

WOODBURN FIRE DISTRICT

BOARD POLICIES

2026

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INTRODUCTION

This Fire District Board Policy Manual is intended to be a framework to aid the Fire District Board of Directors in the process of decision making.

A policy in the context of this document consists of a statement or statements adopted by the Fire District Board defining a definite course or method of action, the purpose of which is to guide and determine present and future actions of persons taking part in the activities of the Fire District.

The language in this policy manual is directed toward rural fire protection districts as they are customarily organized under Oregon Law. Definitions of terms included in the first section are selected to reflect this orientation and whenever possible are chosen to be consistent with Oregon Revised Statutes and State Fire Marshal regulations.

A policy manual is a guidance document and is not intended to replace the law although, in some cases, policies may interpret the statutes and tailor their requirements to the specific needs of a particular district. Every attempt has been made to make these policies consistent with Oregon Law but users should be reminded that the law will take precedent over these or other policies. Before taking any board action in area specifically covered by statutes and relies on the advice of an attorney familiar with special districts.

Policymaking is probably the most important responsibility of a district director. At a minimum, every fire district should adopt the major policies that guide the operation of a fire district.

The language of this policy manual is purposely directed toward fire district in general, with this in mind, it should be noted that:

The terms “District”, “Fire District”, or “Fire Protection District” will always refer to Woodburn Rural Fire Protection District #6.

The terms “Board Member”, “Board”, “District Board”, or “Fire District Board” will always refer to the Board of Directors of Woodburn Rural Fire Protection District #6.

The policies compiled in this guidebook represent the board member duties and responsibilities of Woodburn Rural Fire Protection District #6. Board member’s signature on the Acknowledgment and Agreement to Comply page of this manual (pg. 22) constitutes board member’s agreement to comply with the board policies and guidelines stated herein.

1.0 ADOPTING GOVERNMENT BY POLICY

The fire Board by policy shall carry out responsibilities delegated to it to represent the will of the people of the District in keeping with state and federal constitutes, statutes, rules, and regulation, the interpretations of the courts, and all the powers and responsibilities provided by them.

The Fire Board reserves to itself all authority and responsibility delegated to it unless otherwise assigned to the Fire Chief or others by law.

It shall be the policy of the District Board to recognize that one of its major functions is to serve as the policy making body of the Fire District and to govern the activities and shape the future of the Fire District.

The Board reserves for the Fire Chief and the professional staff the responsibility of day-to-day administration of the District in a manner consistent with the policies of the board.

No board member may interfere with or engage in district operations, including programs, maintenance, personnel management, administration, enforcement of facility rules, planning, training, or other daily operations and responsibilities of the Fire Chief.

2.0 THE BOARD

Woodburn Rural Fire Protection District #6 is defined in accordance with the provision of Oregon Statutes (ORS Chapter 478) and rules as appropriate. The Fire District includes territories lying in Marion County.

2.1 Election: The election of Fire Board Members shall be conducted as provided by ORS 255 and others (also in policy on filling vacancies).

2.2 Board Make Up: The Woodburn Fire District shall be comprised of 5 board members, who are duly elected public officials serving a term of 4-year staggering terms or have been appointed by the board to fill a vacant position.

No career or part-time employee or paid-on-call volunteer for the district shall serve as a director of the board.

Each board member is charged with serving the best interests of the district and will exercise and carry out the powers and authority granted by the Oregon Revised Statutes, including ORS Chapter 198 (generally Special Districts).

Each member shall be identified by position and assigned a Marion County Election number. Each board member shall serve an equal role on the board, and the board shall operate as a whole. Board members have no individual authority except that expressly delegated by the board.

2.3 Oath of Office. A newly elected Fire Board Member must qualify by taking the oath of office after their selection and before assuming the duties of the position.

Unless filling a vacancy on the Board, terms of Office shall start officially on July 1st.

No person elected or appointed by the Fire District shall be sworn in unless they are determined by the Fire Board as meeting the qualifications as set forth in ORS 478.050. If a question exists as to the eligibility of any candidate, the Board will obtain the opinion from legal counsel and resolve the issue prior to appointment.

It shall be the policy of the District board to delegate the Board President and/or the Fire Chief the responsibility to arrange for the appropriate orientation of newly selected Board Members.

2.4 Conduct. If a board member appears before another governmental agency or organization to give a statement on an issue relevant to the district, that member must state whether the statement reflects personal opinion, is the official position of the district, or both. Additionally, if the board member is representing the district, he or she must support and advocate for the official district position on the issue.

No Board member may speak, obligate or act on behalf of the Board or the District except as authorized to do so by Board action or policy.

Board members act as a representative of the citizens of the Fire District in maintaining and providing fire and emergency medical services. Board members move towards decisions and actions after interacting among themselves, with District employees, and citizens. The Board must carefully consider any decision and actions in order to best serve the needs of the District in light of available resources and often conflicting requests.

Members shall adhere to the *Board Member Code of Conduct, designed to guide their actions, in carrying out their responsibilities.*

Members should strive to adhere to the Board Member Code of Conduct

- Understand that they set policy.
- Refuse to make commitments on any matter which should properly come before the Board as a whole.
- Refuse to participate in secret meetings or other irregular meetings which are not official and which all members do not have the opportunity to attend.
- Recognize that a member has no legal status to act for the Board outside of official meetings.

- Respect the rights of the Fire District patrons to be heard at official meetings.
- Make decisions only after all available facts bearing on a question have been presented and discussed.
- Respect the opinion of others and accept the principle of “majority rule” in Board decisions.
- Recognize that the Fire Chief should have full administrative authority for properly discharging his duties and carrying out established Board policy.
- Recognize that the Fire Chief or designee is the technical advisor to the Board and should be present at all meetings of the Board.
- Refer all complaints or problems to the Fire Chief and discuss them at a regular meeting only after failure of an administrative solution.
- Present personal criticisms of any Fire District operation directly to the Fire Chief rather than to any lower ranking personnel.
- Insist that all business transactions be on an ethical and above-board basis.
- Refuse to use their position on the Board in any way, whatsoever for personal gain or personal prestige.
- Give respect and consideration to the members of the Fire District.

