

MEMORANDUM

TO: Executive Committee – Construction Law Section

FROM: Jakob Lutkavage-Dvorscak – Secretary

DATE: August 5, 2020

RE: August 5, 2020 Special Executive Committee Meeting Minutes

1. Attendance:

Name	Position	In Attendance
Storti, Tyler	Past Chair	Y
Fig, William	Chair	Y
Welch, Curtis	Chair Elect	N
Lutkavage-Dvorscak, Jakob	Secretary	Y
Fraser, Sandra	Co-Treasurer	Y
Monahan, Justin	Co-Treasurer	Y
Martinson, Stacey	Member	Y
Gibson, Andrew	Member	N
Peterkin, Michael	Member	N
Zahniser, Jacob	Member	Y
Holmberg, Stephanie	Member	N
Washington, Molly	Member	Y
Miller, Emily	Member	Y
Norman, Steven	Member	Y
White III, Van	Member	Y
Chaney, Jim	Member	Y
Johnson, Tara	Advisory Member	Y
Gallagher, Doug	Advisory Member	Y
Ped, Tom	Advisory Member	N
Duyck, Dan	Advisory Member	Y
Town, Alix	Advisory Member	Y
Naito, Alex	Advisory Member	N
Vermilyea, Jeremy	Advisory Member	N
Schrader, Charles	Advisory Member	N
Christensen, Gary	Advisory Member	Y
Loiselle, Darien	Advisory Member	Y
Viteznic, Peter	Advisory Member	N
Alexander, Jason	Advisory Member	N
Edwards, Dani	Bar Liaison	N
Natalie Baptiste	Bar Liaison	Y

Location: Teleconference, Portland, Oregon

2. 2020 CLE – Budget and Program Cost: CLE cost will approximately \$1,500 since it will be all through Zoom. River City Media will host the Zoom conference at cost of \$1,125. CLE committee requests \$100 cost for members and \$150 cost for non-members. Motion for \$1,300 budget for annual CLE and prices of \$100 for section members and \$150 for non-members approved by unanimous vote.

3. Budget Report: Revenue is under projected amount but sufficient reserves in the account.

4. 2021 Dues: Nobody wants to increase dues because they were raised last year.

5. Legislation for fixes to HB 2415 issues: Gary Christensen discussed possible legislation to fix issues with HB2415 from 2019 Regular Legislative Session. Bill required retainage on contracts above \$500,000 to be held in escrow account. Issues include when changes take contract amount above threshold, apply to both prime contracts and subcontracts, etc. There are other policy issues such as what the remedy is for HB2415 violations, whether the Prompt Pay Act applies, can it be waived by contract. These issues may be beyond simple fixes that the Bar would let the Section to address. Motion to create special subcommittee chaired by Jeremy Vermilyea and Gary Christensen who will select other subcommittee members to look at potential fixes to HB2415 approved unanimously.

6. New Business: None.