

SUBJECT: AGENDA ITEM NO. 4 – MANAGING DIRECTOR RECRUITMENT

Attachment(s)

- Draft Solicitation

BACKGROUND

This item discusses options for and method of solicitation for the managing director role.

Please note that Baker City must complete its third reading of its ordinance, scheduled for August 8, before their ordinance takes effect. We will file the first amended and restated agreement following their third reading.

DISCUSSION

Chad Jacobs, the board's legal counsel, will discuss the recruitment and solicitation process with the board.

NEXT STEPS

Determine the method of recruitment and authorize the board attorney to begin the recruitment process.

AGENDA ITEM NO. 5 – PUBLIC CONTRACTING RULES

Attachment(s)

- None

BACKGROUND

Board will discuss public contracting rules with board attorney and members.

DISCUSSION

As an entity formed under ORS Chapter 190, R3 is required to adhere to the state's public contracting rules. *See, generally*, ORS 279A.050. Local contracting agencies are permitted by state law to adopt their own individualized local contracting rules, to address various issues such as personal services agreements. Mr. Jacobs will seek guidance from the Board regarding its desire to have local contracting rules drafted for the Board's consideration and adoption.

RECOMMENDED MOTION

[Only if needed]

AGENDA ITEM NO. 6– IGA/BYLAWS AMENDMENT

Attachment(s)

- IGA Exhibit A. Bylaws

BACKGROUND

Baker City’s council has requested an amendment to the bylaws to allow non-elected officials to serve as board members. Baker City’s council wishes to appoint a member of its planning commission to serve as R3’s board member.

Section 2.2 “Membership” of the Bylaws states “the governing body of each Party will appoint one of its elected officials to serve on the Board (each a “Standing Member”). The then-appointed Standing Members will appoint one person to serve on the Board (the “At-Large Position”).”

Section 3.1(a) of the Restated IGA also requires that each party must appoint one of its “elected officials” to serve on the Board.

DISCUSSION

Because the IGA requires that each party must appoint an elected official to the Board, a member of a city’s planning commission would not be eligible (unless of course the planning commission was an elected position).

Section 2.1 of the Intergovernmental Agreement (IGA) authorizes the board of directors to make changes to its bylaws.

Section 3.2.4 of the IGA requires the consent (approval) of all Standing Members (i.e., unanimous consent) is necessary to decide the following questions and/or actions taken before the Board: (a) admitting new or substitute Consortium members; (b) merging Consortium with any other entity; and/or (c) amendments or restatements of this Agreement and/or the Bylaws.

If there is unanimous agreement to amend the IGA and the bylaws by all standing members, they may be changed with the filing of the second amended and restated agreement before it is filed to include this adjustment.

RECOMMENDED MOTION

[Motion for or against] amending Section 3.1(a) of the IGA and 2.2 of the Bylaws to allow non-elected official to be appointed as board members.