3.0 PROHIBITED ACTIONS

In representing the best interests of the district and its constituents, and in avoidance of pursuing individuals’ agendas, board members will refrain from:

- A. Disclosing confidential information or making use of special knowledge or information before it is made available to the general public.
- B. Promoting relatives, clients or employee for boards and commissions without making appropriate disclosures.
- C. Seeking employment of relatives with the district without making appropriate disclosures.

- D. Accepting a gift with a legislative or administrative interest in the district.
- E. Taking an action that benefits special interests groups at the expense of the whole district.
- F. Any other action or request for preferential treatment that places the interests of the board member, a board member's relative, associates, co-workers, clients or friends above the best interest of the district.

When met with an actual or potential conflict of interest as defined in ORS 244.020, the members of the board have a duty to announce publicly the nature of the conflict and follow the procedure set forth in ORS 244.120 et seq.

4.0 CONFIDENTIALITY

Board members will keep all written materials provided to them on matters of confidentiality under law in complete confidence to ensure that the district position is not compromised. No mention of the information read or heard should be made to anyone other than the board members, Fire Chief or legal counsel.

All public statements, information or media release relating to the confidential matter will be handled by the district manager, legal counsel or designated board member.

Unless required by law, no board member may make public the discussions or information obtained in executive session. The board may censure a board member who discloses confidential information or otherwise violates this policy.

4.1 Attendance. Board Members are encouraged to attend meetings, seminar, and training to enhance their knowledge in overseeing the operations of the Fire District. The Fire District shall cover actual and reasonable cost and expenses of the member necessarily incurred by the member in performing official duties, providing that such training and travel expense are approved in advance by the board.

4.2 Compensation. Director's compensation and reimbursement. It shall be a policy of the District Board that Directors shall not receive compensation for services as a Member of the Fire District Board. Members will be reimbursed for actual and reasonable expenses necessarily incurred on Fire District business when presented to and approved by a majority of Board Members and supported by appropriate documentation in accordance with generally accepted accounting procedures. Reimbursable expenses pertain only to the board member and do not include the spouse, children, other relatives or companions. Reimbursable expenses include:

- Transportation
- Lodging
- Meals
- Registration Fees for conferences, conventions and seminars, and
- Other actual and necessary expenses related to the official business of the board member as deemed appropriate.

Board members should exercise good judgment so as to avoid unnecessary district expenses and should not undertake any board business that will generate reimbursable expenses without the express approval of the board.

Board members will be reimbursed for eligible expenses upon completion of the relevant assignment, within a reasonable amount of time after submittal of documentation of expenses, Expense are subject to review by the board and, if deemed unreasonable may be declined for reimbursement.

4.3 Training. The Oregon Government Ethics Commission (OGEC) has oversight and authority to enforce public meetings and ethics laws pertaining to public officials. Per ORS 192.700 (Annual Training Requirements), members of the governing board of a public body having annual expenditures of \$1 million or greater are required to complete an OGEC-administered or approved public meetings law training at least once during their term of office. Available trainings, registration and further information can be found on the Commission’s website, www.oregon.gov/ogec.

4.4 Board Officers. Annually the Board of Directors shall elect a President, Vice President, and a Secretary/Treasurer from the members at its first regular meeting in July or at such a time as the existing officer (s) may resign from their office or vacate their membership on the board. Officers shall hold their office until the first regular meeting in July following or until their successors are elected.

4.5 President. Board President shall preside at board meetings. The president is charged with conducting meetings, preserving order and enforcing the rules of the board. He or she may call special meetings according to Oregon Public Meetings Law and shall sign official district documents on behalf of the board (when authorized to do so by a majority of the board. He or she shall have the right to offer motions and amendments and to vote on motions put before the Board for action. The President has the same right as the other members to move, second, debate, and vote. The President or designee of the President shall represent the board in deliberations with other Boards, Districts, or Agencies unless another member is nominated and elected by the majority of the Board Members. The President shall appoint all committees, subject to approval of a majority of the Board, call special meetings and perform all other duties prescribed by law or set forth in the Board’s policies and rules.

4.6 Vice-President. In the president's absence, the vice-president shall act as president pro tempore, and shall have the powers and duties of the president of the board as prescribed by district polices.

4.7 Secretary/Treasurer. The Secretary/Treasurer shall be responsible for ensuring that accurate minutes of board proceedings are kept, transcribed, and distributed to each board member in a timely manner as prescribed in ORS 192.620. The secretary will ensure that properly authenticated official minutes, are kept in chronological order and on file in the district's records permanently. Responsibilities associated with meeting minutes may be delegated to a staff member by majority vote of the board, but in such a case are still under the supervision and responsibility of the board secretary. In the absence of both the president and vice-president, the secretary may act as president pro tempore.

4.8 Clerk. The board may appoint a clerk, such as an Administrative Assistant, Finance Officer, or other individual designated by the board. The clerk will respond directly to routine correspondence and handle other correspondence of interest to the board as directed (this may include drafting correspondence or replies for board review). The clerk may be charged with preparing the board meeting agenda and drafting policy motions and maintaining and updating the district's policy and procedure manual. He or she should attend board meetings and may be charged with providing meeting notice and making physical meeting arrangements according to Public Meetings law.

4.9 Vacancies on the Board. It shall be the policy of the Board to declare a position on the District Board of Directors vacant upon the incumbent's death, resignation, recall from office, or by ceasing to possess the qualifications for the office; upon the failure of the person elected or appointed to the office to qualify therefore within ten (10) days after the time that the term of office commences.

In the event of any of the above circumstances the Board may, at its next regularly scheduled meeting, deliberate on the circumstances, declare the position to be vacant by a majority vote of the Board, and notify the County Clerk of its decision.

Filling vacancies in the Office of Director. It shall be the policy of the Board that any vacancy in the Office of Director will be filled through appointment by the majority of the Board as provided by ORS 198.320(1). If a majority of the Board is vacant or cannot agree the vacancy will be promptly referred to the County Court for their decision. (ORS198.320)

The newly elected Fire Board Member must qualify by taking an oath of office within thirty (30) days after their selection and before assuming the duties of the position.

Unless filing a vacancy on the Board, terms of Office shall start officially on July 1st.

It shall be the policy of the District Board to delegate to the Board President or Fire Chief the responsibility to arrange for the appropriate orientation of newly selected Board Members.

