

W. 9. F. 1.

AGENDA COVER MEMO

AGENDA DATE: January 29, 2004

TO: Board of County Commissioners

DEPARTMENT: Youth Services

PRESENTED BY: Lisa Smith



AGENDA TITLE: IN THE MATTER OF Ratifying the Intergovernmental Agreement with Oregon Youth Authority for Wraparound Services in the Amount of \$320,400 Increasing Appropriations and Expenditures in Youth Services in the Amount of \$37,110.

I. MOTION

To ratify the Intergovernmental Agreement with the Oregon Youth Authority for wraparound services in the amount of \$320,400 increasing Appropriations and Expenditures in Youth Services in the Amount of \$37,110.

II. ISSUE OR PROBLEM

Lane County received an amendment to the intergovernmental agreement with Oregon Youth Authority for wraparound services for delinquent youth. Because the contract was received on January 15, 2004 and had to be returned to the state by January 29, 2004, the county administrator signed the agreement. The agreement must be ratified by the Board in order to validate the agreement. In order for Lane County to carry out its responsibilities, appropriations to Youth Services must be increased.

III. DISCUSSION

A. Background/Analysis

Since the early 1990's, Lane County has entered Intergovernmental Agreements with Oregon Youth Authority for wraparound services for delinquent youth. The Oregon Youth Authority allocates funds to all counties for wraparound services to be used for activities that will treat youth who are

at high risk for commitment to state training schools. The goal is to provide effective community treatment so the youth will remain in the community and not be committed to Oregon Youth Authority custody.

Because of the uncertain nature of the state budget, rather than enter a new 2 year agreement, Oregon Youth Authority (OYA) extended their July 1, 2001-June 30, 2003 agreement with Lane County for wraparound funds only through January 31, 2004. OYA determined the amount available to extend this agreement through June 30, 2004. It is increasing the agreement with Lane County in the amount of \$37,110 through the end of our fiscal year.

The Intergovernmental Agreement goes into effect from January 31, 2004 or upon signing, whichever is later and does not allow for retroactive authorization. In order to forward the agreement within the required timeframe the county administrator signed the Intergovernmental Agreement.

B. Alternatives/Options

1. To approve the order thereby ratifying the Intergovernmental Agreement with the Oregon Youth Authority for wraparound services in the amount of \$320,400 increasing appropriations and expenditures in Youth Services in the amount of \$37,110. This will allow Lane to provide services to reduce criminal behavior in the youth of Lane County.
2. Not to approve the order thereby not accepting the Intergovernmental Agreement with the Oregon Youth Authority for wraparound services and thus not increasing appropriations and expenditures in Youth Services in the amount of \$37,110. This will reduce the resources available to Lane County to provide effective community treatment for high risk youth.

C. Recommendation

To approve #1 above

IV. IMPLEMENTATION

Upon approval by the Board, Youth Services will amend the 2002-2004 budget accordingly.

V. ATTACHMENTS

Intergovernmental Agreement
Board Order

THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

RESOLUTION AND ORDER: IN THE MATTER OF Ratifying the Intergovernmental Agreement with Oregon Youth Authority for Wraparound Services in the Amount of \$320,400 and Increasing Appropriations and Expenditures in Youth Services in the Amount of \$37,110.

WHEREAS, Lane County and the Oregon Youth Authority are working collaboratively to reduce delinquency and effectively treat youth in the community; and

WHEREAS, the Oregon Youth Authority initiated an Intergovernmental Agreement with Lane County to provide wraparound services to delinquent youth; and

WHEREAS, in order for Lane County to perform its obligations under this agreement, appropriations must be increased; and

WHEREAS, in order to have the Intergovernmental Agreement returned to the state by the required due date and maximize the amount of funds available to Lane County, the county administrator previously signed the agreement; it is hereby

RESOLVED and ORDERED that the Board of County Commissioners ratify the previously signed Intergovernmental Agreement from the Oregon Youth Authority; and it is further

ORDERED that appropriations in revenues and expenditures in fund 124 be increased by \$37,110.

