The facility sale/purchase was also not known at the time the budget was adopted. Oregon Budget Law provides for changes to be made to the budget after adoption with approval by the board.

Proposal Request

Board of director's conduct a public hearing as prescribed by ORS 294.473 for consideration of approval of the attached resolution amending the FY 2024/25 budget and appropriating the funds to be received for \$21,128,446.

Outcomes of Proposal

With the adoption of the amended budget the district will be able to receive and spend the grant funds and execute the facility sale/purchase.

Action Requested

Board of directors' approval of Resolution 2024-18 amending the FY 2024/25 budget and appropriating grant and other funds in the amount of \$21,128,446.

RESOLUTION NO. 2024-18

TUALATIN HILLS PARK & RECREATION DISTRICT, OREGON

**A RESOLUTION TO ADOPT A BUDGET AMENDMENT
WITHIN THE GENERAL FUND**

WHEREAS, the Tualatin Hills Park & Recreation Board of Directors is authorized to accept grants for a specific purpose and expend said funds, as provided by ORS 294.338; and

WHEREAS, the district acknowledges these items were unknown at the time the FY 2024-25 budget was adopted; and

WHEREAS, the increase in budget is offset by the sale of a capital asset and grant funds; and

WHEREAS, the Board of Directors has ascertained that it is necessary to make appropriations pursuant to ORS 294.338(2) and OAR 150-294.338(2), as indicated in Exhibit A and the object classification amounts are within the **GENERAL FUND** and such shall be set forth in the 2024-25 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TUALATIN HILLS PARK & RECREATION DISTRICT IN BEAVERTON, OREGON, AS FOLLOWS:

Section 1: The FY 2024-25 General Fund Budget is hereby amended as detailed in Exhibit A.

Section 2: This resolution shall be effective following its adoption by the Board of Directors.

Approved by the Tualatin Hills Park & Recreation District Board of Directors on the 13th day of November 2024.

Barbie Minor, President

Alfredo Moreno, Secretary

ATTEST:

Jessica Collins, Recording Secretary

**GENERAL FUND SUMMARY
FY 2024/25**

\$72,000 - Metro Community Choice Grant for re-paving the Vine Maple Trail within the Tualatin Hills Nature Park

\$56,446 - Metro Regional Travel Options Grant for replacing all regional trail signage

\$21 million - Sale and purchase of facility

	Adopted 2024/25	Amendment 1	Revised 2024/25
RESOURCES			
Beginning Balance/Reserve	\$ 3,000,000	\$ -	\$ 3,000,000
Cash on Hand for Fiscal Year	25,302,950	-	25,302,950
Balance Forward from Previous Year Projects	3,697,050	-	3,697,050
Previously Levied Taxes	250,000	-	250,000
Program Resources	11,605,921	-	11,605,921
Other Resources	8,327,815	21,128,446	29,456,261
Subtotal Resources except taxes to be levied	52,183,736	21,128,446	73,312,182
Current Year Taxes (Permanent Rate multiplied by Assessed Value)	56,422,717	-	56,422,717
TOTAL RESOURCES	\$ 108,606,453	\$ 21,128,446	\$ 129,734,899
EXPENDITURES			
Board of Directors	\$ 545,612	\$ -	\$ 545,612
Administration	16,390,155	-	16,390,155
Park Services	17,758,818	-	17,758,818
Recreation Services	31,590,947	-	31,590,947
Capital Projects	11,116,119	21,128,446	32,244,565
Contingency	3,500,000	-	3,500,000
TOTAL EXPENDITURES	\$ 80,901,651	\$ 21,128,446	\$ 102,030,097
Ending Unappropriated Fund Balance			
General Fund Balance	\$ 24,704,802	\$ -	\$ 24,704,802
Reserve for Future Expenditure	3,000,000	-	3,000,000
TOTAL REQUIREMENTS	\$ 108,606,453	\$ 21,128,446	\$ 129,734,899



Tualatin Hills Park & Recreation District Minutes of a Regular Meeting of the Board of Directors

A Regular Meeting of the Tualatin Hills Park & Recreation District Board of Directors was held on Wednesday, September 11, 2024, at the Tualatin Valley Water District Headquarters, 1850 SW 170th Avenue, Beaverton, Oregon. Work Session 5:30 pm; Executive Session 6:00 pm; Regular Meeting 7:00 pm.

Present:

Barbie Minor	President/Director
Miles Palacios	Secretary Pro-Tempore/Director
Felicita Monteblanco	Director
Tya Ping	Director
Doug Menke	General Manager

Absent:

Alfredo Moreno	Secretary/Director
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Agenda Item #1 – Work Session: Equity Strategy

A Work Session of the Tualatin Hills Park & Recreation District Board of Directors was called to order by President Barbie Minor on Wednesday, September 11, 2024, at 5:30 pm.

Holly Thompson, Communications director, and Lulú Ballesteros, Equity & Engagement manager, provided a detailed overview of the proposed development of a districtwide equity strategy via a PowerPoint presentation, a copy of which was entered into the record. The equity strategy would be a living document, co-created annually by a dedicated interdepartmental staff team with a goal to organize and support both ongoing and upcoming equity initiatives, ensuring that they align with the evolving needs of our community. The team will consolidate resources, projects, efforts, and community needs into one adaptable and responsive equity strategy with focus areas around programming and events, partnerships, community-led engagement, accessibility, and staff development. The timeline is to draft a final strategy by the end of October, with plans to roll it out and promote it internally from November through December, in preparation for it to go into effect in January 2025 with a first report back to the board in July 2025. Holly and Lulú offered to answer any questions the board may have.

Miles Palacios commented that he is happy to see that the equity strategy is being built for the community it is focused on, not the other way around. He asked if there is space for community involvement from volunteers to be engaged either with events or other aspects of this work.

- ✓ Holly referenced the transition of the Programs & Events Advisory Committee to the Equity & Engagement Advisory Committee, noting that part of this committee's focus will be developing a cohort of advisory committee members that are champions around equity and innovative ways to do community engagement. This committee will also have a strong role to play in helping to articulate the strategies and meeting the objectives, which will be an in-depth way to be involved in this effort as a volunteer. In the end, the strategy will be a tool for the district and board to be able to communicate what the district is doing around equity, what it is trying to achieve, and the results that have been made, in an accessible way that people can understand and would want to engage with.

Tya Ping inquired whether the development of language-specific volunteer activities will be part of this effort, noting that such opportunities serve as great ways to welcome people to the district and can provide a space for those who speak another language to feel more comfortable and

able to contribute to their community, adding that cosponsoring such efforts with a community-specific organization could be helpful in bringing people together. She loves the flexibility in the strategy and described the need for checks and balances through outside resources to review ideas before they are initiated, but without slowing down the process too much.

- ✓ Holly noted that, regarding English-language abilities being a barrier to volunteer participation, starting this year the advisory committee application has been translated into Spanish and staff is committed to providing interpretation services if there are people interested in serving on the district's advisory committees when English is not their first language. Staff also made some progress in providing language-specific volunteer opportunities, but there is more work to be done in this area. She described the desire to always be listening deeply to what the community's needs are and working together to coproduce the solutions that bring people into THPRD.

Felicita Montebalanco expressed support for this work and described her initial thoughts after hearing this presentation, noting that development of the district's new registration system came to mind and thinking about this in terms of access from the broadest perspective, whether that is language access or serving people with disabilities. She would also like to think more about board accountability and the potential for measurements for the board to consider for themselves. She is excited to hear about offering interpretation services for advisory committee members and hopes that there are community members who step forward to apply.

- ✓ Holly described how, in the end, the equity strategy should be a digestible, easy-to-understand and relatable tool that reflects how the district is living its values in terms of what has been accomplished and what is coming up.

President Minor inquired if there would be an opportunity for the board to review a rough draft before the first report is distributed in July, noting that she is particularly interested in reviewing the information around accountability and applying measurements in a quantifiable manner. She is excited about this work and would welcome the opportunity to help shape the information.

- ✓ Holly replied that the intent is, after the board's work session this evening, to assemble the interdepartmental staff team that will lead this work and as the draft is developed it will be shared with the board at an upcoming regular meeting for feedback. The board's input is desired and welcomed as part of the generation of this work.

Barbie asked if the Equity & Engagement Advisory Committee would be involved in the development of the report, as well.

