

California Uniform Construction
Cost Accounting Commission



**Minutes of
July 22, 2008 Meeting
300 Capitol Mall, Room 635
Sacramento, California**

1. Call to Order

Chairman Bernacchi called the meeting to order at 10:10 a.m.

2. Roll Call

Present: Jeff Armstrong, Eddie Bernacchi, William Dildine, David McCosker, Dale Pfeiffer, Gene Cortright, Alec Pringle, David Gomez, Guiselle Carreon, Linda Clifford, Lisa Miller-Strunk, Robert Byrd

Guests: Lee Howard - North Coast Builder's Exchange (NCBE)
Sally Riley- Construction Industry Force Account Council (CIFAC)
Catherine Hilliard – CIFAC

State Controller's Staff:

Mike Adams –Manager
Alice Fong – Fiscal Analyst
Jeanette Cosentino – Fiscal Analyst

3. Approval of Minutes for the July 12, 2007 Meeting

Commissioner Carreon made a comment regarding the 30-day notice required in act language being too long of a window. She suggested shortening the window of time to 20 days. Chairman suggested the commission add this comment as old business. With the addition of this agenda item, the minutes of the July 12, 2007 meeting were approved with no changes.

4. Commission Update

a. Report of Participating Agencies

Staff provided to each commissioner an updated agency list and reported that there are now **661** participating agencies, of which **29** were newly added participants since the agency list was last produced.

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Comments were made that no Parks and Recreation agencies have opted in, and that school districts tend to opt in and out at will. Commissioner Pfeiffer would like a legal opinion from the Controller's office regarding opting in and out.

Chair Bernacchi will work with Commissioner Carreon regarding updating the act's language to reflect new technology.

b. *Funding Update – Receipts/Expenditures Activity*

Motion Passed to research a two tier administrative fee: first tier, public agencies and second tier, contractors. While the research is taking place, voluntary contribution letters will be updated. Commissioner Pfeiffer is to send Alice Fong an example of the voluntary contribution letter that was sent in the past. Also, Chairman Bernacchi has asked all the commissioners to survey their organizations regarding possible new fee. There is an outstanding question whether the commission is required to implement new legislation in order to charge fee.

5. Public Comment

Sally Riley, CIFAC

Ms. Riley stated that some agencies do not know they are part of CUCCAC. She suggested that the commission send out letters to all agencies letting them know of their participation and asking their management to share the information with their subordinates.

Lee Howard, North Coast Builder's Exchange

Mr. Howard commented that he sent in a complaint regarding Ukiah and it has not been answered. He reiterated at the meeting that the City of Ukiah opted into CUCCAC but is not following through with the act. His second comment was regarding the classification for bid of work. He stated that CUCCAC's bid process needs to be identified.

6. Staff Comments/Requests

Commission spoke about travel claims and the annual filing of the Fair Political Practice form. Alice Fong to send the link to the web site to the commissioners. Commissioners discussed the possibility of having the commission rooster posted on the SCO website so the public can contact them directly for any questions pertaining to CUCCAC.

7. Commissioners' Comments/Requests

Commissioner Clifford would like to meet quarterly and offered to work on by-laws for commission. She asked what the term limits are for commissioners and if the commission has produced any pros vs. cons document that can be used as a recruitment tool for CUCCAC.

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Commissioner Pringle stated that there are educational issues involving CUCCAC and that the current FAQs directly address the issues. He would like the FAQs to be sent out with the letter stating the agency is a participant in CUCCAC.

8. Old Business

- a. *AB 1047* – Informational letter to increase the formal bid limit. Deter legislation on the increase of force account. Last time letter was sent was April 2005. This notification is required every 5 years.
- b. *By Laws* – Commissioner Clifford to draft by-laws.
- c. *Reed Construction* – City of Santa Clara wanted them off the participant list. ??
- d. *Charter city question* – Commissioner Pfeiffer asked why would charter city opt into CUCCAC if they have a \$100,000 force account limit? Commissioner Cortright stated that a legal opinion might need to be drawn to understand charter cities involvement with CUCCAC.

9. New Business

- a. *Manual Revisions*

Commission approved language in 2201.5.

Motion passed –Add Federal link www.ecfr.gpoaccess.gov as Appendix A.

Motion passed – Clearly state in the act that participants can only opt out through resolution.

- b. *FAQs* – Commissioner Pringle to update and improve. Will work with Commissioner Carreon and send comments to Alice Fong.
- c. *Plan Room Services*

Motion Passed – Staff to send letter to see if there are any still operating.

- d. *Complaint from CIFAC*, Catherine H. – City of Corona considers projects to be non-public in ordinances, although not charter city. Only a charter city can supersede state law. New sub drainage cost is \$50,000. They need to stay within the force account limits.
- e. *Grant debt* – Commissioners Miller-Strunk and Dildine were discussing the issue of CUCCAC debts to the Contractor's License Board for conditional grant.

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f. Election of Officers

Motion Passed to appoint the following commissioners into the noted positions:

Chair – Gene Cortwright

Vice Chair – Jeff Armstrong

Secretary – Linda Clifford

10. Next Meeting

Slated for October 16, 2008.

11. Adjournment

The meeting was adjourned at 12:57 p.m.