5.0 COMMITTEES

Each committee shall appoint a chair. Chair of all District committees will be responsible for keeping written minutes and making them available to the public through the office of the Fire Chief.

The Board President or designee shall outline the duties and responsibilities of each committee at the time of appointment. Up to two (2) Board Members may serve as an Ex-Officio Member of any given committee.

Committees may provide information and make recommendations about Fire District matters assigned to them, but the Fire Board has the responsibility for setting priorities and making policy.

Committees may work with non-fire District agencies toward the solution of District oriented problems recognizing that advisory committees are ultimately responsible to the Fire Board.

It shall be the responsibility of the Board President to advise the various committees as the requirements of the Oregon Open Meetings Law (ORS 192.610 – 192.690) and the Public Records Law (ORS 192.219 – 192.500).

The Fire Chief shall be responsible for posting notices of all committee meetings and notifying the press and public as required by the Oregon Open Meetings Law.

Special committees shall be considered dissolved upon submission of a final report unless their standing is continued by a vote of a majority of Board Members.

5.1 Advisory. The board will create district committees/advisory committees as needed. The board will create the committee, determine the number of committee members, length of term, and assist the Fire Chief with appointing members to any district committees by resolution.

5.2 The Budget Committee, as a legally mandated committee, shall be considered a standing committee whose duties continue from year to year. The Budget Committee shall consist of the Board and 5 electors of the District appointed by the Board. Appointed members of the Budget Committee members shall serve 3 year terms which are staggered so that about 1/3 end each year.

5.3 Administrative Advisory. It is the policy of the Fire Board that the Fire Chief may appoint administrative advisory committees to advise or assist in administrative functions

with the realization that the Fire Chief is ultimately held responsible for administrative matters within the policy established by the Board.

6.0 BOARD POWERS & DUTIES

It is the policy of the Fire District Board to exercise those powers granted to it, and to carry out those duties assigned to it by Oregon Statutes and Rules, as may best meet the Fire & Life Safety needs of the District.

The most important activities of the Fire Board are the formulation and interpretation of Fire District policies and the evaluation of all proposals and criticisms regarding Fire District programs and services. In carrying out its Legislative and policy-making responsibilities, the Board shall delegate the administrative and executive functions to the Fire Chief.

Any duty imposed upon the Fire District as a body must be performed at a regular or special board meeting and must be made a matter of public record. Participation in meetings, therefore, is the basic matter in which members fulfill their office. The method of participation is discussion, deliberation, debate and voting. All members, including the President, are expected to participate fully in deliberation and voting.

6.1 Policies. Are adopted by the Fire Board to govern the operations of the Board and affairs of the District. The policies are designed to help the Board carry out, efficiently, and effectively, the responsibilities and duties delegated to it by law.

In its deliberations leading to the establishment or amendment of Board policy or rules, the Board's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks and general policies in the interest of the public good.

The Board of Directors adopts and amends policies to be consistent with the District's Mission Statement and written laws, rules, or regulations of those agencies having authority over the Fire District.

It shall be the policy of the Board to recognize that all Board policies should remain flexible and be subject to review and/or change.

If a policy is found to conflict with a City, State, or Federal law, rule, or regulation it shall become null and void without further action of the Board of Directors and shall be deleted.

Disagreement over the application or interpretation of a policy shall be resolved by vote of the Board of Directors.

In order to provide consistency, stability, and integrity of the Board policies, it is recognized that changes in policies, except in the case of emergency, should be executed in a precise manner and without undo haste.

The Board of Directors shall recognize that the adoption and amending of policies is not limited to Fire District input, but also input from the citizens of the Fire District which is encouraged.

The adoption, amending, or deletion of Board of Directors policies shall be done by a two-step process, subject to the requirements of Public Meetings Law. First, at a regularly scheduled Board of Directors meeting the proposed policy adoption, amendment or deletion shall be read into the minutes. Second, at the next regularly scheduled meeting, the proposed policy adoption, amendment or deletion, shall be upon motion therefore approved or denied. Except in an emergency, proposed new Board policies will be included in the publishing agenda of the meeting and made available in draft form to the group (s) affected by the policies and by the Fire Chief prior to the Board action and will be available for review by interested citizens.

To balance stability and the need to maintain current policies, the Board of Directors shall schedule over a three year cycle the review and updating of Board policies as necessary.

6.2 Collective Bargaining Agreement. It is the policy of the District Board to engage in discussions and to reach agreements with recognized employee groups, as required in the Oregon Collective Bargaining Law, ORS 243.650 through 243.782. Pursuant to the above statutes, the District Board designates the responsibility to negotiate with employee groups to the Fire Chief.

7.0 DELEGATION & MANAGEMENT

7.1 Fire Chief Appointment. The Fire Chief serves at the appointment of the Board in accordance with a written contract. The Board will develop a job description for the Fire Chief, including the terms of employment and appointment procedures for when a vacancy occurs. The board will conduct an annual evaluation of the Fire Chief, using appropriate performance standards.

7.2 Delegation. The primary responsibility of the Board is to make policy level decisions for the district, and to hire, evaluate, and manage the district's chief executive officer/fire chief. It is further understood by the Board of Directors that the Fire District has an established chain of command for both day-to-day and emergency operations and it is not the Board of Director's responsibility to be involved at this level. The Fire Chief works for the Board of Directors and all other members of the Fire District work for the Fire Chief.

No individual board member may direct or order a staff member on any matter that relates to daily operations or administrative activities of the district unless expressly authorized by the board. No individual board member may order, direct, or conduct any review of personnel records of any staff member or any other record that is exempt under Public Records law unless expressly authorized by the board. Any board communications relative to

district business must be directed to the board president, who will then communicate the question, request, or concern to the Fire Chief.

The board shall be responsible for the following supervisory duties:

- Hiring the Fire Chief.
- Defining the duties and responsibilities of the Fire Chief.
- Approving the plan, form, and amount of the Fire Chiefs compensation, to include salary, benefits, bonuses, vacation, travel, etc.
- Evaluate the Fire Chief annually
- Approve programs for management development
- Provide advice and consultation to management on matters within the purview of the board's responsibilities.
- With the assistance of legal counsel, engage in any necessary disciplinary action as relates to the Fire Chief, up to and including termination.

