



“CONSTRUCTING A WAY FOR A BETTER FUTURE”

ECA NEWSLETTER

JOHNS SOAPBOX

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



Moving the Moral Goalposts-We Need to Set Their Location Ourselves

Our industry is “physically healthy”. Yes, we suffer from a labor shortage like some other areas of the economy, and we are seeing some slowdowns in private projects moving past entitlement status due to higher interest rates and some uncertainty in the economy. I am more concerned with our industry’s moral health as we move into 2023. By moral health, I mean providing employees with the training and coaching they need to keep making correct decisions every day. We all know that our mid-level managers, foremen, department heads, and crew leaders, have to make dozens of decisions every day that can, and do, affect your bottom line. Our ECA was founded upon making certain our workers are treated fairly and treat others fairly in business decisions, prosecution of the work in a safe manner, and making certain we respect one another regardless of our color, religion, gender, or how we choose to vote at elections. This industry, more than most others, is very good at inclusion. Know your craft, do it safely, prosecute work as a team, and watch our company’s bottom line grow. This is the industry that I have known for 50 years.

The winter has traditionally been a time for firms to slow down their field operations due to wet weather, and get their crew training up to speed, maintain their equipment and facilities, and estimate and bid work for the 2nd, 3rd, and 4th quarters of the year. It is also time for firms to review their employee handbooks, update their HR compliance policies, and make certain their injury and illness prevention program is effective, up to date, and dynamically used by all the employees. IIPP and Employee Handbooks are not books to be put on a shelf in the office, they are tools to be utilized every day to get extraordinary work from ordinary workers.

Covid affected IIPP’s in a fairly dramatic (and expensive) way. Ever increasing focus on diversity, equity and inclusion continues to raise awareness in government, associations and company board rooms as well as 800 new laws in 2023, force education on compliance has to be done and that is affecting nearly everyone’s human resources departments.

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Our companies are in charge of setting our own moral compass for our workers these days. Folks, we cannot count on getting moral guidance from the Federal government anymore. Both Parties seem to have abandoned anything but “moving the moral goalposts” every month! It is becoming obvious that public schooling is not preparing workers to be good decision makers either. We are constantly reminded that college campuses are no longer bastions of free speech and exploring new ideas and solutions to societal issues, but rather they seem to demand everyone speak the same and if you do not believe in what is being said, you need to be very very quiet. It seems as if people are either labeled a victim or an oppressor these days. With that in mind, what we need to do is make certain our company “house is in order” and company morality is consistent with our company needs and goals. We have to do it ourselves. This makes it all the more important to do the training that our workers need to keep them aware of how to handle their employee relationships, owner-contractor relationships, and even family relationships in order to keep workforces trained and productive. And **RETAINED!**

To help with training, the ECA has safety certification classes available that can be done right on your company property when it is most convenient. I have also asked the man, Jim Persons, to write up something for next week’s ECA newsletter regarding your Injury and Illness Prevention Program for a reminder to all of you that some focus should be made to update and upgrade your IIPP.

As part of educating our ECA workforce, Diane Aqui and Smith Dollar has agreed to do a Prevailing Wage Seminar on February 3 from 11:30-1:00 pm at the NCBE.

With all the lawsuits and laws that are challenging us to stay on top of, I imagine getting brushed up on prevailing wage rules would be a welcome subject for ECA members. We are providing a simple lunch and keeping the cost to a minimum (\$25 for ECA members and NCBE members) so I hope you all will send someone to attend. For private work firms, we will also be talking about compliance law updates so the topics will be relevant to both public works contractors and private side contractors.

This Soapbox is a reminder that ECA firms need to be setting the moral goalposts themselves-do not rely on government, schools, or chance to do this!

Please let us know what other topics you might be interested in and we will work hard to address your wishes and needs. We want everyone to be productive, fair, and safe in getting the job done every day!

That’s All Folks!

John

STOLEN SKID STEER ~

A 2012 CAT 279C2 Serial Number CAT0279CLKWB00397 stolen over the weekend in Petaluma. Here is the EIN#WD4U77 and the equipment number is L-14. Below is a photo of the skid steer, but it didn't have the attachment on it when stolen.

