

URCA Viewpoint

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NEWS AND VIEWS FOR THE UNION ROOFER

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An Open-Air Lifestyle Development Receives the 2016 Q Award

The Alliance for Quality Construction (AQC) presented the 2016 Q Award to the Westfield Corporation for its development of The Village at Westfield Topanga. The presentation event was held on June 16, 2016 at the XOC Tequila Grill located within The Village at Westfield Topanga. Accepting the award was Larry Green, Westfield Corporation's Senior Vice President of Development.

Special guests to address the Q Award attendees included Bob Blumenfield-Los Angeles City Councilman 3rd District, Kevin Taylor representing Los Angeles City Mayor Eric Garcetti, Ron Miller-Executive Secretary of the Los Angeles/Orange County Building Trades Council, and Scott Abrams-District Director for Congressman Brad Sherman.

The Village at Westfield Topanga was a culmination of years of planning, but took only 17 months to construct. According to Mr. Green, "This complex

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2016 Air Quality Plan Still Up in the Air. Businesses are Challenged in the L.A. Basin with Some of the Worst Air Pollution in the Nation.

Since the beginning of 2016 EVP Dr. Ronald Johnston has attended meetings at District headquarters as a member of the 2016 Air Quality Plan Panel and the Socio-Economic Subcommittee Task Force.

The following is a summarization of key points, which have been included within the final draft of the plan.

OVERVIEW: While air quality has dramatically improved over the years, the Basin still exceeds federal public health standards for both ozone and particulate matter and experiences some of the worst air pollution in the nation.

CHALLENGES: The 2016 Plan includes both stationary and mobile source strategies to ensure that the rapidly approaching attainment deadlines are met, that public health is protected to the maximum extent fea-

sible and that the region is not faced with burdensome federal sanctions if the Plan is not approved or if the national air standards are not met on time.

The most significant air quality goal in the Basin is to reduce nitro-



gen oxide (NOx) emissions sufficiently to meet the upcoming ozone standard deadlines. In order to meet these deadlines, an additional 43% reduction is required by the end of 2023 and an additional 55% by the end of 2031.

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2016 Q Award Recipient
The Village at Westfield Topanga



Ronald D. Johnston, Ph.D.
Executive Vice President



Left to right: AQC Chair Pam Ackrich presenting the 2016 Q Award to Larry Green, Executive Vice President of the Westfield Corporation.

Not surprisingly, the 2016 Legislative Session concluded with environmental legislation taking center stage. The Governor signed a multitude of bills, which addressed climate change goals, the State's Cap and Trade Program and the Greenhouse Gas Reduction Fund (GGRF) monies. \$900 million in GGRF funds were allocated based on an agreement between the Governor and the Legislative leadership with \$462 million left in reserve for future appropriation.

The Cap and Trade Program and its looming expiration in 2020 was not addressed; however, with the newly installed Democratic Party super majority now in place, the aforementioned will most certainly be a focal point during the 2017-2018 legislative session.

This past year, URCA targeted and actively lobbied four bills:

AB 626 (Chiu)- SUPPORT WITH RESERVATION: This bill is a carry over from last year's AB 1347, which was vetoed by the Governor. It would establish, for contracts entered into on or after January 1, 2017, a claim resolution process applicable to any claim by a contractor in connection with a public works project. The bill would define a claim as a separate demand by the contractor for one or more of the following: a time extension for relief from damages or penalties for delay; payment of money or damages arising from work done pursuant to the contract for local public work, or payment of an amount disputed by the public local entity. This bill, which was originally an education bill, was "gutted" on June 15th and became a Public Contracts Claims Resolution Process bill. URCA and the American Subcontractors Association of California proposed an amendment to the sponsors and author, which would "clean up" some ambiguous language that might be problematic to subcontractors. Our amendment was not included in the final draft, which was chaptered and signed into law by the Governor on September 29, 2016.

AB 1963 (Calderon)- SUPPORT: Existing law, the Davis-Stirling Common Interest Development Act requires specified conditions to be met before an association may file a complaint for damages against a builder, developer or contractor of a common interest development based upon a claim for defects in the design or construction of the common interest development. This bill extends the sunset of the aforementioned provisions from July, 2017 and make them inoperative on July 1, 2024 and would repeal the provisions

as of January 1, 2025. This bill was chaptered and signed into law by the Governor.

SB 1170 (Wieckowski)- SUPPORT: This bill would prohibit a public entity, charter city, or charter county from delegating to a contractor the development of a plan used to prevent or reduce water pollution or runoff on a public works contract. Also, the bill would prohibit a public entity, charter city or charter county from requiring a contractor on a public works contract that includes compliance with a plan to assume responsibility for the completeness and accuracy of a plan developed by that entity. However, the bill stipulates that these prohibitions do not apply to contracts that use specified procurement methods if the contractor or construction manager at risk is required by the bid or procurement documents to retain a plan developed for the project owners. Unfortunately, this bill failed to pass out of the Assembly Appropriations Committee.