7.3 Financial:

1. Approve contracts for professional services required by and for the board and any other contracts binding the district.
2. Approve specific important projects.
3. Review, approve, and adopt the annual budget. The adopted budget is the financial plan developed to carry out the goals and objectives of the District. All purchases must be in accordance with the district budget appropriations and expenditure account definitions. The Board maintains the fiduciary responsibility for the district in accordance with ORS 478.410-470. The Board delegates timely payment of bills to the Fire Chief. Expenditures outside of those budgeted shall require board approval prior to payments being made. Each of the five (5) members of the Board of Directors and the Fire Chief shall be authorized signers to allocate District funds. A minimum of two authorized signatures will be required to sign all District checks. At least one of the check signers must be a board member. The common practice for signing District checks shall be one Board member and the Fire Chief, or two Board members. The Assistant Chief will be an authorized signer only in the absence of the Fire Chief. All precautions must be taken to ensure proper management of District funds and audit security controls.
4. Monitor the finances of the district and otherwise act as fiduciary, setting policy or taking action to ensure the fiscal integrity of the organization.
5. Select the district's independent municipal auditor and annually approve the audit report.

7.4 Plans & Objectives:

1. Become familiar with and abide by all laws and policies governing the operation of the district.
2. Approve significant departure from established plans or policy.
3. Review major changes in the district's organization or structure.
4. Develop and approve long-range plans of growth, development, and staffing for the district.
5. Pass district resolutions and adopt ordinances.

8.0 AGENDA, MEETING MINUTES, PUBLIC RECORDS

8.1 Agenda. The Fire Chief and Board Clerk shall prepare an agenda for each regular board meeting, special meeting, or executive session. The meeting agenda for all regular board meetings will be delivered with supporting information to each Board Member at least 72 hours prior to each regular meeting unless an exception is made through board approval.

The agenda shall specify all matters scheduled to come before the board at the meeting under the following headings:

- A. Call to Order & Pledge of Allegiance
- B. Roll Call
- C. Reports & Presentations
- D. Information Items
- E. Actions Items
- F. Executive Session
- G. Miscellaneous Items & Recognitions
- H. Public Comment (if applicable)
- I. Adjournment

Board members may request items to be placed on an agenda through the board president or Fire Chief. Agenda suggestions by board members should be made at least five days in advance of meeting. However, the board member may also move to add an item to the agenda at the beginning of a meeting, subject to board approval. If approved by the board, the item will be added to the agenda to be considered as the last item under Miscellaneous.

Notice of all meetings shall be provided at least five calendar days prior to the meeting. Notices shall include the key topics expected to be discussed or decided at the meeting. Notice shall be given by publication on the district's website and by physically posting in at least one public place, such as a community bulletin board or public area of the district office.

The agenda and any attachments thereto, including any Managers or financial reports, shall be made available to board members and to the public at least three days prior to each regular board meeting.

Any resident of the Fire District may request that matters be placed on the Board meeting agenda. In order to ensure consideration at the next regular meeting, request shall be in writing and be given to the Board President or Fire Chief 15 days before the next regularly scheduled Board meeting.

The Board of Directors shall provide on the agenda of its regular meeting a specific time to hear the comments, concerns, and suggestions from its citizens or visitors with interest in the Fire District.

8.2 Meetings. It is the policy of the Fire Board that all meetings be conducted in accordance with Oregon and Federal Statutes and Rules, the decisions of the courts and with proper regard to “Due Process” procedures. In so doing, the Board will seek information from staff and other sources as appropriate, before decisions are made on policy and procedural matters.

All meetings of the Board of Directors are open to the public, except for executive sessions. Notice of all meetings shall be provided at least five calendar days prior to the meeting. Notices shall include the key topics expected to be discussed or decided at the meeting. Notice shall be given by publication on the district’s website and by physically posting in at least one public place, such as a community bulletin board or public area of the district office.

All emergency Board of Directors meetings are to have at least a 24-hour advance notice except in the case of emergency (ORS 192.640).

The district will hold regular monthly board meetings, in accordance with Oregon Public meetings Law as described in ORS 192-610 to 192-690. Regular meetings of the Board of Directors shall be held on the third Wednesday of the month at 7:00 P.M. at the Headquarters Station, 1776 Newberg Hwy. unless by specific action of the Board, a different meeting place and/or time is selected. Board members’ attendance at meetings is expected. At minimum a quorum of the board shall discuss, deliberate and take action as appropriate on all agenda items.

Special or emergency meetings of the Board of Directors may be called by the Board President, by petition from a majority of the Board members or the request of the Fire Chief.

In order to accomplish the task of the Board of Directors in an orderly and expeditious manner the Board will attempt to limit repetitious testimony and discussion whenever possible so as to not inconvenience those persons bringing business before the Board.

It shall be the policy of the District Board to recognize itself as a policy making body that deliberates at regularly scheduled meetings and each Board Member shall make a diligent effort to be present and participate fully.

A majority of the Members of the Board shall constitute a Quorum. The affirmative vote of a majority of the Board shall be required for action, except for actions required otherwise below or these policies. An ordinance may be introduced, read once and put on its final passage at a regular or special board meeting, without being described in a published agenda, if the reasons requiring immediate action are described in the ordinance. The unanimous approval of all members of the board at the meeting, a quorum being present, is required to adopt an emergency ordinance.

8.3 Virtual Meeting Attendance: In-person public board of director's meetings shall be allowed for remote attendance by any member of the public who wishes to attend in such a manner.

In order to comply with this regulation, the district will accommodate remote/virtual attendance as follows:

- A. The board shall designate the district manager or other such staff person as deemed appropriate to oversee requests for remote accommodation.
- B. Meeting notices will include an instruction that directs any person wishing to attend the meeting by virtual means to contact the district (and will include a phone number and/or email at which to do so) at least 48 hours before the scheduled meeting. The district manager or delegee will monitor the requests.
- C. If a request is received, the requestor will be provided with the appropriate link, virtual meeting invite, etc.
- D. Requests for remote attendance received with less than 48 hours' notice may be accommodated at the discretion of the district, and a reasonable effort will be made to accommodate such requests.
- E. If remote attendance requests have been received, the board will delegate a board member or staff attendee responsible to set up the device at the meeting (laptop, desktop computer, etc., with functional camera, speakers and microphone), start the virtual meeting, monitor any remote attendees, technical issues, etc., and end the feed upon adjournment of the board meeting.
- F. The presiding officer will have the same authority for control of the meeting for virtual attendees as addressed in Section 3.7 (J).

