

**CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY**

**Meeting Date: October 19, 2021**

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

Prepared by: Patricia Crowson, Treasury Program Manager II

**Summary.** The California Pollution Control 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 the Executive Director’s absence, the Deputy Executive Director to enter into contracts on behalf of the Authority. This item requests delegation authority for the Executive Director to execute contracts and interagency agreements for amounts up to \$300,000.

**Background.** It is necessary to provide the Executive Director, without specific individual Authority approval, with the authorization to: (1) execute certain contracts and interagency agreements and external contracts up to an amount of \$300,000, (2) amend contracts and interagency agreements that only extend the term of the contract up to an amount of \$300,000, (3) provide technical amendments that do not involve the encumbrance of Authority funds, and (4) amend contracts involving expenditures as long as the total amount of the contract over its full term does not exceed \$300,000.

This authorization also will enable the Deputy Executive Director, with the expressed approval of the Executive Director or Authority Chair, to execute contracts and interagency agreements for amounts up to \$300,000 in the absence of the Executive Director.

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

As part of the Executive Director’s report, the Executive Director of the Authority and, in the Executive Director’s absence, the Deputy Executive Director will report to the Authority Board any contracts for amounts of \$10,000 up to \$300,000 that were executed.

**Staff Recommendation.** Staff recommends the approval of the attached Resolution No. 21-04-007 to authorize the Executive Director and, in the Executive Director’s absence and with the expressed approval of the Executive Director or Authority Chair, 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 No. 21-04-007 will

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remain in effect until the Authority revokes this Resolution or approves a superseding resolution.

**RESOLUTION OF THE CALIFORNIA POLLUTION CONTROL FINANCING  
AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR  
AND DEPUTY EXECUTIVE DIRECTOR TO EXECUTE CONTRACTS  
AND INTERAGENCY AGREEMENTS**

**October 19, 2021**

**WHEREAS**, the California Pollution Control Financing Authority (“the Authority”), a public instrumentality of the State of California, was created by state legislation in 1972 to approve and issue tax-exempt and taxable bonds to provide funds for private businesses seeking to purchase and install pollution control facilities, and to use all practical means and measures to control and eliminate pollution hazards to the environment; and

**WHEREAS**, Section 44522(c) of the Health and Safety Code provides that the Authority is authorized to “do all things generally necessary or convenient to carry out its powers”; and

**WHEREAS**, Section 44519 of the Health and Safety 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 the Authority by the California Pollution Control Financing Authority Act (Division 27 (commencing with Section 44500) of the Health and Safety Code), and the Authority may delegate to the Executive Director the power to enter into contracts on its behalf; and

**NOW, THEREFORE, BE IT RESOLVED** by the California Pollution Control Financing Authority all of the following:

**Section 1.** Having demonstrated the ability to be accountable for the resources of the Authority and without specific individual Authority approval, the Executive Director of the Authority and the Deputy Executive Director, in the Executive Director’s absence and with the expressed approval of the Executive Director or Authority Chair, are delegated the responsibility to: (1) enter into and execute external contracts and interagency agreements up to an amount of \$300,000, (2) amend contracts and interagency agreements that only extend the term of the contract or interagency agreement up to an amount of \$300,000, (3) provide technical amendments that do not involve the encumbrance of Authority funds, and (4) amend contracts involving expenditures as long as the total amount of the contract over its full term does not exceed \$300,000.

**Section 2.** The Executive Director of the Authority and, in the Executive Director’s absence, the Deputy Executive Director will report to the Authority any contracts that have been executed in amounts of \$10,000 up to \$300,000.

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**Resolution No. 21-04-007**

**Section 3.** Resolution No. 21-04-005 adopted August 26, 2021, is expressly revoked.

**Section 4.** This Resolution takes effect immediately upon its adoption.