- ✓ Holly confirmed that they will.

Barbie expressed appreciation that there will be multiple touchpoints in the development of this strategy, as what an equity strategy means will be different from person to person and there will be many different perspectives to consider.

- ✓ Holly agreed, adding that there are also different measurements of success to consider, from qualitative to quantitative, and that many times in government the focus is on the quantitative. However, she believes that in relational work it is important to elevate the qualitative work as well, noting that public testimonials can be very powerful.

Agenda Item #2 – Executive Session (A) Legal (B) Land

President Barbie Minor called executive session to order for the following purposes:

- To conduct deliberations with persons designated by the governing body to negotiate real property transactions; and
- To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Executive Session is held under authority of ORS 192.660(2)(e) and (h).

President Minor noted that the news media and designated staff may attend executive session. Representatives of the news media were directed not to disclose information discussed during executive session. No final action or final decision may be made in executive session.

Agenda Item #3 – Call Regular Meeting to Order

A Regular Meeting of the Tualatin Hills Park & Recreation District Board of Directors was called to order by President Barbie Minor on Wednesday, September 11, 2024, at 7:05 pm.

Agenda Item #4 – Action Resulting from Executive Session

There was no action resulting from Executive Session.

Agenda Item #5 – Proclamations

President Minor provided opening comments welcoming those in attendance this evening to participate in reading this month's proclamations, noting that in a continued effort to live its values, the district is reaching out to our already established relationships with community-based organizations with the intent to strengthen the local connection to our proclamations by inviting their participation.

A. National Hispanic and Latinx Heritage Month

Mónica Estrella, a longstanding THPRD and City of Beaverton volunteer, partner from WakeUp Beaverton, and community leader, commented that it is an honor to be here this evening and expressed appreciation for the THPRD services provided to the Latino community. She then read the National Hispanic and Latinx Heritage Month proclamation in English.

Manuela Lazaro Cisneros, a partner from Latino Network, an Anahuac dancer, and community leader, commented that she is proud of her community and honored to be here this evening. She then read the National Hispanic and Latinx Heritage Month proclamation in Spanish.

President Minor thanked Mónica and Manuela for being here this evening. Felicita Monteblanco added that three of the district's board members identify as Latino as well as several THPRD leadership team members, noting that she appreciates the reference to the political power of this community that was included within the proclamation.

B. Emergency Preparedness Month

Mark Pierce, Safety Services manager, and members of the THPRD Incident Command Leadership Team took turns reading the Emergency Preparedness Month proclamation.

Agenda Item #6 – Audience Time

There was no public testimony during Audience Time.

Agenda Item #7 – Board Time

A. Committee Liaisons Updates

Miles Palacios provided the following updates and comments:

- ✓ Attended the most recent Parks & Facilities Advisory Committee meeting which focused on the committee's Challenge Grant work. The committee is interested in hearing whether the district would consider increasing the funding for the Challenge Grant program.
- ✓ Met with Metro Policy Advisory Committee staff to discuss the committee and his role as the representative for special districts. He is missing tonight's meeting, but his alternate will be attending in his absence. Some of the work being done right now is focused on the Urban Growth Report with anticipated action on this topic later this month.
- ✓ Excited to be participating on a THPRD softball team.

Felicita Monteblanco provided the following updates and comments:

- ✓ Shared that the district's three new permanent restroom facilities that were funded through the American Rescue Plan Act have officially opened.
- ✓ This Friday, she and General Manager Doug Menke will participate in the Policy Makers Bike Ride which will feature many THPRD assets, like the Tualatin Hills Nature Park.

President Minor provided the following updates and comments:

- ✓ Represented THPRD in the Beaverton Celebration Parade along with some staff members, noting that parades do such a great job of bringing the community together and that it was wonderful to see so many people cheering for parks as they walked past.
- ✓ The Tualatin Hills Park Foundation annual meeting is taking place tomorrow afternoon.

Agenda Item #8 – Consent Agenda

Tya Ping moved that the board of directors approve consent agenda items (A) Minutes of August 14, 2024 Regular Board Meeting, (B) Quarterly Financial Report, (C) Metro 2019 Nature Bond Local Share Project List Amendment to Add Cooper Mountain Land Acquisition, (D) Metro 2019 Nature Bond Local Share Fund Transfer Intergovernmental Agreement between Metro, Washington County and THPRD for Cooper Mountain Acquisition, and (E) Intergovernmental Agreement for Right-of-Way Services and Resolution Exercising the Power of Eminent Domain for Beaverton Creek Trail. Miles Palacios seconded the motion. Roll call proceeded as follows:

Miles Palacios	Yes
Tya Ping	Yes
Felicita Monteblanco	Yes
Barbie Minor	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #9 – Unfinished Business

A. General Manager's Report

General Manager Doug Menke introduced Julie Rocha, Sports & Inclusion director, who shared the sad news that THPRD recently lost a beloved staff member, Brian Yourstone, supervisor for the Babette Horenstein Tennis Center, after his 20-month battle with cancer.

The following presentation was provided as listed within the General Manager's Report included in the board of directors' information packet:

- Summer Recap and Fall Update
 - Keely Haugen, Customer Engagement specialist; Jeff Lee, Tualatin Hills Athletic Center supervisor; and Corey Tramel, Tualatin Hills Aquatic Center supervisor, provided a summer recap and fall update, including registration numbers and a special events overview, via a PowerPoint presentation, a copy of which was entered into the record.

Doug and the presenters offered to answer any questions the board may have.

The board members offered congratulatory remarks and expressions of gratitude to district staff around the welcoming atmosphere the district strives to provide, the number and variety of classes and events such as the eternally popular Big Truck Day, the overall popularity and accessibility of drop-in activities, and the efforts contributing to registration numbers trending up.

Tya Ping offered a registration tip that if a patron pre-populates their classes in the class search, they can then register for all the classes at once rather than having to do so individually.

General Manager Doug Menke commented on the professionalism of district staff and the recognition that our part-time staff are absolutely critical for the district. Additionally, the board's commitment to and finger on the pulse of the community is impressive, as well.

Agenda Item #10 – New Business

A. Resolution Establishing Legislative Advocacy Procedures and 2025 Advocacy Priorities

Deputy General Manager Aisha Panas provided a detailed overview of suggested updates to the district's state and federal legislative platforms as well as a resolution outlining the procedures for legislative priorities and advocacy efforts via a PowerPoint presentation, a copy of which was entered into the record, and which included the following information:

- Legislative Advocacy Priorities
 - Position statements guide advocacy efforts
 - Changes suggested for both federal and state legislative platforms
- Legislative Advocacy Procedures Resolution
 - Outlines the district's legislative priorities
 - Describes and streamlines advocacy and reporting process
 - Identifies "district officials" who may advocate on behalf of THPRD
- Current Process
 - Monitor
 - Review pending bills
 - Confer with other agencies, ORPA and SDAO
 - Study
 - Determine district's position based on priorities
 - If unclear, raise to board of directors for review
 - Act
 - Submit letters consistent with position
 - Report regularly to board of directors
- Federal Priorities
 - Active Transportation
 - Additional Federal Priority: Westside Trail bridge Funding
 - Social Equity
 - Climate Adaptation & Community Resiliency
 - Natural Resource Conservation
 - Additional Federal Priority: Cooper Mountain Nature Park Expansion
 - Community Health & Wellness
- State Priorities
 - Local Agency Control & Authority
 - Additional State Priority: Recreational Immunity Fix
 - Additional State Priority: Annexation Strategy
 - System Development Charges
 - Climate Adaptation & Community Resiliency
 - Equitable Access to Park & Recreation
 - Funding for Parks, Recreation & Trails
 - Additional State Priority: Tax Reform
 - Additional State Priority: Westside Trail Bridge Funding
 - Additional State Priority: Cooper Mountain Nature Park Expansion
- Request for Proposals (RFP) for Lobbying Services
 - 9/4: Published on district website
 - 9/25: Due date for proposals
 - 11/1: Anticipated start date

Aisha noted that staff is seeking board consideration of approval of Resolution No. 2024-16 regarding legislative advocacy procedures and 2025 advocacy priorities and offered to answer any questions the board may have.

Miles Palacios expressed support for the additional priorities, noting that the question of revenue as well as the protections and local control conversations will be important to the district.