DATED this _____ day of

Peter Sorenson, Chair
Board of County Commissioners

Agenda Date: January 29, 2004

APPROVED AS TO FORM
Date 1/27/04 Lane County
Terrence Spill
OFFICE OF LEGAL COUNSEL



**SECOND AMENDMENT
STATE OF OREGON INTERGOVERNMENTAL AGREEMENT**

State of Oregon
Oregon Youth Authority

Contract Log #: 1718b

This Second AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (this "Amendment") is made by and between the STATE OF OREGON, acting by and through its OREGON YOUTH AUTHORITY ("OYA" or "Department"), and Lane County Board of Commissioners, for its Lane County Youth Services ("County"). For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The original Agreement by and between Department and County, dated July 1, 2001, contract number 1718, is hereby amended as follows: **Language to be added is bolded and underlined; [language to be deleted is bolded and bracketed]:**

a. Amend the Agreement, page 1, Section 1, entitled "Effective Date and Duration", to change the expiration date from **[January 31, 2004]** to **June 30, 2004**.

b. Amend the Agreement, page 1, Section 3, entitled "Consideration", subsection a. to change the not to exceed amount from **[\$283,290.00]** to **\$320,400.00**.

c. Amend the Agreement Exhibit A, Section 1, entitled "Statement of Work", subparagraph 1.2 to read as follows:

1.2 The Supervising Representatives for purposes of this Agreement shall be:

OYA: **[Brad Mulvihill Field Services Manager (503) 373-7412]**
Robyn Cole, Assistant Director, Field Operations Manager (503) 378-8261
530 Center Street NE, Suite 200, Salem, OR 97301-3765

County: Lynn Schroeder, Acting Director (541) 682-4700
2727 Centennial Blvd., Eugene, OR 97401

d. Amend the Agreement Exhibit A, Section 2 entitled "Consideration", subparagraph 2.1 to read as follows:

2.1 In consideration of the services provided by the County under this Agreement during the period beginning July 1, 2001 and ending **[January 31, 2004] June 30, 2004**, the Department, subject to the provision of ORS 293.462 (payment of overdue account charges) and the terms and conditions of this Agreement, will pay to the County, by warrant(s) an amount not to exceed **[\$283,290.00] \$320,400.00**.

2. Except as expressly amended by this Amendment, all terms and conditions of the Agreement remain un-amended and in full force and effect.

3. By signature below, County certifies that the representations, warranties, and certifications in the Agreement are true and effective as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment, and the individual signing on behalf of County certifies under penalty of perjury that (i) s/he is authorized to act on behalf of County, (ii) s/he has knowledge regarding payment of taxes by County, and (iii) to the best of her/his knowledge, County is not in violation of any Oregon tax laws, including, without limitation, state inheritance tax, gift tax, personal income tax, withholding tax, corporation income and excise taxes, amusement device tax, timber taxes, cigarette tax, other tobacco tax, 9-1-1 emergency communications tax, the homeowners and renters property tax relief program, and local taxes administered by the Department of Revenue (Multnomah County Business Income Tax, Lane Transit District Tax, Tri-Metropolitan Transit District Employer Payroll Tax, and Tri-Metropolitan Transit District Self-Employment Tax).

4. Department's performance hereunder is conditioned upon County's compliance with the provisions of ORS 279.312, 279.314, 279.316, 279.320, and 279.555, as amended from time to time, which are hereby incorporated by this reference.

5. This Amendment is effective the date on which this Amendment is fully executed by the parties and fully approved as required by applicable statutes and rules.

I hereby certify and affirm I am eligible and authorized to sign this agreement on behalf of the County.

By: _____ Date: _____

Title: _____

Mailing Address: _____

Facsimile: _____

DEPARTMENT: STATE OF OREGON, acting by and through its Oregon Youth Authority

By: _____ Date: _____
Manager of Budget and Contracts

Mailing Address: 530 Center St. NE, Suite 200
Salem, Oregon 97301-3740
Facsimile: (503) 373-7921

Approved by Department of Administrative Services:

By: _____ N/A _____ Date: _____
Personal Services Contracts Section

Other Required Signature:

By: _____ N/A _____ Date: _____
Authorized Signature

Approved as to Legal Sufficiency by the Attorney General's Office: (Required if total amount owing under the Contract, as amended, exceeds \$75,000)

By: Susan L. Kancher Date: 1/9/04
Assistant Attorney General

Reviewed by OYA Contracts Specialist:

By: _____ Date: _____