



“CONSTRUCTING A WAY FOR A BETTER FUTURE”

# ECA NEWSLETTER

## JOHNS SOAPBOX

John’s Soapbox, I am stating the opinion of myself in this Soapbox



### Advocacy-An Example of How it Works for ECA Members



As we move into a new year and ECA member firms are being asked to renew their memberships, it might be a good time to remind folks that the ECA does a lot more than just put on great events and honor accomplishments of individuals and companies. Advocacy is part of what the ECA does and in my opinion, advocacy is reason enough for firms that are in the general contracting sphere of influence to belong to and support the ECA.

I want to be very clear-I am not taking credit for correcting a wrong by virtue of advocating for that correction. This Soapbox is intended to illustrate advocacy, to be effective, must be constant, dependable, and focused. Advocacy also needs collaboration, relationships, professionalism, and staying power.

What am I talking about?

About 18 months ago, I got a call from a member that told me about some flood plain mapping that was being done by FEMA. FEMA routinely updates their flood plain maps all over the country every decade or so, supposedly using the latest flood data as well as any flood control projects that might improve an area’s ability to gather and dispose of flood waters. The call came in and informed me that the FEMA updated maps were utilizing erroneous elevations, and FEMA was not incorporating storm drain improvements that were put in place by my old firm, Kirkwood Bly under the supervision of Dave Soiland (back in the day!).

Bill Olmo and Dan Fowler asked me to assist. What FEMA was doing was they were about to issue flood plain mapping that would identify a lot of parcels around Santa Rosa Avenue to be “in the flood channel” and thereby those properties could not legally have structures built, nor even store materials on their land as the mapping would categorize those properties as being in “flowing channels” during high rain events.

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What this would mean to those properties is:

1. Their value would drop tremendously
2. Those properties would not be able to be used as the purchasers and owners of those properties had planned to use them
3. Sonoma County property tax revenues could drop year after year due to the lower assessment value of those properties
4. Insurance would be hard to procure or impossible to afford for those newly labeled properties.

I suggested to Bill and Dan that I inform our friends at the Sonoma Business and Agriculture Consortium, and that we reach out to the City of Santa Rosa Mayor, as well as the Permit and Resource Department head Tennis Wick and his deputy Nathan Quarles for information and assistance. Bill and Dan agreed, and the process of advocacy began.

I found out quickly that Cynthia Murray and the NorthBay Leadership Council was willing to use their advocacy influence with Congressman Mike Thompson and letters were written and received. Pressure on FEMA to reassess their mapping "facts" was started at the National level.

I reached out to a neighbor of mine who was very high up in FEMA until he retired two years ago and got information as to how FEMA might be influenced.

I asked Mayor Rogers of Santa Rosa what the city would be willing to do and got a response that said they were not legally allowed to influence the FEMA mapping efforts, but the County could.

I reached out to Nathan Quarles and requested an onsite meeting with Dan and Bill to look at the more obvious errors that FEMA was using. After that meeting, the County (and prior to that onsite meeting they had written some letters as well) exerted some influence on FEMA using legal channels.

I reached out to State Senator McGuire's office and got advice on how to exert influence on FEMA as well.

I reached out to County Supervisors Rabbitt and Hopkins and kept them informed of the situation and requested they support PRMD in their efforts to influence FEMA and correct the mapping data.

Dan and Bill (with Nathan Quarles) got the regional FEMA official to come out onsite and witness the same elevation benchmark information (using levels and transits) that was demonstrated to Nathan Quarles and got an admission from FEMA that their data could be wrong.

A "stay" was issued. And now for the acknowledgements and compliments that our public officials do not receive very often:

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Kudos to the County of Sonoma and to Nathan Quarles for their efforts. The correction is not a guarantee and FEMA is not easy to influence. But the County has started the process of “re-mapping” the area at considerable expense to the County of Sonoma. The “kick-off” was last week, and the work should be done in approximately 90 days. At that point, the re-study will be presented to the County and the County intends to attach that professional, independent, study to a Letter of Map Revision application to FEMA. The County anticipates the area south of Hunter Lane, east of Santa Rosa Avenue, and north of the Wilfred flood channel will be remapped out of the flood plain designation FEMA has it currently under. There are other areas of concern but those are the main areas that should be changed.

This effort is not done yet but is a shining example of how advocacy can work. You might be asking yourself how does this benefit other ECA members? The benefit comes from not seeing the property tax assessments go down in the County of Sonoma. Part of those property tax dollars collected goes towards services that directly benefit all ECA members and part of it goes towards maintenance and capital improvement projects that ECA members bid on.

