



LANE COUNTY

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W. 10-C.2.

AGENDA COVER MEMORANDUM

AGENDA DATE: February 22, 2006

PRESENTED TO: Board of County Commissioners

PRESENTED BY: Annette K. Newingham, Chief Deputy County Clerk

AGENDA TITLE: **IN THE MATTER OF DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATIVE OFFICER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT FOR OREGON CENTRAL VOTER REGISTRATION SYSTEM SERVICES BETWEEN OREGON SECRETARY OF STATE AND LANE COUNTY**

I. MOTION

TO DELEGATE AUTHORITY TO THE COUNTY ADMINISTRATIVE OFFICER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT FOR OREGON CENTRAL VOTER REGISTRATION SERVICES BETWEEN OREGON SECRETARY OF STATE AND LANE COUNTY.

MOVE APPROVAL OF ORDER 06 -- _____ .

II. ISSUE

Under state legislation passed in 2001 (HB 2002), and federal legislation passed in 2002, Help America Vote Act (HAVA), the Oregon Secretary of State was required to implement a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level.

Lane County Elections was one of two county pilots first migrated to the statewide voter registration system. Lane County Elections officially cut over to the new statewide system the end of June 2005. Currently all Oregon counties have been migrated to the statewide voter registration system, meeting the federal requirement.

As part of HAVA, counties are required to utilize the voter registration functions of the Oregon Centralized Voter Registration (OCVR) system. The County may also utilize

additional election functions of the same system not federally mandated, in which case counties are responsible for an annual payment to the Secretary of State (Lane County's portion is \$48,869, starting July 1, 2006.) Lane County Elections currently utilizes all functions of the statewide voter registration system, federally mandated, and all other essential programs pertaining to the conduct of elections and related election activities.

With this implementation, an intergovernmental agreement will need to be signed by the County and the Secretary of State. Highlights of the agreement are as follows:

- The term of the Intergovernmental Agreement begins on the commencement date and ends on June 30, 2007.
- The first payment for additional election functions is due to the Secretary of State no later than July 31, 2006, and ends on June 30, 2007.
- Thereafter, the Agreement shall automatically renew each year for a one-year term beginning on July 1 of each calendar year and ending on June 30 of the following calendar year.
- After the initial term, and provided that the County chooses to continue to use the additional election functions, the County shall pay the Secretary of State an amount agreed upon by Secretary of State and the County.
- No later than June 30 of each year, the Secretary of State may schedule an opportunity for the County to participate in a review of the terms and conditions of the Agreement.
- Either party may submit a written request for review of this Agreement no later than June 30 of each year.
- The County may, at its sole discretion and at any time during the term of the agreement, discontinue use of the additional election functions by sending six months prior written notice to Secretary of State of its intention to discontinue such use.

III. DISCUSSION

A. Background

Lane County Elections previously had a contract with Data Information Management Systems (DIMS) for all election modules currently provided by the statewide voter registration system (OCVR). Lane County Elections paid an annual maintenance of \$63,479.16 to the previous elections vendor related to all election programs, including software upgrades, enhancements, and resolution of any problems concerning internal coding and operation.

The contract was discontinued with Data Information Management Services (DIMS) the last part of June 2005. With the statewide system, the voter registration and related maintenance costs are maintained by the Secretary of State. The maintenance costs for the additional programs, beyond the federal statewide voter registration requirements, are the responsibility of the counties that utilize those

programs, essential to the conduct of elections and related election activities. That annual cost will be \$48,869.00 commencing July 1, 2006.

B. Analysis

1. N/A

C. Alternatives/Options

1. Adopt the order and delegate authority to the County Administrative Officer to execute an intergovernmental agreement for Oregon Central Voter Registration System Services between Oregon Secretary of State and Lane County.
2. Reject the order and provide direction to the Department of Management Services, Division of Chief Deputy County Clerk, for revision and resubmission of the order.

D. Recommendation

Approve Option 1: Adopt the order and delegate authority to the County Administrative Officer to execute an intergovernmental agreement for Oregon Central Voter Registration System Services between Oregon Secretary of State and Lane County.

IV. IMPLEMENTATION/FOLLOW-UP

Following Board approval, the County Administrative Officer will sign an intergovernmental agreement, and executed copy will be returned to Department of Management Services, Annette Newingham, Chief Deputy County Clerk.

V. ATTACHMENT

Board Order

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

**RESOLUTION AND
ORDER 06-**

) **IN THE MATTER OF DELEGATING
) AUTHORITY TO THE COUNTY
) ADMINISTRATIVE OFFICER TO
) EXECUTE AN
) INTERGOVERNMENTAL
) AGREEMENT FOR OREGON
CENTRAL VOTER REGISTRATION
SYSTEM SERVICES BETWEEN
OREGON SECRETARY OF STATE
AND LANE COUNTY**

WHEREAS, under state legislation passed in 2001 (HB 2002), and federal legislation passed in 2002, Help America Vote Act (HAVA), the Secretary of State was required to implement a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level; and

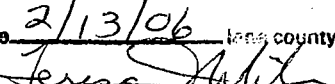
WHEREAS, SOS and the 36 Oregon counties have cooperated to create and implement an information system known as the Oregon Central Voter Registration System (OCVR) to accomplish the directives of HAVA, and to implement additional functions related to voter registration and election management; and

WHEREAS, Lane County Elections is currently utilizing all functions of the Oregon Central Voter Registration System (OCVR), both federally mandated and additional election functions essential to the conduct of elections and related activities; now, therefore,

IT IS HEREBY RESOLVED AND ORDERED, that the County Board of Commissioners delegate authority to the County Administrative Officer to execute an intergovernmental agreement for Oregon central voter registration system services between Oregon Secretary of State and LANE COUNTY.

Dated this _____ day of _____, 2006.

Bill Dwyer, Chair
Board of County Commissioners

APPROVED AS TO FORM
Date 2/13/06 Lane County

OFFICE OF LEGAL COUNSEL