

RESOLUTION NO. 2004-291R

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO ESTABLISHING
AN ADVISORY PUBLIC SAFETY FACILITIES
OVERSIGHT COMMITTEE AS PROVIDED
FOR IN THE 2004 PUBLIC SAFETY BOND

WHEREAS, the City Council placed before the voters of the City of Escondido a measure providing for the issuance of general obligation bonds of the City for the acquisition, construction, repair and replacement of certain public safety facilities; and

WHEREAS, the election on the bond measure was held on November 2, 2004 at which time the voters were asked whether or not bonds should be issued in an amount up to \$84,350,000 to construct, upgrade and acquire land for fire stations including emergency response training centers and a combined police/fire headquarters; and

WHEREAS, the measure presented to the voters provided that such bonds would be issued with citizens' oversight, independent financial audits, and no money for administrator salaries; and

WHEREAS, at the election on November 2, 2004, the voters passed the Public Safety Bond Measure, identified as Proposition P on the ballot, by a vote of 26,103 in favor and 12,478 opposed and the results of such election were duly certified by the City Council by means of Resolution No. 2004-278 at a regular meeting held on December 1, 2004; and

WHEREAS, the City Council now desires to establish its accountability to the voters of the City of Escondido by establishing a Public Safety Facilities Oversight Committee, providing for the membership of such committee, defining the scope and purpose of the committee and addressing other matters related to citizens' oversight.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido that:

Section 1. The City Council hereby establishes the Public Safety Facilities Oversight Committee (“Oversight Committee”) for the purpose of actively reviewing and informing the public regarding the expenditure of bond proceeds from the 2004 Public Safety Bond Measure, and to convene for specific purposes limited to providing advisory oversight for such bond proceeds expenditures, including providing oversight: (a) to insure that the proceeds of the 2004 Public Safety Bond are spent only for the specific purposes identified in City of Escondido Ordinance No. 2004-16; (b) that in all respects, the provisions of California Government Code Section 50075.1, pertaining to accountability measures for special taxes approved by the voters, are followed; (c) that no bond proceeds are used for administrator’s salaries and that regular independent financial audits are provided to the City Council and the public.

Section 2. In the course of fulfilling its purposes as described above, the Oversight Committee shall have the power to review and provide comments to the City Council on expenditure plans, staffing and consultants, schedule and completion times, construction activities, and related matters. The activities of the Oversight Committee shall be advisory only and shall not replace or impede the activities or responsibilities of elected City Council members in any manner, including the responsibility of the City Council to make all final decisions regarding the expenditure of bond funds.

Section 3. In furtherance of its specifically enumerated purposes, the Oversight Committee may: (a) receive and review copies of any annual independent audits performed by Consultants selected by the City; (b) receive and review copies of any annual independent performance audits performed by consultants selected by the City; (c) inspect public safety facilities, sites, and construction areas to assure that bond

revenues are expended in compliance with applicable law; (d) receive and review proposed construction plans and schedules.

Section 4. The Oversight Committee shall meet on a regular basis, with assistance from City staff, and at such times and places as shall be specified by the Oversight Committee. The Oversight Committee shall provide regular reports to the Escondido City Council, which may be either oral or in writing at the Council's discretion. All Oversight Committee proceedings shall be open to the public and notice to the public shall be subject to the provisions of the Ralph M. Brown Act (Government Code Section 54950 *et seq.*).

Section 5. All members of the Oversight Committee shall not be, or have, any conflict of interest in the matters which they review pursuant to this Resolution.

Section 6. The City Council shall have the right to amend the terms of this resolution at any time so long as such amendments do not remove the general oversight responsibilities as set forth in the 2004 Public Safety Bond.

Section 7. The Oversight Committee shall consist of 7 members which shall be subject to appointment by the Mayor with ratification by the City Council. Members shall be selected based upon the qualifications and criteria set forth on Exhibit A which is attached and incorporated by this reference.

Section 8. All members of the Oversight Committee shall serve for a term of two years from the date of appointment, unless removed earlier at the sole discretion of the City Council. Vacancies on the Oversight Committee shall be filled within forty-five (45) days, and the vacancies shall be filled by an appointment in the same manner as the original committee has been selected as set forth in Section 7. Members shall serve until the facilities contemplated by the 2004 Public Safety Bond Measure have been

completed and final reports on expenditures related to such facilities have been provided to the public and the City Council.

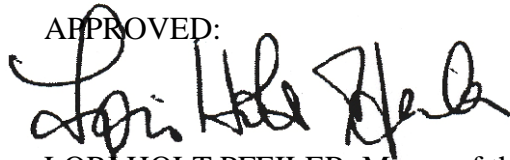
PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at regular meeting thereof this 8th day of December, 2004 by the following vote to wit:

AYES : Councilmembers: ABED, GALLO, NEWMAN, PFEILER, WALDRON

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:



LORI HOLT PFEILER, Mayor of the
City of Escondido, California

ATTEST:



MARSHA WHALEN, City Clerk of the
City of Escondido, California

RESOLUTION NO. 2004-291 (R)

City of Escondido

Public Safety Facilities Oversight Committee

Members of the Oversight Committee shall reside within the City of Escondido or own a business within the Sphere of Influence of the City's General Plan boundaries.

Eligibility for service requires meeting one or more of the following Qualifications:

A resident of the City at large

A member of an Escondido Business Organization or active in the Escondido business community

A member of a bonafide Taxpayers Association

An experienced professional within the Construction Industry

An Architect with experience in major government buildings

A Licensed General Contractor

A Licensed Civil Engineer

A Construction Cost Estimator

A Financial Professional

A member or representative of the Construction Trades Council