Felicita Monteblanco expressed support for the additional state priority of Tax Reform, noting that she hopes that as the conversations begin, those involved will see THPRD as an asset to the process and that we're invited to be a part of the discussion. Regarding the additional priorities of funding for the Westside Trail Bridge and Cooper Mountain Nature Park expansion, she advised that this will require board member presence in the capitol building multiple times and suggested a minimum of two lobby days, as well as attendance at town halls, and more. She understands through conversations with legislators that there will not be anything new funded through the big transportation package being discussed, but there will be other funding opportunities to pursue.

President Minor expressed agreement with her fellow board members' comments and extended gratitude to staff for making sure the board is updated and brought along in these conversations.

Miles Palacios moved that the board of directors approve Resolution No. 2024-16 establishing legislative advocacy procedures and 2025 advocacy priorities. Tya Ping seconded the motion. Roll call proceeded as follows:

Miles Palacios	Yes
Tya Ping	Yes
Felicita Monteblanco	Yes
Barbie Minor	Yes

The motion was UNANIMOUSLY APPROVED.

B. Resolution Naming New Neighborhood Parks

Gery Keck, Planning & Development manager, introduced Nicole Paulsen, Planning supervisor, to present an overview of the community outreach conducted and the resulting proposed names for two new neighborhood park sites (formerly identified as Future Park at NW Heckman Lane and Future Park at SW Pointer Road). Staff is requesting board consideration of approval of a resolution this evening in naming these two new neighborhood parks.

Nicole provided a detailed overview of the proposal to name these two new parks via a PowerPoint presentation, a copy of which was entered into the record, and which included the following information:

- Process Overview
 - Cultural partners and researchers identify name options
 - Internal Naming Committee matches name options to sites
 - Present names to Management Team for input
 - Present names to community and gather input
 - Present names and input to advisory committee
 - Present all new names to THPRD Board of Directors for final approval
- Names Catalog
 - Create a list of potential site names to better represent communities and histories
 - Intentional outreach to those who helped identify names with a focus on identities and experiences among whom government systems have failed to represent
 - Engagement through in-depth discussions, historic and photographic collections
 - Honor and value diverse experiences and identities
- Consider
 - Pay attention to the feeling each name evokes or inspires
 - The community will be engaged around these names in many ways
 - Names can resonate with community and communities change
- Future Park at NW Heckman Lane
 - Nature-based Neighborhood Park
 - Proposed Name: Saqsaqa Park
 - Pronounced: sahk/sahk/a, this is the Arabic onomatopoeia for the “chirp chirp” sound that birds make.

- Aligns with the community’s vision for a park where they can see and hear birds and other wildlife.
 - Prompts visitors to listen and hear the frequent singing of birds.
 - Offers a learning opportunity for all ages that onomatopoeia sounds we have for different animals are not universal across languages.
 - Lends to interpretive signage and art.
- Future Park at SW Pointer Road
 - Neighborhood Park
 - Proposed Name: Serenity Park
 - The terms serenity and serene are derived from Middle French and Latin meaning clearness, peaceful, calm, unclouded, and tranquil.
 - This name captures one of the many reasons community members enjoy visiting THPRD parks, trails, and natural areas.
 - Finding a sense of serenity through play, relaxation, the sounds of nature, and the openness of the outdoors.
 - Community members shared their hope to have a peaceful and tranquil place to rest, relax, and gather with friends and family in a natural setting.

Gery and Nicole noted that staff is seeking board consideration of approval of Resolution No. 2024-17, naming two new park sites as Saqsaqa Park and Serenity Park, and offered to answer any questions the board may have.

Felicita Monteblanco praised the thoughtfulness that has gone into the naming process and described how she felt, as a person that grew up around the Spanish language, when THPRD named Pío Pío Park and hopes that the same warm feelings of inclusiveness are experienced by our Arabic community with Saqsaqa Park. She is enthusiastically supportive of this work.

Tya Ping commented that this is a great example of the wonderful work being done by THPRD to help people feel welcomed, seen, and that they have roots here even if they’ve come from another place.

President Minor noted that the district’s naming process is a great reflection of how far ahead THPRD is in its work towards thoughtfully approaching such processes while continuing to get better and more refined. She expressed gratitude to staff for their continued work and listening to feedback from the board to ensure that we find the names that are the best fit for the community.

Tya Ping moved that the board of directors approve Resolution No. 2024-17, naming two new park sites as Saqsaqa Park and Serenity Park. Felicita Monteblanco seconded the motion. Roll call proceeded as follows:

Miles Palacios	Yes
Tya Ping	Yes
Felicita Monteblanco	Yes
Barbie Minor	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #11 – Adjourn

There being no further business, the meeting was adjourned at 8:10 pm.

Barbie Minor, President

Alfredo Moreno, Secretary

Recording Secretary,
Lindsay Lambert

Transcribed by,
Jessica Collins



Tualatin Hills Park & Recreation District Minutes of a Regular Meeting of the Board of Directors

A Regular Meeting of the Tualatin Hills Park & Recreation District Board of Directors was held virtually on Wednesday, October 9, 2024. Executive Session 5:30 pm; Regular Meeting 6:30 pm.

Present:

Barbie Minor	President/Director
Alfredo Moreno	Secretary/Director
Miles Palacios	Secretary Pro-Tempore/Director
Felicita Monteblanco	Director
Tya Ping	Director
Doug Menke	General Manager

Agenda Item #1 – Executive Session (A) Land

President Barbie Minor called executive session to order to conduct deliberations with persons designated by the governing body to negotiate real property transactions. Executive Session is held under authority of ORS 192.660(2)(e).

President Minor noted that the news media and designated staff may attend executive session. Representatives of the news media were directed not to disclose information discussed during executive session. No final action or final decision may be made in executive session.

Agenda Item #2 – Call Regular Meeting to Order

A Regular Meeting of the Tualatin Hills Park & Recreation District Board of Directors was called to order by President Barbie Minor on Wednesday, October 9, 2024, at 6:30 pm.

Agenda Item #3 – Action Resulting from Executive Session

Tya Ping moved that the board of directors authorize staff to acquire the property in the northwest quadrant of the district for the price discussed in executive session, using system development charge fees in escrow as well as cash, subject to the standard due diligence review and approval by the general manager or designee. Alfredo Moreno seconded the motion. Roll call proceeded as follows:

Miles Palacios	Yes
Felicita Monteblanco	Yes
Alfredo Moreno	Yes
Tya Ping	Yes
Barbie Minor	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #4 – Proclamations

A. Indigenous Peoples' Day

Board members took turns reading the proclamation declaring Monday, October 14, 2024, as Indigenous Peoples' Day.

B. Lights On Afterschool Day

Emily Kent, Sports & Inclusion manager, read the proclamation declaring Thursday, October 24, 2024, as Lights on Afterschool Day.

Agenda Item #5 – Audience Time

There was no public testimony during Audience Time.

Agenda Item #6 – Board Time

General Manager Doug Menke introduced the district’s new Human Resources Director Steve Sutton and recognized Deputy General Manager Aisha Panas for her efforts in leading the Human Resources Department during the vacancy as well as heading up the recruitment effort.

- ✓ Steve noted that he has had a wonderful first week at the district, including attending the Northwest Public Employees Diversity Conference, and that he has felt very welcomed.

A. Committee Liaisons Updates

Miles Palacios provided the following updates and comments:

- ✓ Looking forward to attending the upcoming Joint Advisory Committees meeting.
- ✓ Attended a Metro Policy Advisory Committee meeting that focused on ample discussion around an Urban Growth Boundary expansion proposal for an area west of Sherwood.

Tya Ping provided the following updates and comments:

- ✓ Attended the annual Tualatin Hills Park Foundation meeting held at La Raíz Park.
- ✓ The most recent Programs & Events Advisory Committee meeting focused on discussion around the committee’s transition to the new Equity & Engagement Advisory Committee.
- ✓ The Audit Committee met recently to receive an update regarding the annual audit process that is beginning soon.

Alfredo Moreno provided the following updates and comments:

- ✓ Spoke at the Annie Feves Memorial Play Area dedication event at Schlottman Creek Greenway and recognized the efforts of the Tualatin Hills Park Foundation and district staff in bringing this donation and dedication request to fruition.