Please contact Team Ghilotti at 707-763-8700 if you have any leads.



COMMITTEE NEWS

1. **ECA Executive Meeting** (1st meeting of the year!) was held at 11:00 AM on January 17 in the NCBE small conference room. Executive Team for 2023 is President Antonio 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 3rd Tuesday of the month at 11:00am to 12:00pm during the year. The Executive Committee reviews issues to be addressed by the Board of Directors, as well as the Treasurer reconciles the bank information each month. A review of the income and expenses for the year is conducted in order for the Board of Directors to be better prepared for the financial report at their meeting.
2. **ECA Board Meeting** (1st meeting of the year!) focused on strategic expectations for the 2023 year was held from 12:00 to 1:30pm on January 17 at the NCBE Board room. The Board of Directors meets every 3rd Tuesday of the month from 12-1:30pm during the year. The Board of Directors reviews financial information and approves/modifies the association's financial conditions and reports each month. Membership drops and additions are also reviewed and approved by the Board each month.
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.

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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



*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 **Hermesmeyer Hall of Fame Award**
will be awarded to Robert Lee, Team Ghilotti
Posthumous – Ed Winters, Argonaut Constructors

To sponsor click [HERE](#). To register click [HERE](#)



DX Dirt Xchange

\$ SmithDollar
ATTORNEYS AT LAW

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>

Thank you to:

- [Ghilotti Construction](#)—Premier Sponsor & President's Reception
- [Argonaut Constructors](#)—President's Reception
- [Team Ghilotti](#)— Hermesmeyer Hall of Fame Sponsor
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- [North Bay Petroleum](#)—Bar Sponsor
- [Northgate Ready Mix](#)—Dinner Wine Sponsor
- [Jim Persons, Safety Pride](#)—Bar Sponsor
- [RCX, Inc.](#)—Port & Cigar Bar
- [Trans Tech Consultants](#)—Dessert & Coffee

Continued from page 3 - Committee News

4. The Government Affairs Committee-led by Art Deicke had its first meeting of the year on 1-18-23 at 3pm, and the committee met with City of Santa Rosa Councilwoman Victoria Fleming. The meeting accomplished what we wanted as Councilwoman Fleming learned a bit about our association goals (we want a healthy and managed growth in order to ensure adequate funding for municipalities to continue providing services to the community). We want to foster relationships with those that we supported as well as those that we did not support in campaigns and Ms. Fleming seemed very appreciative to learn about the ECA and what we do and what we stand for. The ECA-We Are the Community!
5. The ECA Specification Committee-led by Casey Wood of GBI and Dale Smith of RCX, held its 1st 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. Attendees Jane Rozga of GHD, Geoff Coleman of BKF, Robert Sexton of FARR Construction, Jason Nutt from the City of Santa Rosa, and Chairs Casey and Dale enjoyed a frank and respectful discussion covering the idea of more informational submittals that would lessen the City of SR's review time, and speed up the process of job completion without sacrificing the quality of the work. All agreed this is a good approach to counter the universal problem of staffing that the City and the reviewing consultant firms have with less employees being on staff with institutional knowledge, and the contractors and suppliers also have. Discussions also were held on the Regional Water Board's increased testing requirements on bioswale import issues that are causing costs to our projects and confusion to the process of acceptance of landscape scope of work. The Spec Committee meets every other month on the 3rd Wednesday of the month at 4:00 pm at NCBE.
6. ECA Community Relations Committee has no meeting scheduled yet, but the Board asked the CR committee to consider annual recurring action to assist deserving charities of our choosing.
7. ECA Golf Committee has no meeting scheduled yet, but the tournament is scheduled for July 21, from 11am to 6pm at the Windsor Golf Club facilities.
8. **ECA Auction Committee** has no meeting scheduled, but will soon. If you would like to join the Auction Committee please email mary@nceca.org



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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 Kincade 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. 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.

