

**REGIONAL RURAL REVITALIZATION  
Board Meeting  
Thursday, May 25, 2023**

**City of Burns Council Chambers  
242 S Broadway Burns, Oregon 97720**

**6:00 P.M.**

**THE PUBLIC IS WELCOME AND ENCOURAGED TO JOIN THE MEETING  
VIRTUALLY VIA ZOOM**

Members of the public and media wishing to address the board of directors during any public comment period will be able to join the webinar as an “attendee.” Attendees will be able to view the webinar on a desktop, laptop or mobile device such as a smartphone or iPad by using the following link:

<https://us02web.zoom.us/j/9020143459> Meeting ID: 902 014 3459

- 1. OPEN AND ROLL CALL**
- 2. APPEARANCE OF INTERESTED CITIZENS**

Members of the public desiring to address the board shall first be recognized by the presiding officer and then state their name and address for the record. Unless otherwise designated by the presiding officer, each person shall have up to three (3) minutes to present their comments. The board of directors and staff normally will not directly respond to a public comment during the public comment period. Board and staff member comments will be held until the Board comment period.

- 3. CONSENT AGENDA**

Information concerning matters listed in the Consent Agenda has been distributed to each board member for reading and study, is routine, or will be enacted or approved by one motion of the council without separate discussion. If separate discussion is desired concerning a particular matter listed in the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request of any board member.

Attachments:

- None

**NEW BUSINESS**

- 4. IGA AMENDMENT REQUEST & BYLAWS**

Attachments:

- Amended and restated intergovernmental agreement with bylaws (redlined)

**5. AGENCY ORGANIZING DOCUMENTS & FINANCES**

Attachments:

- Amended and restated intergovernmental agreement with bylaws (redlined)

**WORK SESSION TOPICS**

**6. PUBLIC CONTRACTING RULES**

Attachments:

- None

**7. RECORDS, PUBLIC REPORTS, AND MEETINGS**

Attachments:

- None

**8. ADMINISTRATIVE STAFF**

Attachments:

- None

**9. ANTICIPATED PROJECTS**

Attachments:

- Schedule 5.2.1 – Initial Projects

**10. FY23-24 OPERATING BUDGET**

Attachments:

- None

**PRIOR BUSINESS // CONTINUED MATTERS**

**11. BIANNUAL REQUEST FOR QUALIFICATIONS**

Attachments:

- RFQ 2023-01

**GENERAL DISCUSSION AND UPCOMING MEETINGS // TOPICS**

**12. BOARD COMMENTS AND UPCOMING MEETINGS**

Attachments:

- None

**SUBJECT: AGENDA ITEM NO. 3 – CONSENT AGENDA**

Attachment(s)

- None

**BACKGROUND**

No items on the consent agenda.

**RECOMMENDED MOTION**

N/A

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**Consent Agenda Item A:** None.

**Recommendation:** None.

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**SUBJECT: AGENDA ITEM NO. 4 – IGA AMENDMENT REQUEST & BYLAWS**  
Attachment(s)

- Amended and restated intergovernmental agreement with bylaws

## **BACKGROUND**

John Day and Baker City are requesting to join R3 as standing members.

Jeremy Green, attorney for the City of John Day, will review the revised proposals with the board. A redlined copy of the proposed changes is included in the board packet.

## **NEXT STEPS**

Review the proposed amendments and discuss whether to accept / reject / or forward the recommended changes to the founding parties city councils for their review and consideration.

**SUBJECT: AGENDA ITEM NO. 5 – AGENCY ORGANIZING DOCUMENTS & FINANCES**  
Attachment(s)

- Secretary of State Certification Letter
- EIN Number

## **BACKGROUND**

R3 has received its certification letter from the Secretary of State. R3's certification number is **AG 2023-0005**.

The agency's Employer Identification Number (EIN) is **92-4026026**.

## **DISCUSSION**

These are the documents needed receive funding from the state and federal grants. They are also the documents needed to establish a bank account for the funding.

Bank of Eastern Oregon and First Community Credit Union both maintain branches in John Day, Lakeview, and Burns. Either would work.

## **NEXT STEPS**

The board should decide where they would like to bank and make a motion authorizing one of the representatives or city managers to establish an account.

## WORK SESSION TOPICS

**Public Contracting Rules.** R3 anticipates receiving funds from state and federal sources, including funding provided by the Department of Administrative Services (DAS) through HB3138. The Board should adopt public contracting rules and procedures that include compliance with the DAS personal services requirements. These public contracting rules will guide the expenditures of R3's funding. They will act as a reference guide for the Board to follow when procuring goods and services by establishing the methods for procurement, dollar thresholds for various selection procedures, and procurement authorities delegated to staff versus those reserved for the board of directors. This is discussed further on Agenda Item 9.