Felicita Monteblanco provided the following updates and comments:

- ✓ She and General Manager Doug Menke participated in the Policy Makers Bike Ride which was very informative and well-organized; kudos to those involved in the planning process, including Bruce Barbarasch, Sustainability manager.
- ✓ The Metro Executive Advisory Committee for the Expo Future is continuing their work, including contemplations around how to move forward in utilizing this public asset while also acknowledging its painful past as a Japanese internment center during WWII.

President Minor provided the following updates and comments:

- ✓ Also attended the annual Tualatin Hills Park Foundation meeting held at La Raíz Park and was inspired by the turnout and excitement of her fellow attendees.
- ✓ Participated in the Northwest Public Employees Diversity Conference, which was an impactful day and a good reminder of how important the work is being done by THPRD, especially when recognizing some of the negative sentiments and narratives currently afloat around DEI efforts. A fellow participant commented positively on the district’s new Equity & Engagement Advisory Committee which was a great indicator to her that THPRD is moving in the right direction and that people look to THPRD as a leader in these efforts to stay centered and committed to being representative of all members of our community.

Agenda Item #7 – Consent Agenda

Tya Ping moved that the board of directors approve consent agenda item (A) West Village Community Parks & Open Space Concept Plan. Miles Palacios seconded the motion. Roll call proceeded as follows:

- Felicita Monteblanco** Yes
- Alfredo Moreno** Yes
- Miles Palacios** Yes
- Tya Ping** Yes
- Barbie Minor** Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #8 – Unfinished Business

A. Strategic Plan Annual Report

The district's 2023 Strategic Plan consists of a set of goals selected from the district's 2023 Comprehensive Plan to be accomplished between 2023 and 2028. While a comp plan is a high-level policy document that helps jurisdictions operationalize their community's vision and address complex issues over a longer period (usually 20 years), a strategic plan is a trim document intended to provide high-level direction to staff and a clear vision to stakeholders about where staff will focus over the next five years. Bruce Barbarasch, Sustainability manager, provided a progress update on efforts related to the district's 2023 Strategic Plan via a PowerPoint presentation, a copy of which was entered into the record, and which included updates in the following categories:

- Welcoming and Inclusive
- Play for Everyone
- Accessible and Safe
- Environmental Stewardship
- Diversity, Equity, Inclusion, and Access
- Technology and Innovation
- Financial Sustainability

Bruce also provided an overview of the upcoming focus areas for each of these categories and offered to answer any questions the board may have.

Miles Palacios expressed support for the next steps listed, noting that they seem to be a great representation of the district's values.

Alfredo Moreno referenced the information about the district's rentable shelters in the Accessible & Safe section of the report, noting that the district's webpage dedicated to park shelter reservations isn't very easy to find.

- ✓ Holly Thompson, Communications director, agreed and noted that district staff are close to completing an update to that portion of the website that will better profile all the district's amenities available for rent, including shelters.

Alfredo referenced the Diversity, Equity, Inclusion, and Access section of the report, noting that with the board being comprised of four people of color and one super ally, they are proud that our leadership at the highest level of the organization is diverse and inclusive. He would love to be more engaged if there are opportunities staff feel would be appropriate for board involvement.

Alfredo referenced the Financial Sustainability section of the report and asked if there is a way to articulate the district's collaboration and integration with the Tualatin Hills Park Foundation; to include a high-level goal to work more closely together, noting that a vibrant foundation is a huge key in maintaining and growing areas that might otherwise be at risk during lean financial times.

Felicita Montebianco complimented the report, noting that she is happy to see the next step of "Create methods to regularly evaluate, measure, and improve services." She described how there are many ways to measure impact and that she knows the district will think outside the box in determining creative ways to measure success, adding that the passage of the levy was its own success and indication of the trust of our community.

President Minor suggested that as action items move into the "completed" category, it would be helpful to have a summary listing these accomplishments within the report in order to celebrate those wins and inform the overall story.

- ✓ Bruce suggested that an appendix could be considered given that there are around 120 action items within the report.

Barbie complimented district staff on these efforts, and this condense but informative report.

B. General Manager's Report

The following presentations were provided as listed within the General Manager's Report included in the board of directors' information packet:

- FY24 Annual Grant Report
 - Leilani Garcia, grants administrator, provided an overview of the FY24 Annual Grant Report as included within the board of directors' information packet, via a PowerPoint presentation, a copy of which was entered into the record.
- Affordable Housing Update
 - Peter Swinton, urban planner II, provided an update on affordable housing waivers issued in fiscal year 23-24, and an update on the number of waivers remaining before reaching the fee waiver cap, via a PowerPoint presentation, a copy of which was entered into the record.

Doug and the presenters offered to answer any questions the board may have.

FY24 Annual Grant Report

Felicita Montebalanco inquired how long the district has had a grants administrator position, noting that it is clearly worth the investment and that she is appreciative of Leilan's skillset.

- ✓ Deputy General Manager Aisha Panas provided a brief overview of the evolution of the district's grants-focused position, noting that Leilani has taken it to the next level.
- ✓ Leilani acknowledged the efforts of district staff in helping move this work forward, noting that none of this would be possible without others' support.

Alfredo Moreno commented that the diversity of the projects and amount secured is impressive.

President Minor expressed agreement with her fellow board members' comments, adding that it is apparent that the grants administrator position is worth the investment and that she appreciates the heads up that changes in the world of grants are on the horizon but we won't be deterred.

Affordable Housing Update

Felicita Montebalanco expressed support for the district's system development charges (SDC) fee waiver program for affordable housing and acknowledged the years of work it took in establishing it and wanting to celebrate the results. She added that the program is clearly a reflection of the district's values and stretches the ways in which the district helps shape the community. She believes her fellow board members are supportive of continuing this program and she would like to better understand what housing projects are coming up to ensure that there are enough waivers available before reaching the cap.

- ✓ Peter replied that currently there are not any housing projects seeking SDC waivers this fiscal year, but district staff monitors the housing development projects being proposed within the city of Beaverton and Washington County and staff reaches out to any that might be a good candidate for the program. However, these projects tend to come on quickly and on average there are one-to-two affordable housing projects a year.

Alfredo Moreno commented that the district's role in affordable housing was one of the motivating factors in his desire to serve on the board and expressed gratitude to the previous and current board members who helped the district get to this point. He added that while he would like to see the program continue, he would also like more time to immerse himself in the details and learn more about the program and methodology.

Miles Palacios asked for additional information regarding how an increase to the cap would come before the board for consideration.

- ✓ General Manager Doug Menke replied that how an extension is framed is up for discussion and suggested that an informational board work session be scheduled with a resolution following at a future board meeting.

Miles commented that he, too, would appreciate a more thorough educational overview of the program, adding that the affordable housing projects being built are exciting and that this program is a great opportunity for THPRD to be engaged. He is looking forward to discussing how to best move forward in creating more opportunity for more affordable units through this methodology and policy.

Tya Ping commented that she is proud of this work and that it's being utilized. She asked if there are any additional ways the district could help incentivize utilization of waivers at the 30% MFI (median family income) and lower levels and to understand if there are any other barriers that the district might be unaware of. If possible, she would also like to know if any of the affordable housing projects that have taken advantage of this program wouldn't have been able to happen without it.

President Minor noted that the district's role in affordable housing was one of the motivating factors in her desire to serve on the board, as well, and that she appreciates district staff's careful monitoring of when the cap is approaching. She noted that as the policy is currently written, it is not automatically going to continue. She would like the board to explore different options for institutionalizing the program so that it doesn't always need to come back before the board for an extension and is simply a part of how the district does business. She expressed concern that the program is already at 80% of the cap and would like to get ahead of this while there is a supportive board in place in reframing the methodology to ensure that the program continues into the future.

Agenda Item #9 – Adjourn

There being no further business, the meeting was adjourned at 7:45 pm.

Barbie Minor, President

Alfredo Moreno, Secretary

Recording Secretary,
Jessica Collins



MEMORANDUM

DATE: November 4, 2024
TO: Board of Directors
FROM: Doug Menke, General Manager
RE: **Board Values & FY 2025/26 Budget Priorities**

At the board's October 29, 2024, retreat, the board discussed and confirmed their values and budget priorities for FY 2025/26. Please find attached a redline document reflecting the edits that were proposed and discussed, as well as the final document for the board's consideration of approval.

Action Requested

Board of directors' approval of the Board Values & FY 2025/26 Budget Priorities.