Many thanks to Bill Olmo and Dan Fowler for their perseverance and determination in trying to correct the wrong. The ECA is very happy to have done our small part to assist the effort!

That’s All Folks!  
John



## COMMITTEE NEWS

1. **ECA Executive Meeting** (1<sup>st</sup> meeting of the year!) to be at 11:00 AM on January 17 in the NCBE small conference room. We were going to meet an hour earlier but President Antonio agrees that meeting at 11:00 am is appropriate (Executive Team for 2023 is President Antonion Mencarini of Ghilotti Construction Company, Past President Walt Turner, Vice President Mike Gulley, Treasurer Dan Giordani, and Secretary Kimber Carpenter Lenning). The Executive Committee meets every 3<sup>rd</sup> Tuesday of the month at 11:00am to 12:00pm during the year.
2. **ECA Board Meeting** (1<sup>st</sup> meeting of the year!) to focus on strategic planning for the 2023 year to be held from 12:00 to 1:30pm on January 17 at the NCBE Board room. The Board of Directors meets every 3<sup>rd</sup> Tuesday of the month from 12-1:30pm during the year.
3. **Car Show Committee**-led by Walt Turner, the Car Show committee had its first meeting of the year to plan for the Father’s Day Car Show at Julliard Park in Santa Rosa on 1-12-23. The meeting went well, and we had great new energy supplied by attendees Antonio, Kristi and others. Mary and Chair Walt are excited and appreciative for the support at this first Car Show meeting. Please circle Father’s Day and come out to Julliard Park for a few hours of hot rods, classic cars, perfect weather and cold beers! The Car Show Committee does not have regularly scheduled and recurring meetings but rather we meet as needed. Chair Walt Turner loves this Car Show and is very good at leading this committee!
4. **The Government Affairs Committee**-led by Art Deicke will have its first meeting of the year on 1-18-23 at 3pm, location is NCBE. A special guest will be Victoria Fleming (newly elected City of Santa Rosa Council Member). The Government Affairs Committee does not have regularly recurring meetings but rather meets as needed. Chair Art Deicke does a great job!

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# The Northern California Engineering Contractors Association

cordially invites you to attend our

## 44th Annual Installation & Awards Dinner

*DoubleTree by Hilton Sonoma Wine Country*

*One Doubtree Dr., Rohnert Park*

*Saturday, February 4, 2023*

### Sustaining Member Sponsors



Premier Sponsor & President's Reception



If you would like to book a room for the night, below is the booking link to make your reservation for Saturday, February 4, 2023. Please make your reservation prior to January 27, 2023 to receive the discounted rate of \$155.00 a night plus 14.29% tax. <https://group.doubletree.com/9jgi5c>

*President's Champagne Reception 6:00 pm*

*Dinner & Awards 7:00 pm*

*Coffee, Dessert, Port & Cigars 9:00 pm*

### Welcome incoming President:

Antonio Mencarini, Ghilotti Construction &

The 2023 ECA Board of Directors

We will be also honoring

**Volunteer of the Year**

Jeannine Clary, Argonaut Constructors

**Contractor of the Year**

Dick Ghilotti, Ghilotti Construction

**Affiliate of the Year**

Raul Valdivia, Valdivia Trucking

The **Hermesmyer Hall of Fame Award**

will be awarded to Robert Lee, Team Ghilotti

Posthumous – Ed Winters, Argonaut Constructors

### Thank you to:

[Ghilotti Construction](#)—Premier Sponsor & President's Reception

[Team Ghilotti](#)—Hermesmyer Hall of Fame Sponsor

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[Canyon Rock](#)—Champagne Sponsor

[Engelke Construction, Inc.](#)—Bar Sponsor

[Northgate Ready Mix](#)—Dinner Wine Sponsor

Jim Persons, Safety Pride—Bar Sponsor

Continued from page 3 - Committee News

5. The **ECA Specification Committee**-led by Casey Wood of GBI and Dale Smith of RCX, will hold its 1<sup>st</sup> meeting of 2023 at the NCBE on 1-18-23 at 4pm. Issues to be discussed will be public works spec issues including contract closeout, pay estimates, and clear submittal requirements and whether submittals are just for information or need to be reviewed and approved. Chairs Casey and Dale would like to see some more contractors show up at Spec meetings!! The Spec Committee meets every other month on the 3<sup>rd</sup> Wednesday of the month at 4:00 pm at NCBE.
6. **ECA Auction Committee** has no meeting scheduled, but will soon. If you would like to join the Auction Committee please email [mary@nceca.org](mailto:mary@nceca.org)

