

## **DELTA STEWARDSHIP COUNCIL DELEGATION OF AUTHORITY TO THE EXECUTIVE OFFICER**

**Note: Staff recommended new delegations indicated in italics below.**

The Delta Stewardship Council (Council) hereby delegates to the Executive Officer the authority to administer the regular and day-to-day affairs and responsibilities of the Council, including the functions and powers specified below, consistent with applicable law and the policies of the Council, without further, specific authorization.

The Executive Officer may delegate to other staff any part of his or her functions, powers, or authority, but the Executive Officer shall at all times be responsible for assuring that the affairs of the Council are fully and faithfully discharged.

The foregoing delegation to the Executive Officer includes the authority to:

1. Appoint and manage other Council staff, assign duties and functions to staff (which may include providing assistance to the Delta Conservancy), establish procedures governing staff operations, and administer all Council personnel matters.
2. Administer and oversee the Council's budgetary and fiscal affairs, subject to Council review and direction on the proposed annual budget and other significant budgetary and fiscal matters.
3. Award and execute contracts, task orders, grant agreements, interagency agreements and other instruments or documents on the Council's behalf, that amount to no more than \$500,000 (including extensions and amendments), as necessary to carry out the authority delegated herein.
4. Undertake administrative actions, including, but not limited to, preparing (together with the Chair and other members) agendas and issuing notices of Council meetings; organizing and facilitating interagency and stakeholder advisory groups, as appropriate, and otherwise implementing the Council's policies and regulations.
5. Lease office space, purchase or lease equipment, and procure other materials, supplies, and technical services necessary to meet ongoing operational needs.
6. Initiate rulemaking proceedings, subject to adoption of any such rules by the Council.
7. Prepare, sign, and file documents necessary to comply with the California Environmental Quality Act (CEQA), subject to review, certification, and adoption by the Council, as appropriate. Review and comment on state agency CEQA documents for projects outside the Delta that the Council determines will have a significant impact on the Delta.
8. Respond to Public Record Act requests.
9. Arrange for payment of statutory compensation to Council members, and reimbursement for expenses necessarily incurred in the performance of their official duties.
10. In coordination with the Chief Counsel and the Office of the Attorney General, defend against any legal actions brought against the Council, and, with prior notification to the Council, file and prosecute legal actions on the Council's behalf as necessary to carry out the Council's mission and duties.
11. *Subject to prior consultation with the Chief Counsel, the Chair and Vice Chair, dismiss an appeal consistent with paragraphs 9 and 13(b) of the Administrative Procedures Governing Appeals.*
12. *Subject to prior consultation with the Chief Counsel, the Chair and Vice Chair File an appeal pursuant to paragraph 5 of the Administrative Procedures Governing Appeals.*

In exercising the authority herein delegated, the Executive Officer is directed, without restricting the authority specified, to bring the following matters to the attention of the Council at a meeting or by other appropriate communication:

- (a) Matters of a unique or unusual nature.
- (b) Matters that appear to depart from the policies of the Council.
- (c) Matters involving significant policy questions.
- (d) Highly controversial or potentially controversial matters.
- (e) Matters that involve a substantial risk of litigation.
- (f) Any matter that a member of the Council requests to be brought to the attention of the Council.
- (g) Any matter that, in the judgment of the Executive Officer, should be brought to the attention of the Council.