NEWS YOU CAN USE

1. What's keeping contractors up at night?

Builders are bullish on infrastructure work this year thanks to federal funding, but expect supply chain snarls and hiring difficulties to persist, according to Associated General Contractors of America's [2023 Construction Outlook National Survey](#). COVID-19 continues to impact the industry, hitting supply chains in particular. That's the top concern for builders in the survey, as the uncertainty has caused a variety of negative ripple effects that ultimately mean higher costs and lower profits. As inflation and the specter of a recession continue to loom, contractors are feeling less confident about private sector work. Builders have reason to be worried: last year 36% of respondents had projects canceled or postponed but not rescheduled. The main reason given, for about half the projects, was rising costs. The association received 1,032 responses overall, primarily from general contractors. Although contractors are optimistic overall, that doesn't mean there aren't rocky times ahead, said AGC Chief Economist Ken Simonson in a webinar last week about the survey. "Even when we've had recessions or slow growth expectations for the economy, contractors are by nature optimists," Simonson said. "But it is notable that in nearly all of these categories, particularly on the private side, contractors have lower net positive readings or deeper negative readings than they did in previous years."

https://www.constructiondive.com/news/supply-chain-chaos-recession-top-concerns-for-contractors-2023/639914/?utm_source=Sailthru&utm_medium=email&utm_campaign=Issue:%202023-01-10%20Construction%20Dive:%20Infrastructure%20%5Bissue:47202%5D&utm_term=Construction%20Dive:%20Infrastructure

2. Damon wants you to submit a Bill idea-The ECA will do just that! <https://a12.asmdc.org/>

3. Careful who you trust! [Windsor attorney arrested on charges of fraud and embezzlement from family trusts \(northbaybusinessjournal.com\)](#)

From the Desk of Jim Persons

General Safety—Signs

You might see over 100 of them as you ride to work. Signs -- they are everywhere. How many of these do you actually notice? Probably not many. That creates a problem.

Not only do signs litter the streets, but they may also be all over your workplace. Do you see them? Do you notice them? Do they mean something, or do they just make the workplace look safer to the outsider?

Signs are placed to warn and educate. They are not simply decoration. 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 or phone: 707-889-0881



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**Diane AQUI,
Partner
Smith Dollar PC**



New Employee Privacy Law for Businesses With Gross Annual Revenue of \$25,000,000

The new year brought some new laws (sort of). One of those laws is the California Privacy Rights Act (CPRA) which was approved by voters in 2020. The Agency charged with enforcing this law (the California Privacy Protection Agency) is still working on rules and regulations surrounding this law. Draft rules are available online, and final rules, when finally adopted, are expected in April. However, despite uncertainty what the final rules will actually be, the compliance date for employers was January 1, 2023. Employers must comply with this law if they have gross annual revenue of \$25 million.

Consumers have been provided privacy rights in California since January 1, 2018, under the California Consumer Privacy Act (CCPA), however, employees were specifically exempted. As of January 1, 2023, the law has now been expanded (and its name changed) to include employees, emergency contacts, job applicants, and independent contractors.

Employees now have the following rights under this law:

- The right to know what personal information is collected;
- The right to delete personal information;
- The right to correct inaccurate personal information;
- The right to limit use and disclosure of sensitive personal information; and
- The right against discrimination or retaliation for exercising these rights.

“Personal information” is “information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household.” “Sensitive personal information” includes anything that reveals an individual’s personal information, such as Social Security number, driver’s license number, state identification card, or passport number; . . . “a consumer’s racial or ethnic origin, religious or philosophical beliefs, or union membership.”

Employment documents that would fall into the category of “personal information” include resumes, applications, and emergency contact information. “Sensitive personal information” would include copies of drivers’ licenses, I-9 forms, W-4 forms, wage statements, requests for religious accommodations and leaves of absence, and union cards.

The vast majority of this information is contained in employee personnel files and payroll records, and under the Labor Code, there are already provisions that employees are permitted to inspect their personnel file and payroll records. Employers who violate those statutes are subject to a \$750.00 penalty. Violation of this new law is subject to a \$2,500.00 penalty per violation, and due to its numerous requirements, it is easier to violate.

As of January 1, 2023, Employers must provide their workers with both (a) a notice of collection at or before the point of collection of their personal information; and (b) a privacy policy describing the personal information collected in the past 12 months, explaining the worker rights under the CCPA and how to exercise them.

Enforcement of this law begins on July 1, 2023, and the Agency will consider “good faith compliance” efforts due to the current lack of definitive rules. Any questions regarding compliance, please contact Attorney Diane AQUI, Smith Dollar.