- G. Virtual attendees will have the same opportunity as in-person attendees for Audience Time, if requested. The delegee in charge of monitoring the remote aspect of the meeting shall, upon starting the virtual meeting, receive any requests for Audience Time. Virtual attendees requesting such will state their full name and address and be added to the public testimony sign-up form.

Board of Directors who are unable to attend the in-person public board meeting shall also be allowed to attend remotely through virtual attendance.

8.4 Procedural Rules. To ensure focused and efficient meetings, the board will adhere to the following procedures and meeting protocol. In the event a parliamentary procedure issue is not addressed by this policy, the board shall use Robert’s Rules of Order to decide such issue.

8.5 Motions.

1. All Board members have the right to make motions, discuss questions and vote on any issue before the board unless the board member declares a conflict of interest.
2. Board member motions will be clearly and concisely stated.
3. The “Ayes” and “Nays” upon votes taken shall be entered on the records on all questions called by the President. Any Member may request that a Vote be changed if such a request is made prior to consideration of the next order of business.
4. Motions for withdrawal of a motion, agenda order, roll call vote or point of order do not require a second.
5. A motion on which a second is not made but where discussion begins is deemed seconded by the member beginning the discussion. Motions requiring a second and not receiving such will die.
6. Discussion of a motion is open to all board members wishing to address it. A member must be recognized by the president prior to speaking on the motion.
7. The president may ask for a voice vote, but a roll call vote should be taken on any motions that were up for a discussion in order to capture all final decisions. Board members may explain their votes but must do so succinctly.

8. All members will vote on each motion unless legally disqualified. A member abstaining from a vote must state the basis for any conflict of interest or other disqualification. The clerk will maintain a record of the votes.
9. Any Member may request that a roll-call vote or written ballot be cast on any question so long as it is recorded and performed in accordance with ORS 192.650.
10. Any Board Member may append onto the record, at the time of voting, a statement indicating the reasoning behind the vote, or the reason for abstaining or choosing not to participate in a Board matter and abstain from voting.
 - A. Ties: A motion receiving a tie vote fails.
 - B. Withdrawal: A motion may be withdrawn by the motion maker at any time without consent of the board.
 - C. Table: a motion to table is not debatable and precludes any amendment or further debate. If the motion carries, the item may only be taken from the table by adding it to a future agenda for continued discussion.
 - D. Postpone: A motion to postpone may be made to either postpone to a certain date or to postpone indefinitely. A motion to postpone to a certain date is debatable and amendable. A motion to postpone indefinitely is a motion to reject without a direct vote and is debatable and not amendable.
 - E. Amendment: A motion to amend may be made to a prior motion that has been seconded but not voted on. Amendments will be voted on first, prior to the motion being amended (or not amended) and voted on. Motions to adjourn, table, take from table, reconsider, for point of order and agenda order may not be amended.
 - F. Call for Question: A motion calling for the question ends debate on the item and is not debatable. A second is required, and each board member who wishes it should have one opportunity to speak before the motion is called. Once called, the president will inquire if any objection is raised. If there is an objection, the matter will be put to vote and either pass with a majority vote or fail. Debate may continue if the motion fails.

- G. Reconsideration: When a motion has been decided, a board member *who voted with the majority* may move for reconsideration. A motion for reconsideration may only be made at the meeting at which the motion was approved.

- H. Adjournment and Recess: Any meeting of the board may be continued or adjourned with a motion and majority vote of the board members present. A motion to adjourn will be in order at any time except while a vote is being taken or when made as an interruption of a member who is speaking. Upon the request of a board member, a short recess may be taken during a board meeting.

8.6 Control of Meeting: In order to accomplish the task of the Board of Directors in an orderly and expeditious manner the Board will attempt to limit repetitious testimony and discussion whenever possible so as to not inconvenience those persons bringing business before the board.

The presiding officer shall have the authority to keep order and impose reasonable restrictions necessary for the orderly and efficient conduct of a meeting. Persons who fail to comply with such reasonable regulations or who otherwise disturb the meeting may be asked to leave, and upon failure to do so, may be treated as a trespasser.

In the matter of motions before the Board of Directors, audience participation will be limited to two (2) minutes per person. The Board President may set the procedure and time limit for the individual comments and testimony on a given issue.

8.7 Order and Decorum. Board members will assist the board president in preserving order and decorum during board meetings and will not delay or interrupt proceedings. Board members will comply with any ruling of the president or board, and the following rules will be observed to maintain order and decorum during meetings:

- A. Board members will review necessary information, including the agenda and meeting materials, before meetings, and will come to meetings prepared.

- B. Any board member desiring to be heard will request to the president to be heard. Board members will be given an opportunity to speak at least once on any pending motion or agenda item. Once recognized, the speaker will confine his or her remarks to the subject under consideration.

- C. When speaking on behalf of the board or district, board members will represent the board's official position, not their own personal opinion.
- D. Board members will be open and candid and should be succinct in stating their views. Board members should focus on a single issue or topic and at one time and allow one another to finish speaking without interruption.
- E. Board discussions are to focus on district issues; board members should avoid becoming involved with non-district issues not relevant to the current discussion.
- F. Board members should keep discussions moving and adhere to established time limits on discussions.
- G. Board members will refrain from criticizing or berating each other, staff, or members of the public.

9.0 MEETING MINUTES

Written minutes shall be taken at every meeting. Minutes do not need to be a verbatim transcript of the proceedings but should accurately reflect the matters discussed and views of the participants. The board clerk is responsible for ensuring that accurate minutes are transcribed and distributed to board members and available to the public within a reasonable time after the meeting. The clerk shall also keep official copies of the properly authenticated minutes, in chronological order, on file with the district permanently.

Meeting minutes shall comply with ORS 192.650 and include the at minimum the following:

- A. Name of board members and staff present;
- B. All motions, resolutions, orders, measures and ordinances proposed and their disposition;
- C. The result of any votes, including the names of each board member and how they voted;
- D. The substance of the discussion on any matter; and
- E. Reference to any document discussed at the meeting.

