



# City of Fresno

2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)

## Meeting Minutes - Final City of Fresno Capital Projects Oversight Board

### **BOARDMEMBERS**

*Chair Joe Garcia*

*Vice Chair Michael Lopez*

*Board Member Ann Kloose*

*Board Member Brian Whelan*

*Board Member Nathan Alonzo*

*Board Member Bill Robinson*

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Monday, December 3, 2018

5:30 PM

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

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### Regular Meeting

The purpose of this meeting of the City of Fresno Capital Project Oversight Board is to meet and consider the following:

## 1. CALL TO ORDER/ROLL CALL

*The meeting was called to order at 5:33 P.M. and Roll Call was taken.*

**Present** 7 - Chair Joe Garcia, Vice Chair Michael Lopez, Board Member Ann Kloose, Board Member Sal Gonzales, Board Member Brian Whelan, Board Member Nathan Alonzo, and Board Member Bill Robinson

## 2. APPROVAL OF THE AGENDA

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

**Aye:** 7 - Chair Garcia, Vice Chair Lopez, Board Member Kloose, Board Member Gonzales, Board Member Whelan, Board Member Alonzo and Board Member Robinson

## 3. APPROVAL OF THE MINUTES

[ID18-1501](#) Approval of the October 15, 2018 minutes

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

**Aye:** 7 - Chair Garcia, Vice Chair Lopez, Board Member Kloose, Board Member Gonzales, Board Member Whelan, Board Member Alonzo and Board Member Robinson

#### **4. WORKSHOP - DPU Large Construction Contracts Change Status Report**

[ID18-1502](#) a. Presentation - Recharge Fresno Program Update

*This workshop was presented to the Oversight Board by Director Carbajal, Public Utilities Department. Director Carbajal gave a brief update on major projects stating the Friant-Kern Canal Pipeline project is a 100% complete but does have outstanding claims; Kings River Pipeline is about 99% complete with outstanding claims; Recycled Water Transmission Mains SW1B and SW1C will be discussed during closed session and Southeast Surface Water Treatment Facility is a 100% complete and notice of completion has been issued. Director Carbajal also stated that RTM Segment A1 and RTM Segment A2 are 100% complete and closed out, and RTM Segments B&C are currently in construction. Director Carbajal informed the Board that RWTM Segment SW1B and SW1C are 100% complete and SW1C2 is 99% complete. Director Carbajal further discussed major projects contingencies.*

[ID18-1506](#) b. DPU Large Construction Contracts Change Status Report

*This workshop was presented to the Oversight Board by Director Carbajal, Public Utilities Department. Director Carbajal gave a brief update on the large construction contracts change status report and asked the Board if they had any questions regarding any specific projects.*

*Boardmember Robinson asked Director Carbajal to explain the City's policy is on retention and when they get released. Director Carbajal responded retentions will be released once all the contracts no longer have issues and retentions can be partially released.*

*City Attorney Collect reminded the board that Workshops are for informational purposes for the boardmembers and that public comment is not permitted during the Workshop.*

*Vice Chair Lopez asked Director Carbajal what the name of the project at Temperance and 180 was. Director Carbajal responded Regional Transmission Mains Segment E.*

## **6. CHANGE ORDERS**

[ID18-1505](#) Approve Regional Transmission Main Segments B&C (RTM-BC) Project - Change Order No. 1

*This item was presented to the Oversight Board by Director Carbajal, Public Utilities Department. Director Carbajal gave an update on change order no. 1 and stated there was 56 days added to the contract.*

*Upon call, there was no public comment.*

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

**Aye:** 7 - Chair Garcia, Vice Chair Lopez, Board Member Kloose, Board Member Gonzales, Board Member Whelan, Board Member Alonzo and Board Member Robinson

## **5. CLOSED SESSION**

[ID18-1519](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED  
LITIGATION - Government Code Section 54956.9,  
subdivision (d)(2)

1. City of Fresno v. Garney Pacific Company dba Garney Construction Company

*Boardmember Whelan recused himself from the Closed Session item due to a conflict. The meeting of the Capital Projects Oversight Board recessed at 6:09 P.M. for Closed Session.*

*DISCUSSED*

## 6. CHANGE ORDERS

[ID18-1503](#) Approve Southeast Surface Water Treatment Facility (SESWTF) Project -  
Change Order No. 17

*The Capital Projects Oversight Board Meeting reconvened at 6:40 P.M.*

*Boardmember Kloose asked for clarification of line 29 and recused herself from the above item.*

*This item was presented to the Oversight Board by Director Carbajal, Public Utilities Department. Director Carbajal gave an update on change order no. 17 and stated the contractor was allocated 1000 calendar days and project was completed.*

*Boardmember Gonzales asked Director Carbajal to discuss the million dollar reduction. Director Carbajal responded.*

*Boardmember Whelan asked about change order no. 31 in the amount of \$360,000.00, how was the amount arrived, what was exchange for that and was there any consideration for the 38 days. Director Carbajal responded.*

*Chair Garcia asked about the bond adjustment for change order no. 33 in the amount of \$65,164.00 and asked about the bond premium. Director Carbajal replied.*

*Upon call, there was no public comment.*

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

**Aye:** 5 - Chair Garcia, Vice Chair Lopez, Board Member Gonzales, Board Member Alonzo and Board Member Robinson

**Absent:** 1 - Board Member Whelan

**Recused:** 1 - Board Member Kloose

## 7. UNSCHEDULED COMMUNICATION

*Upon call, there was no Unscheduled Communication.*

## **8. MEMBER COMMENTS**

*City Clerk Spence asked Boardmembers if they received their notification regarding Ethic Training.*

## **9. ADJOURN**

*The meeting adjourned at 6:43 P.M.*

*The above minutes were approved at the January 7, 2019 meeting with a motion from Boardmember Alonzo and a second from Vice Chair Lopez.*

*The motion passed on a 5-0 vote.*

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.