RESOLUTION 2026-23
RAINBOW WATER DISTRICT
A RESOLUTION ADOPTING A PUBLIC MEETINGS LAW POLICY

WHEREAS, Rainbow Water District is a domestic water supply district organized under Oregon Revised Statutes (ORS) Chapter 264, and

WHEREAS, ORS 264.410 provides that "the power and authority given to districts is vested in and shall be exercised by a board of five commissioners, each of whom shall be an elector of the district", and

WHEREAS, compliance with Oregon's Public Meetings and Public Records Laws, set out in ORS 192, is required by all Oregon special districts, and the District previously adopted updates to Public Meetings and Public Records Policies by Resolution 2022-20, and

WHEREAS, the District is not changing the Public Records Policy at this time but desires to adopt amendments to its Public Meetings Policy and revoke the Public Meetings Policy adopted by Resolution 2022-20, and

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Rainbow Water District, that Rainbow Water District shall comply with the provisions of Public Meetings Law, and with the instructions and requirements of the Oregon Department of Justice, in accordance with Oregon Revised Statute 192, and shall adopt the attached Public Meetings Policy which replaces the previous version adopted by Resolution 2022-09 on October 12, 2022.

ADOPTED by a vote of _____ Yes votes and _____ No votes this 18th day of November 2026.

_____
President
Board of Commissioners

Attest:

_____
Secretary-Treasurer

RAINBOW WATER DISTRICT PUBLIC MEETING POLICY

Preparation for Board Meetings

- Distribution of Materials to Board Members
  A briefing packet that includes the Agenda, Superintendent's Report, and Financial Reports with Bill List shall be given to each member of the Board at least two (2) days prior to any regularly scheduled Board meeting.

  At the same time, the Superintendent shall provide board members with detailed information relative to the Agenda, including existing Board policy pertinent to Agenda items.

- Distribution of Agenda to the Public
  The proposed agenda will simultaneously be posted to the District's website and be made available at the District's office.

Board Meeting Agenda

The Superintendent shall draft the Agenda after conferring with the Board President. The following general order shall be observed:

- Call to Order (by President)
- Roll Call (by President or designee)
- Agenda Review
- Review of previous meeting minutes, bill list and financials, and monthly audit items check
- Business from the Audience (public comments, limited to 5 minutes, items not on the agenda)
- Business from the Board (reports by Commissioners)
- Business from the Staff (correspondence and reports, may include a consent agenda)
- Recess for Executive Session, if applicable, then Reconvene Regular Session
- Agenda suggestions for future meetings
- Adjournment

Notice and Location of Meetings

- Application
  This policy applies to all meetings of the Board of Commissioners of the District, and to any meetings of subcommittees, or advisory groups appointed by the Board if such subcommittees or advisory groups have a quorum requirement, take votes, and form recommendations as a body for presentation to the Board of Commissioners.

- Compliance With Law
  All meetings shall be conducted in accordance with the Oregon Public Meetings Law, ORS 192.610-192.705.

- Location of Meetings
  All meetings shall be held at the District Office, or at an alternate location within Springfield, except for training sessions held without any deliberative action. No meeting shall be held in any place where discrimination on the basis of race, creed, color, sex, age, national origin, or disability is practiced. All meetings shall be held in places accessible to persons with disabilities.

  To the extent possible, every public meeting (not including executive sessions) should provide the opportunity to allow participation via telephone, video or other electronic or virtual means. Additionally, to the extent public comment is allowed, the governing body must make effort to allow members of the public to offer that testimony in a virtual format. To the extent written communications are allowed, the governing body should take steps to allow the comments to be received and considered in a timely manner.

Meetings Held By Electronic Means

- All meetings of the Board, excluding executive sessions, must provide to members of the general public, to the extent reasonably possible, an opportunity to:
- (a) Access and attend the meeting by telephone, video or other electronic or virtual means;
- (b) If in-person oral testimony is allowed, submit during the meeting oral testimony by telephone, video or other electronic or virtual means; and
- (c) If in-person written testimony is allowed, submit written testimony, including by electronic mail or other electronic means, so that the governing body is able to consider the submitted testimony in a timely manner.

- Regular Meetings
  The Board shall hold regular monthly meetings on the **second Wednesday** of each month. Such meetings shall be held **at the District office, 1550 N 42nd Street,** Springfield, at **5:30 p.m.**, or at such other places and times as the Board may designate from time to time. No regular meeting shall be held upon less than 48 hours public notice.

- Special Meetings
  The Board shall hold special meetings at the request of the President or any three members of the Board. If the President is absent from the District, special board meetings may be held at the request of the Vice-President. No special meeting shall be held upon less than 24 hours public notice.

- Emergency Meetings
  Emergency meetings may be held at the request of persons entitled to call special meetings, upon less than 24 hours notice in situations where a true emergency exists. An emergency exists where there are objective circumstances which, in the judgment of the person or persons calling the meeting, create a real and substantial risk of harm to the District which would be substantially increased if the Board were to delay in order to give 24 hours notice before conducting the meeting. The convenience of Board members is not grounds for calling an emergency meeting.

