

The Executive Officer is authorized to undertake the furnishing of all required services to the Colorado River Boundary Commission, said services to be furnished under an interagency agreement, costs to be reimbursed by the Colorado River Boundary Commission. The Executive Officer is further authorized to establish the following new positions on the staff of the State Lands Commission to carry out the terms of this recommendation:

- 1 Senior Civil Engineer
- 2 Assistant Civil Engineers
- 3 Junior Civil Engineers
- 1 Delineator
- 1 Intermediate Stenographer-clerk

30. (AUTHORITY AND DUTIES OF EXECUTIVE OFFICER - W.O. 1087.) At the meeting of the Commission on December 17, 1953, the following resolution was passed:

"UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS: The Executive Officer is authorized to review previous delegations of authority to him, and to present to the Commission at a subsequent meeting his recommendations in the premises."

At the meeting of the Commission on March 24, 1953 (Items 29 and 30, Minute Pages 1782-1797), the Executive Officer presented a review of previous delegations of authority by the Commission, and submitted for approval a codification of these delegations which was approved. Subsequently a few additional delegations were made. In the recommendation which follows, all of the delegations made on March 24, 1953, and subsequent thereto are included. The only modifications suggested are as follows:

In what are now Paragraphs 9 and 14, the words "modifications or terminations" have been added after the word "renewals".

Former Paragraph 12 has been superseded by Paragraph 15, which spells out the detailed requirements of the State Treasurer.

Former Paragraph 13 now becomes Paragraph 12 and is proposed to be amended to permit the Executive Officer to approve alterations to structures or the erection of new structures where the cost thereof does not exceed \$5,000. This increases the previous authorization, which limited the cost to \$1,000. It is believed that this change will relieve the Commission of additional detailed consideration.

The other proposed change has to do with former Paragraph 14 (now Paragraph 13). As it was approved on March 24, 1953, it had to do with powers and authorities granted as of that date. To make the delegation more flexible, it is suggested that the Executive Officer may redelagate any powers and authorities granted to him whenever such action is in the interest of the State.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

The State Lands Commission reconfirms and amends previous delegations of authority and assignment of duties to the Executive Officer, and to the personnel of the Division of State Lands, so that the following is authorized:

1. GENERAL. The Executive Officer shall generally represent the State Lands Commission in all matters under its jurisdiction, subject, however, to the limitations hereinafter expressed. He shall be the chief administrative officer of the Division of State Lands, and in such capacity shall have supervision over all property, equipment, bank accounts, funds and records assigned to the Division of State Lands. He shall direct all operations and administer the sale and leasing of lands under the jurisdiction of the Commission in compliance with the provisions of the Rules and Regulations of the Commission and of its expressed policies.
2. PERSONNEL. The Executive Officer shall have supervision over all personnel and personnel matters in the Division and in these respects shall have authority to act as Appointing Power. He shall have the allocation of assignments and duties; the enforcing of all statutes, rules and regulations governing State Civil servants; the taking of disciplinary action where such action is in the interests of the State; and the authorization of within-State travel and the approval of travel expense vouchers for payment; but he shall have no power to authorize the creation of a new position, or to file charges for the dismissal of an employee of the Division of State Lands.
3. EXECUTION OF DOCUMENTS. The Executive Officer is authorized to sign checks drawn against any bank accounts maintained in the name of the Division, except that checks in amounts exceeding \$5,000 shall bear two authorized signatures. He may execute any and all authorized documents relating to official business of the Division, including, but not thereby delimiting, claims filed with the State Controller, certified copies of documents, and other official papers.
4. BUDGETS. The Executive Officer shall prepare, or cause to be prepared, all budgets, budget revisions, and other fiscal documents that are justified by the needs of the Division in carrying out its activities, but such budgets shall not be effective without the approval of the State Lands Commission and of the Department of Finance.
5. LITIGATION. The Executive Officer, in collaboration with the Attorney General, shall attend to all litigation of the State Lands Commission, and shall, whenever he deems it advisable, request the Attorney General to give consideration to institution of actions to protect those interests of the State which are under the jurisdiction of the State Lands Commission. He is authorized to request opinions on behalf of the State Lands Commission, as provided for by Section 12519 of the Government Code.

6. **CONTRACTS AND PURCHASES.** The Executive Officer shall have authority to negotiate and execute any and all contracts for necessary services, in an amount not to exceed \$2,000 for each contract, and to authorize all necessary purchases of goods and services, provided such actions are in conformance with statutory authority and the rules and regulations of the Department of Finance.

7. **OIL AND GAS OPERATIONS.** The Executive Officer shall have jurisdiction over all matters pertaining to oil and gas operations of all kinds in all areas now devoted to or available for State leases, but he shall not have power to invite bids for new leases, nor, except as provided for in Paragraph 12 hereof, to modify, amend, or abrogate any lease or agreement without specific authorization in each case by the Commission.

The Executive Officer is authorized to approve revisions of the State's allotments in gas fields in State lands, and to approve uncontroverted contracts for the sale of oil or gas produced under State lease.

8. **MINERALS OTHER THAN OIL, AND GAS.** The Executive Officer may negotiate, execute and issue prospecting permits on approved forms and in full accordance with the requirements of all pertinent provisions of the Public Resources Code and the established policies and Rules and Regulations of the Commission.

