

California Uniform Construction Cost Accounting Commission Minutes of Friday, March 12, 2021

The following minutes were officially approved by the Commission at the subsequent public meeting on July 29, 2021.

1. Call to order

Chair Will Clemens called the meeting to order at 10:00 AM

Video Conference: Eddie Bernacchi, Will Clemens, Leeann Errotabere, Brad Farmer, Steven L. Hartwig, Nathaniel Holt, John Nunan, Chuck Poss, Hertz Ramirez, Chad D. Rinde, Jeremy Smith, Mary Teichert, and Peter Worhunsky

Absent: Rosemarie R. Gaglione

Unexcused Absences: N/A

State Controller's Office: Dave Brownfield, Sandeep Singh, Jia (Jenny) Liu, and Daniel Basso

2. Introductions

Daniel Basso from the State Controller's Office (SCO) conducted roll call.

3. Approval of the Minutes

A. Meeting held on November 6, 2020

Commissioner Hartwig motioned to approve meeting minutes of November 6, 2020, without changes. Commissioner Holt seconded the motion. The motion passed on a roll call vote with ten yays, zero nays, and three abstentions.

Commissioners Ramirez and Poss abstained from voting because they were not members of the Commission as of November 6, 2020. Commissioner Gaglione was not in attendance and thus did not vote.

4. Commission Updates

A. Oath of Office

Chair Clemens administered the Oath of Office to Commissioners Chuck Poss and Hertz Ramirez. Chuck Poss was appointed to a 3-year term representing subcontractors that began on December 18, 2020. Hertz Ramirez was appointed to a 3-year term representing labor that began on January 18, 2021.

Chair Clemens asked Commissioners Poss and Ramirez to give a brief history of their background.

B. Participating Agencies

Daniel Basso, SCO staff, presented an update on participating agencies, noting that SCO had received 21 resolutions from agencies that opted into the California Uniform Public Construction Cost Accounting Act (Act) since the previous meeting. The number of agencies participating in the Act, including newly opted-in agencies, currently totals 1,410.

C. Funding Update

Daniel Basso reported that the SCO received two grants from the California Construction Advancement Program for \$625.00 each. One of the grants was received shortly before the November 6, 2020 meeting but was not included in that meeting's report. A total of \$14,613.89 is available for unrestricted funds and travel reimbursement for the Commission to use.

Commissioner Bernacchi asked if SCO had a standardized template for requesting funds. Mr. Basso confirmed that the SCO does have a standardized template for requesting funds. Mr. Basso will follow up with Commissioner Bernacchi in the days following the meeting to send out requests for funds.

D. Inquiry Update

Daniel Basso presented a report on inquiries received since the last meeting. Chair Clemens explained to the new Commissioners how the inquiries are processed. Chair Clemens mentioned that Mr. Basso will respond to the inquiries if he has the required information from a previous inquiry to provide an accurate response. If Mr. Basso does not have the required information to provide a response, he forwards the inquiry to Chair Clemens for a response.

Chair Clemens asked if the Commission had any questions or comments regarding any of the inquiries in the report. If needed, responses to inquiries could be amended and re-sent to the agency that made the inquiry following the adjournment of the meeting. No Commissioners had comments on the inquiries.

5. Public Comment

Chair Clemens asked the public if they had any comments.

There was one public comment from Mark Jones, Purchasing Manager of Sacramento Metropolitan Fire District. Mr. Jones asked about one of the mentioned inquiries concerning the results of informal bidding being made open to the public. Chair Clemens answered by stating that the Act does not require a public bid opening, but it is considered good practice. Commissioner Nunan added that it is good practice to be transparent with bid results, as it builds goodwill with the construction community. Commissioners Hartwig and Holt seconded the importance of transparency in the informal bid process. Mr. Jones thanked the Commission for answering his question. No further public comments.

6. Staff Comments/Requests

A. SCO Staff Update

Chair Clemens reminded the rest of the Commission that Debbie Torres, who previously assisted numerous commissioners and conducted CUCCAC meetings, was no longer with SCO. Daniel Basso has taken over her duties for CUCCAC. Chair Clemens asked Mr. Basso to briefly introduce himself.

B. Form 700

Mr. Basso reminded the Commission that April 2, 2021 is the last day to file the forms electronically without a late penalty. Mr. Basso will enter the newly appointed commissioners into the system following the meeting's conclusion.

C. Reappointment for 2021

Mr. Basso will reach out to Commissioners 90 days before their term will expire to ask if they would like to be reappointed to the Commission. If a Commissioner does not want to be reappointed for another term, a replacement will have to be found.

7. Report of the Officers

A. Chair

Nothing to Report.

B. Vice-Chair

Nothing to Report.

C. Secretary

Commissioner Holt gave a brief update on meetings that he has had with numerous school districts regarding eventual adoption of the Act, and the benefits that implementing the Act would have on their districts.

8. Committee Reports

Nothing to report.

9. Commissioner Comments/Requests

Commissioner Hartwig thanked those in the construction industry for their ongoing efforts to continue working during the COVID-19 pandemic. Commissioner Errotabere mentioned that the pandemic allowed for school construction projects to be completed faster and more efficiently than ever before due to not having to worry about children on campus. Commissioner Holt commented that Compton High School will undergo demolition in the upcoming months, with a new \$175 million high school currently in the pre-qualification process.

10. Old Business

A. The Construction Industry Force Account Council (CIFAC)-Inquiry

Chair Clemens gave a brief summary of the CIFAC inquiry previously discussed at the November 6th, 2020 meeting. He offered the item up for discussion among the commissioners and the public. No comments or questions were raised. Chair Clemens motioned to approve the inquiry response, with Commissioner Hartwig seconding the motion. The motion passed on a roll call vote of 13-0.

B. Revising Bylaws- Reduce Officer Term Limit from 5 years to 4 years.

Chair Clemens introduced this item by reviewing the purpose of reducing the officer term limit. The bylaws, as previously written, call for the election or re-election of officers every 2 years. The officer term limit of 5 years would expire halfway through an officer's elected term if they had been elected a third time.

By revising the bylaws to change the term limit to 4 years, the term limit and election cycles would be in sync. No commissioner or public comments on this change. Chair Clemens motioned to authorize the change and Commissioner Holt seconded the motion. The motion passed on a roll call vote of 13-0.

11. New Business

A. 2020 Report to the California State Legislature

Chair Clemens introduced the 2020 Report to the California State Legislature. No questions or comments from the Commission or the public. Chair Clemens motioned to approve the report and Commissioner Farmer seconded the motion. The motion passed on a roll call vote of 13-0.

B. Assembly Bill 29- Impact on CUCCAC meetings.

Mr. Basso gave a synopsis of Assembly Bill 29, recently introduced in the state legislature. If passed, the bill would require all documents that are to be discussed at open meetings of state bodies to be published on the state website at least 72 hours prior to the start of the meeting. This could have an impact on future CUCCAC meetings if a topic of discussion comes up within the 72 hour time period. If the item is not posted within the statutory time period, the Commission would have to wait until a subsequent meeting to discuss it. Mr. Basso is tracking the bill's status, and will update the Commission if necessary.

12. Next Meeting

The Commission agreed to schedule the next meeting for:

Thursday, July 29, 2021
10:00 AM – 2:00 PM
Virtual teleconference

13. Adjournment

Chair Clemens moved to adjourn the meeting at 10:43 AM; all in favor with zero opposing to adjourn.

If you would like more information regarding this meeting, please contact:

State Controller's Office
Local Government Programs and Services Divisions
Local Government Policy Section
LocalGovPolicy@sco.ca.gov