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AGENDA COVER MEMO

AGENDA DATE: August 29, 2007

Memorandum Date: August 21, 2006

TO: LANE COUNTY BOARD OF COMMISSIONERS
DEPARTMENT: LANE COUNTY OFFICE OF LEGAL COUNSEL
PRESENTED BY: Teresa J. Wilson, County Counsel
AGENDA ITEM TITLE: In the Matter of Correcting Order No. 07-8-14-1 that Amended Chapter 3 of the Lane Manual Regarding the Functions of the County Administrator and Assistant County Administrator

I. MOTION

I MOVE TO CORRECT ORDER NO. 07-8-14-1 AMENDING FUNCTIONS OF THE COUNTY ADMINISTRATOR AND ASSISTANT COUNTY ADMINISTRATOR AS SET FORTH IN LANE MANUAL

II. AGENDA ITEM SUMMARY

Order 07-8-14-1 did not include a reference to proposed changes to LM 3.134, although the changes were included in the pages attached to the order. The change deleted a limit to the number of duties assigned to the Office of County Administration.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History Board Order 07-8-14-1 added the positions of Assistant County Administrator and the Performance Auditor to the department director positions not appointed by the County Administrator, and provided for the duties to be performed by the Assistant County Administrator. LM 3.134 limited the number of duties assigned to the Office of County Administration to eight; Order 07-8-14-1 intended to remove this limitation.

B. Policy Issues The policy objective here is to not specify the number of duties to be assigned to the County Administration Office.

C. Board Goals To clarify and define the functions of the County Administration Office.

D. Financial and/or Resource Considerations There are no financial considerations to the proposed decision.

E. Analysis Approving the correction will rectify an inadvertent omission.

F. Alternatives/Options

1. Approve the correction and not specify number of duties to be assigned to the County Administration Office;
2. Do not approve the correction and limit the number of duties assigned to the County Administration Office to eight.

IV. TIMING/IMPLEMENTATION

Effective immediately.

V. RECOMMENDATION

Approve the correction.

VI. ATTACHMENTS

Correcting Board Order
Board Order 07-8-14-1 with LM pages attached

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF CORRECTING ORDER NO.
07-8-14-1 THAT AMENDED CHAPTER 3 OF THE
LANE MANUAL REGARDING THE FUNCTIONS
OF THE COUNTY ADMINISTRATOR AND
ASSISTANT COUNTY ADMINISTRATOR

WHEREAS, the Board adopted changes to Lane Manual Chapter 3 regarding functions of the County Administrator and Assistant County Administrator by Board Order 07-8-14-1;

WHEREAS, Order No. 07-8-14-1 inadvertantly omitted changes to LM 3.134 that removed a limit to the number of functions assigned to the Office of County Administration;

IT IS HEREBY ORDERED that Order No. 07-8-14-1 is amended as follows:

Lane Manual Chapter 3 is hereby amended by deleting, substituting, and adding the following section:

DELETE THIS SECTION

3.134
as located on page 3-15
(a total of 1 page)

INSERT THIS SECTION

3.134
as located on page 3-15
(a total of 1 page)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to removed the limit to the number of functions assigned to the Office of County Administrator..

Adopted this _____ day of _____ 2007.

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 8/21/07 Lane County


OFFICE OF LEGAL COUNSEL

OFFICE OF COUNTY ADMINISTRATION

3.130 Definitions.

As used in this subchapter:

"Office" means the Office of County Administration as described in LC 2.110-2.115.
(Revised by Order No. 94-12-20-1; Effective 12.20.94)

3.132 County Administrator.

See Lane Code 2.110. (Revised by Order No. 94-12-20-1; Effective 12.20.94)

3.134 Functions.

In addition to the duties assigned in LC 2.110 through 2.115, the office shall be responsible for budget functions including budget development and administration, financial analysis and planning, and budget monitoring. (Revised by Order No. 94-12-20-1; Effective 12.20.94)

3.136 Assistant County Administrator.

- (1) The Assistant County Administrator shall be appointed by the Board.
- (2) Under the administrative direction of the County Administrator, the Assistant County Administrator may serve as the Department Director of the Office of County Administration.
- (3) Under the administrative direction of the County Administrator, the Assistant County Administrator may exercise direct supervision over assigned Department Directors.
- (4) The Assistant County Administrator shall perform such additional duties as may be delegated by the County Administrator or the Board.

DEPARTMENT OF CHILDREN AND FAMILIES

3.140 Definitions.

As used in this subchapter:

"Department" means the Department of Children and Families of Lane County.

