

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2003 - 0008

AUTHORIZES THE EXECUTIVE DIRECTOR OR DESIGNEE TO APPLY FOR, ACCEPT, AMEND,
EXECUTE, OR TERMINATE FEDERAL ASSISTANCE AGREEMENTS, INTERAGENCY
AGREEMENTS, OR CONTRACTS INVOLVING UP TO \$500,000 IN FEDERAL FUNDS OR UP TO
THREE (3) YEARS IN DURATION WITH ANY APPLICABLE FEDERAL ENTITY

WHEREAS:

1. The State Water Resources Control Board (SWRCB) wishes to delegate authority to the Executive Director or designee to apply for, accept, amend, execute, or terminate certain federal assistance agreements, interagency agreements, or contracts on behalf of the State Board and any of its Regional Boards.
2. Most federal assistance agreements, interagency agreements, or contracts scheduled for consideration at Board meetings are routine and are noticed as non-controversial. For the orderly and efficient management of such agreements and contracts, it is appropriate and desirable to delegate to the Executive Director or designee the authority to approve and issue commitments for federal assistance agreements, interagency agreements, and contracts that are consistent with the adopted policies of the State Board, each Regional Board, and any applicable federal entity, and do not raise significant issues requiring consideration at a Board meeting.

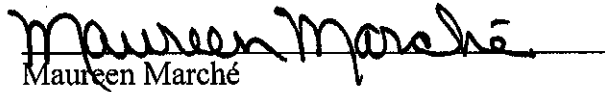
THEREFORE BE IT RESOLVED:

1. That the SWRCB authorizes the Executive Director or designee to apply for, accept, amend, execute, or terminate federal assistance agreements, interagency agreements, contracts, or amendments for and on behalf of the State Board or any of its Regional Boards, and to perform all acts and do all things necessary, convenient, and legal to implement such agreements and contracts. This delegation shall be limited to the following:
 - 1.1 Any federal assistance agreement, interagency agreement, or contract, or its amendment, that does not have the effect of making either the total federal funding more than \$500,000, or the duration of the agreement or contract more than three (3) years.
2. Notwithstanding the foregoing, all federal assistance agreements or contracts, which may include a contract or interagency agreement with a state officer, employee or appointed state official, or with a former state officer, employee or appointed state official, shall comply with the provisions of Public Contract Code Section 10410 et seq., and except for any contract requiring a person's services as an expert witness in a civil case, shall require approval of the SWRCB at a Board meeting.
3. That the Executive Director or designee is directed in exercising the authority vested in them by this resolution, without restricting the authority specified, to bring to the attention of the Board Members at workshop or by other appropriate communication any matters that are of a unique, controversial, or unusual nature or that appear to depart from the policies of the SWRCB.

4. That except as otherwise specifically provided by the SWRCB, the Executive Director or designee shall be the duly authorized representative of the SWRCB for the purpose of making a final determination of any dispute arising under or relating to the performance of any authorized work to which the SWRCB is a party.
5. That except as otherwise specifically provided by the SWRCB, for the purposes of this resolution, the Executive Director's designees shall include the Chief Deputy Director, Chief of the Division of Administrative Services or other person(s) whom the Executive Director may designate.
6. That this authorization shall not be construed to eliminate the necessity of required approval or concurrence of any other state agency.
7. That this authorization shall remain in full force and effect until modified or revoked by the SWRCB.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 22, 2003.


Maureen Marché
Clerk to the Board