

AGENDA ITEM

JULY 55

Consent Agenda

**REV. JULY 9, 2009 TO REFLECT
UPDATING OF 55-B [Canvassing
Board Certification of the 2009
Board of Governors Election]**

DATE: July 9, 2009
TO: The Members of the Board of Governors
FROM: Judy Johnson
RE: Consent Agenda Items

55-A Permission to Board Members to be Absent from State
55-B: Canvassing Board Certification of the 2009 Board of Governors Election
~~[This item will be published following the Canvassing Board meeting on July 9, 09]~~
55-C: Resolution of Appreciation to Outgoing President and Board Members
55-D: Bank and Safe Deposit Authorization

The following matters are part of the Consent Agenda for the Board's July 17, 2009, meeting:

55-A Permission to Board Members to be Absent from State

Traditionally the Board has adopted the resolution set forth below to avoid any questions arising from an absence from the state for more than 60 days, and accordingly its adoption is recommended:

RESOLVED, pursuant to Government Code, section 1062, that each member of the Board of Governors is granted permission to leave the State of California at any time during the incumbency of the present Board and is authorized to remain absent from the state for a period longer than 60 days.

55-B Canvassing Board Certification of the Board of Governors Election

Attached is a copy of the certification of ballots by the Canvassing Board for the 2009 election for the Board of Governors. Also attached for your convenience are the tally sheets of the Board of Governors elections held in districts 1, 3, 5, 7, and 9.

It is requested that the Board receives with thanks and orders filed the Certificate of the Canvassing Board by adoption of the following resolution:

RESOLVED that the Board hereby receives with thanks and orders filed the Certificate of the Canvassing Board, dated July 9, 2009, for the 2009 State Bar Board of Governors election; and it is

FURTHER RESOLVED that the following are declared elected as members of the Board of Governors of The State Bar of California:

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| Clark E. Gehlbach in District 1 | Butte, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity and Yuba Counties |
| Cheryl L. Hicks in District 3 | Alameda, Contra Costa, San Mateo and Santa Clara Counties |
| Lowell T. Carruth in District 5 | Fresno, Inyo, Kern, Kings, Madera, Mariposa, Merced, Mono, Monterey, San Benito, San Joaquin, Santa Cruz, Stanislaus and Tulare counties |
| Patrick M. Kelly in District 7 | Los Angeles County |
| Wells B. Lyman in District 9 | Imperial and San Diego Counties |

and it is

FURTHER RESOLVED that the President is authorized to report the receipt and filing of the certified count and to officially declare the results of the election at the Board's July 17, 2009 meeting.

55-C Resolution of Appreciation to Outgoing President and Board Members

It is customary for the Board to recognize the President and those members of the Board whose terms are soon to expire, and to express appreciation and thanks to them for their outstanding contributions to the Board, the bar, the membership, and the public during their tenure. Therefore, it is recommended that you adopt the following resolution of appreciation to the outgoing President and Board members.

WHEREAS, Holly J. Fujie, President, and Bonnie M. Dumanis, John J. Dutton, Richard A. Frankel, and John E. Peterson, members of the Board of Governors, have served this Board and The State Bar of California with devotion and distinction; and

WHEREAS, it is appropriate that the minutes of this meeting officially record the warm gratitude and respect, both personal and professional, of their fellow Board members;

NOW, THEREFORE, BE IT RESOLVED that the Board of Governors hereby expresses to Holly J. Fujie, President, and Bonnie M. Dumanis, John J. Dutton, Richard A. Frankel, and John E. Peterson, members of the Board of Governors, its sincere appreciation for their admirable accomplishments and selfless efforts expended on behalf of the State Bar, and also expresses to them the high esteem and personal affection of their fellow members of the Board.

55-D Bank and Safe Deposit Authorization

The State Bar maintains nine commercial accounts with Wells Fargo Bank, one general account in San Francisco, one special account for payroll, one petty cash account in Los Angeles, two special accounts (lock box) for membership and application fees, two special accounts (lock box) for funds

received for Admissions and two special accounts (lock box) for funds received for Legal Services Trust Fund and Legal Specialization. The State Bar also maintains an account with U.S. Bank National Association for the purpose of credit card processing. Investment accounts are maintained primarily with Wells Fargo Bank and the Local Agency Investment Fund in the State Treasury.

Those authorized to sign are the same Board members noted in the resolution and the Executive Director, Deputy Executive Director, Chief Financial Officer, and Finance Managers. Any of the persons enumerated in the following proposed resolution may sign withdrawal orders, transfer orders and checks except that

- (a) checks of \$75,000.00 or more require the manual signatures of any two of the positions listed above.
- (b) checks less than \$75,000 drawn on a general commercial account may be signed through a check-signing machine utilizing a signature plate engraved with the name of the Executive Director, Judy Johnson.
- (c) transfer of funds from one State Bar account to another State Bar account may be signed by any one of the authorized persons.

Those authorized to sign on checks drawn in the Los Angeles office upon the Los Angeles commercial account are the Director of Operations, Human Resources & Employee/Labor Relations Manager, and the Operations and Management Director except that

- (a) checks for less than \$3,000.00 drawn in the Los Angeles office upon the Los Angeles commercial account require only one signature of any of the above listed persons.
- (b) Any single check of \$3,000.00 or over requires the signature of any two of the above listed persons.

The banks have stated that they will accept the signatures of the authorized signatories endorsed on the following resolution in lieu of individual signature cards for each account.

Accordingly, it is in order for the Board to adopt the following resolution authorizing the foregoing persons to act as herein above described. Its adoption is recommended:

RESOLVED that authority heretofore granted to persons to sign transfer orders and checks upon the various State Bar accounts and to have access to the State Bar safe deposit box is hereby revoked; and it is

FURTHER RESOLVED that each bank in which the State Bar maintains an account or safe deposit box shall be furnished a copy of this resolution and be notified that the names of the members of the Board, the Executive Director, Deputy Executive Director, Chief Financial Officer, and Finance Managers, who are now so authorized to sign withdrawal orders, transfer orders and checks and authorize transfer of funds from one State Bar account to another State Bar account are as follows:

Howard B. Miller	President and Board Member
Robert A. Hawley	Deputy Executive Director
William N. Hebert	Board Member
Judy Johnson	Executive Director/Secretary
Micha S. Liberty	Board member
Richard A. Rubin	Board Member

Jon Streeter	Board Member
Peggy M. Van Horn	Chief Financial Officer
Ray Farrish	Finance Manager
Christine Wong	Finance Manager

Signatures required for various transactions are:

For checks drawn on a commercial account:

(a) any single check of \$75,000.00 or more requires the manual signatures of any two of the positions listed above

(b) any single check less than \$75,000.00 may be processed through a check signing machine utilizing a signature plate engraved with the name of the Executive Director.

Authority is hereby granted to any two of the above persons to open cash accounts for the State Bar of California at securities brokerage firms and to place orders in such account to purchase securities.

Transfer of funds from one State Bar account to another State Bar account, whether requested by telephone, internet, fax, orally or in writing requires the signature of any of the persons listed above.

In addition, for checks drawn on the Los Angeles commercial account:

(a) Any single check less than \$3,000.00 requires the signature of one of the following:

Steven Mazer	Director, Operations
Gilda Munoz	Human Resources Manager, Los Angeles
John R. Rodriguez	Operations and Management Director, Los Angeles

(b) Any single check of \$3,000.00 or over requires the signature of any two of the above listed persons.