



W.9G.2.

AGENDA MEMORANDUM

DATE: April 5, 2006

TO: Lane County Board of Commissioners

FROM: Chuck Forster, Executive Director
Lane Workforce Partnership

SUBJECT: ORDER/IN THE MATTER OF RE-DESIGNATING THE LANE COUNTY BOARD OF COMMISSIONERS AS THE CHIEF ELECTED OFFICIAL FOR PURPOSE OF IMPLEMENTATION OF THE WORKFORCE INVESTMENT ACT OF 1998

I. MOTION

ORDER/IN THE MATTER OF RE-DESIGNATING THE LANE COUNTY BOARD OF COMMISSIONERS AS THE CHIEF ELECTED OFFICIAL FOR PURPOSE OF IMPLEMENTATION OF THE WORKFORCE INVESTMENT ACT OF 1998

II ISSUE OR PROBLEM

The Workforce Investment Act (WIA) intends that a local workforce investment area where there is more than one unit of general local government that one government unit be designated as the "Chief Elected Official" for actions required under the Workforce Investment Act (Section 117(c)(1)(B)(i).

III DISCUSSION

A. Background

Discussions between the legal counsels of Lane County, the cities of Eugene and Springfield, and the Lane Workforce Partnership led to the agreement that the Board of County Commissioners be designated as the Chief Elected Official for purposes of the Workforce Investment Act. The original agreement was signed by the Chair of the Lane County Board of Commissioners on June 17, 2000. Specifically, the Designation Agreement:

- Designates the Chair of the Board of County Commissioners of Lane County to sign agreements and related documents under the provisions of the Workforce Investment Act that relate to plans, one stop operator selection, budget performance measures, and Youth Council appointments.

- Limits the actions of the designee, i.e. Chair of the Board of County Commissioners, only upon the consent of the City of Springfield, the City of Eugene and the Lane County Board of Commissioners.
- The local governments of Eugene and Springfield have approved the Designation Agreement.

B. Alternatives/Options

To not sign the Designation Agreement and recommend an alternative government as the Chief Elected Official under the Workforce Investment Act.

C. Implications

This agreement reinforces the role the Lane County Board of Commissioners has in workforce development in Lane County.

D. Recommendations

To approve the Designation Agreement (attached).

IV IMPLEMENTATION/FOLLOW UP

The Agreement would be effective immediately upon approval by the cities of Eugene, Springfield, and the Lane County Board of Commissioners.

V. ATTACHMENTS

- A. Designation Agreement
- B. Board Order

**DESIGNATION AGREEMENT BETWEEN LANE COUNTY
AND THE CITIES OF EUGENE AND SPRINGFIELD
(THE DESIGNATION AGREEMENT)**

This Designation Agreement (hereinafter in this instrument referred to as the Agreement) is entered into by Lane County, a political subdivision of the State of Oregon, and the cities of Eugene and Springfield, municipal corporations of the State of Oregon, (hereinafter, "Governments") (collectively "The Parties"). The Parties intend, by this Agreement, made pursuant to Article 2, Paragraph 6, of the Amended Intergovernmental Agreement, to designate one member government to serve as a "Chief Elected Official" as contemplated by Section 117(c)(1)(B)(i) of the Workforce Investment Act.

This Agreement supplements, and is in addition to, the Amended Intergovernmental Agreement between the parties hereto, which was last amended in 2000, and originally executed in 1985, pursuant to both the Job Training Partnership Act (JTPA) and the Workforce Investment Act (WIA).

THEREFORE, it is agreed:

ARTICLE I

DESIGNATION

The Governments hereby designate the Chair of the Board of the County Commissioners of Lane County ("Designee") to sign agreements and related documents, under those provisions of the Workforce Investment Act that relate to "plans," "one stop operator" selection, budget, performance measures, and youth council appointment.

ARTICLE II

LIMITATIONS

The above named Designee may act only upon the consent of the City of Springfield, the City of Eugene, and the Lane County Board of Commissioners. Consent from the City of Eugene and the City of Springfield may either be oral or written and may be provided through the respective City's representative on the Lane Workforce Partnership Board. The consent of Lane County shall be evidenced by a Board Order for the Lane County Board of Commissioners.

ARTICLE III

TERMINATION

This Agreement shall terminate on June 30, 2009. This Agreement may be renewed or extended by the unanimous agreement of the Parties.

ARTICLE IV

INCORPORATION

By the execution of this Agreement, the Governments recognize that the Governments have incorporated this Agreement into the Amended Intergovernmental Agreement.

IN WITNESS WHEREOF, this Agreement is executed by the parties hereto effective on or after July 1, 2006.

APPROVED AS TO FORM:

FOR THE GOVERNMENTS:

FOR LANE COUNTY:

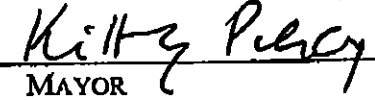
LANE COUNTY LEGAL COUNSEL

By: _____
CHAIR, BOARD OF COMMISSIONERS

FOR THE CITY OF EUGENE:




EUGENE CITY ATTORNEY

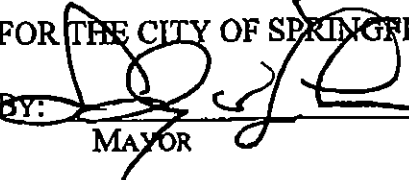
By: 

MAYOR

FOR THE CITY OF SPRINGFIELD:



SPRINGFIELD CITY ATTORNEY
1/26/06

By: 

MAYOR

IN THE BOARD OF LANE COUNTY, OREGON

ORDER NO.

**}IN THE MATTER OF RE-DESIGNATING THE LANE
}COUNTY BOARD OF COMMISSIONERS AS THE
}CHIEF ELECTED OFFICIAL FOR PURPOSE OF
}IMPLEMENTATION OF THE WORKFORCE
}INVESTMENT ACT OF 1998**

WHEREAS, the Workforce Investment Act intends the “Chief Elected Official” to assist in the administration of the grant funds, and

WHEREAS, when there is more than one unit of general local government, that one government unit be designated as the “Chief Elected Official” for actions under the Workforce Investment Act (Section 117 (c)(1)(B)(I), and

WHEREAS, discussions between the legal counsels of the Lane County, the cities of Eugene and Springfield, and the Lane Workforce Partnership led to an Agreement that the Board of County Commissioners be designated as the “Chief Elected Official” for purposes of the Workforce Investment Act, and

WHEREAS, the Agreement reinforces the central role of the Lane County Board of Commissioners have in workforce development in Lane County, it is hereby

RESOLVED AND ORDERED, that the Lane County Board of Commissioners enter into a Designation Agreement between the governments of the cities of Eugene and Springfield and by doing so will be designated as the “Chief Elected Official” for actions under the Workforce Investment Act as specified in the Designation Agreement.

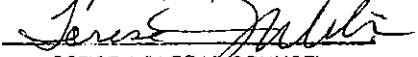
Dated this 5th day of April 2006.

Chair, Lane County Board of Commissioners

ORDER/IN THE MATTER OF RE-DESIGNATING THE LANE COUNTY BOARD OF COMMISSIONERS AS THE CHIEF ELECTED OFFICIAL FOR PURPOSE OF IMPLEMENTATION OF THE WORKFORCE INVESTMENT ACT OF 1998

APPROVED AS TO FORM

Date 3/27/06 Lane County


OFFICE OF LEGAL COUNSEL