Minutes may be amended as necessary. Upon receipt and review of the minutes, board members may submit any corrections or additions to the clerk so that a corrected copy may be issued to the board and public prior to the next meeting for the board's approval. Minutes of executive session are not subject to this provision in accordance with ORS 192.660.

Every person has a right to inspect any public record of the District, as that term is defined by ORS 192.005, except as otherwise expressly provided by ORS 192.501 to 192.505. When

access to District records is granted, examination thereof will be made in the presence of the record custodian regularly responsible for maintenance of the files or by a staff member designated by the Fire Chief.

In accordance with public law, certain records, such as executive session meeting minutes and personnel records are not included in the category of records to which the right of access is to be granted by the Fire District. All public record requests shall Administrative Policies 1500.1 and 1500.2

10.0 FIRE DISTRICT LEGAL COUNSEL

It shall be the responsibility of the District Board to select legal counsel to represent the legal needs of the District. The Board shall recognize its responsibility to seek the advice of legal counsel whenever it is unclear regarding legal questions or whenever an action being considered by the Board may result in placing the District in legal jeopardy. The Board will make every effort to properly research and abide by pertinent statutes in all of its deliberations.

11.0 FINANCIAL MANAGEMENT

11.1 Board's Responsibility - The adopted budget is the financial plan developed to carry out the goals and objectives of the District. All purchases must be in accordance with the district budget appropriations and expenditure account definitions. The Board maintains the fiduciary responsibility for the district in accordance with ORS 478.410-470. The Board delegates timely payment of the bills to the Fire Chief. Each of the five (5) members of the Board of Directors and the Fire Chief shall be authorized signers to allocate District funds. A minimum of two authorized signatures will be required to sign all District checks. At least one of the check signers must be a board member. The common practice for signing District checks shall be one Board member and the Fire Chief, or two Board members. The assistant chief will be an authorized signer only in the absence of the Fire Chief. All precautions must be taken to ensure proper management of District funds and audit security controls.

11.2 Staff Responsibilities -The Fire Chief is the Administrative Officer of Woodburn Fire District. As the Administrator, he/she is delegated the responsibility for the management of the funds as budgeted and adopted by the Board of Directors. Only persons designated by the Fire Chief are authorized to commit the District for materials, equipment, supplies and services.

The Fire Chief is responsible for District personnel adhering to the *Accounting Procedures* of the District. The Finance Officer will manage and maintain accounts payable (AP) to take advantage of any discounts available and pay them in a timely manner. The AP will be reviewed by at least two administrative District staff employees.

11.3 District Budget - The District's budget shall be prepared and adopted in full compliance with State of Oregon local budget law. The District shall develop its budget based on a responsible financial planning process that assesses the long-term financial implications of current and proposed operating and capital budgets, budget policies, cash management, and investment policies, programs and assumptions. Adopted budgets for the District shall be structured to achieve actual and forecasted results of operations that will meet long-term financial plans. The District's ending fund balance in the General Fund should remain sufficient to meet five months of operating costs. The Fire Chief will monitor revenues and budgeted expenditures during the year to ensure sufficient ending reserves are maintained.

11.4 Financial Statements - A balance sheet, financial statement, and record of accounts payable transactions for the previous month are prepared and presented to the board of directors for review at the monthly board meeting. Current balance sheets and financial statements are available upon request.

11.5 Annual Audit -The fire district will conduct an annual audit in the first quarter of the new fiscal year. Staff will cooperate with all auditors' requests regarding any records maintained by the fire district. The final audit report will be presented to the board of directors by the CPA by November of each year.

11.6 Investment of Funds - The District will maintain an account(s) with the State of Oregon's Local Government Investment Pool (LGIP) for tax payment receipts and as the main savings vehicle for the district. Any special reserve funds will be held segregated in a secondary account with LGIP. Authorized District personnel will transfer funds electronically from the LGIP accounts to the depository accounts and vice versa. Documentation of transfers will be in accordance with *District Accounting Procedures*.

All other depository accounts must be held in a financial institution insured by a Federal Deposit Insurance Corporation or equivalent. The banking institution must be able to facilitate transfers to and from the Local Government Investment Pool managed by the Oregon State Treasurer.

11.7 Purchase and Sale of Real Property - The purchase, lease, trade, or sale of all real property by the District must have the prior approval of the Board. The Fire Chief shall project site needs in advance and the Board, with advice and counsel of the Fire Chief, shall select sites prior to immediate need. Such sites shall be chosen to provide the best service of the residents and properties of the entire District and will be based on demographic data, growth projections, actual and projected emergency response times, availability, and cost of land. Sites that become surplus to the District's needs shall be declared as such by motion of the Board and shall be considered for sale, trade, lease, or gift pursuant to state statutes.

11.8 Power of the District to Sell Bonds/Borrow Funds - The Board or its designee may enter into rental or lease/purchase agreements required for fire protection purposes. (ORS 478.410[3]). The District may borrow money and sell and dispose of general obligation bonds when such bonds have been authorized by a majority of voters, voting at an election called

for that purpose. (ORS 478.410[2]). The Board shall determine the limit for the total amount of short-term loans at the first business meeting of each fiscal year if they are anticipated. The District is authorized to contract for short-term loans for the purpose of meeting current expenses.

11.9 System of Accounts - The District shall adopt and maintain standardized accounting policies (*Accounting Procedures*) meeting the standards promulgated by the Governmental Accounting Standards Board (GASB).

11.10 District Credit Cards - Credit cards are issued for District expenses only and are not to be loaned to any other individuals. Authority over issuance of credit cards is delegated to the Fire Chief who may in turn appoint an authorized designee for this task.

The District is responsible for the development and maintenance of purchasing limits, distribution, overall debt limits, and policies and procedures regarding their usage.

11.11 Right to discipline Acts of Fraud - The Board and the Chief are committed to the highest level of moral and ethical behavior. Breaches of this behavior, especially through acts involving fraudulent means erodes the public's trust and confidence in the integrity of the District. The Chief or designee will be responsible to exercise a combination of preventative, detective and corrective controls to protect the assets of the District. The Chief or designee will also be responsible to discipline, up to and including prosecution, of any and all personnel found guilty of fraudulent use of District assets.