SB 1387 (DeLeon)- OPPOSE: As background, California has led the nation in employing state-of-the-art market based incentive programs as exemplified by the SCAQMD's RECLAIM program, which was approved by the California Air Resources Board (CARB) and the U.S. EPA and was included within the California State Implementation Plan several years ago. RECLAIM was implemented to cost-effectively achieve emission reduction in Southern California. Its primary purpose was to achieve reductions equivalent to command and control programs with fewer resources while maintaining or enhancing the State's economy. While not perfect, it is a far more beneficial alternative to the business community than that which was proposed by Senate Pro-Tem Kevin DeLeon. SB 1387 completely deletes economic protection and economic benefits and calls for reductions greater than can be achieved by command and control measures. The bill would add a new provision allowing CARB, under the anti-business leadership of Mary Nichols, to revise any market-based incentive plan provision with a simple notification to the affected air quality district. This provision takes planning out of local hands and gives it to CARB. Just as importantly, the second part of the bill is equally repugnant. For years, the 13 member Governing Board was comprised of 10 members representing cities and counties in the District and 3 appointed by state officials.

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SCQMD Continued

CONTROL STRATEGIES: Mobile sources contribute 88% of the Basin's total NOx emissions. Since the District has limited authority to regulate mobile sources, it is imperative that District staff work closely with CARB and U.S. EPA, which have primary authority to regulate mobile sources. Also, it will be incumbent upon District staff to secure funding incentives to implement early development and commercialization of zero to near zero technologies.

The Plan control strategy strongly relies on a transition to zero and near zero emission technologies in the mobile source sector, including automobiles, transit buses, medium and heavy duty trucks and off-road applications. The plan focuses on existing commercialized technologies and energy sources including their supporting infrastructure, along with newer technologies. Without significant reductions from the mobile source sector, attainment will not be possible.

INCENTIVE FUNDING: A combination of regulatory actions and public funding are needed. With fast approaching ozone standard attainment deadlines, faster reductions are critical to complying with federal requirements. The purpose of incentive programs is to advance deployment of new cleaner technologies at a pace that is not feasible through regulation alone.

"A primary weakness of the Incentive Program is a well defined plan to procure funding to offset burdensome regulatory measures on the business community," according to Johnston.

The amount of incentive funding needed is estimated to be approximately \$11-14 billion in total funding over a seven to fifteen year period. Currently, the District receives around \$56 million per year in incentive funding to accelerate turnover of on-off road vehicles and equipment under SB 1107, a portion of the State's Tire Fee, and AB 923 (sunsets in 2024)

and close to \$550 million in Proposition 1B funding, which will be ending in the next couple of years. The amount of funding needed to achieve the NOx emission reductions associated with the State Mobile Source Strategy and the 2016 District Plan will require on the order of \$1 billion per year beginning in 2017.

CONCLUDING REMARKS: According to District Staff, the implementation of the 2016 Plan is expected to result in nearly 16 billion of incremental cost, while generating public health benefits of \$258 billion or, at the very least- \$80 to \$439 billion, cumulatively from 2017-2031. Moreover, over 90% of the anticipated incremental costs, mostly related to capital expenditures, would be financed by publicly funded incentive programs. "This conclusion is questionable at best," said Johnston.



Executive Director Continued

At the beginning of this year and, for the first time in decades, the 13 member board consisted of a conservative majority, which understands that it is advantageous to the populace and state economy to promote a balance between "environment and business." Its first action taken was to fire the current Executive Director of the SCAQMD, Barry Wallerstein. AB 1387 adds a provision, (completely motivated by politics) to increase the number on the Governing Board by adding 3 new members appointed by state officials, thus diluting local control of those responsible to the communities that they were elected to represent. In URCA's opinion, it is entirely irresponsible to shift local control over critical regional air quality planning to state lawmakers in Sacramento. Fortunately, this bill failed to pass out of the Assembly Appropriations Committee.



RCISOCAL Holiday Party and Awards



On December 8th, the 2016 RCISOCAL Annual Holiday Party and Awards Ceremony was held at the Old Ranch Country Club in Seal Beach. URCA was honored with three awards, which were presented to URCA Executive Vice President, Ron Johnston. Two plaques were awarded for Outstanding Service and one plaque that honored URCA as Sponsor of the Year. Also the 2017 RCISOCAL officers were introduced. The newly elected President is Szymon Zienkiewicz, Larsen Zienkiewicz, Inc., Vice President, Danielle Ward, Specified Sales, Inc., Treasurer, Ivan Clark, Simpson, Gumpertz & Heger.



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Q Award Continued

project could not have been completed on time and within budget without the union construction trades.”

This \$350 million 30-acre project is considered the first open-air lifestyle destination in the San Fernando Valley. The development earned a Silver LEED certification. One needs only to stroll through the Village to experience the architecture, planning, quality of union craftsmanship and all that is deserving of the prestigious Q Award.

Los Angeles City Mayor Garcetti’s representative Kevin Taylor presented Mr. Green with a certificate of appreciation. Scott Abrams from Congressman Sherman’s office presented Green with an American flag flown over the U.S. Capitol.

AQC Chair, Pam Ackrich was called upon to present Larry Green and the Westfield Corporation the 2016 Q Award. Ackrich read the inscription on the award, “Presented to the Westfield

Corporation for the Village at Westfield Topanga for its outstanding contribution toward the attainment of quality construction within the building industry of Southern California.”

URCA member companies were responsible for all roofing and waterproofing work on these multi-level angular structures. URCA Executive Director Ron Johnston said, “It is incredible to witness the precision, craftsmanship and professionalism that our members’ employees have provided to complete such a challenging undertaking. The completed Village is a testament to the abilities of our contractors and craftspersons.”



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*CHAIRMAN, **SECRETARY-TREASURER

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