

MINUTE ITEM

10/75
TPF

33. DELEGATION OF AUTHORITY; W 9301.

After consideration of Calendar Item 31 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. RESCINDS ALL PRIOR DELEGATIONS OF AUTHORITY.
2. AUTHORIZES DELEGATION OF AUTHORITY AS SET FORTH IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 31 (5 pages)

31.

DELEGATION OF AUTHORITY

The Commission, in accordance with law, provides for the redelegation of certain powers to the Executive Officer and staff of the State Lands Division. A general redelegation of authority was last made by Minute Item 24, pages 687-692 of the August 30, 1973, Commission meeting. An amended redelegation was made by Minute Item 19, page 53 of the February 6, 1974, Commission meeting.

Since these delegations were made, the Division has undergone a reorganization and staff augmentation which makes these delegations obsolete and ineffective.

It is, therefore, proposed that the Commission rescind all former delegations and authorize a new comprehensive delegation of authority. This proposal recommends the granting of specific authority to the Executive Officer with the provision that he may redelegate such of it as he may deem appropriate to various specified officers of the Division in writing.

This will provide a clear delineation of responsibilities and duties incumbent on each of these officers.

EXHIBIT: A. Delegation of Authority.

IT IS RECOMMENDED THAT THE COMMISSION:

1. RESCIND ALL PRIOR DELEGATIONS OF AUTHORITY.
2. AUTHORIZE DELEGATION OF AUTHORITY AS SET FORTH IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A".

EXHIBIT "A"

W 9301

I. General

A. Executive Officer

The Executive Officer shall generally represent the State Lands Commission when it is not in session in all matters under its jurisdiction, subject, however, to the limitations hereinafter expressed. He shall be the chief administrative officer of the State Lands Division, and shall have supervision over all personnel, property, equipment, bank accounts, funds and records assigned to the State Lands Division. 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.

B. In the Executive Officer's absence from the State or during his inability to act, all of the authority delegated to the Executive Officer is hereby delegated to the Assistant Executive Officer.

C. Redlegation by Executive Officer

The Executive Officer may redelegate authority delegated to him only as provided below. Such redelegations and revocations thereof may be made at the discretion of the Executive Officer and shall be in writing. The Division's Procedure Manual will reflect all current delegations and redelegations.

II. Administration

A. Budget and Fiscal

The Executive Officer shall prepare, or cause to be prepared, all budgets, budget revisions and other fiscal documents necessary for the Division to carry out its activities subject to the following express provisions:

- a. Any proposed fiscal year budget must be approved by the State Lands Commission prior to submission to the Department of Finance.
- b. All contracts requiring approval of the Department of General Services shall be first approved by a resolution of the State Lands Commission.

- c. All actions taken shall comply with statutory authority and the State Administrative Manual.

The Executive Officer may redelegate the above authority, or such of it as he may deem appropriate, in writing to one or more of the following officers:

- a. Assistant Executive Officer
- b. Manager, Administrative and Technical Services
- c. Budget Officer
- d. Manager, Fiscal Services
- e. Accounting Officer - Sacramento

In addition to the above officers, the Executive Officer may redelegate in writing to Accounting Officers authority to sign purchase estimates, sub-purchase orders and supply orders and counter-sign checks drawn against any bank accounts maintained in the name of the Division or counter-sign for release or deposit of securities held by the State Treasurer's Office.

B. Personnel and Payroll

The Executive Officer shall have supervision over all personnel and personnel matters in the Division subject to the limits of the approved budget and all other statutes, rules and regulations governing State civil service employees. He may act as appointing power and take punitive actions against any employee of the Division as provided for in statute and the applicable rules and regulations.

At the Executive Officer's discretion, he may redelegate in writing any of the above functions or such of them as he may deem appropriate to one or more of the following officers:

- a. Assistant Executive Officer
- b. Manager, Administrative and Technical Services
- c. Budget Officer
- d. Personnel Officer
- e. Manager, Fiscal Services

C. Legal Matters

The Executive Officer, in collaboration with staff counsel for the Division and the Office of the Attorney General, shall attend to all litigation brought by or against the State Lands Commission and/or Division, and shall, as deemed advisable, request the staff counsel for the Division and/or the Office of the Attorney General to consider instituting actions to protect the interests of the State which are under the jurisdiction of the State Lands Commission. Such authority

comprehends but is not thereby limited to: Accepting legal processes served upon the State Lands Commission, requesting opinions from the Attorney General, administering oaths, issuing subpoenas and conducting hearings as authorized by various statutes.

The Executive Officer at his discretion may redelegate the above authority or such of it as he may deem appropriate to one or more of the following officers in writing:

- a. Assistant Executive Officer
- b. Manager, Long Beach Operations
- c. Manager, Energy and Mineral Resources Development
- d. Manager, Land Operations
- e. Staff Counsel

In addition to the above enumerated officers, the Executive Officer may redelegate the authority to certify copies of minutes and other documents in the custody of the State Lands Division (this includes certifications as required by Section 14756 of the Government Code in connection with the microfilming of records of the State Lands Commission) to any one or more of the following officers:

- a. Manager, Fiscal Services
- b. Associate Management Analyst (Fiscal Services, Long Beach)
- c. Senior Data Processing Analyst
- d. Title Officer
- e. Title Searcher

III. Mineral Resources Including Geothermal Resources and Oil and Gas

- A. The Executive Officer shall have jurisdiction over all matters pertaining to operations of all kinds in all areas now devoted to or available for State leases, and to hold public hearings in connection with the consideration of oil and gas lease offers by the Commission as specified and authorized in Section 6873.2, Public Resources Code, in those cases where the Commission has granted authority for the publication of notice of the proposed consideration for leasing lands in a specified area. He shall not have power, except as herein provided, to modify, amend, or abrogate any lease or agreement without specific authorization in each case.

- B. The Executive Officer is authorized to execute all documents required for Commission-approved actions in connection with mineral resources including geothermal resources and oil and gas and may make technical or clerical corrections thereto.

At his discretion the Executive Officer may redelegate the authority in III A. and B. above, or such of it as he may deem appropriate, in writing to one or more of the following officers;

- a. Assistant Executive Officer
- b. Manager, Energy and Mineral Resources Development
- c. Supervising Mineral Resources Engineer
- d. Staff Counsel

IV. Land Management

The Executive Officer shall have jurisdiction over all matters pertaining to the management, sale, exchange, and leasing of lands under the jurisdiction of the State Lands Commission. This authorization shall be deemed to include executing indemnity selections and exchange applications filed by the State in accordance with Federal laws, rules and regulations.

The Executive Officer is authorized to execute all documents required to give effect to Commission-approved actions in connection with land transactions not involving mineral resources and may make technical or clerical corrections thereto.

At this discretion, the Executive Officer may redelegate the above authority or such of it as he may deem appropriate to one or more of the following officers:

- a. Assistant Executive Officer
- b. Manager, Land Operations
- c. Assistant Manager, Land Operations
- d. Supervising Land Agent
- e. Supervising Boundary Determination Officer

V. Long Beach Operations

The Executive Officer may designate the "Acting Executive Officer" under the provisions of Section 5(g) of Chapter 138, Statutes of 1964, First Extraordinary Session, from among the following officers:

- a. Assistant Executive Officer
- b. Manager, Long Beach Operations
- c. Assistant Manager, Long Beach Operations

and may prescribe the conditions under which each shall act.