DRAFT: FY 25-26: THPRD Values and Budget ~~Values~~ & Priorities

These are the organizational values, confirmed by our Board of Directors, that guide and inform our policy making and the daily direction of our work. Our values are enduring and stay with us year after year and are not likely to change often.

Leading with Equity with special attention to Racial Equity

THPRD values all dimensions of equity including people experiencing disabilities, whether seen or unseen, ability, age, ethnicity, gender, race, sexual orientation, and other identities. We see it as an essential core value that we prioritize all aspects of equity. A commitment to equity means looking at individuals' needs and understanding that people need different things to achieve equitable outcomes. THPRD recognizes that to achieve meaningful equity we must prioritize investments in activities to reach those most marginalized, therefore we support a comprehensive investment in equitable outcomes for the most impacted people and at this time, due to disparate impacts, a special focus on activities to advance racial equity is an important component of our overall equity strategies.

Environmental Stewardship

THPRD values the environment and demonstrates this through how we acquire, plan for, and maintain lands. Environmental stewardship extends to the way we build and maintain our facilities, and the practices we use to procure goods and services. THPRD is committed to protecting and improving the environment and to hold ourselves accountable to reducing our carbon footprint and implementing our Climate Action Plan addressing climate change. We commit to continuing to be an active ally and leader on environmental education, natural resource protection, and by adopting practices that uphold environmental stewardship, to ensure we pass on a healthy environment to future generations.

Commitment to Community Vision

We are committed to honoring and realizing the community feedback captured through the district's visioning process and see this work as foundational to our ongoing community engagement work. We will integrate the visioning feedback into our planning and operational efforts to honor the four visioning goals to be Welcoming and Inclusive, provide Play for Everyone, to be Accessible and Safe, and to practice Environmental Stewardship. The community vision serves as a beacon to illuminate our ongoing community engagement efforts, infused with a deep commitment to actively engage underserved and historically marginalized voices.

Budget Priorities

Confirmed by the Board of Directors once a year, the budget priorities are more fluid than our values and fluctuate annually depending upon the needs, priorities, and unique circumstances of each fiscal year. The budget priorities are set in the fall, so staff can begin preparing the next fiscal year budget.

It is important to note, district leadership has committed to selecting only three priorities each year. Important work happens across the district in many different fields of expertise. Because something is not listed as a budget priority, it does not diminish the importance of other vital work occurring throughout the district.

~~**1-Expand Sustainable Funding Strategies: Focus on Long-Term Funding: Prepare for upcoming bond measure renewal in 2026 and levy replacement in 2028.**~~ Expand efforts to diversify revenue opportunities through grant strategy, sponsorships, foundation support, and mutually beneficial strategic investments with community, business, and government partners. ~~and~~ Continue to evaluate the district's resource allocation model. Prepare for and emphasize public involvement in upcoming bond measure replacement in 2026 and levy renewal in 2028. At the same time, continue to expand efforts to invest in financial aid and equity initiatives to ensure THPRD is welcoming and accessible to everyone, regardless of race, or economic status.

2-Enhance Environmental Sustainability and Climate Resilience: Incorporate environmental sustainability into all aspects of our operations, programs, and capital improvements. Protect natural areas, enhance green spaces, and implement climate resilience practices. This includes adopting strategies in the Climate Action Plan to reduce our environmental impact, conserving natural resources, and aligning future development with long-term sustainability goals. ~~Pursue opportunities to~~ integrate sustainability in facility planning, maintenance, and programming, ensuring that we are adaptable and resilient to environmental challenges. Invest in social justice partnerships to create opportunities for collaboration on environmental work.

3-Investing in Efficient Technologies: Invest in technology to improve service delivery and efficiency. Work toward updating the district’s legacy technology systems such as the website and registration systems to improve accessibility to non-English speakers~~to English Language Learners~~ and people experiencing disability. Invest in technology upgrades to improve cyber security and to better meet staff’s needs~~safety~~ and the user experience.

DRAFT

Values

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Expand Sustainable Funding Strategies: Expand efforts to diversify revenue opportunities through grant strategy, sponsorships, foundation support, and mutually beneficial strategic investments with community, business, and government partners. Continue to evaluate the district's resource allocation model. Prepare for and emphasize public involvement in upcoming bond measure replacement in 2026 and levy renewal in 2028. At the same time, continue to expand efforts to invest in financial aid and equity initiatives to ensure THPRD is welcoming and accessible to everyone, regardless of race, or economic status.

Enhance Environmental Sustainability and Climate Resilience: Incorporate environmental sustainability into all aspects of our operations, programs, and capital improvements. Protect natural areas, enhance green spaces, and implement climate resilience practices. This includes adopting strategies in the Climate Action Plan to reduce our environmental impact, conserving natural resources, and aligning future development with long-term sustainability goals. Integrate sustainability in facility planning, maintenance, and programming, ensuring that we are adaptable and resilient to environmental challenges. Invest in social justice partnerships to create opportunities for collaboration on environmental work.

Investing in Efficient Technologies: Invest in technology to improve service delivery and efficiency. Work toward updating the district's legacy technology systems such as the website and registration systems to improve accessibility to non-English speakers and people experiencing disability. Invest in technology upgrades to improve cyber security and to better meet staff's needs and the user experience.



MEMORANDUM

DATE: October 30, 2024
TO: Doug Menke, General Manager
FROM: Aisha Panas, Deputy General Manager
RE: **Resolution Authorizing Metro Regional Flexible Funding Allocation Grant Application for Westside Trail**

Introduction

Metro is accepting applications for the Regional Flexible Fund Allocation, Step 2 (RFFA) program for federal fiscal years 2028 - 2030. Applications are due by November 15, 2024. Staff recommends submitting an application to fund construction of the Westside Trail Pedestrian and Bicycle Bridge (WSTB) that will cross over U.S. Highway 26. Staff are seeking board of directors' approval of Resolution No. 2024-19 authorizing staff to apply for these funds.

Background

The RFFA program prioritizes and provides funding for transportation projects throughout the greater Portland metropolitan area. Every two to three years Metro solicits applications for transportation projects (including trails) that help implement the 2035 Regional Transportation Plan (RTP). The district has fourteen projects identified in the RTP, including the WSTB. RFFA assistance requires a minimum project cost of \$4 million for Right-of-Way/Construction projects and a minimum 10.27% match in funding from the sponsoring agency.

In 2021, THPRD studied technical aspects of the bridge's engineering and developed a cost estimate for construction. This year, with funding from Metro's Trails Bond, THPRD began design & engineering of the project which will refine the project's cost estimate and develop 75% and 95% construction documents, resulting in a permit and bid-ready set. Depending on regulatory, engineering, and construction constraints, the total cost to develop the bridge in 2028 could range from \$28 to \$35 million.

The district's funding plan for the construction of the WSTB consists of shared costs across multiple funding sources. In addition to the RFFA, THPRD has submitted an Active Transportation Infrastructure and Investment (ATIIP) grant application requesting \$10 million in July 2024, a RAISE grant requesting \$14 million will be submitted by January 13, 2025, and an Oregon Community Paths grant requesting \$5 million will be submitted by January 15, 2025. To support match requirements, THPRD has set aside a maximum of \$7 million in system development charges (SDC). The SDC-eligible portion of the cost of this trail has been included in the 5-year SDC Capital Improvement Program (CIP) approved in June 2024.

Outcomes of Proposal

Construction of the WSTB will complete a key trail segment in the extensive Metro Regional Trail system and connect the 25-mile-long Westside Trail over U.S. 26, linking communities from King City to the City of Portland. Detailed in several regional and local planning documents, including Metro's 2014 Westside Trail Master Plan, the bridge is "a crucial link, without which intersecting Westside Trail sections would not be functional," as it closes a critical gap in the region's active transportation network by enabling trail users to reach key destinations such as housing, schools, jobs, local businesses, parks, recreation centers, public transit hubs, and downtown cultural and commercial districts. The bridge improves the active

transportation network by creating a safe off-street alternative for over 100,000 pedestrians, runners, and cyclists using the Westside Trail each year.

