



From: Sam Schuchat, Executive Officer
To: Members of the Conservancy
Re: Consideration and possible Conservancy authorization to increase the maximum cost of consent items that the executive officer may place on public meeting consent calendars from \$100,000 to \$250,000
Date: March 26, 2015

At the request of Bryan Cash, the designated Member of the Conservancy for the Natural Resources Agency, I am proposing an increase in the maximum cost of items that the executive officer may place on the Conservancy's public meeting "consent calendars" under delegated authority.

RESOLUTION AND FINDING

Staff recommends that the State Coastal Conservancy adopt the following resolution and finding pursuant to Division 21 of the Public Resources Code:

"The State Coastal Conservancy hereby modifies its delegation of September 25, 2001 to allow the executive officer to place on the Conservancy's public meeting consent calendar items involving the expenditure of no more than \$250,000 (two hundred fifty thousand dollars). This authorization does not affect other existing delegations under which the executive officer may place items on the consent calendar.

"The State Coastal Conservancy hereby finds that the proposed authorization is consistent with Division 21 of the Public Resources Code, the Conservancy's enabling legislation."

DISCUSSION

Since at least 1977, the Conservancy has, at various times, delegated specified functions to its executive officer for reasons of practicality or efficiency. On December 7, 2000, the Conservancy adopted a resolution collecting, restating, and making current the Conservancy's delegations to its executive officer. That resolution delegated or redelegated to the executive officer the authority to carry out administrative functions of the agency, enter into certain contracts, apply for and accept funds, augment approved expenditures by up to 15 percent where justified, determine whether Conservancy projects are exempt under the California Environmental Quality Act—and to place on the Conservancy's public meeting consent calendars items involving expenditure of no more than \$100,000.

Consent items are treated in a written staff report, often shorter than for “regular” items, and do not usually receive an oral presentation at the Conservancy’s public meetings. The Conservancy normally votes on consent items together in a single vote, rather than individually. This process provides for efficient meetings and makes best use of the time of the Conservancy and its staff. The Conservancy is always free, of course, to remove an item from the consent calendar and treat it as a “regular” item.

Prior to adoption of the December 2000 resolution, the executive officer used his judgment in placing items on the Conservancy’s consent calendar, in accordance with informal guidance from past Conservancy boards, but without a prescribed cost limit. The executive officer and staff generally have a good sense of items that, in their view, do not usually merit extensive treatment or oral discussion. The current limit has not been raised in fifteen years and seems too low, slowing meetings and requiring oral presentations for matters that may not merit that degree of the Conservancy’s attention. Indeed, at the January 2015 meeting the Conservancy board moved a number of items from the regular calendar to the consent calendar. Assuming that the Conservancy prefers to retain a cost limit, the resolution above would increase the limit from the current \$100,000 to a more appropriate \$250,000.