“The information provided does not, and is not intended to, constitute legal advice; instead, all information and content is for general informational purposes only.”

ECA SAFETY TRAINING CLASSES

CPR / First Aid **Class is full**

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.

Confined Space

Wednesday, February 1

1 pm—3 pm ~ Instructor Larry Richmond Jr., Mill Creek Safety

This course covers proper procedures for making entry into Permit Required Confined Spaces. Participants are prepared to operate in the capacity of Entrant, Attendant or Entry Supervisor during confined space operations. Participants are familiarized with CFR 1910.146 and how to properly employ the permit program. This course is a combination of classroom instruction and practical application in actual permit spaces utilizing the appropriate Personal Protective Equipment, meters and ventilation. This course is required by OSHA before an employee can enter a Permit Required Confined Space. [Certification of completion is provided](#) Click [HERE](#) for flyer

CPR / First Aid

Tuesday, March 7

1 pm—3 pm ~ 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...

PREVAILING WAGE

Friday, February 3, NCBE, 1030 Apollo Way, Santa Rosa, CA 95407

\$25 for ECA / NCBE members ~ \$60 non-members

AB 1851 and Prevailing Wage: What Does this Mean for Your Company? Join Diane AQUI of Smith Dollar PC to discuss AB 1851, what it means, what it has changed, and what is coming next. As time allows, Diane will also discuss other new employment laws for 2023

Click [HERE](#) for flyer

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Our family owned and operated company has built a reputation over 3 decades on quality, expertise, and horticultural excellence. Landesign is a full service landscape provider specializing in landscape construction, maintenance, water management, and tree care for commercial, municipal, and high-end residential clients. We serve the North Bay Area including Sonoma, Napa, and Marin Counties. Click [HERE](#) for more information

NEWS THAT YOU CAN USE ~ CONTINUED FROM PAGE 6

4. SMART Funding comes in-[SMART lands more funding for commuter line projects; Santa Rosa gets 4 electric buses \(northbaybusinessjournal.com\)](#)
5. **Counting the Cost of SMART**
SMART Projects-Constructed and operational
 - Santa Rosa to Larkspur line: \$536 million**Projects underway**
 - Petaluma North Station railroad crossing and two pathways: \$27 million
 - Lakeville Street to Payran Street pathway, Petaluma: \$1.3 million
 - Windsor extension (partial completion): \$35 million
 - Windsor to Healdsburg extension and pathway: \$160 million
 - Healdsburg to Cloverdale extension and pathway: \$308 million**Unfunded**
 - Windsor extension (full completion): \$35 million



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

For more information about the 2023 North Bay Construction Corps program or to request a presentation to staff or students, contact Nicollette Weinzveg, Director of Workforce Development and Education at (707) 542-9502 or workforce@ncbeonline.com click [here](#) to apply online—Due February 10th

Northern California Engineering Contractors Association

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.

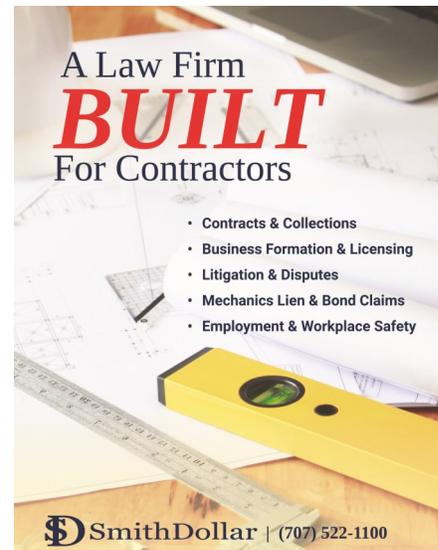
The purpose and goal of ECA and its staff are to provide services to the members that help them run their businesses safely, efficiently, and in compliance with the many rules and regulations and mandates of government.

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 ~ We would love to have you!



Northern California Engineering Contractors Association

John Bly, Executive Vice President
email: john@nceca.org

Mary Kennedy Cabrera, Member Services Director
email: mary@nceca.org

Cheryl Long, Bookkeeper
email: cheryl@nceca.org

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