## NEWS THAT YOU CAN USE:

1. **January Storms Did \$15 million Damage to County Roads**-[January storm damage to Sonoma County roads estimated at \\$15 million — and rising | PD Plus \(pressdemocrat.com\)](#)
2. **SMART Funding Rolls In**-[SMART lands more funding for commuter line projects; Santa Rosa gets 4 electric buses \(northbaybusinessjournal.com\)](#)
3. **New Dutra CEO**-[Marin County heavy marine contractor Dutra names new CEO \(northbaybusinessjournal.com\)](#)
4. **Price Gouging During Flooding**-[Price gouging protections in place after state of emergency declared over storms \(northbaybusinessjournal.com\)](#)
5. **If You are Wondering How Governor Newsom Went From a \$100 billion surplus to a \$22.5 billion deficit, so am I.** Here is a summary of the budget projecting a \$22.5 billion deficit-  
<https://ebudget.ca.gov/FullBudgetSummary.pdf>



## Cabrera and Associates

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## WORKER'S COMPENSATION

### Worker's Compensation Endorsement By ECA-

HELLO!!! HAVE YOU ASKED YOUR HUMAN RESOURCES PERSON TO CHECK OUT THE WORKERS COMP PROGRAM ECA HAS ENDORSED? Everybody likes to save money, don't they? Doesn't cost you a thing to consider this as an option! Jeff Okrepkie at 707-360-4338.



George Petersen Insurance Agency

## FIRE CLEAN UP LIST:

The Sonoma County Environmental Health Department, Transportation and Public Works, and James Gore's office are utilizing the ECA as a resource for debris testing, and debris cleanup for fire victims from the Kincadee Fire. Please review the list that has been provided to the fire victims and the County, of ECA Firms that are interested and listed in various categories as being helpful in the fire aftermath. This is another benefit for ECA members and if you want to be included on the list, and are not, please contact [mary@nceda.org](mailto:mary@nceda.org). There is no charge for this. You can access the list by clicking [here](#):

## EMERGENCY RESPONSE MANUAL

Emergency Response Manual is now available online!

In the event of an emergency, we have put together this manual to help our community receive quick service from our members.

Thank you to our sponsors for helping to get this manual completed. It is sent to city and county agencies in case of an emergency so they will know who to call for services, equipment and materials.

Click [here](#) for the manual.

### Continued from page 3—News that you can use

I have received several inquiries into prevailing wage designation for trucking on haul and off haul for public works projects lately. We are trying to schedule a seminar with Smith Dollar and the Department of Industrial Relations (State of California) to clear up issues pertaining to recent clarifications and confusion regarding trucking prevailing wage. Until we do, here is some very recent news on hauling materials onto a public works site for you:

*January 4, 2023*

*As we roll into 2023, we continue to receive questions on what, if any, impact AB 1851 has on the industry and day-to-day operations. The detailed explanation below serves as a primer of what happened and what, if anything, your company needs to do.*

#### ***The Basics: What Happened?***

*Effective January 1, 2023, [AB 1851](#) codifies into law a longstanding enforcement interpretation from *O.G. Sansone v. DOT* (1976) and *Williams v. SnSands Corp.* (2007) that prevailing wage coverage applies to "the on hauling of materials used for paving, grading, and fill onto a public works site, if the individual driver's work is integrated into the flow process of construction."*

***Simply put, AB 1851 imported the longstanding interpretation of prevailing wage hauling coverage into Labor Code. Therefore, AB 1851 actually maintains the status quo for prevailing wage hauling coverage on public works. Clearing Up the Confusion***

*One area of confusion for some is that in August 2021, Sansone was actually overturned by the California Supreme Court under *Mendoza et al v. Fonseca McElroy Grinding Co. et al*. However, the DIR and awarding bodies never issued any new guidance, and most contractors did not change their business practices.*

*Another area of confusion stems from the claim that, under AB 1851, prevailing wage coverage does not apply if the truck driver does not exit their vehicle during delivery. However, it is not advised to operate under that interpretation since it is not corroborated by the law, legislative history, or any interpretation from the DIR or other enforcement agencies. ~ continue on page 8*

## From the Desk of Jim Persons

### From Head to Foot

Business reviews would seem to indicate that today Americans are spending more for clothing than any time in history. This is in accordance with American standards, and to deny the advantages of being meticulous in dress would be an insult.

And yet, we take so much pride in the social aspect of our dress - what about the really important angle? What about the manner in which we dress for work with safety in mind?

