

By-Laws of the California Uniform Construction Cost Accounting Commission

Created by the Uniform Public Construction Cost Accounting Act (“Act”) of 1983, as amended,
and supported by the California State Controller’s Office.

ARTICLE I ORGANIZATION

The name of the organization shall be California Uniform Construction Cost Accounting Commission¹
(the “Commission”).

ARTICLE II PURPOSES

The Commission is formed for the purposes, and shall fulfill the responsibilities, stipulated in Division
2, Part 2, Chapter 2 of the California Public Contract Code (the “Code”), beginning with Section 22000.
All notices, meetings, and actions, of the Commission shall be in accordance with the Bagley-Keene
Open Meeting Act.

ARTICLE III MEMBERSHIP

The membership of the Commission shall be in accordance with the requirements of the Code. Members
shall be referred to as Commissioners.

ARTICLE IV MEETINGS

The Commission shall meet no less than annually² at which the next subsequent meeting date may be
set. All meetings of the Commission shall be conducted in accordance with the requirements of the
Bagley-Keene Open Meeting Act (Bagley-Keene). Written notice to the public of all scheduled
meetings, and any related agendas or other documents shall be posted at the Commission’s website in
conformity with Bagley-Keene requirements. Each commissioner shall receive notification of scheduled
meetings, and any related agendas or other documents, by mail, e-mail, or telephone, at the option of the
State Controller’s Office (SCO) support staff. The Commission shall meet as needed to render
decision(s) on account reviews and may meet more than once per year with the concurrence of the SCO
staff.

Meetings shall be held at a location as identified and provided by the SCO and agreed to by the
commissioners².

The participation of a majority of the appointed commissioners shall constitute a quorum and shall be
necessary to conduct the business of the Commission. If the number of commissioners participating in a
meeting drops below the number required for a quorum, the meeting may continue, but no further action
may be taken, until such time as a quorum is re-established.

Meetings shall be conducted under Robert’s Rules of Order. Parliamentary questions shall be resolved
by the Secretary in consultation with SCO staff.

¹ [Public Contract Code \(PCC\) section 22010 creates the California Uniform Construction Cost Accounting Commission](#)

² [PCC section 22016 states, “the commission shall meet not less than once each year, at a time and place chosen by its membership.”](#)

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ARTICLE V VOTING

At all meetings, all votes shall be by voice.

Each commissioner shall have one vote and such voting may not be done by proxy.

ARTICLE VI ORDER OF BUSINESS

1. ~~Roll Call~~ to Order
2. Introductions
3. Approval of the Minutes of the preceding meeting
4. Commission Update
 - a. ~~Oath of Office~~ New Members
 - b. Participating Agencies
 - i. New
 - ii. Withdrawing
 - c. Funding Update
5. Public Comment
6. Staff Comments /Requests
 - a. ~~Participating Agencies~~
 - i. ~~New~~
 - ii. ~~Withdrawing~~
 - ~~b. Finance Report~~
7. Reports of Officers
 - ~~a. Chair~~
 - ~~a.b. Vice Chair~~
 - ~~b.c. Secretary~~
8. Committee Reports
9. Commissioner Comments / Requests
10. Old ~~and Unfinished~~ Business
11. New Business
12. Next Meeting ~~Date, Time & Location~~
13. Adjournment

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ARTICLE VII COMMISSIONERS

The business of the Commission shall be managed by the commissioners, including the officers of the Commission.

The commissioners, with the support of the staff of the SCO, shall control and manage the affairs and business of the Commission. Commissioners shall act in the name of the Commission only when it shall be regularly convened by its Chairperson after due notice to all the commissioners of such meeting.

The SCO shall have sole custody of the Commission's assets and shall act as the fiscal agent of the Commission.

The Commission may make such rules and regulations covering its meetings as it determines to be necessary, as long as such rules and regulations are in compliance with the Code and the Bagley-Keene Open Meeting Act.

Commissioners are appointed to a term of three years. After a term expires, the commissioner continues to hold office until his or her successor is appointed.³ Therefore, if a commissioner is reappointed, the date the term expires is the same as the original appointment date. A newly appointed commissioner would have a term that expires three years from the date that they are originally appointed.

Commissioner vacancies shall be filled in accordance with the Code⁴.

The commissioners shall select among themselves a Chairperson, Vice Chairperson, and a Secretary. Said officers shall serve for ~~one (1)~~ two (2) years⁵ or until they are removed for cause or retire, whichever is earlier. Officers may be elected for multiple years, not exceeding five (5) years in the same position. In no event shall two consecutive chairpersons be appointees representing either the construction industry or public agencies.⁵

A commissioner may be removed when sufficient cause exists for such removal, as determined by the California State Controller.

³ Stated by PCC section 22014

⁴ Defined by PCC sections 22010 to 22014

⁵ Stated by PCC section 22013

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ARTICLE VIII OFFICERS

The initial officers of the organization shall be as follows:

Chairperson:

Vice Chairperson:

Secretary:

The Chairperson shall preside at all Commission meetings.

He/she shall present at each annual meeting of the organization an annual report of the work of the organization.

He/she shall appoint all committee chairpersons, either temporary or permanent, after the Commission has voted by a majority to form a specific committee, either temporary or permanent.

He/she shall see that all books, reports, and certificates, required by law are properly kept or filed.

He/she shall have such powers as may be reasonably construed as belonging to the chief executive of any organization to the extent that such powers do not conflict with the powers granted to the State Controller under the Code.

The Vice Chairperson shall, in the event of the absence or inability of the Chairperson to exercise his/her office, become acting Chairperson of the Commission with all the rights, privileges, and powers, as if he/she had been the duly elected Chairperson.

The Secretary shall comply with the following:

Submit to the Commission any communications which shall be addressed to him/her as Secretary of the Commission.

Perform such duties as are reasonable and assigned by the Chairperson.

Review financial reports from the SCO's assigned staff.

Rule on questions of order in consultation with SCO staff.

No officer shall, for reason of his office, be entitled to receive any salary or compensation, other than legislatively entitled travel reimbursement for meeting attendance, or for expenses incurred on behalf of the Commission⁶ which were approved prior to expenditure by a majority of the commissioners. Travel will only be reimbursed if there is sufficient funding.

ARTICLE IX COMMITTEES

All committees of the Commission shall be formed by the Commission and the members appointed by the Chairperson. They shall serve on the committee for a period of one year, or less if terminated by the action of the Commission. Committee members may be re-appointed for multiple years at the pleasure of the Chairperson.

⁶ [Stated in PCC section 22015\(b\)](#)

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ARTICLE X AMENDMENTS

These By-Laws may be altered, amended, repealed or added to by an affirmative vote by a majority of the commissioners and approval by the SCO.

| Adopted by the Commissioners on ~~June 8, 2010~~ December 17, 2014.

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