Public Engagement

Construction of the WSTB supports several relevant actions identified within the 2020 Vision Action Plan, including connecting to regional trail systems; parks, trails and facilities connected to transit lines; connecting trails to places where people live and work; being a leader in responding to climate change; and providing trails for different activities, abilities and uses. This community support led to WSTB's initial planning phase in 2020-2021, during which THPRD staff held two property and agency stakeholder meetings, a virtual community meeting, and an online survey. Staff presented to the Washington County Community Participation Organization (CPO) 1 and the City of Beaverton Bicycle Advisory Committee. A "Love Your Trails" event with information about the proposed project and opportunities to provide feedback was held on February 27, 2021, at Pioneer Park, located just south of the trail entrance to WSTB. THPRD also had a tour with local and regional elected officials, conducted two meetings with public and private property stakeholders, and collaborated on the bridge's design with Metro, ODOT, Washington County, and City of Beaverton. A second online survey sought public input on potential design elements for the bridge. In total, THPRD engaged over 250 people through engagement surveys and events. From this effort, a preferred bridge alignment, cost estimate, and federal permitting analysis were developed.

Action Requested

Board of Directors' approval of Resolution No. 2024-19 to apply for Regional Flexible Fund Allocation, Step 2 (RFFA) program funds for the construction of the Westside Trail Pedestrian and Bicycle Bridge.

RESOLUTION NO. 2024-19

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
TUALATIN HILLS PARK & RECREATION DISTRICT
AUTHORIZING APPLICATION TO METRO'S 2028-2030
REGIONAL FLEXIBLE FUND ALLOCATION, STEP 2 PROGRAM
FOR WESTSIDE TRAIL PEDESTRIAN AND BICYCLE BRIDGE**

WHEREAS, federal funds are available through the Federal Highway Administration and administered by Metro and the Oregon Department of Transportation for the Regional Flexible Fund Allocation, Step 2 Program for federal fiscal years 2028-2030 for transportation projects; and

WHEREAS, the Tualatin Hills Park & Recreation District (THPRD) is a local government agency/special service district that is eligible to receive said federal funds; and

WHEREAS, construction of the Westside Trail Pedestrian and Bicycle Bridge (a regional trail) that will cross over U.S. Highway 26 is a high priority project that would meet local needs identified in THPRD's Comprehensive Plan and its Trails Functional Plan; the City of Beaverton's Transportation Plan; Washington County's Transportation Plan; Metro's 2035 Regional Transportation Plan and its Trails and Greenways Plan; the Oregon State Comprehensive Outdoor Recreation Plan (SCORP); and the Oregon Statewide Planning Goals and Objectives for recreation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TUALATIN HILLS PARK & RECREATION DISTRICT IN BEAVERTON, OREGON, AS FOLLOWS:

THPRD staff is authorized to submit an application to the Metro Regional Flexible Fund Allocations Program for assistance in funding the construction of the Westside Trail Pedestrian and Bicycle Bridge; and

THPRD will set aside funds through its budgeting process in FY 2025/26 in order to provide the local match requirements of approximately 10.27% of the total estimated project cost.

Approved by the Tualatin Hills Park & Recreation District Board of Directors on the 13th day of November 2024.

Barbie Minor, President

Alfredo Moreno, Secretary

ATTEST:

Jessica Collins, Recording Secretary



MEMORANDUM

DATE: October 28, 2024
TO: Doug Menke, General Manager
FROM: Jared Isaksen, Finance Director
RE: **Resolution Authorizing Issuance of Interfund Loan**

Introduction

The attached resolution authorizes the issuance of up to \$4,000,000 of a capital loan, in the form of an interfund loan from the System Development Charges (SDC) Fund to the General Fund, to fund the renovation/improvements of a facility and the related relocation expenses to said facility.

Background

The district is in need of funds to renovate/improve a facility and relocate operations to said facility. An interfund loan is recommended for this relative low amount of funds rather than seeking external financing, which would result in higher financing costs and require additional time for processing a loan application.

ORS 294.468 allows for an interfund capital loan with a term not to exceed 10 years. This allows us to borrow funds over a shorter-term limit from a pot of funds restricted to a specific purpose.

Proposal Request

Staff are requesting approval of the attached resolution which provides the authorization to execute an interfund loan to fund the renovation/improvements of a facility and the related relocation expenses to said facility. This resolution will authorize the general manager, or the finance director, as authorized officer, to initiate the interfund loan. The interest rate for the loan will be 3%.

Action Requested

Board of directors' approval of Resolution 2024-20 authorizing the execution of a capital interfund loan in an amount not to exceed \$4,000,000 from the SDC Fund to the General Fund.

RESOLUTION NO. 2024-20

Tualatin Hills Park & Recreation District, Oregon

A RESOLUTION OF TUALATIN HILLS PARK & RECREATION DISTRICT, WASHINGTON COUNTY, OREGON AUTHORIZING A CAPITAL INTERFUND LOAN IN AN AMOUNT NOT TO EXCEED \$4,000,000 FROM THE SYSTEM DEVELOPMENT CHARGES (SDC) FUND TO THE GENERAL FUND

WHEREAS, the Board of Directors of Tualatin Hills Park & Recreation District, Washington County, Oregon (the "district") finds:

A. The district is authorized pursuant to Oregon Revised Statutes ("ORS") Section 294.468, to enter into an interfund capital loan from one district fund to another provided (1) the money loaned shall be budgeted and repaid to the fund from which the money was borrowed over a term not to exceed 10 years, and (2) the interfund loan shall not be made from any debt service funds, debt service reserve funds or moneys credited to any fund when, under applicable constitutional provisions, the moneys are restricted to specific uses unless the purpose for which the loan is to be made is a use allowed under such constitutional provisions; and

B. ORS 294.468 requires an ordinance or resolution of the Board authorizing the interfund loan; and

C. After due consideration, it is in the best interest of the district to authorize an interfund loan to fund the renovation/improvements of a facility and the related relocation expenses to said facility.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF TUALATIN HILLS PARK & RECREATION DISTRICT, WASHINGTON COUNTY, OREGON RESOLVES AS FOLLOWS:

1. Authorization. The Board hereby authorizes an interfund loan in the maximum principal amount of \$4,000,000 to provide funds to renovation/improvements of a facility and the related relocation expenses to said facility. The loan shall be made from the SDC Fund to the General Fund. The loan is a capital loan and, pursuant to ORS 294.468(2)(b), the loan shall be budgeted and repaid from the General Fund to the SDC Fund over a 10-year period. The loan shall bear interest rate equal to 3%. Interest shall accrue based on the end of day balance of the account times the rate for that day, divided by the number of days in the year. Accrued interest shall be distributed on the last day of the month and shall include interest accrued for the last day of the month.
2. Repayment. Refer to Exhibit A attached.

3. Authorized Representative. The General Manager or the Finance Director (each an "Authorized Representative") is authorized to take necessary action and execute and deliver any necessary or desirable agreements, certificates or other documents to accomplish the interfund loan. The Authorized Representative may determine the final amount and repayment schedule of the interfund loan, subject to the limitations in the previous sections hereof and ORS 294.468.
4. This resolution shall take effect immediately upon its adoption by the Board of Directors.

ADOPTED by the Board of Directors of Tualatin Hills Park & Recreation District, Washington County, Oregon at a meeting this 13th day of November 2024.

TUALATIN HILLS PARK & RECREATION
DISTRICT
WASHINGTON COUNTY, OREGON

By: _____
Barbie Minor, President

By: _____
Alfredo Moreno, Secretary

ATTEST:

By: _____
Jessica Collins, Recording Secretary

Proposed Interfund Loan Repayment Schedule

Amount	\$ 4,000,000
Interest Rate	3%
Number of Years	10

<u>Period Ending</u>	<u>Principal</u>	<u>Interest</u>	<u>Outstanding</u>
6/30/2025			4,000,000
6/30/2026	266,138	120,000	3,733,862
6/30/2027	272,126	112,016	3,461,736
6/30/2028	275,678	103,852	3,186,058
6/30/2029	323,325	95,582	2,862,733
6/30/2030	339,960	85,882	2,522,773
6/30/2031	367,597	75,683	2,155,176
6/30/2032	495,245	64,655	1,659,931
6/30/2033	511,152	49,798	1,148,779
6/30/2034	532,987	34,463	615,792
6/30/2035	615,792	18,474	-
	<u>4,000,000</u>	<u>760,405</u>	



MEMORANDUM

DATE: October 16, 2024
TO: Doug Menke, General Manager
FROM: Aisha Panas, Deputy General Manager
RE **Resolution Approving Service District Initiated Annexation**

Introduction

Staff are seeking board of directors' approval for the Service District Initiated Annexation Resolution No. 2024-21 which approves the actual applications for annexation to the district. With board approval, staff will submit the annexation application packet to Washington County for processing.