To continue click [HERE](#)



### Expert COVID-19 Safety info Available at a Discount

The Shelter in Place Orders issued by County Health Officers in Sonoma, Napa, and Mendocino - as well as the Governor, have highlighted for the building industry the need for all contractors to have an up-to-date written COVID-19 Exposure Control Plan.

This should be an addendum to your IIPP and safety meetings for COVID-19

Jim Persons, SafetyPride, an ECA member who serves as a consultant and safety instructor for ECA, is offering his services to our members and they will receive a 40% discount on his regular rates if you are a current member of ECA.

Contact Jim if you are interested in getting his help on COVID-19 related issues or other health and safety programs. email: [jimpersons@safetypride.com](mailto:jimpersons@safetypride.com) or phone: 707-889-0881



### Fire Debris Cleanup Management Services

- County Application and Work Plan Preparation
- Coordination of Asbestos Survey and Fire Debris Disposal
- Air Monitoring, Erosion Control and Confirmation Sampling
- Cleanup Certification Report by Civil Engineer

[info@TransTechConsultants.com](mailto:info@TransTechConsultants.com)

Office (707) 837-8408 or after hours (707) 478-2097

## ECA SAFETY TRAINING CLASSES

### CPR / First Aid

Wednesday, February 1

9 am – 11 am

Instructor Larry Richmond Jr., Mill Creek Safety

Training includes bleeding control, strokes, seizures, broken bones and other life-threatening emergencies. Adult/child/infant CPR & airway obstruction management covered. This course is designed as both a course for first-timers and as a refresher. Click [HERE](#) for flyer...

### Competent Person / Trenching & Excavation

Wednesday, February 1

1 pm—3 pm

Instructor Larry Richmond Jr., Mill Creek Safety

The course will cover soil analysis, sloping, shoring and shielding, hazardous situations, excavation, standards and more... Click [HERE](#) for flyer

**The application for the North Bay Construction Corps are now open!** The North Bay Construction Corps (NBCC) is an after-school, 3-month basic construction training program for seniors in their last semester of high school. Classes are held on Saturdays in April and May and are taught by local contractors and construction managers. Participants are introduced to a variety of trades and earn certifications in Personal Protective Equipment and CPR/First Aid. Every year, nearly all Corps members who want to work in construction are offered a job at the graduation ceremony and interview event on the last day of Boot Camp. For more information or to apply for the 2023 North Bay Construction Corps program, visit [www.ncbeonline.com/nbcc](http://www.ncbeonline.com/nbcc)  
For more information about the 2023 North Bay Construction Corps program or to request a presentation to staff or students, contact Nicolette Weinzeig, Director of Workforce Development and Education at (707) 542-9502 or [workforce@ncbeonline.com](mailto:workforce@ncbeonline.com) click [here](#) to apply online—Due February 10th





## CORPORATE MEMBER SPONSORS



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## BUSINESS MEMBER SPONSORS



## Application for appointment to the Citizens Oversight Committee

Residents of Marin and Sonoma counties are invited to [apply for appointment](#) to the SMART Citizens Oversight Committee (COC). The nine-member COC is an advisory committee established by the SMART Board of Directors and is comprised of private citizens who collectively represent the diversity of Sonoma and Marin County. Click [here](#) to apply

### Northern California Engineering Contractors Association

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The ECA, and its Board of Directors, has been the voice of the engineering construction industry for over 40 years.

The foundation of the ECA has been to address local needs and issues.

The purpose and goal of ECA and its staff are to provide services to the members that help them run their businesses safely, efficiently, and in compliance with the many rules and regulations and mandates of government.

The working committees are the heart and soul of the ECA. The committees are comprised of ECA members.

The committees promote events that enable the ECA to fund community projects that include: Fathers Day "Show & Shine" Car Show, Public Officials Night, the Golf Tournament, and, the "Days of Wine & Dozers" Auction Dinner.

If you would like to join a committee, please email [mary@nceca.org](mailto:mary@nceca.org) ~ We would love to have you!



### Northern California Engineering Contractors Association

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John Bly, Executive Vice President  
email: [john@nceca.org](mailto:john@nceca.org)

Mary Kennedy Cabrera, Member Services Director  
email: [mary@nceca.org](mailto:mary@nceca.org)

Cheryl Long, Bookkeeper  
email: [cheryl@nceca.org](mailto:cheryl@nceca.org)

Postal Address: P.O. Box 8249 Santa Rosa, CA 95407 ~Phone: 707.546.5500

