

TITLE 2

BOARDS AND COMMISSIONS

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CHAPTER 1

PLANNING COMMISSION

SECTION:

- 2-1-1: Commission Created**
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- 2-1-3 Membership**
- 2-1-4 Meetings**

2-1-1: **COMMISSION CREATED:** There is hereby established a city planning commission for the city of Irrigon. (Ord. 188-08, 4-22-2008)

2-1-2: **POWERS AND DUTIES:** The commission shall have the powers and duties which are now or may hereafter be assigned to it by charter, ordinances, or resolutions of the city of Irrigon and general laws of the state of Oregon. (Ord. 188-08, 4-22-2008)

2-1-3: **MEMBERSHIP:**

A. Membership; Terms: Membership of the commission shall consist of five (5) members, whom shall live within the city limits, except that one member may be appointed to membership from outside the city limits of Irrigon, but within the urban growth boundary; and who shall be appointed by, and serve at the pleasure of, the city council for the following terms: two (2) members for an initial term which expires December 31, 2008, and three (3) who shall be appointed for a term to end December 31, 2009. The terms shall thereafter be for two (2) years. Commissioners may be reappointed for successive two (2) year terms at the discretion of the council. (Ord. 193-08, 9-16-2008)

B. Qualification Of Members: No more than two (2) members shall be engaged principally in the buying, selling or developing of real estate for profit as individuals or be members of any partnership or be officers or employees of any corporation that is engaged principally in the buying, selling, or developing of real estate for profit. Members shall serve on no more than one other city committee and shall not be members of the city council or employees of the city. Membership will be in compliance with Oregon Revised Statutes 227.030.

C. Vacancies And Removal: Appointments to fill vacancies shall be for the remainder of the unexpired term. Planning commission members serve at the pleasure of the city council. A member who is absent for three (3) consecutive meetings without an excuse, approved by the planning commission, is presumed to be in nonperformance of duty and the city council shall declare the position vacant unless finding otherwise following a hearing.

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D. Presiding Members: At its first meeting of each calendar year, the commission shall elect a chairperson and vice chairperson to serve one year terms. The city administrator or other staff member designated by the city administrator shall keep accurate records of all commission proceedings. (Ord. 188-08, 4-22-2008)

2-1-4: **MEETINGS:** A majority of the members of the planning commission shall constitute a quorum. The commission shall meet at least once a month, on a regularly scheduled date and time determined by the commission, unless the chairperson and city administrator jointly agree that there is no business to be conducted. All meetings will be in accordance with the Oregon public meetings act. (Ord. 188-08, 4-22-2008)

CHAPTER 2

PLANNING COMMISSION

SECTION:

- 2-2-1: Definitions**
- 2-2-2: Composition; General Powers**
- 2-2-3: Competitive Bids, Exemptions**
- 2-2-4: Brand Name Specifications And Contracts**
- 2-2-5: Exemption Hearing**
- 2-2-6: Bidder Disqualification**
- 2-2-7: Appeal Of Disqualification**

2-2-1: **DEFINITIONS:** The following words and phrases will mean:

BOARD: The local contract review board as established in section [2-2-2](#) of this chapter.

PUBLIC CONTRACT: Any purchase, lease or sale by the city of Irrigon, of personal property, public improvements, or services which are other than agreements which are exclusively for personal service.

PUBLIC IMPROVEMENT: Any construction of improvements on real property by or for the above agency. This does not include emergency work, minor alteration, ordinary repair or maintenance. (Ord. 98, 5-21-1985)

2-2-2: **COMPOSITION; GENERAL POWERS:**

A. **Composition Of Board:** A local contract review board shall be comprised of the following: a majority of the city council and the mayor or mayor pro tem.

B. **Powers And Duties:**

1. The board shall act in matters concerning the awarding of contracts issued by the city having the powers granted under subsection (4) of SB 190, section 14, and Oregon Revised Statutes 279.061.

2. In addition to the powers and duties of this chapter, the board shall have additional powers as authorized by state law. (Ord. 98, 5-21-1985)

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2-2-3: **COMPETITIVE BIDS, EXEMPTIONS:** All contracts shall be based upon competitive bids, except:

- A. Contracts made with other public agencies or the federal government.
- B. Contracts for any purchase, the amount of which is less than five thousand dollars (\$5,000.00).
- C. Contracts for any items which are available only through one company, firm or individual.
- D. Contracts whereby it is unlikely that such exemption will result in encouraging favoritism or diminish competition in the competition for public contracts.
- E. When the awarding of a public contract pursuant to the exemption will result in substantial cost savings to the public contracting agency. The board may consider the type, cost, amount of the contract, number of persons available to bid and such other factors as might be considered pertinent.
- F. Emergency contracts requiring prompt execution of the contract. The determination of the emergency shall be entered into the record of the meeting in which the emergency was determined. (Ord. 98, 5-21-1985)

2-2-4: **BRAND NAME SPECIFICATIONS AND CONTRACTS:**

- A. Certain Specifications Not Required: Specifications for contracts shall not require any product by brand name or mark, nor the product of any particular manufacturer or seller, unless the product is exempted from this requirement by the board under this section. However, this section shall not be construed to prevent reference and the specification to the particular product as a description of the type of item required.
- B. Product Exemption Conditions: A certain product may be exempted from this restriction if:
 - 1. The item can be purchased at a noticeable cost savings; or
 - 2. There is only one manufacturer of a particular product of a quality required; or
 - 3. Existing equipment or supplies require a particular product or supply to be compatible with the operation. (Ord. 98, 5-21-1985)

2-2-5: **EXEMPTION HEARING:** Whenever the board is considering an exemption to the requirements for competitive bids or brand name specifications, it shall provide for notice to the public and an opportunity for any member of the public to request a public hearing on whether the exemption should be allowed. (Ord. 98, 5-21-1985)

2-2-6: **BIDDER DISQUALIFICATION:** The board or an official designated by the board may disqualify any person as a bidder on a project if:

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- A. The person does not have sufficient financial ability to perform the contract. Evidence of ability to acquire a surety bond in the amount and type required shall be sufficient to establish financial ability.
- B. The person does not have equipment available to perform the contract requirements.
- C. The person does not have the personnel or experience to perform the contract.
- D. The person has repeatedly breached contractual obligations to public or private agencies.
(Ord. 98, 5-21-1985)

2-2-7: **APPEAL OF DISQUALIFICATION:** A person who has been disqualified as a bidder may appeal such disqualification to the board as provided in this section:

- A. The person shall, within three (3) working days after receipt of notice of disqualification, notify, in writing, the city office that he wishes to appeal his disqualification.
- B. Immediately upon receipt of notice of appeal, the city recorder shall notify the board.
- C. Upon receipt of the notice of appeal, the board shall notify the person appealing of the time and place of the hearing.
- D. The board shall conduct the hearing according to the provisions of Oregon Revised Statutes 279.045(3) chapter 771 Oregon laws 1975 section 18(3) and decide the appeal within ten (10) days after receiving the notification and shall set forth the reasons in writing for the decision.
(Ord. 98, 5-21-1985)