11.12 Retention of Records - All accounting records must be kept in a secure location and are retained according to Division 150 of the Oregon Administrative Rules, Chapter 166 - Oregon Secretary of State, Archives Division. The district has opted to keep the following items beyond the "minimum retention" requirements for a period of 10 years:

- Accounts Payable
- Accounts Receivable
- Payroll Processing Records

12.0 PURCHASING

Delegation of Authority - Except when otherwise provided in these rules, the powers and duties of the Local Contract Review Board under the Public Contracting Code must be exercised and performed by the public agency's Board of Directors. Unless otherwise limited by the Local Contract Review Board or these Rules, all powers and duties given or assigned to contract agencies by the Public Contracting Code may be exercised or performed by Fire Chief or his/her designee, including the authority to enter into emergency contract pursuant to ORS 279B.080 and 279C.320(1).

Policy designating District Board as contract Review Board. It shall be policy of the District Board, upon adoption of the appropriate resolution to serve as the Fire District local contract Review Board pursuant to ORS 279.055.

The Board of Directors has adopted as its public contracting rules ORS 279, A, B and C and the Attorney General's Model Public Contracting Rules, OAR Chapter 137, Division 46 (General Provisions Related to Public Contracting), Division 47 (Public Procurements For Goods or Services), Division 48 (Consultant Selection: Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services), Division 49 (General Provisions Related to Public Contracts for Construction Services), subject to the exceptions provided in this document.

13.0 DELEGATION

- A. Except as otherwise provided in these rules, the powers and duties of the Local Contract Review Board under the Public Contracting Code must be exercised and performed by the Board of Directors.
- B. Unless expressly limited by the Local Contract Review Board or these rules, all powers and duties given or assigned to contract agencies by the Public Contracting Code may be exercised or performed by the Board Chairman or the Chairmen's designee, including the authority to enter into emergency contracts pursuant to ORS 279B.080.

14.0 SPECIAL PROCUREMENTS & EXEMPTIONS

- A. The Local Contract Review Board may exempt from competitive bidding certain contracts or classes of contracts for procurement of goods and services according to the procedures described in ORS 279B.085.
- B. The Local Contract Review Board may exempt certain contracts or classes of contracts for public improvements from competitive bidding according to the procedures described in ORS 279C.335. When exempting a public improvement from competitive bidding, the Local Contract Review Board may authorize the contract to be awarded using a Request for Proposal process for public improvements, according to the processes described in OAR 137-0490640 through 137-049-0690.

Small Procurements (Under \$10,000)

Public contracts under \$10,000 are not subject to competitive bidding requirements. The Fire Chief or designee shall make a reasonable effort to obtain competitive quotes in order to ensure the best value for the District.

- A. The District may amend a public contract awarded as a small procurement beyond the \$10,000 limit in accordance with OAR 137047-0800.

- B. The Board authorizes the Fire Chief to make purchases up to \$7,500 without authorization of the Board.

15.0 INTERMEDIATE PROCUREMENTS

- A. A contract for procurement of goods and services estimated to cost between \$5,000 and \$150,000 in a calendar year, or a public improvement that is estimated to cost between \$5,000 and \$150,000 in a calendar year, may be awarded according to the processes for intermediate procurements described in ORS 279B.070.
- B. The District may amend a public contract awarded as an intermediate procurement beyond the stated limitations in accordance with OAR 137-047-0800, provided the cumulative amendments shall not increase the total contract price to a sum that is greater than 25% of the original contract price.

16.0 ELECTRONIC ADVERTISING

- A. Pursuant to ORS 279C.360 and ORS 279B.055C(4c) , electronic advertisement of public contracts in lieu of newspaper publication is authorized when it is cost-effective to do so. The Board Chairman or designee shall have the authority to determine when electronic publication is appropriate and consistent with the District’s public contracting policies (OAR 137-47-0270(3)).

17.0 EMERGENCY CONTRACTS

- A. Emergency shall be defined as follows: “Circumstances that (a) could not have reasonably been foreseen; (b) create a substantial risk of loss, damage, or interruption of services or a substantial threat to property, public health, welfare or safety; and (c) require prompt execution of a contract to remedy the condition.”
- B. The Board Chair, or designee shall have authority to determine when emergency conditions exist sufficient to warrant an emergency contract. The nature of the emergency and the method used for the selection of the contractor shall be documented.

Emergency contract may be awarded as follows:

- C. Good and Services. Emergency contracts for procurement of goods and services may be awarded pursuant to ORS 279B.080 and Paragraph 2, “Delegation” of these Rules.

- D. Public improvements. The District hereby adopts OAR 137-0490150 as its contacting rules for awarding a public improvement contract under emergency conditions.

Sole Source Procurement

- A. When necessary, the District's Local Contract Review Board, or Fire Chief, or designee may enter into a sole source procurement pursuant to ORS 279B.075.

Appeals of Prequalification Decisions and Debarment Decisions

- A. Review of the District's prequalification and debarment decisions shall be as set forth in ORS 279B.425. The following additional procedures shall apply to hearing on such decisions by the LCRB:
 - i. Notice shall be submitted in writing to the Board Chairman. Appeals filed after the filing period stated in ORS 279B.425 shall not be heard.
 - ii. Upon opening the hearing, District staff shall explain the District's decision being appealed and the justification thereof. The Appellant shall then be heard. Time for the appellant's testimony shall be established by the Board Chair. The appellant may submit any testimony or evidence relevant to the decision or the appeal. Any party requesting time to testify in support of the appeal shall then be heard, subject to time limits established by the Board Chair.
 - iii. Once all testimony and evidence in support of the appeal is heard, any party requesting time to testify in support of the District's decision shall be provided time to be heard, with time limits established by the Board Chair. Any party testifying in opposition to the appeal may submit any testimony or evidence relevant to the decision or the appeal. Once all testimony in opposition to the appeal has been heard, the appellant may request time to provide rebuttal testimony. At the conclusion of the rebuttal testimony, if any, the Board Chair shall close the hearing.
 - iv. When issued in writing according to the requirements of ORS 279B.425, the LCRB's decision and order shall be final.

Purchases from Federal Catalogs

- A. Subject to applicable Board approval requirements stated in the District's Contracting Rules, the District may purchase goods from federal catalogues without competitive bidding when the procurement is pursuant to 10 USC 381, the Electronic Government Act of 2002 (Public Law 107-347). Purchases under other federal laws will be permitted upon a finding by the Local Contract Review Board that the law is similar to such Act in effectuating or promoting transfers of property to contracting agencies.