"Director" means the Director of the Department of Children and Families of Lane County. (Revised by Order No. 95-6-28-2; Effective 6.28.95)

3.142 Director.

- (1) Under the administrative direction of the County Administrator, the head of the Department shall have the title of the Director of the Department of Children and Families of Lane County.
- (2) The Director shall have the duties and responsibilities of the staff director for the Lane County Commission on Children and Families.
- (3) The Director shall perform such additional duties or assignments as may be delegated by the County Administrator or the Board. (Revised by Order No. 95-6-28-2; Effective 6.28.95)

OFFICE OF COUNTY ADMINISTRATION

3.130 Definitions.

As used in this subchapter:

"Office" means the Office of County Administration as described in LC 2.110-2.115.
(Revised by Order No. 94-12-20-1; Effective 12.20.94)

3.132 County Administrator.

See Lane Code 2.110. (Revised by Order No. 94-12-20-1; Effective 12.20.94)

3.134 Functions.

In addition to the eight duties assigned in LC 2.110 through 2.115, the office shall be responsible for budget functions including budget development and administration, financial analysis and planning, and budget monitoring. (Revised by Order No. 94-12-20-1; Effective 12.20.94)

3.136 Assistant County Administrator.

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- (2) Under the administrative direction of the County Administrator, the Assistant County Administrator may serve as the Department Director of the Office of County Administration.
- (3) Under the administrative direction of the County Administrator, the Assistant County Administrator may exercise direct supervision over assigned Department Directors.
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- (2) The Director shall have the duties and responsibilities of the staff director for the Lane County Commission on Children and Families.
- (3) The Director shall perform such additional duties or assignments as may be delegated by the County Administrator or the Board. (Revised by Order No. 95-6-28-2; Effective 6.28.95)

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.
07-8-14-1

IN THE MATTER OF AMENDING CHAPTER 3 OF THE
LANE MANUAL REGARDING THE FUNCTIONS OF THE
COUNTY ADMINISTRATOR AND ASSISTANT COUNTY
ADMINISTRATOR (LM 3.020, 3.136)

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapter 3 is hereby amended by deleting, substituting, and adding the following section:

DELETE THIS SECTION

3.020
as located on pages 3-3 through 3-4
(a total of 2 pages)

None

INSERT THIS SECTION

3.020
as located on pages 3-3 through 3-4
(a total of 2 pages)

3.136
as located on page 3-15
(a total of 1 page)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to amend the functions of the County Administrator and to define the functions Assistant County Administrator (LM 3.020, 3.136).

Adopted this 14th day of August 2007.



Chair, Lane County Board

APPROVED AS TO FORM

Date 8/3/07 Lane County


OFFICE OF LEGAL COUNSEL

(c) Any activity prohibited by law, especially conflict of interest laws and government ethics.

(5) Particular circumstances may allow for exceptions to this policy. Commissioners should exercise good judgment in the use of County letterhead, taking into consideration how such correspondence might reflect upon Lane County and the Board of Commissioners. *(Revised by Order No. 90-7-3-11, Effective 7.3.90)*

OFFICE OF THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY

3.010 Definitions.

As used in this subchapter:

"Office" means the Office of the Board of County Commissioners of Lane County. *(Revised by Order No. 93-5-19-5, Effective 5.19.93)*

3.012 Functions.

(1) The Office shall have all those functions allocated to the Board under the State law, the Lane County Home Rule Charter, the Lane Code and the Lane Manual, except as such functions have been or may in the future be delegated by the Board. *(Revised by Order No. 93-5-19-5, Effective 5.19.93)*

3.014 Operation.

- (1) The Office shall operate subject to the direction of the Board.
- (2) The Board may delegate its authority to act with regard to the functions of the Office, subject to the requirements of law.
- (3) The Office shall be so organized and employ such personnel as in the judgment of the Board will most efficiently and economically carry out the functions of the Office and discharge its responsibilities in the best interest of the people of Lane County.
- (4) Each Commissioner shall appoint his or her respective assistant, who will work in developing priorities, policy objectives and constituent services as directed by the Commissioner and consistent with Lane Manual policies. *(Revised by Order No. 93-5-19-5, Effective 5.19.93)*

DEPARTMENT DIRECTORS

3.020 Department Directors.

The County shall be organized into Administrative Departments, as that term is used in the Charter, for the purposes of carrying out the policies of the County and administering its affairs. Subject to the review and approval of the County Administrator, each of the Departments shall be administered by a Department Director. All Department Directors other than elective administrative officers, Assistant County Administrator, County Counsel, and the Performance Auditor, shall be appointed by the County Administrator and hold office at his or her pleasure, unless otherwise required by law. All Department Directors positions are included in the unclassified service of the County. Department Directors shall have the following general authorities in addition to those specified in the Department description:

- (1) As recommended by the County Administrator, where appropriate the Departments shall be so organized and employ such personnel as shall most efficiently and economically carry out the functions of the Departments and discharge their responsibilities in the best interest of the people of Lane County, subject at all times and

in all respects to the direction of the Board, to the Lane County budget, and to other provisions more specifically included herein, and applicable State law.

(2) All Department personnel shall be appointed and removed by the Director in accordance with general personnel procedures and policies of Lane County.

