

California Uniform Construction Cost Accounting Commission

Minutes of June 20, 2013 Meeting

Locations

**California State Controller's Office
300 Capitol Mall, 2nd Floor San Diego Room
Sacramento, CA 95814**

**Moreno Valley Unified School District Office
25634 Alessandro Boulevard
Moreno Valley, CA 92553**

**320 East Balboa Blvd
Newport Beach, CA 92661**

1. Call to Order

Chairperson Armstrong called the meeting to order at 9:39 AM and called roll.

Present: **Sacramento:** Jeff Armstrong, Eddie Bernacchi, Robert R. Campbell,
Guiselle Carreon, Linda Clifford, Lisa Ekers, George Hicks, David
McCosker

Moreno Valley, via telephone: Josie H. Ripoly

Newport Beach, via telephone: William R. Dildine

Absent: Cesar R. Diaz, Lisa Miller-Strunk

Guests: Cathryn Hilliard, Construction Industry Force Account Council
Howard Dashiell, Mendocino County

SCO Staff: Anita Dagan, Manager
Carol Dirksen, Fiscal Analyst
Darryl Mar, Fiscal Analyst

2. Introductions

The commissioners, staff, and guests all introduced themselves.

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3. Oath of Office

None.

4. Approval of the Minutes for the Meeting of August 29, 2012 (Refer to attachment Item 4)

Commissioner McCosker motioned and Commissioner Clifford seconded to approve the minutes of the August 29, 2012 meeting with amendments. **The motion passed 10-0.**

5. Commission Update (Refer to attachment Item 5)

- a. *Report on new participating agencies* – Staff presented an updated participating agency list, noting that 30 new agencies have opted into the UPCCAA (Act), bringing the number of agencies participating in the Act to 848.
- b. *Funding update* – Staff reported that the Commission had \$5,484.79 of unrestricted donations available for its use.

6. Public Comment

None.

7. Staff Comment/Requests (Refer to attachment Item 7a)

- a. *SCO legal opinion on AB 1598 in process.* – SCO informed the Commission that the request for legal opinion from SCO's legal counsel is still pending. The commissioners viewed the request and made some edits. ¹⁾The SCO will resubmit the legal opinion request. ²⁾The Commission decided to send a letter to the bill's author in order to receive clarification in a timelier manner. SCO will assist in drafting the letter to the author.

8. Commissioner Comments/Requests/Questions

The Commission requests that financial reports be included as part of the meeting package. SCO agrees and will supply them at the next meeting.

9. Old Business (Refer to attachments Items 9c, 9d, 9e, 9f, and 9g)

- a. *Commissioner Dildine has tendered his resignation from the Commission effective July 1, 2014. The search for a replacement will begin immediately.* – Commissioner Dildine stated he will serve until replaced.
- b. *List of account reviews completed by the Commission to be posted on the SCO website.* – Commission explained that the results of the account reviews can be found in past minutes and do not need to be posted separately on the SCO website.
- c. *Sample donation letter distributed to all board members for solicitation to potential donors.* – ¹⁾SCO will make corrections to the private industry solicitation letter and then distribute to Commissioners McCosker and Clifford to be sent to members of the private construction industry. ²⁾Commissioner Armstrong will share a sample union/trades solicitation letter. ³⁾The Commission also discussed

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- the possibility of legislative changes that require participating agencies to pay an annual registration fee to provide the Commission the resources needed to carry out its statutory duties. Commissioner Bernacchi motioned and Commissioner Clifford seconded that the Commission should establish a working committee to draft and propose legislative language requiring agencies to pay the fee. The proposal will be submitted to the SCO for approval. **The motion passed 9-0.**
- d. *Amendments to CUCCAC bylaws (commissioner terms, designated meeting locations, etc.) to be approved and posted on the SCO Web site.* – Commissioner Bernacchi motioned and Commissioner Clifford seconded that the commissioner term limits are to be worked on by the CUCCAC working subcommittee and their work is to be brought to the entire Commission at the next meeting for approval. **The motion passed 9-0.**
 - e. *Commission discussion and approval of updated FAQs to be posted on the SCO Web site.* – Commissioner Clifford motioned and Commissioner Bernacchi seconded the approval of the FAQs and the SCO will post immediately. **The motion passed 9-0.**
 - f. *Create a sample ordinance template in Word to be posted on the SCO Web site.* – Commissioner Clifford motioned and Commissioner Carreon seconded the approval of the sample ordinance template. **The motion passed 9-0.**
 - g. *Revisions to the Manual to be posted on the SCO Web site.* – Commissioner Bernacchi motioned and Commissioner Ekers seconded the approval of the revisions to the manual. **The motion passed 9-0.**
 - h. *Selection of new Vice-Chair.* – Commissioner Hicks is nominated as the new Vice-Chair of the Commission. Commissioner Ekers motioned and Commissioner Clifford seconded. **The motion passed 9-0.**

10. New Business (Refer to attachments Items 10a and 10b)

- a. *Allowing agencies who have recently joined the Act time to prepare a list of qualified bidders. Currently, page 7 of the manual states that agencies must update their list every November for inclusion in the next year.*
 - i. *What if an agency joins in November/December? What if an agency joins in March? Would they not have to update until that November?* – Commissioner Clifford will draft a letter to be sent to new agencies who participate in the Act welcoming their inclusion and outlining the rules for creating a list of qualified bidders.
 - ii. *What if an agency recently joins the Act and needs to put a project out for bid before they have the time to put together a list of qualified bidders? Could a procedure be developed to allow exceptions for this to be made on a case-by-case basis?* – The Commission agreed that statute requires a list of qualified bidders be created to participate in the Act.
- b. *Mendocino County's declaration of work pursuant to PCC 22030 and Construction Industry Force Account Council's position to the legality of the work.* – The Commission recommends that the county declare use of authority before construction starts. The Commission has asked the California State Association of Counties to clear the authority before commencing work. Howard Dashiell, Road Commissioner of Mendocino County, would like to make it known he has come out publicly with Mendocino County's road projects. The

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Commission thanks Mr. Dashiell for his participation and understands he is trying to be transparent. California Industry Force Account Council (CIFAC) requests estimated project values before work commences which Mr. Dashiell can provide.

11. Annual Report to the Legislature (Refer to attachment Item 11a)

- a. *Annual Report: The report to the Legislature for the year ending 06/30/13 is due.*
 - Commissioner Clifford will draft a report to the Legislature for the SCO to review and have the Chair of the Commission sign.

12. Next Meeting

The next meeting is scheduled for August 22nd, 2013, from 9:30am – 12:30pm at the State Controller's Office, 300 Capitol Mall, 2nd Floor San Diego room.

13. Adjournment

Commissioner Armstrong motioned and Commissioner Hicks seconded to adjourn. **The motioned passed 9-0 at 12:42pm.**

If you would like further information regarding this meeting or require special accommodation for attending this meeting, please contact:

State Controller's Office
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