

DELTA STEWARDSHIP COUNCIL

RESOLUTION 2022-02

DELEGATION OF AUTHORITY TO THE EXECUTIVE OFFICER

WHEREAS, the Sacramento-San Joaquin Delta Reform Act of 2009 (Delta Reform Act), Water Code section 85000 *et seq.*, directs the Delta Stewardship Council (Council) to develop an enforceable, comprehensive, long-term management plan for the Sacramento-San Joaquin Delta and the Suisun Marsh (collectively, the Delta) and directs that the Delta Plan must further the “coequal goals” of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem to be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place (Water Code §§ 85300, 85054); and

WHEREAS, the Delta Reform Act states that the mission of the Delta Science Program “shall be to provide the best possible unbiased scientific information to inform water and environmental decisionmaking in the Delta. That mission shall be carried out through funding research, synthesizing and communicating scientific information to policymakers and decisionmakers, promoting independent scientific peer review, and coordinating with Delta agencies to promote science-based adaptive management. The Delta Science Program shall assist with development and periodic updates of the Delta Plan’s adaptive management program” (Water Code § 85280(b)(4)); and

WHEREAS, to achieve the Council’s mission and the mission of the Delta Science Program, the Council’s powers include the authority to enter into contracts and to disburse funds through grants, public assistance, loans, and contracts (Water Code §§ 85210, 85213, and 85280(b)(4)); and

WHEREAS, the Council may delegate administrative functions to Council staff (85210) (Water Code § 85210(d)); and

WHEREAS, the Council regularly enters into various contracts and agreements to further and achieve the Council’s mission and the mission of the Delta Science Program; and

WHEREAS, at its April 2010 Meeting, the Council approved a delegation of authority for the Executive Officer, to, among other things, “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)..."; and

WHEREAS, the Council desires to streamline contract and amendment processing; and

WHEREAS, increasing the delegated authority to the Executive Officer to \$750,000.00 from the currently approved level of \$500,000.00, and delegating authority to amend agreements for ministerial terms that do not substantively amend the scope of work, extend the contract term, or increase the contract amount for agreements that exceed \$750,000, will assist the Council in streamlining contracting processing and timelines; and

WHEREAS, the delegation of authority does not impact or affect compliance with any other applicable State contracting laws, regulations, policies and procedures or legal and delegated responsibilities of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED BY THE DELTA STEWARDSHIP COUNCIL THAT:

1. The Council hereby finds the foregoing recitals to be true and correct and incorporates them herein.
2. The Council amends the existing delegation of authority to the Executive Officer as set forth below:

Delete existing paragraph 3, which states "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."

Insert new paragraph 3, which states "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 \$750,000 (including extensions and amendments), as necessary to carry out the authority delegated herein; and to enter into and execute amendments on the Council's behalf, which do not substantively amend the scope of work, extend the contract term, or increase the total contract amount, for all contracts, task orders, grant agreements, interagency agreements and other instruments or documents that exceed \$750,000, as necessary to carry out the authority delegated herein."

3. The Council authorizes and directs the Executive Officer, or her delegee, to take such steps as are necessary to affect the intent of this resolution.

CERTIFICATION

On a motion by Councilmember _____, seconded by Councilmember _____, and a vote of the Council, the foregoing resolution was passed and adopted by the Delta Stewardship Council by the following vote at a regular meeting of the Delta Stewardship Council on March 24, 2022.

Damrell _____

Lee _____

Madueño _____

Mehranian _____

Nottoli _____

Smith _____

Zingale _____

Dated: May 24, 2022

Rebecca Barger

Clerk of the Board of the Delta Stewardship Council