At the beginning of any emergency meeting, the Commissioner(s) calling such meeting shall recite the reason(s) for calling such meeting, and the reason(s) shall be noted in the minutes. The Board shall then determine if the reason(s) are sufficient to hold an emergency meeting and, if not, shall immediately adjourn such meeting. Only business related directly to the emergency shall be conducted at an emergency meeting.

- Notice of Meetings
  Notice of the time, place, and principal subjects to be considered shall be given for all meetings. For regular meetings, the notice shall be in the form of an agenda, which shall be sent to all Board members, and to any interested persons or local media that have requested to be notified of meeting agendas. The agenda shall be posted on the District's website.

  Written notice shall also be sent to any persons who the District knows may have a special interest in a particular action, unless such notification would be unduly burdensome or expensive. For emergency meetings, the District shall give as much notice as possible under the circumstances, but at a minimum will attempt to contact interested persons or local media to inform them of the meeting.

- Executive Sessions
  Notice for meetings called only to hold executive sessions shall be given in the same manner as notice for regular, special and emergency meetings set forth above. The notice shall indicate the general subject matter to be considered and set forth the statutory basis for calling the executive session.

  The President or other presiding officer shall announce the statutory authority for the executive session before going into closed session. Once the executive session has been convened, the President shall direct any representatives of the news media who are present not to report certain specified information from the executive session. In general, the extent of the non-disclosure requirement should be no broader than the public interest requires, and the news media will ordinarily be allowed to report the general topic of discussion in the executive session. Board members, staff and others present shall not discuss or disclose executive session proceedings outside of the executive session without prior authorization of the Board as a whole.

- Interpreters For the Hearing Impaired
  The District shall comply with ORS 192.630(5) regarding the provision of interpreters for the hearing impaired at Board meetings, in accordance with the following rules:

  - The District shall make a good faith effort to have an interpreter for hearing impaired persons provided at any regularly scheduled meeting if the person requesting the interpreter has given the District at least 48 hours notice of the request, provided the name of the requester, the requester's sign language preference, and any other relevant information which the District may require.
    "Good faith efforts" shall include contacting the Oregon Disabilities Commission, or other state or local agencies that maintain a list of qualified interpreters.

- If a meeting is held upon less than 48 hours notice, the District shall make reasonable efforts to have an interpreter present.

- The requirement for an interpreter does not apply to emergency meetings.

- The Superintendent shall be responsible for maintaining a list of qualified interpreters, and shall have the responsibility for making the required good faith effort to arrange for attendance of an interpreter at any meeting for which an interpreter is requested.

Board Meeting Conduct

- Presiding Officer
  The President shall preside at Board meetings. In the President's absence, the Vice-President shall preside. If both the President and Vice-President are absent, the remaining members shall select a board member to preside.

- Authority to Conduct Meetings
  The President or other presiding officer at any Board meeting shall have full authority to conduct the meeting. Meetings shall be conducted in such a manner as to provide a full and fair opportunity for discussion of the issues in an efficient and timely manner. Any decision of the President or other presiding officer at the meeting may be overridden by a majority vote of the Board.

- Public Participation
  If public participation is to be a part of the meeting, the presiding officer may regulate the order and length of appearances, and limit appearances to presentations of relevant points. Persons failing to comply with the reasonable rules of conduct outlined by the presiding officer, or causing any disturbance, may be asked or required to leave. Any individual who fails to leave the premises when asked to do so may be treated as a trespasser, and law enforcement personnel may be contacted to remove the individual.

- Electronic Equipment
  The presiding officer shall inform persons attending any meeting of the District Board of reasonable rules necessary to assure an orderly and safe meeting, including rules related to the operation of electronic recording equipment. The physical comfort and safety of members of the Board and the public attending the meeting shall be of primary concern in formulating such rules.

- Recording of Votes
  Votes shall be recorded. Any member may request that his or her vote be changed, if such request is made prior to consideration of the next order of business.

- Quorum Requisites
  A majority (three or more) of the five positions on the Board (filled or vacant) shall constitute a quorum. A quorum is required to be present in order for the Board to deliberate or take any final action. If only a quorum is present, a unanimous vote shall be required to take formal action.

- Vote Explanations
  Members of the Board may append to the record, at the time of voting, a statement indicating either the reason for their vote or abstention.

- Conflict of Interest/Ex Parte Contacts
  Any Board member with a potential conflict of interest shall declare the conflict for the record but may participate in discussions and vote. Any Board member with an actual conflict of interest shall declare the conflict for the record, and refrain from discussion or voting. If any member of the Board has had any ex parte contact (oral or written communication to an agency decision maker not made in the presence of all parties) in a quasi-judicial matter, the member shall declare such contact prior to participating in discussion on the matter.

- Smoking
  Oregon's Indoor Clean Air Act prohibits smoking in District buildings and within 10 feet of all entrances, exits and accessibility ramps that lead to and from an entrance or exit, windows that open and air-intake vents. "Smoking" includes cigarettes, cigars, pipes, and the use of "inhalant delivery systems" (vaping); and other devices. The Board may adopt anti-smoking policies that are stricter than state law and prohibit smoking on District properties other than buildings.

