

**WSBA CONSTRUCTION LAW SECTION COUNCIL MEETING**

**March 11, 2020 @ 12:00 p.m.**

<p><b><u>MARCH MEETING</u></b> <b><u>LANE POWELL</u></b> <b><u>1400 5<sup>th</sup> Avenue, Ste. 4100</u></b> <b><u>Seattle, WA 98101</u></b> Via ZOOM call only.</p>	<p><b>CALL IN INFORMATION</b> Phone: +1(669)900-9128 Access Code: 612 9080 385# URL: <a href="https://oacsvcs.zoom.us/j/6129080385">https://oacsvcs.zoom.us/j/6129080385</a></p>
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**AGENDA**

1. Welcome – A. Hardwick
2. Approval of February 2020 minutes – A. Hardwick (See Attachment 1)
3. Financial Report – J. Beyerlein
4. Elections – B. Hill
5. Road Trip CLE - Vancouver (April 10, 2020) – J. Piskel/ B. Sinner/ P. Spratt
6. Mid Year Meeting/CLE (June 12, 2020) – R. English/ B. Hill
7. Fall Forum (2020) *tentatively, Smith Tower* – A. Hardwick
8. Writing Competition update – S. Millstein/B. Guthrie
9. Section Membership Benefits Webpage – B. Hill
10. Winter Forum *call for topics* – B. Reid
11. Newsletter Update – A. Tramountanas
12. For the Good of the Order

# Attachment 1

WSBA Construction Law  
Section Meeting Minutes  
February 12, 2020 @ 12:00 p.m.

Jennifer Beyerlein	William Young
Athan Tramountanas	Paige Spratt (phone)
Todd Henry (phone)	Amber Hardwick
Seth Millstein	Joe Scuderi (phone)
Brett Hill	Jason Piskel (phone)
Bart Reed	Amber Hardwick
Masaki Yamada	Bryce Sinner (phone)
Rick Wetmore (phone)	Eleen Trang
Lena Holohan (phone)	

The meeting commenced at 12:00 p.m. at Lane Powell. Chair Amber Hardwick presided.

## Discussion

1. Approval of January Minutes. Minutes for January, 2020 were presented and unanimously approved.
2. Financial Report. Treasurer Jennifer Beyerlein gave a financial report. The end of the year accounting is complete and the section has \$37,131 as a cash balance. The section is running under budget in every category except awards. Reminder to submit expenses for travel if you have not already. So far we are doing well and on budget except for reception expense but we anticipated an increase there.
3. Winter Forum. Bart Reed discussed the Winter Forum. Professor Strait did a great job during the presentation. 35+ people attended. Cutters did a good job, and did great at filling orders. Presentation ran long by 5 minutes but was very informative. Think about topics for the next winter forum. Bart agreed to run the forum next year.
4. Open Sections Night. Amber Hardwick discussed that the upcoming Open Section Night was cancelled. Eleen Trang reported that it was cancelled because of lack of attendance.
5. Road Trip CLE. Paige Spratt discussed the upcoming Road Trip CLE. It is confirmed and scheduled for April 10, 2020. Paige discussed topics for the CLE which included the CAT tax, Jeopardy style questions, ADR and other OR/WA construction law issues. It will be about 6 hours total. They currently do not have an ethics speaker. OSBA construction law section chair may assist in promoting. It is being promoted in the Clark County Bar newsletter. Working on a Clark County superior court judge to participate. Hoping to do a project walk on the

waterfront and a hosted happy hour for the event.

6. Midyear Meeting/CLE. Brett Hill discussed the confirmed and proposed speakers for the midyear, theme of alternative procurement. Brett discussed Judges committed with Judge Rogers and Judge Andrus are committed and waiting for response from Judge Shaffer. The event is now confirmed on June 12. Bart confirmed Stoel is set as the host for the event, which will be at Two Union Square. 6 weeks before the materials need to be submitted to WSBA. Add gift cards into the budget. Colm will be point of contact for the CLE credits because Bart will be gone. \$125 per hour for the space. Stoel to handle breakfast pastry and lunch. Gourmondo to handle happy hour event drinks and food. Karl Oles confirmed as a speaker and he has reached out to opposing counsel.
7. Fall Forum – Next Year. Potential projects for the Fall Forum were discussed. Smith Tower idea was popular. Jennifer will follow up with Unico. Amber will talk to Graham Baba. Council will proceed with Smith Tower as event space.
8. Writing Competition. Seth Millstein discussed the writing competition. Pay-if-paid clauses. Can the subcontract still lien? If they do, what are the repercussions for the owner and general contractor. Seth and Will to promote at the law schools. Plan is to launch the competition next week and advertise the same way as in the past. April 10 to be the submission date. Seth will circulate the topic.
9. Elections. Brett reported on the elections. Bart, Saki and Athan volunteered for the nominating committee. Eleen received the form after the meeting completed that was late to WSBA. Council members who are interested in officer positions or to remain on committee to reach out to nominating committee.
10. Newsletter. Athan reported that the newsletter went out. There was discussion about changing the look and the feel of the newsletter. Athan will work on it for next newsletter. Athan asked for input on cases. Seth mentioned the State Construction v. Hartford and Porter case. Judge Andrus wrote the opinion and cited Bob Olson's article. Seth will write the article and Bart will write an article on Winter forum.
11. Section Membership Benefits Webpage. Brett reported on the status of the guaranteed maximum price residential contract forms. Both the design build and standard contracts were drafted by Brett and emailed to Robynne Parkinson to review. She has a budget of \$750 for review and is working on them.

END OF MINUTES