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AGENDA COVER MEMO

AGENDA DATE: July 14, 2010
Memorandum Date: July 7, 2010

TO: LANE COUNTY BOARD OF COMMISSIONERS

DEPARTMENT: LANE COUNTY OFFICE OF LEGAL COUNSEL

PRESENTED BY: Liane I Richardson, County Counsel

AGENDA ITEM TITLE: IN THE MATTER OF DISCUSSING THE PLACEMENT OF
VARIOUS AMENDMENTS TO THE LANE COUNTY CHARTER ON
THE NOVEMBER, 2010 BALLOT

I. MOTION

I MOVE TO PLACE THREE ITEMS AMENDING VARIOUS SECTIONS OF THE LANE COUNTY CHARTER ON THE NOVEMBER 2010 BALLOT

II. AGENDA ITEM SUMMARY

The Board indicated on July 7, 2010 that it would like to place three items on the November 2010 ballot. These amendments take various forms; one is "clean up" to make a section more understandable, and the other two items provides for more flexibility in how the County is structured.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History . The Lane County Charter was passed by the voters in November of 1962, and there have been many different amendments to the Charter over the years. There have also been suggestions made for additional language changes throughout the years, but because of the cost of elections, prior Boards have declined to put such measures on the ballot. The Board decided to place a local option tax measure on the ballot in May 2010 to support Extension services, and as the cost of putting additional measures on the ballot is much less than the cost of putting the first measure on the ballot, several Commissioners felt that the time was right to discuss what, if any, proposed amendments to the Charter should be put on the May, 2010 ballot. Three items were placed on the ballot, and all three passed. Recently, Commissioners asked staff to bring forth the remaining suggestions. As the County pays the full cost of the November election, the Board of Commissioners indicated support of placing three more measures on the November ballot.

B. Policy Issues Having clear and concise direction in the Charter allows the County to function at the level necessary to provide services to the citizens of Lane County. More flexibility in how to structure the County may be beneficial in the near future when reorganization may be required.

C. Board Goals The Board has expressed goals of being transparent in government, of trying to look at doing things differently, and of increasing efficiency within the organization. Many of the suggested amendments to the Charter addresses these goals.

D. Financial and/or Resource Considerations The County pays the full cost of the November election, and the number of measures already known to the County Clerk indicate

there will be a two-sided ballot regardless of whether the Board places any measures on the ballot. There will be little added cost to adding measures on the November ballot.

E. Analysis The Board has asked for proposed changes to the following sections of the Charter:

Chapter IV, Section 19 Administrative Departments

The Board has expressed interest in being able to be more flexible in how the County is structured. The current wording of the Charter requires that there be specified departments within the County. The County performs all of the functions listed, but not necessarily within the identified departments. In order to best serve the citizens of Lane County, a more fluid program based description of the County's functions, rather than department based description, is preferred by the Board.

Chapter IV, Section 21 Appointive Administrative Officers and Employees

The only changes to this section would allow the Board of Commissioners to designate a person to make changes to the functions of administrative officers and employees, and to assign functions to whatever administrative department the county administrator deems appropriate.

Chapter IV, Section 22 Changes in Administrative Departments

A couple of members of the Board of County Commissioners have indicated this section is confusing as written. I have provided two different options to the Board which may make this section more understandable.

F. Alternatives/Options

The Board can place any, all or none of the proposed charter amendments on the November 2010 ballot.

IV. TIMING/

Decisions need to be reached soon (within the next week or two) so that any ballot measures the Board wishes to place on the November ballot can be finalized and submitted to Elections in a timely manner.

V. RECOMMENDATION

I recommend the Board pass the motion.

VI. ATTACHMENTS Charter Sections with changes noted in legislative format

Ballot Title

Caption: AMENDMENT OF SECTION 19 OF LANE COUNTY CHARTER

QUESTION: Shall Lane County amend Section 19 of the Lane County Charter to provide more flexibility to the County's structure?

SUMMARY: The Charter currently requires certain functions to be provided by specified departments. The proposed changes would still require that the current functions be provided, but allows the County to determine what departments should exist to best provide the specified services. This change will not result in any change to services or additional costs to the citizens of Lane County.

Ballot Title

Caption: AMENDMENT OF SECTION 21 OF LANE COUNTY CHARTER

QUESTION: Shall Lane County amend Section 21 of the Lane County Charter to provide more flexibility to the County's structure?

SUMMARY: The Charter currently requires that changes to departmental structure be approved by the County Commissioners. By adding language allowing the Commissioners to delegate this authority to the County Administrator, the County can adapt more quickly to needed changes regarding departmental structure. This change will not result in any change to services or additional costs to the citizens of Lane County.

Ballot Title

Caption: AMENDMENT OF SECTION 22 OF LANE COUNTY CHARTER

QUESTION: Shall Lane County amend Section 22 of the Lane County Charter to clarify language in that section?

SUMMARY:. Section 22 has confusing language. The proposed changes to this section do not change the Commissioners' authority to make changes to departments or the restrictions regarding changes to the department of public safety and the department of assessment and taxation. The proposed changes simplify the current language. There would be no impact to services to the citizens of Lane County, nor added cost.