- Adjournment
  - Upon completion of the entire agenda, or at an hour pre-determined for the meeting to end, a board member shall make a motion to adjourn the meeting. Another board member shall second the motion, and the board chair (or acting board chair) shall declare the meeting adjourned.

  - Special circumstances: in the case of emergency circumstances (medical emergency, threat to public safety, etc.), the meeting may be adjourned without motion or preamble. If a loss of board quorum occurs for any reason during the course of the meeting, the meeting is considered adjourned at that point. The minutes of the meeting shall reflect how and why the meeting was adjourned.

Executive Sessions

- Notice
  Notice for meetings called only to hold executive sessions shall be given in the same manner as notice for regular, special and emergency meetings set forth above, except that the notice need only indicate the general subject matter to be considered at the executive session and set forth the statutory basis for calling the executive session.

- No Final Decisions
  The Board may fully discuss board member' views but shall not make any final decisions during any executive session.

- Purposes
  Executive sessions shall be held only for the following purposes:

ORS 192.660(2)(a). To consider the employment of a public officer, employee, staff member or individual agent if:
(A) The District has advertised the vacancy;
(B) The Board has adopted regular hiring procedures;\
(C) In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and
(D) In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

This authority does not apply to:
(1) The filling of a vacancy in an elective office.
(2) The filling of a vacancy on any public committee, commission or other advisory group.
(3) The consideration of general employment policies.
(4) The employment of the chief executive officer, other public officers, employees and staff members of a public body when the procedures listed above have been followed.

ORS 192.660(2)(b). To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

ORS 192.660(2)(c). To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.119 and 441.993 including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.

ORS 192.660(d). To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

ORS 192.660(e). To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

ORS 192.660(f). To consider information or records that are exempt by law from public inspection.

ORS 192.660(g). To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

ORS 192.660(h). To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

ORS 192.660(i). To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

ORS 192.660(j). To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

ORS 192.660(k). To consider matters relating to school safety or a plan that responds to safety threats made toward a school.

ORS 192.660(n). To discuss information about review or approval of programs relating to the security of any of the following:
(A) A nuclear-powered thermal power plant or nuclear installation.
(B) Transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation.
(C) Generation, storage or conveyance of:
(i) Electricity;
(ii) Gas in liquefied or gaseous form;
(iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);
(iv) Petroleum products;
(v) Sewage; or
(vi) Water.
(D) Telecommunication systems, including cellular, wireless or radio systems.
(E) Data transmissions by whatever means provided.

ORS 192.660(o). To consider matters relating to the safety of the governing body and of public body staff and volunteers and the security of public body facilities and meeting spaces.

ORS 192.660(p). To consider matters relating to cyber security infrastructure and responses to cyber security threats.

ORS 192.660(3). Labor negotiations IF negotiators for both sides request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.

- Conduct of Executive Session
  The President or other presiding officer shall announce the statutory authority for the executive session before going into closed session. Once the executive session has been convened, the President shall direct any representatives of the news media who are present not to report information from the executive session. Board members, staff and other persons present shall not discuss or disclose executive session proceedings outside of the executive session without prior authorization of the Board as a whole.

Minutes of Board Meetings

- Minutes
  The Board shall keep minutes of all of its meetings, including executive sessions, in accordance with the requirements of ORS 192.650. Minutes may be taken in writing or by audio recording, and shall include at least the following information:

  - All members of the Board present.

- All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition.
- Results of all votes, including the vote of each member by name.
- The substance of any discussion on any matter.
- A reference to any document discussed at the meeting.

- Minutes of Executive Session
  Minutes of executive sessions shall be kept separately from minutes of public meetings.

- Disclosure of Executive Session Matters
  If disclosure of material in the executive session minutes would be inconsistent with the purpose for which the executive session was held, the material may be withheld from disclosure. No executive session minutes may be disclosed without prior authorization of the Board.

- Retention
  Any tape recordings or written minutes of public Board meetings or executive sessions shall be retained by the District until such time as their disposal is authorized by rule or specific authorization of the State Archivist pursuant to ORS 192.105.

- Availability to the Public
  Written minutes of public sessions shall be made available to the public within a reasonable time after the meeting.

SAMPLE NOTICES

Notice of Regular, Special or Emergency Meeting

(A) The Board of Commissioners for the Rainbow Water District will hold a (regular, special, emergency) meeting at (time) at the District Office at 1550 N. 42nd Street, Springfield, on (month, day, year). A copy of the agenda of the meeting is attached.

(B) The Board of Commissioners for the Rainbow Water District will hold a (regular, special, emergency) meeting at (time) at the District Office at 1550 N. 42nd Street, Springfield, on (month, day, year). The meeting will cover water system operations, the proposed water rate increase, and revisions to the district's insurance program.

Notice of Executive Session

The Board of Commissioners for the Rainbow Water District will hold an Executive Session [pursuant to ORS 192.660(2)(a)] at (time) at the District Office at 1550 N. 42nd Street, Springfield, on (month, day, year). The session will consider an applicant for the position of Superintendent for the district.