Background

Oregon Revised Statute (ORS) section 198.850(3) authorizes initiation of annexation into a special district by resolution of the district's board of directors. In accordance with Washington County Comprehensive Plan Policy 15(h), annexations to special service districts are consistent with the Washington County Comprehensive Plan if they are:

- Consistent with an urban service agreement; or
- Where no urban service agreement applies, the service district is designated a party in a cooperative agreement adopted pursuant to ORS 195.020 and the district has a master plan for the area.

Washington County Comprehensive Plan Policy 15(q) identifies the district as the park provider for unincorporated areas of Washington County lying between the Hillsboro, Tigard and Portland Urban Service Boundaries, excluding properties outside of THPRD that were added to the Regional Urban Growth Boundary after 2001; or north of NW Springville Road. The properties proposed to be annexed are within the unincorporated area of the county and subject to the county and district's Comprehensive Plans.

In 2005, the district began a Service District Initiated Annexation (SDIA) program. This program was once referred to as the Voluntary Annexation Program (VAP), as annexation pursuant to this program is voluntary, not compulsory. The SDIA program is offered to all property owners in the district's ultimate service boundary whose property is not currently within the district. The district has offered the program thirteen times. As shown in Table 1, over the almost twenty years that the SDIA program has been available, 377 properties have been annexed into the district. As shown in the chart, the program was initially offered annually, but due to declining application rates the district has opted since 2014 to offer it biennially.

Table 1: Annexation History

Year	# of Properties Annexed
2005	128
2006	23
2007	47
2008	23
2009	22
2010	25
2011	13
2012	25
2013	14
2014	18
2016	10
2018	18
2020	6
2022	5
Total	377

In the past, staff would kick-off the SDIA program by sending informational brochures inviting all out-of-district residential property owners whose properties are within THPRD’s ultimate service boundary to annex into the district; however, recognizing the increased financial strain facing many area families, THPRD implemented a revised approach beginning in 2020. THPRD continued employing this revised approach in 2024, releasing an interest survey via the program’s website and providing digital annexation brochures to only those homeowners who expressed interest in annexation. Six annexation brochures were extended to interested property owners from within the district’s ultimate service boundary and four property owners elected to move forward with the annexation process. The 2024 annexation process will add four tax lots and an additional 0.61 acres to THPRD’s in-district service area (see Exhibits 1 & 2 to the Resolution).

The main benefit of the SDIA program to property owners is the offer by the district to pay for all the annexation fees and mapping services assessed by Washington County and other agencies. Additionally, the program incentivizes annexation by offering a \$500 credit to match the first \$500 that members of a newly annexed household spend on district programs. The resulting benefit to property owners is the opportunity to receive "in-district" benefits, including:

- Priority registration for classes and programs;
- The lowest rates for classes and programs;
- Eligibility to serve on district advisory committees; and
- Voting eligibility in district elections.

Consistent with practices from recent program years, staff will be developing the annexation land use application in-house without the aid of a consultant. Staff have started preparing the necessary documents and applications to submit, with the board of directors’ approved resolution, to Washington County.

Proposal Request

Staff are requesting board of directors’ approval of the Service District Initiated Annexation Resolution No. 2024-21 approving the annexation of four new properties into the district. With board approval, staff will work to submit the annexation land use application packet to Washington County for processing.

Outcomes of Proposal

This proposal will add a total of four new properties and 0.61 acres of land to the district. All of these properties will yield additional tax-based revenue. These properties have a combined assessed value of \$1.75 million and are expected to contribute approximately \$2,285 in permanent operating revenue, \$484 in 2008 bond revenue, and \$874 in local option levy revenue annually. Approximately \$5,990 in fees are associated with the land use application process and issuing credit vouchers; these fees will be recouped in approximately one year and eight months from the increase in tax revenue generated from the annexing properties.

Public Engagement

The 2024 SDIA program had limited advertisement on the district's website. Outreach was conducted between September 2022 and August 2024 by releasing an online survey where interested homeowners could sign up to be invited to annex at the start of the 2024 SDIA program. At the 2024 SDIA program kick-off in August, digital annexation brochures were sent directly to those six homeowners who expressed interest in annexation via the program's online survey. The application period closed on September 30, 2024, and the last day to withdraw a previously submitted application expired on October 18, 2024. Four annexation applications were returned to district staff from four of the six property owners who expressed interest in annexation and none of those four property owners elected to withdraw their application.

Action Requested

Board of directors' approval of the Service District Initiated Annexation Resolution No. 2024-21 approving the annexation of four new properties into the district.

RESOLUTION NO. 2024-21

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE TUALATIN HILLS PARK & RECREATION DISTRICT
APPROVING PETITIONS FOR ANNEXATION TO THE DISTRICT**

WHEREAS, ORS 198.850(3) authorizes the Board of Directors (“Board”) of the Tualatin Hills Park & Recreation District (“District”) to initiate the annexation of property to the district by Resolution; and

WHEREAS, the Board directed staff to review the District boundaries and determine whether there are property owners who wish to request having their property annexed into the District; and

WHEREAS, several property owners responded favorably and signed petitions to annex their properties into the District, for which petitions are on file in the district administrative offices; and

WHEREAS, the properties proposed for annexation are listed on Exhibit 1 and the locations shown on Exhibit 2 to this Resolution; and

WHEREAS, ORS 198.850 provides that the annexations must be approved by the District Board and then forwarded to Washington County (“County”) for approval by the County Board of Commissioners; and

WHEREAS, the Board finds that the proposed annexations comply with the District Comprehensive Plan, the Washington County Comprehensive Plan, and intergovernmental service and cooperation agreements as required by ORS 198.850(3); and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE
TUALATIN HILLS PARK & RECREATION DISTRICT IN BEAVERTON, OREGON,
AS FOLLOWS:**

Section 1. The proposed annexation of the properties listed on Exhibit 1 and depicted on Exhibit 2 is hereby approved.

Section 2. District staff is hereby authorized and directed to submit this Resolution together with Exhibits 1 and 2 and the signed annexation petitions to Washington County for approval by the County in accordance with ORS 198.857.

Section 3. The proposed annexation is supported by signed petitions from all the owners of all land in the territory proposed to be annexed as required by ORS 198.857, and therefore an election is not required prior to annexation of the affected properties to the district. The District Board requests that the Washington County Board of Commissioners approve the annexation following a public hearing and declare the affected properties annexed to the district.

Section 4. This Resolution shall be effective immediately upon its adoption by the board.

RESOLUTION NO. 2024-21

Adopted by the Tualatin Hills Park & Recreation Board of Directors on the 13th day of November 2024.

TUALATIN HILLS PARK & RECREATION
DISTRICT

Barbie Minor, Board President

Alfredo Moreno, Board Secretary

Adoption and date attested by:

Jessica Collins, Recording Secretary



2024 Tualatin Hills Park & Recreation District Service District Initiated Annexation

EXHIBIT 1

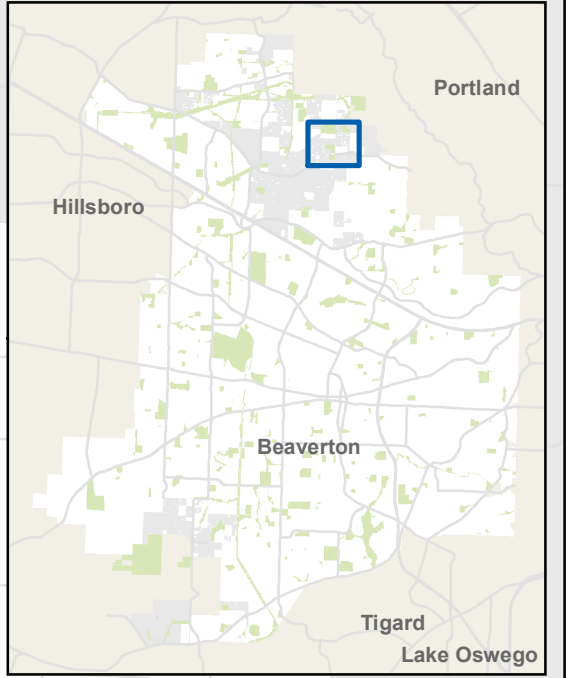
	Owner	Taxlot ID	Tax Parcel #	Legal	Assessed Value*	Acres	Site Address	City	State	Zip
1	Lakkavalli, Shashidhar Living Trust (Shashidhar Lakkavalli Trustee)	1N121DA07500	R2122229	BAUER HIGHLANDS NO.3 Lot - 259	\$ 359,260	0.10	4581 NW 125TH AVE	PORTLAND	OR	97229
2	Vishal Manoj Sanghvi & Nehal Vishal Sanghvi	1N121CD19300	R2129116	CASCADIAN HEIGHTS NO.3 Lot - 172	\$ 554,380	0.13	13582 NW HOGAN ST	PORTLAND	OR	97229
3	Sinha Datta Living Trust (Kokonad Sinha & Roopradha Datta Trustees)	1N121CD12300	R2125305	CASCADIAN HEIGHTS NO.2 Lot - 112	\$ 469,970	0.10	13796 NW TREVINO ST	PORTLAND	OR	97229
4	Harvey Roger Fletcher & Victoria Leca	1S130BB09600	R2020352	VALLEY VIEW ESTATES Lot - 15	\$ 364,500	0.28	8218 SW 181ST AVE	BEAVERTON	OR	97007

*Assessed Value based on Washington County tax lot GIS data and was confirmed by Washington County Department of Assessment & Taxation staff

\$ 1,748,110 0.61

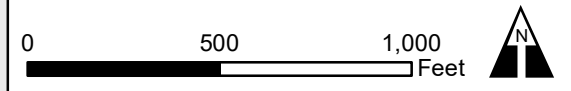
SERVICE DISTRICT INITIATED ANNEXATION

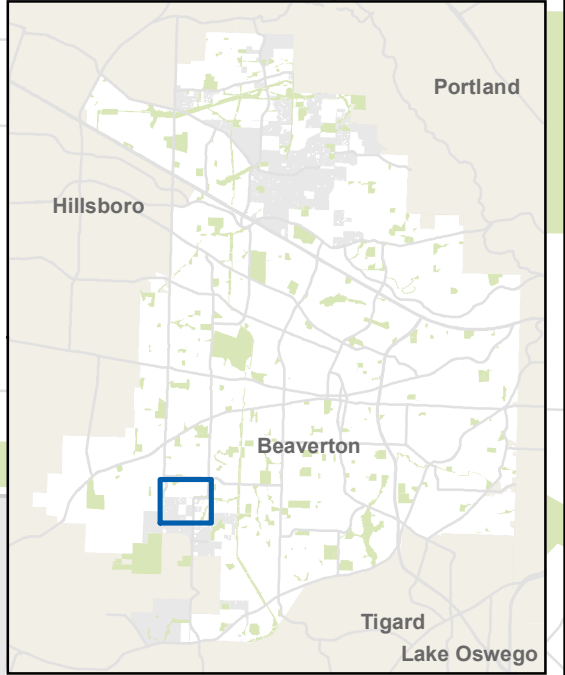
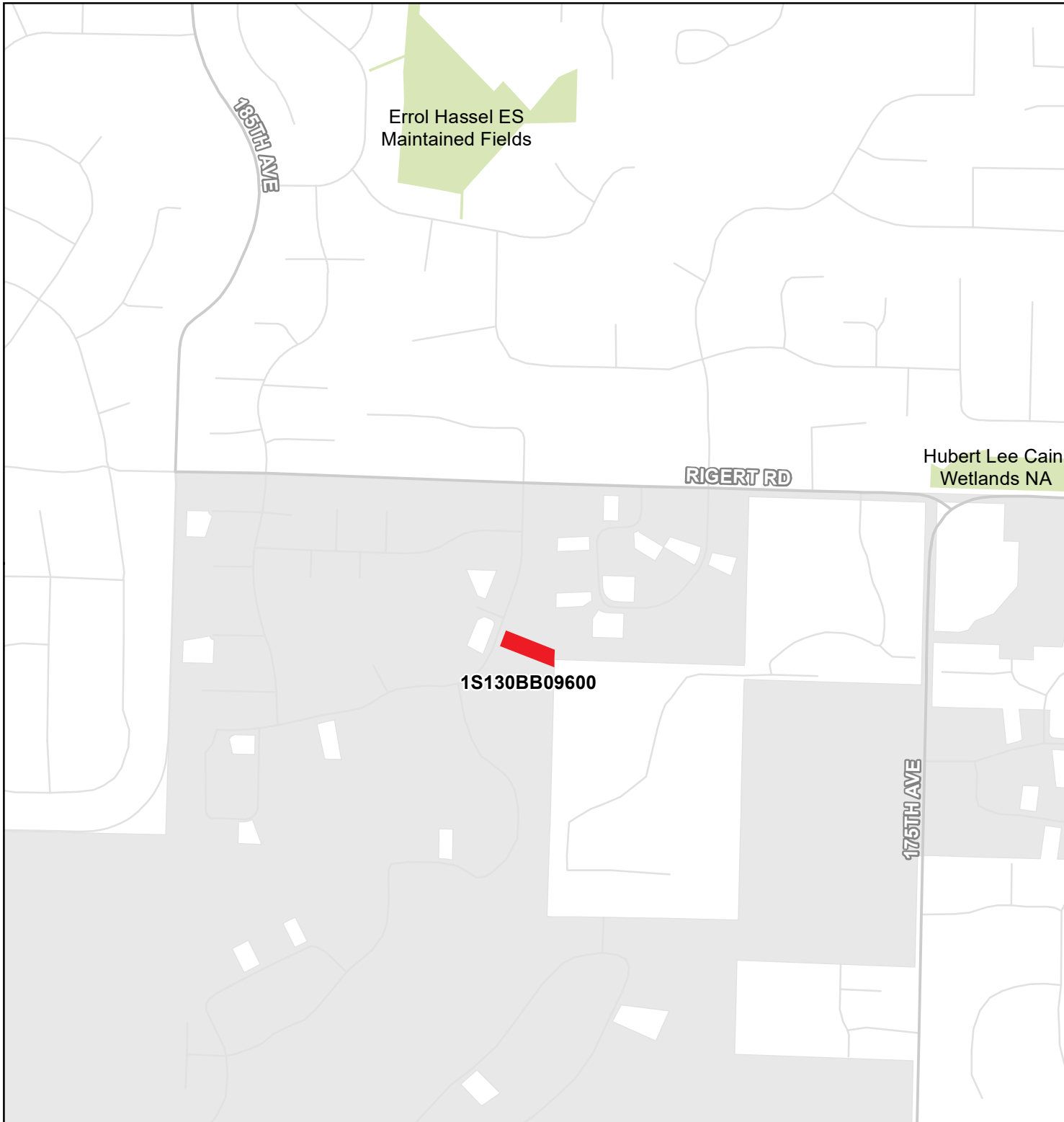
Tualatin Hills Park & Recreation District Annexation Map - Page 1



LEGEND

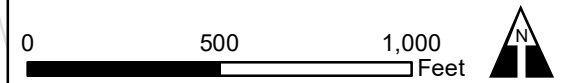
-  Annexing Properties
-  THPRD Owned/Maintained Properties
-  In-district Area
-  Ultimate Service Area





LEGEND

- Annexing Properties
- THPRD Owned/Maintained Properties
- In-district Area
- Ultimate Service Area





MEMORANDUM

DATE: November 4, 2024
TO: Board of Directors
FROM: Doug Menke, General Manager
RE: **General Manager's Report**

THPRD Staff Updates Following National and State Park and Recreation Conferences

Several staff members attended the National Recreation and Park Association and Oregon Recreation & Park Association annual conferences in October 2024. During the November 13, 2024 board of directors meeting, Deputy General Manager Aisha Panas will provide highlights from staff sessions presented at both conferences. Recreation & Aquatic Director Sabrina Taylor Schmitt and Sports & Inclusion Director Julie Rocha will also share information regarding acknowledgments and awards presented to THPRD staff during the state conference.

Diversify Internship Program Recap

Myles Hamlett, fitness program aide II; McKenzie Miller, administrative specialist; and Salma Solano-Ramirez, Diversify program support, will present an overview of the Diversify Internship Program, highlighting its goals, intern projects, and overall impact.