(3) The Director may perform acts authorized or required to be performed by the Department, and may from time to time authorize and direct appropriate employees of the Department to perform such acts upon such terms as the Director may prescribe, subject to requirements of law. Any such delegation of authority need not be in writing or otherwise formalized, except where required by law or order of the Board.

(4) All contracts concerning functions of the Department to which Lane County is a party shall be proposed by the Department, reviewed and recommended by the County Administrator and executed by the Board, except when the power to contract has been expressly delegated otherwise.

(5) The Director is authorized to sign and execute all necessary forms now existing in connection with the performance of functions assigned to the Department by this order, irrespective of any title or other designation printed thereon, and such signature and execution shall have legal effect the same as heretofore such signature and execution have had when executed by officers and employees carrying such title or designation prior to the assignment of functions provided in this order. *(Revised by Order No. 83-9-28-24, Effective 10.1.83)*

DEPARTMENT OF ASSESSMENT AND TAXATION

3.030 Definitions.

As used in this subchapter:

"Department" means the Department of Assessment and Taxation of Lane County. It is expressly recognized that this Department is not an administrative Department as employed in these provisions of the Lane Manual, but is an administrative Department as the term is employed in the Charter.

"Director" means the Director of the Department of Assessment and Taxation of Lane County, also known as the Lane County Assessor. *(Revised by Order No. 80-6-24-7, Effective 7.1.80)*

3.032 Director.

The head of the Department shall have the title of Director of the Department of Assessment and Taxation, and also the title of Lane County Assessor. *(Revised by Order No. 80-6-24-7, Effective 7.1.80)*

3.034 Functions.

(1) The Department shall have the functions of the County Assessor under general State law and the functions of the County Sheriff under general State law that pertain to the collection of taxes, and such further functions as have heretofore been allocated and assigned to the County Assessor and to the County Sheriff that pertain to the collection of taxes, by the Board, subject to contrary provisions included within this Manual, and such further functions as are herein allocated and assigned to the Department by the Board.

(2) The allocation and assignment to the Department of the functions of the County Sheriff under general State law pertaining to taxes is hereby declared to include all of the functions of the County Sheriff provided for in ORS Chapter 275, and ORS 312.200, and the same are hereby so allocated and assigned to the Department. No mention or enumeration in this paragraph of particular functions of the Department shall

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3.132 County Administrator.

See Lane Code 2.110. (Revised by Order No. 94-12-20-1; Effective 12.20.94)

3.134 Functions.

In addition to the duties assigned in LC 2.110 through 2.115, the office shall be responsible for budget functions including budget development and administration, financial analysis and planning, and budget monitoring. (Revised by Order No. 94-12-20-1; Effective 12.20.94)

3.136 Assistant County Administrator.

- (1) The Assistant County Administrator shall be appointed by the Board.
- (2) Under the administrative direction of the County Administrator, the Assistant County Administrator may serve as the Department Director of the Office of County Administration.
- (3) Under the administrative direction of the County Administrator, the Assistant County Administrator may exercise direct supervision over assigned Department Directors.
- (4) The Assistant County Administrator shall perform such additional duties as may be delegated by the County Administrator or the Board.

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- (2) The Director shall have the duties and responsibilities of the staff director for the Lane County Commission on Children and Families.
- (3) The Director shall perform such additional duties or assignments as may be delegated by the County Administrator or the Board. (Revised by Order No. 95-6-28-2; Effective 6.28.95)

3.144 Functions.

- (1) The Department shall be responsible for implementing the plans created by the Lane County Commission on Children and Families and approved by the Board for a local system of services that is preventive, integrated in local communities, and

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(c) Any activity prohibited by law, especially conflict of interest laws and government ethics.

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and economically carry out the functions of the Departments and discharge their responsibilities in the best interest of the people of Lane County, subject at all times and in all respects to the direction of the Board, to the Lane County budget, and to other provisions more specifically included herein, and applicable State law.

(2) All Department personnel shall be appointed and removed by the Director in accordance with general personnel procedures and policies of Lane County.

(3) The Director may perform acts authorized or required to be performed by the Department, and may from time to time authorize and direct appropriate employees of the Department to perform such acts upon such terms as the Director may prescribe, subject to requirements of law. Any such delegation of authority need not be in writing or otherwise formalized, except where required by law or order of the Board.

(4) All contracts concerning functions of the Department to which Lane County is a party shall be proposed by the Department, reviewed and recommended by the County Administrator and executed by the Board, except when the power to contract has been expressly delegated otherwise.

(5) The Director is authorized to sign and execute all necessary forms now existing in connection with the performance of functions assigned to the Department by this order, irrespective of any title or other designation printed thereon, and such signature and execution shall have legal effect the same as heretofore such signature and execution have had when executed by officers and employees carrying such title or designation prior to the assignment of functions provided in this order. *(Revised by Order No. 83-9-28-24, Effective 10.1.83)*

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