**Records Retention and Public Records Requests.** ORS 192 defines the statutory requirements for all public agencies in Oregon concerning records, public reports, and meetings. The Board should maintain a written policy that sets forth the Consortium's use, retention, and ownership of public records. The policy should ensure that public records are being maintained and managed consistently within the Consortium from the time of creating a public record to the time of final disposition. The Consortium will also need to adopt a public records request policy and establish a fee schedule for responding to records requests. The Consortium should also consider creating a website for public information related to R3. This is discussed further in Agenda Item 10.

**Administrative Staff.** The board of directors has the authority to hire or contract with a Managing Director (Section 4 and Schedule 4.2.2). The Consortium may also elect to employ additional administrative staff or contract with one of its member cities or an independent agency for these services. Whether the Board chooses to employ staff or contract for services will determine whether additional administrative items are needed, such as an employee handbook. This topic is discussed further on Agenda Item 11.

**Anticipated Projects.** The IGA includes anticipated projects from each founding party. The Board will need to determine a standard method for evaluating its investments in these projects. These projects are discussed in Agenda Item 12.

**Operating Budget.** The fiscal year for the Consortium is July 1 through June 30. The Consortium is not required to adopt an operating budget for its first fiscal year (FY23-24). However, the structure of the budget and anticipated costs and revenues can be developed and implemented prior to the start of the new fiscal year. A proposed budget structure is discussed in Agenda Item 13.

**SUBJECT: AGENDA ITEM NO. 6 – PUBLIC CONTRACTING RULES**

Attachment(s)

- None

**BACKGROUND**

Per IGA Section 4.1, the Consortium’s managing director may enter into contracts subject to and in accordance with the IGA, Laws (defined in the IGA) and all Board policies (including, without limitation, all applicable public contracting rules and procedures).

R3 anticipates receiving funds from state and federal sources, including funding to be provided by the Department of Administrative Services (DAS) through HB3138. The Board should adopt a public contracting rules and procedures that include compliance with the DAS personal services requirements.

These public contracting rules will guide the expenditures of R3’s funding and will act as a reference guide for the board to follow when procuring goods and services by establishing the methods for procurement, dollar thresholds for various selection procedures, and procurement authorities delegated to staff versus those reserved for the board of directors.

**DISCUSSION**

A contracting agency may adopt its own rules of procedure per ORS 279A.065(6) by prescribing the rules of procedure the agency will use. Alternatively, the agency will be subject to the model rules adopted by the Attorney General, as defined in ORS 279A.070.

A local contract review board by ordinance, resolution, administrative rule or other regulation may also designate certain service contracts or classes of service contracts as personal services per ORS 279A.055.

**NEXT STEPS**

Draft public contracting rules for future review and approval.

**SUBJECT: AGENDA ITEM NO. 7 – RECORDS, PUBLIC REPORTS, AND MEETINGS**

Attachment(s)

- None

**BACKGROUND**

ORS 192 defines the statutory requirements for all public agencies in Oregon concerning records, public reports, and meetings. The board should maintain the following:

- A written policy that sets forth the Consortium’s use, retention and ownership of public records.
- A written records request policy and fee schedule for responding to records requests.
- Meeting procedures (optional)
- Website (optional)

**DISCUSSION**

**Records retention policy.** The Consortium should have a written policy to ensure that public records are being maintained and managed consistently from the time of creating a public record to the time of final disposition.

**Records request policy.** The Consortium must adopt a public records request policy and establish a fee schedule for responding to records requests.

**Meetings procedures.** The Consortium can adopt specific meeting procedures.

**Agency website.** The Consortium should consider creating a website for public information related to R3. As a government agency, the Consortium can use the dot.gov domain registry (i.e., [www.R3.gov](http://www.R3.gov)). The .gov is the top-level domain for US-based government organizations and is the recommended domain. This domain can be registered at <https://domains.dotgov.gov/dotgov-web/>.

**NEXT STEPS**

Discuss the records, public reports, meetings, and website policies and make appropriate motions.



**SUBJECT: AGENDA ITEM NO. 8 – ADMINISTRATIVE STAFF**

Attachment(s)

- None

**BACKGROUND**

The board has the authority to hire or contract with a Managing Director (Section 4 and Schedule 4.2.2).

The Consortium may also elect to employ additional administrative staff, or may contract with one of its member cities or an independent agency for these services.

Whether the board chooses to employ staff or contract for services will determine whether additional administrative items are needed, such as an employee handbook.

**DISCUSSION**

**Managing Director.** IGA Section 3.3.2 states “the Board will (a) recruit and select a Managing Director; (b) establish a job description, salary, and budget for the Managing Director; (c) receive and review reports from the Managing Director concerning the Consortium’s Projects and ancillary operations and duties; (d) approve expenditures for Consortium assets for the benefit of all Parties; and (e) prepare and provide each Party with a monthly financial report consisting of an accounting of Consortium funds.” Section 4 and Schedule 4.2.2 define the roles and responsibilities of the Managing Director in relation to the board. The board has the option of contracting for services (through a personal services agreement) or publishing a job description, salary, and other position information consistent with the IGA.

