

CALIFORNIA ALTERNATIVE ENERGY & ADVANCED ~~TRANSPORTATION~~
TRANSPORTATION FINANCING AUTHORITY

Meeting Date: April 28, 2010

Request for Approval of a Resolution Authorizing the Executive Director and Deputy Executive Director to Execute Contracts and Interagency Agreements

Prepared by: *Jan McFarland, Executive Director*

Summary. The California Alternative Energy and Advanced Transportation Financing Authority (the “Authority”) is authorized by statute to enter into contracts and interagency agreements. For contracts and interagency agreements at or below a certain dollar amount, the Authority has historically delegated this authorization to the Executive director and, in his or hers absence, the deputy executive director. At the February 13, 2008 Board meeting the Board approved a resolution granting the executive director the ability to enter into contracts and interagency agreements for amounts up to \$300,000. The current request will grant delegation of authority for the executive director and, in his or hers absence, the deputy executive director to execute contracts and interagency agreements for amounts up to \$300,000.

Background. It is necessary to provide the executive director and deputy executive director with the authorization to execute such contracts and interagency agreements for amounts up to \$300,000.

The blanket authorization amount of \$300,000 does not represent an increase in the Authority’s current delegated authorization level.

As part of her Executive Director’s report, the executive director or, in his or hers absence, the deputy executive director will report to the Board any contracts for amounts of \$10,000 or more up to \$300,000 that she has executed.

Staff Recommendation. Staff recommends approval of the attached Resolution authorizing the executive director, and in his or her absence, the deputy executive director, to execute certain contracts and interagency agreements, and certain amendments to contracts and interagency agreements, on behalf of the Authority for amounts not to exceed \$300,000. This Resolution will remain in effect until the Authority revokes this Resolution.

RESOLUTION OF THE CALIFORNIA ALTERNATIVE ENERGY AND ADVANCED TRANSPORTATION FINANCING AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR AND DEPUTY EXECUTIVE DIRECTOR TO EXECUTE CONTRACTS AND INTERAGENCY AGREEMENTS

April 28, 2010

WHEREAS, the California Alternative Energy and Advanced Transportation Financing Authority (“Authority”) was created under the provisions of Division 16 (commencing with Section 26000) of the Public Resources Code; and

WHEREAS, Section 26011(h) of the Public Resources Code provides that the Authority is authorized “to do all things generally necessary or convenient to carry out the purposes of this division”; and

WHEREAS, Section 26008 of the Public Resources Code provides that the Authority may employ an Executive Director and any other persons as are necessary to enable it to properly perform the duties imposed upon it by the Authority’s statutes, and the Authority may delegate to the Executive Director the power to enter contracts on its behalf; and

WHEREAS, the Executive Director of the Authority, and in his or her absence, the Deputy Executive Director, have demonstrated the ability to be accountable for the resources of the Authority, and should be delegated the responsibility to enter into and execute interagency agreements and external contracts, without specific Authority approval, up to an amount of \$300,000, and to amend contracts and interagency agreements which only extend the term of the contract or which provide technical amendments that do not involve the encumbrance of Authority funds, or amend contracts involving expenditures, as long as the total amount of the contract over its full term does not exceed \$300,000.

WHEREAS, the Executive Director of the Authority, and in his or her absence, the Deputy Executive Director, will report to the Authority any contracts he or she has executed in an amount of \$10,000 or more up to \$300,000;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director, and in his or her absence, the Deputy Executive Director, is given specific authorization by this Resolution to execute contracts, including those required to effectuate the purposes of Resolution #09-003, and interagency agreements, including the interagency agreement contemplated by the resolution of the Authority authorizing approval to enter into a master interagency agreement with the California Energy Commission adopted on April 6, 2010, on behalf of the Authority as provided herein.

BE IT FURTHER RESOLVED that this Resolution becomes effective immediately upon its adoption.