



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item #8.1g

Meeting Date: August 7, 2014

Subject: Resolution No. 2 803: Authorizing Delegation of Power to Contract , Jos é L. Banda

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

Division: Business Services

Recommendation: Approve Resolution No. 2803, Authorizing Delegation of Power to Contract and rescind prior Resolution No. 2771, Effective August 7, 2014.

Background/Rationale: Education Code Section 17605 authorizes governing boards of school districts to delegate to the superintendent, or to such persons designated by the superintendent, the power to contract in the name of the district whenever the Educac -0.002 TEJ2 Tr1e

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION

RESOLUTION NO. 2803

Authorizing Delegation of Power to Contract

WHEREAS, Education Code Section 17605 authorizes the Governing Board to delegate to the district Superintendent or designee, the power to contract in the name of the Sacramento City Unified School District whenever the Education Code invests the power to contract in a governing board or any member of the board; and

WHEREAS, Education Code Section 17605 authorizes the Governing Board to delegate to any officer or employee of the Sacramento City Unified School District the authority to purchase supplies, materials, apparatus, equipment, and services within the expenditure limitations specified in Public Contract Code Section 20111; and

WHEREAS, on December 12, 2013, the Governing Board of the Sacramento City Unified School District adopted Resolution No. 2771 designating persons authorized to be empowered to contract which is hereby rescinded;

BE IT RESOLVED AND ORDERED by the Governing Board of the Sacramento City Unified School District that in accordance with Education Code Section 17604, effective August 7, 2014, José L. Banda Superintendent, or Ken A. Foster Chief Business Officer, be and are hereby authorized and empowered to contract with third parties in the name of the Sacramento City Unified School District wherever the Education Code invests the power to contract in the Governing Board of the School District or any member of the Governing Board, without limitation as to money or subject matter; provided, however, that all such contracts must be approved or ratified by the Governing Board; and

BE IT FURTHER RESOLVED AND ORDERED by the Governing Board of the Sacramento City Unified School District that in accordance with Education Code Section 17605, effective August 7, 2014, José L. Banda Superintendent, Ken A. Foster Chief Business Officer, and Daniel M. Sanchez Manager, Purchasing Services, be and are hereby authorized and empowered to contract for the purchase of supplies, materials, apparatus, equipment, and services; provided, however, that no such individual purchase shall involve an expenditure by the District in excess of the amount specified by Section 20111 of the Public Contract Code; and

BE IT FURTHER RESOLVED AND ORDERED that all such transactions to purchase supplies, materials, apparatus, equipment, and services entered into in accordance with Education Code Section 17605 shall be reviewed by the Governing Board every sixty (60) days; and

BE IT FURTHER RESOLVED AND ORDERED that in the event of malfeasance in office, each of the persons named above shall be personally liable to the Sacramento City Unified School District for any and all monies of the District paid out as a result of such malfeasance; and

BE IT FURTHER RESOLVED AND ORDERED that the persons named above shall be and are hereby authorized to insure against any such liability, and the cost of such insurance shall be paid from the funds of the District; and

BE IT FURTHER RESOLVED AND ORDERED that the term "Contract" as used herein shall be deemed to include orders to contract.

AUTHORIZED SIGNATURES:

\_\_\_\_\_  
José L. Banda  
Superintendent

\_\_\_\_\_  
Ken A. Forrest  
Chief Business Officer

\_\_\_\_\_  
Daniel M. Sanchez  
ManagerII, Purchasing Services

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 7<sup>th</sup> day of August, 2014, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Patrick Kennedy  
President of the Board of Education

ATTESTED TO:

\_\_\_\_\_  
José L. Banda  
Secretary of the Board of Education