**Additional Staff.** The Board’s decision relative to the Managing Director will likely determine whether additional staff are hired or contracted for services. Per the [Bureau of Labor and Industries website](#), “Generally, workers who are economically dependent on a business are employees, whereas workers who operate their own businesses are independent contractors. A worker’s status as either an employee or independent contractor is determined by the reality of the work relationship, not a label or title given to a worker.”

BOLI uses the “economic realities” test to determine whether there is an employment relationship for purposes of wage and hour law, and the “right-to-control” test to determine whether a given worker is an employee or an independent contractor for purposes of civil rights law.

Key roles the R3 Consortium will need to consider as part of the agency’s services include:

- **General administration** (i.e., Accounts Receivable/Accounts Payable services, records maintenance, etc.)
- **Financial Accounting** (i.e., Budgeting, Financial Reporting, Payroll, Grant/Loan Administration, etc.)
- **Auditing**
- **Legal services**
- **IT Services**

**NEXT STEPS**

The Board should discuss the roles and responsibilities of anticipated staff or contractors within the Consortium’s operations, and how best to meet R3’s staffing needs.

**SUBJECT: AGENDA ITEM NO. 9 – ANTICIPATED PROJECTS**

Attachment(s)

- Schedule 5.2.1 – Initial Projects

**BACKGROUND**

The IGA includes anticipated projects from each founding party (enclosed).

The Board will need to determine a standard method for evaluating its investments in these and other projects funded through the DAS grant under House Bill 3138.

The Consortium has also been asked to oversee a congressionally directed spending request for the City of Mitchell, discussed below.

**DISCUSSION**

**Burns Projects.** Listed in the attached.

**Lakeview Projects.** Listed in the attached.

**John Day Projects.** Listed in the attached.

**Mitchell Project.** Mitchell requested assistance for a land exchange with the federal government to provide them with approximately 600 acres of land adjacent to their city limits. This land would be restricted for use in promoting their recreation economy. The project was submitted to the Senate as an FY24 Congressionally Directed Spending Request and would be funded by that source if awarded.

**Baker Area Projects.** Baker City’s council reviewed the R3 organizing documents during a work session held on Wednesday, April 25. They may be interested in continuing the conversation as a potential participant.

There are several projects in the Baker City area that could benefit from R3’s assistance under HB3138. Specifically, there is a proposal to convert an existing multifamily housing development into supportive housing. Supportive housing provides tenants with access to services voluntarily; requires rental payments of no more than 30% of the tenants income, and allows them to living in the supportive housing for as long as they meet obligations like paying rent. These services ensure that tenants receive private and secure accommodations while assisting them with other needed services (provided separately).

New Directions Northwest, Inc. in Baker City is requesting assistance to acquire a site that will be made available for their direct purchase. The site would provide accommodation for up to 12 families from our region at a time. Most of our communities have very few support services that provide adequate housing while also ensuring access to a professional level of services to help them get back on their feet. This project site is located on land already zoned for group living and used for that purpose today. There is no change in land use, which negatively impacts other projects of this type. It could also be restricted to people in our R3 service area to avoid importing people from outside our region and can be available for occupancy within 90 days.

**SUBJECT: AGENDA ITEM NO. 10. FY23-24 OPERATING BUDGET**

Attachment(s)

- None

**BACKGROUND**

The fiscal year for the Consortium is July 1 through June 30. The Consortium is not required to adopt an operating budget for its first fiscal year (FY23-24). However, the structure of the budget and anticipated costs and revenues can be developed and implemented before the start of the new fiscal year.

**NEXT STEPS**

Develop a budget template and approach for managing and accounting for costs and revenues associated with each Project as well as the Consortium's general operations.

**PRIOR BUSINESS // CONTINUED MATTERS**

**AGENDA ITEM NO. 11. BIENNIAL REQUEST FOR QUALIFICATIONS**

Attachment(s)

- None

**BACKGROUND**

The board directed Jeremy Green to prepare the biennial RFQ for publication.

**NEXT STEPS**

Follow up on status of publication.

**RECOMMENDED MOTION**

N/A

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**Prior Business Agenda Item A:** None.

**Recommendation:** None.

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**SUBJECT: AGENDA ITEM NO. 12 – BOARD COMMENTS & UPCOMING MEETINGS**

Attachment(s)

- None

**BACKGROUND**

Board members may discuss topics of their choosing or suggest future agenda items.

**UPCOMING MEETINGS**

The Board should discuss when to hold their next meeting. We may want to hold a monthly board meeting, with monthly work sessions alternating, to make the board meetings more productive.

An example schedule is below with meetings held on Thursdays.

**June 8** – Board Meeting

**June 22 or 29** – Work Session

**July 13** – Board Meeting