In the case of mineral leases, if the area is known to contain minerals in commercially valuable quantities, the Executive Officer shall offer the area for bids in accordance with law and the Rules and Regulations of the Commission, but no award of a lease or an agreement shall be made without specific authorization by the Commission.

9. **OTHER LEASES OF STATE LANDS.** The Executive Officer is authorized to negotiate, execute and issue leases, permits, and right-of-way easements, or renewals, modifications or terminations thereof, for structures or operations other than production of oil, gas or other minerals, in lands under the jurisdiction of the State Lands Commission, provided they are strictly in compliance with the form, content, rental rates, fees, and conditions previously established or authorized by the policies and Rules and Regulations of the Commission.

10. **GROINS, ETC.** The Executive Officer is authorized to approve plans to construct, alter, repair or reconstruct any of the structures named in Section 6321 of the Public Resources Code, in accordance with the law applicable thereto and the policies and Rules and Regulations of the Commission.

11. SALES OF STATE LANDS. The Executive Officer is authorized to advertise State school lands for sale, and to file with the Bureau of Land Management, United States Department of the Interior, for selections, upon receipt of applications therefor, and for exchanges in cases where school lands have been withdrawn by the United States. When all preliminaries have been completed, report shall be made to the Commission for action. When sales are approved, the Executive Officer shall arrange for the execution and issuance of final documents.
12. ASSIGNMENTS AND MODIFICATIONS. The Executive Officer is authorized to execute assignments to leases, and to approve alterations to structures or the erection of new structures where the cost thereof does not exceed \$5,000, and to make minor corrections in descriptions of property under lease.
13. DELEGATIONS. The Executive Officer may redelegate any powers and authorities granted to him whenever such action is in the interest of the State.
14. LIMITATIONS. The authority granted to the Executive Officer to negotiate, execute and issue leases and permits of various kinds, or renewals, modifications or terminations thereof, shall be limited to noncontroversial cases involving annual rentals or fees of not in excess of \$600 or appraised valuations of not over \$10,000. All other cases shall be submitted to the Commission for final action.

The Executive Officer shall make a report to the Commission at each regular meeting on the salient features of all leases and permits issued by him subsequent to the previous meeting of the Commission.

15. COLLATERAL BONDS. The Executive Officer is authorized to act on behalf of the Commission in the acceptance of a faithful performance bond executed by a lessee, or a lease applicant, in lieu of a corporate surety bond, under the following terms and conditions:
 - (1) That the lessee or applicant has furnished such bond, and offers to convey to the Treasurer of the State of California fully negotiable securities of the United States Government as collateral to, and in the full value of, the bond so furnished;
 - (2) That said securities so furnished shall be placed on deposit with the State Treasurer, subject to the following conditions:
 - a. Lessees and applicants shall be entitled to receive from the State Treasurer, or to appoint an agent to receive for them, all matured coupons attached to any securities so hypothecated;

- b. Upon the termination of any lease, bond for which has been secured through the deposit of collateral securities, and a determination by the Executive Officer that all of the terms, provisions, and conditions of such lease have been fully and properly discharged by the lessee, the Executive Officer is authorized to release said securities to the depositor.
- (3) For the purpose of carrying out the provisions of this resolution, the following letter of authority, a certified copy of which shall be filed with the State Treasurer, is hereby approved and adopted:

State Treasurer
Room 121 State Capitol Building
Sacramento 14, California

Dear Sir:

The following employees of the State Lands Commission, Division of State Lands, Department of Finance, whose names and signatures appear below, are hereby authorized to issue and sign any letters, instructions, or other written evidence of authority directed to the State Treasurer of the State of California whereby said State Treasurer is authorized to receive, release or otherwise dispose of any securities or other property belonging to, or under the control of, this Commission which is about to be deposited, or is now in deposit, with the State Treasurer for safekeeping, or which is, or which may be deposited with him under the provisions of any laws of the State of California.

Rufus W. Putnam,
Executive Officer (signed) Rufus W. Putnam

J. Stuart Watson,
Assistant Executive Officer (signed) J. Stuart Watson

Your responsibility extends only to compliance with the foregoing instructions.

These instructions are to remain in full force and effect until written revocation is filed with the State Treasurer.

No other instructions relating to said securities shall be accepted by the State Treasurer except upon the authorization of the State Lands Commission, and then only provided such authorization is accompanied by a certified copy of a resolution from the minutes of the State Lands Commission approving such instructions.

STATE LANDS COMMISSION

16. ADMINISTERING OATHS AND ISSUING SUBPOENAS. There is delegated to the Executive Officer all the powers conferred upon the State Lands Commission by Sections 11180-11191 of the Government Code for the purpose of administering oaths and issuing subpoenas in connection with hearings authorized by the Commission.
17. BUREAU OF RECLAMATION PERMITS FOR CROSSINGS. The Executive Officer is authorized to enter into right-of-way agreements with the United States Bureau of Reclamation for the construction, operation, and maintenance of facilities for the purpose of transmitting electric or other power over sovereign lands of the State of California, for a fee of \$50 for each crossing for such period of time as the areas involved shall be used for the stated purposes and no longer.
18. HEARINGS PURSUANT TO SECTION 126, GOVERNMENT CODE. The Executive Officer is authorized to order and conduct the requisite hearings pursuant to Section 126 of the Government Code and under the Rules and Regulations adopted by the Commission on June 14, 1949, on applications relating to acquisition of lands by the United States, subject to report to the Commission of the determinations of the hearings for final consideration and action.