

**POWERS CONFERRED ON THE EXECUTIVE DIRECTOR BY RESOLUTION
ADOPTED BY THE BOARD ON February 26, 2019**

“Resolved, That Brenda Fleming, as Secretary of this Board, has been designated to act as its chief executive officer on and after January 29, 2019, with the title “Executive Director.”

“Resolved, That the Executive Director shall have full authority to exercise, perform and discharge any and all duties, powers and functions vested in or imposed upon the Board, including those not imposed in previous years, by any provision of law or otherwise, including; but not limited to, AB 102, The Taxpayer Transparency and Fairness Act of 2017: California Department of Tax and Fee Administration: Office of Tax Appeals: State Board of Equalization (2017-2018), AB 131, Chapter 252, Committee on Budget. Taxation (9/16/2017) and AB 97, Ting. Budget Act of 2017 (6/27/2017), unless (1) the duty, power or function is one that can only be exercised, performed or discharged by the Board in session expressly for that purpose or (2) the Board expressly reserves the delegation of the duty, power or function subject to the approval of the Board; and be it further

“Resolved, That all of the authority hereby delegated is to be exercised under the general direction of the Board and in accordance with policies enunciated by the Board, and that such delegation shall not constitute the relinquishment of any power, jurisdiction or responsibility of the Board; and be it further

“Resolved, That the authority hereby granted to the Executive Director shall include, but shall not be limited to, the following:


- (a) Execution of any and all budgetary and fiscal documents for and on behalf of the Board, with the exception of Budget Change Proposal (BCP) because the Board has no authority over BCPs and the Executive Director has the sole authority over BCPs for the BOE;
- (b) Execution of any and all contracts for materials, services and supplies. Prior to the execution of such documents, the Executive Director shall obtain Board approval for any contract in which the amount of the contract exceeds \$500,000, but once such approval is received, no further approvals of the Board is necessary, unless specifically requested by the Board;
- (c) Execution of any and all leases with respect to real and personal Property. The Executive Director shall regularly report on significant changes to the use of existing lease space and, prior to the execution of such documents for any new office space for a Member, the Executive Director shall obtain approval of that Member, and notify the Board for all new office space;
- (d) Execution of any and all releases of liens for which provision is made in those parts of the Revenue and Taxation Code wherein the Board is named as the



STATE BOARD OF EQUALIZATION

BOARD APPROVED

At the February 26th, 2019 Board Meeting


Acting Chief, Board Proceedings Division

ITEM 11
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administrative agency; this shall include the subrogation of such liens to other liens or encumbrances, as well as the determination for or on behalf of the Board of whether or not the taxes, interest and penalties secured by liens on property as to which liens are to be released or subordinated are sufficiently secured by a lien or liens on other property, as well as the determination for and on behalf of the Board that a release or subordination of any lien for which provision is made in the Revenue and Taxation Code will not endanger or jeopardize the collection of taxes, interest and penalties;

- (e) Execution on behalf of the Board of any certificates for which provision is made by any part of the Revenue and Taxation Code with respect to the amount of taxes, interest and penalties that are due thereunder;

“Resolved, That in the absence of the Executive Director, the authority vested in the Executive Director by this resolution, or any other resolution now in effect or adopted hereafter by the Board, shall be exercised by the Executive Director’s designee, or by the person named by the Board as Acting or Interim Executive Director.”