

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, ESTABLISHING THE "CAPITAL  
PROJECT OVERSIGHT BOARD" OF THE CITY OF  
FRESNO

WHEREAS, Council adopted the Enterprise Accountability and Oversight Act on February 26, 2015, and the Construction Management Act on May 21, 2015, (the Acts); and

WHEREAS, the intent of the Acts is to provide policies and practices to improve City construction planning and management of both General Fund and Enterprise Capital Projects with more focus on projects exceeding \$10 million; and

WHEREAS, an important component of the Acts is review of projects in excess of \$20 million by an Oversight Board; and

WHEREAS, the Oversight Board is to be comprised of members who have private sector experience in building and managing large construction projects including general contractors, engineers, architects, and related fields; and

WHEREAS, Council and Mayor have selected their initial appointees to the Oversight Board.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Capital Projects Oversight Board ("Oversight Board") is hereby established.

2. The purpose of the Oversight Board is to act in an advisory capacity to the Council by providing third-party oversight of City capital projects valued in excess of \$20 million. The Oversight Board's duties shall include, but not be limited to:

- a. Reviewing all change orders and reporting on their legitimacy to the Council before said change orders are approved;
- b. Critiquing all individual requests for funding authorization and providing commentary to the Council; and
- c. Critiquing all semi-annual progress reports provided pursuant to the Acts and providing commentary to Council.

3. The Oversight Board shall consist of nine members. The members shall be appointed in the following manner:

- a. Each Councilmember shall select one member, and the Mayor shall select two members.
- b. Council shall select a Councilmember or his/her designee as a non-voting member of the Oversight Board.

4. Qualifications for members include:

- a. Private sector experience in building and managing large construction projects including general contractors, engineers, architects and related fields.
- b. Must not be a current City employee.
- c. Members are not eligible to review any project in which the member has a financial interest, either direct or indirect.

5. The term of office shall be two years. Once a year, during annual budget hearings, the Chair of the Oversight Board shall provide a written report to Council that includes the Oversight Board's findings and any recommendations.

6. The Oversight Board shall continue to exist until terminated by Council.

7. All meetings shall be public and subject to the provisions of the Ralph M. Brown Act. The Oversight Board will meet twice a year, or as needed. The City Manager or his/her designee, City Attorney or his/her designee, and the applicable Department Director(s) shall attend all meetings. The Oversight Board shall adopt rules and regulations which are not inconsistent with the express provisions of the Charter to aid in the administration of City business before the Oversight Board.

8. The following individuals have been selected as the initial members of the Oversight Board:

District 1: \_\_\_\_\_

District 2: \_\_\_\_\_

District 3: \_\_\_\_\_

District 4: \_\_\_\_\_

District 5: \_\_\_\_\_

District 6: \_\_\_\_\_

District 7: \_\_\_\_\_

Mayor: \_\_\_\_\_

Mayor: \_\_\_\_\_

Councilmember (non-voting): \_\_\_\_\_

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2015  
Mayor Approval/No Return: \_\_\_\_\_, 2015  
Mayor Veto: \_\_\_\_\_, 2015  
Council Override Vote: \_\_\_\_\_, 2015

YVONNE SPENCE, CMC  
City Clerk

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: \_\_\_\_\_  
Katie Doerr [Date]  
Assistant City Attorney

KBD:ns [68004ns/kbd] 5/22/15