Disposal of Surplus Property

“Surplus Property” shall be defined as any personal property of the District that has been determined by the Fire Chief or designee as being of limited remaining life or use or value to the District. The Fire Chief or designee may dispose of surplus property as follows:

- A. The District will dispose of surplus property in such a manner that will not invite criticism.
- B. The District will dispose of surplus or non-usable property in such a manner that would net the most revenue (or least amount of cost) for the District for the time involved. The District shall consider expected revenue per type of sale in comparison with estimated staff time to prepare items for sale in determining the methodology of disposal of surplus. Methods of disposal for items determined as surplus property may include, but are not limited to trade-in, auction, selling as scrap, advertising for sale, third-party liquidator, and/or donation as provided in D and E below.
- C. The District may sell an item of surplus property with an estimated value of \$5,000 or less without a competitive process if the District determines that such a process will result in increased net revenue. The District may establish a selling price, schedule and advertise a sale date, and sell to the first qualified buyer meeting the sale terms.
- D. Transfer to another fire department, consistent with the requirements of ORS 279A.190. The District may donate or sell surplus property to another public agency or nonprofit organization provided that is the most efficient and cost-effective method of disposing of the property.
- E. The District shall maintain records of surplus transactions and notify the insurance company as needed of deletions.
- F. The District will evaluate the source of funding for property to be disposed to ensure compliance with any grant or bonded debt requirements arising from the initial purchase.

18.0 DEFINITIONS:

“Award” means the selection of a person to provide goods, services or public improvements for a specified price or prices.

“Bid” means a binding, sealed, written offer to provide goods, services or public improvements for a specified price or prices.

“Bidder” means a person that submits a bid in response to an invitation to bid.

“Contracting agency,” means a public body authorized by law to conduct procurement.

“Contract Review Board” means the Board of Directors for Woodburn Fire District.

“Days” means calendar days.

“District” means the Woodburn Rural Fire Protection District #6, a political subdivision of the State of Oregon.

“Exemptions” mean exemptions from the formal competitive selection procedures for public improvement contracts and personal service contracts for architects, engineers, land surveyors, and related services, as well as contracts and classes of contracts designated as “special procurements” under ORS 279B.085.

“Person” means a natural person capable of being legally bound, a sole proprietorship, a corporation, a partnership, a limited liability company or partnership, a for profit or nonprofit unincorporated association, a business trust, two or more persons having a joint or common economic interest, any other person with legal capacity to contract or a public body.

“Personal Services” means services described as follows:

A. Personal services shall mean services that call for specialized skills, knowledge and resources in the application of highly technical or scientific expertise or the exercise of professional, artistic or management discretion or judgment. Qualifications and performance history, expertise, knowledge and creativity and the ability to exercise sound professional judgment are typically the primary considerations when selecting a personal services contractor, with price being secondary. In addition to the general description of personal service contracts, the following classes of contracts are personal service contracts: Contracts for services performed as an independent contractor in a professional capacity, including but not limited to: the services of an accountant, attorney, architect, architectural or land use planning consultant, construction manager, information technology consultant, registered professional engineer, financial/investment/insurance advisor, underwriter, appraiser or surveyor, data processing consultant.

B. Personal Services Contracts Do Not Include: Contracts primarily for equipment, supplies or materials. For example, a contract to supply all hardware and standard software is not a Personal Services Contract, but a contract with a technology consultant to design or develop a new computer system is a Personal Services Contract. “Public Improvement” means projects for construction, reconstruction, or major renovation on real property by or for the District. “Public Improvements include emergency work, minor alteration, ordinary repair, maintenance necessary in order to preserve a public improvement.

“Public Contract” means any purchase, lease, or sale by the District of personal property, public improvements, or services other than agreements, which are for personal and professional services.

“Proposal” means a binding offer to provide goods, services or public improvements with the understanding that acceptance will depend on evaluation of factors other than, or in addition to, price. A proposal may be made in response to a request for proposals or an informal solicitation.

“Quote” means a price offer made in response to an informal solicitation to provide goods, services or public improvements.

“Request for Proposal” (RFP) means the solicitation of written competitive proposals, or offers, to be used as a basis for making an acquisition, or entering into a contract when specifications and price will not necessarily be predominant award criteria.

“Contract Services” shall be defined to include those services that require specialized technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment, and for which the quality of the service depends on attributes that are unique to the service provider. Such services shall include, but are not limited to: architects; engineers; surveyors, attorneys; accountants; auditors; agent of record; computer programmers; proper managers; artists; designers; performers; and consultants. The Board Chairman or designee shall have the authority to determine whether a particular service is a “personal service” under this definition.

Contracts for Contractor Services under \$25,000. Except as provided in Paragraph D, below, non-exempt personal services contracts, including contracts, including contracts for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services, for a contract amount of less than \$25,000 may be awarded from proposals that are solicited informally, either orally or in writing. If it is practicable, proposals shall be solicited from a sufficient number of qualified prospective proposers to ensure that no fewer than three (3) qualified proposers submit proposals. If fewer than three (3) qualified proposes submit proposals, the efforts made to solicit proposals shall be documented in the District’s files. The Selection may be based on criteria including but not limited to, each proposer’s:

Particular capability to perform the services required;

- A. Experienced staff available to perform the services required, including each proposer’s recent, current and projected workloads;
- B. Performance history;
- C. Approach and philosophy used in providing services;
- D. Fees or costs; and
- E. Geographic proximity to the project or the area where the services are to be performed.

Price may be considered but not be the determining factor. Proposals may also be solicited in using a written request for proposal, at the District’s discretion.

- F. Contracts for Personal Services of \$25,000 and over. Except as provided in Paragraph G, below, non-exempt personal services contracts, for a contract amount of \$25,000

or greater shall be awarded according to the procedures described in ORS 279B.060 and OAR 137-047-0260.

- G. Contracts for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services. Contracts for Architectural, Engineering and Surveying Services, and Related Services, shall be awarded in accordance with the procedures described in ORS 279C. 110 and OAR 137-048.
- H. Exempt Personal Services Contracts. Personal Services contracts existing on the effective date of these Rules are exempt and hereby extended by direct appointment. Contracts for accounting, legal, underwriting, and investments, financial and insurance advising services are exempt.