



City of Fresno

2600 Fresno Street
Fresno, CA 93721
www.fresno.gov

Meeting Minutes - Draft City of Fresno Capital Projects Oversight Board BOARDMEMBERS

Ann Kloose, Chair; Tyler Mackey, Vice Chair; Joe Garcia, Boardmember; Brad Hyatt, Boardmember; Walt Plachta, Boardmember; Sal Gonzales, Boardmember; Al Solis, Boardmember; Esmeralda Soria, Non-voting Boardmember

Monday, June 5, 2017

5:30 PM

City Hall Meeting Room A
(2165)
2600 Fresno Street, 2nd
Floor

Regular Meeting

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:32 P.M.

Boardmember Garcia was not present during roll call but arrived at 5:36 P.M.

Present 8 - Chairperson Ann Kloose, Vice Chair Tyler Mackey, Board Member Joe Garcia, Board Member Brad Hyatt, Board Member Sal Gonzales, Non-voting Member Esmeralda Soria, Board Member Al Solis, and Board Member Walt Plachta

2. APPROVAL OF THE AGENDA

On motion of Vice Chair Mackey, seconded by Board Member Plachta, the above hereby be approved. The motion duly carried, RESOLVED by the following vote:

Aye: 6 - Chairperson Kloose, Vice Chair Mackey, Board Member Hyatt, Board Member Gonzales, Non-voting Member Soria, Board Member Solis and Board Member Plachta

Absent: 1 - Board Member Garcia

3. APPROVAL OF MINUTES

Approval of the May 1, 2017 minutes.

On motion of Vice Chair Mackey, seconded by Board Member Plachta, the above item was approved. The motion carried by the following vote:

Aye: 5 - Chairperson Kloose, Vice Chair Mackey, Board Member Hyatt, Board Member Gonzales, Non-voting Member Soria and Board Member Plachta

Absent: 1 - Board Member Garcia

Abstain: 1 - Board Member Solis

[ID17-818](#) Approval of the Minutes from the May 1, 2017 Meeting.

4. SWEARING-IN

Boardmember Solis was sworn in by City Clerk Spence.

[ID17-816](#) Swearing In of Al Solis

5. COMMITTEE

[ID17-821](#) Creating a Committee

1. Approve the creation of a sub-committee to hear items before the Oversight Board where less than a quorum is present.
2. Create a policy to address when a quorum is not established that City staff can move forward with a change order until a quorum is established, then have the approval to the change order be ratified by the Board after the fact.
3. Leave the process like it is.

Chair Kloose introduced the topic of creating a committee. She said the topic of creating a committee came from our inability to provide a quorum. Since our last meeting we have reached out to the two members who have vacancies. Each of us have also reached out to the people who appointed us. Chair Kloose spoke to Councilmember Brandau and Boardmember Mackey said he sent a letter to the Mayor's Office. Boardmember Mackey stated that the board was thinking of changing our rules at the legislative level so that the quorum would be based on the number of appointments

rather than the number of available seats.

Attorney Collet responded that that type of change would not be allowed by the Brown Act. If the board does want to create a subcommittee there are a couple of different options. The Standing Committee and the Ad Hoc Committee and there are special rules for each. Standing Committee - can be delegated certain powers. Must be noticed per the Brown Act 72 hours in advance.

The Ad Hoc Committee - Can just listen to the meeting so the meeting can go forward. It doesn't need to be noticed per the Brown Act. Can only be enacted for a limited term, ie, for one year. The AdHoc Committee doesn't have any authority. They can't approve the items they can just hear them.

Chair Kloose said it doesn't sound like the AdHoc Committee would meet our needs. The goal is not to hold up progress on a project because we don't have a quorum. If we went with the Standing Committee it has to be fully noticed by the Brown Act. It could be a 3 person or 4 person committee. It can't be just who shows up, it has to be more structured than that. The meeting noticing requirements are the same as the full board.

Attorney Collect said if an item is scheduled and the board doesn't hear it and it needs to go further, the Chair can call a special meeting to get the item approved. Chair Kloose said if a quorum is not likely on Friday morning, we could call a meeting of the subcommittee no later than Friday morning for a Monday evening meeting. For a committee of five, three would be a quorum.

After discussion, the board wants to keep things as they are. Councilmember Soria expressed we should just encourage members to show up. Now we have seven members so it is better then when we had five. Hopefully there will be two more on the way.

The majority of the group wants to keep things the way they are, so Chair Kloose tabled this item indefinitely.

6. CHANGE ORDERS

[ID17-814](#) Approve Southeast Surface Water Treatment Facility (SESWTF) Project
- Change Order No. 9

Presented by Mike Carbajal. Change order 9 results in a net increase of

\$549,385 to the contract price.

On motion of Board Member Garcia, seconded by Board Member Solis, that the above Action Item be approved. The motion carried by the following vote:

Aye: 7 - Chairperson Kloose, Vice Chair Mackey, Board Member Garcia, Board Member Hyatt, Board Member Gonzales, Non-voting Member Soria, Board Member Solis and Board Member Plachta

[ID17-815](#) Approve Friant Kern Canal Pipeline (FKCP) Project - Change Order No. 2

Presented by Mike Carbajal. Change order two results in a net increase of \$53,101.76 to the contract price.

On motion of Board Member Solis, seconded by Board Member Gonzales, that the above Action Item be approved. The motion carried by the following vote:

Aye: 7 - Chairperson Kloose, Vice Chair Mackey, Board Member Garcia, Board Member Hyatt, Board Member Gonzales, Non-voting Member Soria, Board Member Solis and Board Member Plachta

7. WORKSHOPS

[ID17-812](#) a. DPU Large Construction Contracts Change Status Report (CSR)

PRESENTED.

[ID17-813](#) b. Presentation - Large Construction Contracts Update

PRESENTED.

8. UNSCHEDULED COMMUNICATION

NONE.

9. MEMBER COMMENTS

Chair Kloose said it would be nice to talk about the energy savings project that Tommy is working on with Isiah Franco where \$1.6M in rebate checks are coming to the City from PG&E and tying it in to one of the projects you're giving us an update on.

10. ADJOURN

The meeting adjourned at 7:05 p.m.

PLEASE NOTE: Due to size and volume, supporting documents are provided to board members in electronic format. Copies of supporting documents are available for public review in the Office of the City Clerk.