
OCTOBER 1, 2024

**AGENDA ITEM 4
ACTION ITEM**

CALIFORNIA ABLE ACT BOARD

Resolution No. 2024-04: Delegating to the Executive Director authority to enter into contracts not to exceed \$500,000

Recommendation

Staff recommends the Board adopt Resolution No. 2024-04, approving delegating to the Executive Director authority to enter into contracts not to exceed \$500,000.

Background

Per statute, the California ABLE Act Board (“Board”) may authorize the Executive Director to enter into contracts on behalf of the Board or conduct any business necessary for the efficient operation of the Board. In August 2016, the Board delegated to the Executive Director the authority to enter into contracts not to exceed \$300,000.

With increased costs associated with contracts, staff is proposing to increase this amount to not exceed \$500,000.

State contracting requires extensive time and multiple processes and any improvement in the contracting process would have an immediate effect on operational efficiencies. Increasing the amount authorized to the Executive Director to enter into contracts necessary for the Board’s business operations would greatly improve timeliness and overall efficiency.

Under this resolution, the Executive Director will still be required to report to the Board actions taken for any contract with a total amount exceeding \$10,000. Additionally, the Deputy Executive Director will still serve as acting Executive Director and be delegated with the authority of the Executive Director in those limited circumstances when the Executive Director is unable or unavailable to exercise the delegated authority.

Presenter

Thomas Martin, Executive Director, California ABLE Act Board

Attachments

- Attachment #1 – Resolution No. 2024-04

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RESOLUTION NO. 2024-04

RESOLUTION OF THE CALIFORNIA ABLE ACT BOARD DELEGATING TO THE EXECUTIVE DIRECTOR AUTHORITY TO ENTER INTO CONTRACTS NOT TO EXCEED \$500,000

WHEREAS, the California ABLE Act Board (the “Board”), pursuant to Section 4877(c)(2) of the Welfare and Institutions Code, has the power and authority to make and enter into contracts necessary for the administration of the ABLE Program Trust (“Program”) and engage personnel, including consultants, actuaries, managers, counsel, and auditors, as necessary for the purpose of rendering professional, managerial, and technical assistance and advice;

WHEREAS, Section 4877(d) of the Welfare and Institutions Code authorizes the Board to authorize the Executive Director to enter into contracts on behalf of the Board or conduct any business necessary for the efficient operation of the Board; and

WHEREAS, the Board authorized the Executive Director to enter into contracts on behalf of the Board for up to the amount of \$300,000 at the August 15, 2016, Board meeting;

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

SECTION 1. The Executive Director may enter into contracts on behalf of the Board for up to the amount of \$500,000, including any amendments to contracts on behalf of the Board as long as the total amount of the contract does not exceed \$500,000.

SECTION 2. The Executive Director shall report to the Board at the next scheduled Board meeting, actions taken pursuant to the delegation of authority under this Resolution for any contract with a total amount exceeding \$10,000.

SECTION 3. The Deputy Executive Director shall serve as acting Executive Director designated with all the authority of the Executive Director granted under this Resolution at any time and limited to that period of time the Executive Director is unavailable or unable to perform any duty of the Executive Director under this Resolution.

SECTION 4. This Resolution becomes effective immediately upon its adoption.

Attest: _____
Chairperson

Date of Adoption: October 1, 2024

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