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AGENDA COVER MEMO

AGENDA DATE: February 4, 2009

Memorandum Date: January 21, 2009

TO: LANE COUNTY BOARD OF COMMISSIONERS

DEPARTMENT: Lane County Counsel

PRESENTED BY: Liane Richardson, County Counsel

AGENDA ITEM TITLE: 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

I MOVE THAT THE BOARD OF COMMISSIONERS SIGN THE ORDER RE-DESIGNATING THE LANE COUNTY BOARD OF COMMISSIONERS AS THE CHIEF ELECTED OFFICIAL FOR PURPOSE OF IMPLEMENTATION OF THE WORKFORCE INVESTMENT ACT OF 1998 AND ENTER INTO THE DESIGNATION AGREEMENT BETWEEN LANE COUNTY AND THE CITIES OF EUGENE AND SPRINGFIELD

II. AGENDA ITEM SUMMARY

The County and the cities of Eugene and Springfield originally executed a Designation Agreement in 1985, pursuant to the Job Training Partnership Act and the Workforce Investment Act. The Workforce Investment Act requires that the parties designate a "Chief Elected Official".

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History - The County originally executed a Designation Agreement in 1985, amended such agreement in 2000, and last re-designated the Board of Commissioners as the "Chief Elected Official" in 2003.

B. Policy Issues - This agreement supports the Board's policy of intergovernmental cooperation and investment in the local workforce.

C. Board Goals - One of the Board's goals is to increase the local workforce. Participation as the "Chief Elected Official" satisfies federal requirements and allows Lane County to move towards this goal.

D. Financial and/or Resource Considerations - None

E. Analysis - The Federal government requires that one government unit be designated as the "Chief Elected Official" for actions under the Workforce Investment Act when there is more than one unit of general local government. The Board of Commissioners have acted in this capacity since 1985, and there appears to be no reason to discontinue Lane County's participation in that role.

F. Alternatives/Options

- a. Approve the Order re-designating the Lane County Board of Commissioners as the Chief Elected Official for purposes of implementation of the Workforce Investment Act of 1998 and authorize the Chair of the Board to sign the Designation Agreement
- b. Not approve the Order, which would result in one of the other units of local government being designated as the "Chief Elected Official"

IV. TIMING/IMPLEMENTATION - In effect once signed by all parties

V. RECOMMENDATION I recommend the Board adopt the proposed changes.

VI. ATTACHMENTS

- a. Designation Agreement
- b. Board Order

IN THE BOARD OF COUNTY COMMISSIONERS
OF LANE COUNTY, OREGON

ORDER NO.

) IN THE MATTER OF REDESIGNATING
) 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 the Lane County Board of Commissioners has 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 _____ day of _____, 2009.

Peter Sorenson, Chair
Lane County Board of Commissioners

**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, 2012. This Agreement may be renewed or extended by the unanimous agreement of the Parties.

ARTICLE IV

INCORPORATION

By 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, 2009.

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

By: _____
Mayor