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AUGUST 15, 2016

AGENDA ITEM 03  
ACTION ITEM

CALIFORNIA ABLE ACT BOARD

*Resolution No. 2016-02: Resolution of the California ABLE Act Board Delegating to the Executive Director the Authority to Enter into Contracts*

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***Action Recommended***

Adopt Resolution No. 2016-02 authorizing the Executive Director to enter into contracts.

***Background***

Per statute, the Board may authorize the Executive Director to enter into contracts on behalf of the Board or conduct any business necessary for the efficient operation of the Board. Consistent with or comparable to other boards, authorities, commissions, and committees chaired by the State Treasurer, Resolution No. 2016-02 would set the delegated contract amount at \$300,000, and require the Executive Director to report to the Board any action taken under the resolution for contracts exceeding \$10,000.

State contracting requires extensive time and multiple processes and any improvement in the contracting process would have an immediate effect on operational efficiencies. Delegating to the Executive Director the authority to enter into contracts necessary for the Board's business operations would greatly improve timeliness and overall efficiency. Additionally, under this resolution, the Deputy Executive Director would serve as the acting Executive Director and delegated with the authority of the Executive Director in those limited circumstances when the Executive Director is unable or unavailable to exercise the delegated authority.

***Presenter***

Christina Elliott, Executive Director, California ABLE Act Board

**RESOLUTION NO. 2016-02**

**RESOLUTION OF THE CALIFORNIA ABLE ACT BOARD DELEGATING TO THE EXECUTIVE DIRECTOR THE AUTHORITY TO ENTER INTO CONTRACTS**

**WHEREAS**, the California ABLE Act Board (the “Board”), pursuant to section 4877(c)(2) of the Welfare and Institutions Code, has the power and authority to make and enter into contracts necessary for the administration of the ABLE Program Trust, and engage personnel, including consultants, actuaries, managers, counsel, and auditors, as necessary for the purpose of rendering professional, managerial, and technical assistance and advice; and

**WHEREAS**, section 4877(d) of the Welfare and Institutions Code provides that the Board may authorize the Executive Director to enter into contracts on behalf of the Board or conduct any business necessary for the efficient operation of the Board;

**NOW, THEREFORE, BE IT RESOLVED** by the California ABLE Act Board as follows:

**SECTION 1.** The Executive Director may enter into contracts on behalf of the Board for up to the amount of \$300,000, including any amendments to contracts on behalf of the Board as long as the total amount of the contract does not exceed \$300,000.

**SECTION 2.** The Executive Director shall report to the Board at the next scheduled Board meeting, actions taken pursuant to the delegation of authority under this Resolution for any contract with a total amount exceeding \$10,000.

**SECTION 3.** The Deputy Executive Director shall serve as acting Executive Director designated with all the authority of the Executive Director granted under this Resolution at any time and limited to that period of time the Executive Director is unavailable or unable to perform any duty of the Executive Director under this Resolution.

**SECTION 4.** This Resolution becomes effective immediately upon its adoption.

Attest: \_\_\_\_\_  
Chairperson

Date of Adoption: August 15, 2016