



CALIFORNIA OCEAN PROTECTION COUNCIL

Mike Chrisman, *Secretary for Resources, Council Chair*
Cruz Bustamante, *Lieutenant Governor*
Alan Lloyd, *Secretary for Environmental Protection*
Sheila Kuehl, *State Senator, Ex officio Member*
Pedro Nava, *State Assemblymember, Ex officio Member*

MEMORANDUM

TO: California Ocean Protection Council

FROM: Sam Schuchat, Council Secretary

DATE: September 15, 2005

RE: **Delegation of Authority for Placing Items on the Consent Agenda, Making Contracts and Grant-Making**

RECOMMENDED ACTION: Staff recommends the California Ocean Protection Council adopt a proposed delegation of authority to the Secretary to take the following actions as necessary and appropriate for operations of the Council, consistent with applicable law and policies of the Council, without specific further Council authorization: a) to place items of \$100,000 or less with no known opposition on the Council's consent agenda; b) to negotiate and enter into agreements and contracts for technical and other services needed to develop Council-related projects costing no more than \$100,000, and c) apply for funds from persons or entities for Council support and project work, make required representations, negotiate and enter into agreements to obtain funds, accept funds, assign grant and similar applications and funds.

DESCRIPTION:

Public Resources 35625 authorizes the Secretary to administer the affairs of the Council, provide the staff services and administer grants and expenditures authorized by the council from the fund or other sources. In order to effectuate this section, we propose the following delegations.

Consent Calendar. We anticipate that future Council meetings will continue to have very full agendas, particularly as Council activity expands. In an effort to keep meetings productive and, for the time being, not longer than one day in length, we suggest the Council employ a consent calendar for meetings.

As the agenda is generated between meetings, items which do not need a full discussion would be listed on the consent calendar; these items could be moved and considered for adoption en masse at each Council meeting. The proposal for consent calendar criteria is as follows:

Items of \$100,000 or less with no known opposition may be placed on the Council's Consent Agenda. Adequate documentation and information concerning consent agenda items will be

provided in the Council's briefing materials. Any Councilmember can have an item removed from the consent agenda for separate consideration. The remainder of the consent agenda will be voted on, omitting the challenged item(s).

Contract Authority

In addition, we are requesting authority to enter into agreements, contracts and negotiations on behalf of the council in order to expedite the work of the council in the intervening months between council meetings. This authority is limited to \$100,000, half that of the comparable authority for projects at the Coastal Conservancy. The proposed authority may need to be increased as the complexity and scope of the Council's work increases. The proposal for contracting authority would allow your Secretary to negotiate and enter into agreements and contracts for technical and other services needed to develop Council-related projects costing no more than \$100,000.

Applying for Grants and Other Funds

Finally, we are requesting authority to apply for funds and other resources in support of the Council and its project work. This delegation would provide authority for your Secretary to make required representations, negotiate and enter into agreements to obtain funds, accept funds, and assign grant and similar applications and funds on the Council's behalf. This delegation does not authorize the Secretary to expend the funds obtained on behalf of the council; the existing staff recommendation process would be used for expenditure of these funds.