

WSBA CONSTRUCTION LAW SECTION COUNCIL MEETING

February 13, 2019 @ Noon

FEBRUARY MEETING
STOEL RIVES LLP
600 University Street, Suite 3600
Seattle, WA 98101
Cascade Conference Room

CALL IN INFORMATION
Dial In # is: 1-866-577-9294
Participant Code: 501655
Moderator Code: 5016559

AGENDA

1. Welcome – J. Piskel
2. Approval of January 2019 minutes – J. Piskel (See Attachment 1)
3. Financial Report – J. Beyerlein
4. Midyear Meeting/CLE – R. English
5. Winter Forum Reminder + Marketing Push – B. Reed
6. Deskbook Delay – R. English
7. Spring CLE in Spokane – Marketing – J. Piskel
8. WSBA Open Sections Night in Seattle Recap – A. Hardwick
9. Writing Competition – S. Millstein/A. Hardwick
10. Section Membership Benefits - .docx Documents – J. Piskel
11. Nomination Committee – J. Piskel (See Attachment 2)
12. For the Good of the Order

ATTACHMENT 1

Construction Law Section
Meeting Minutes
January 9, 2019

Jason Piskel
Jennifer Beyerlein
Athan Tramountanas
Brett Hill
Ron English
Paige Spratt

Eleen Trang, WSBA (phone)
Colm Nelson (phone)
Rick Wetmore (phone)
John Evans
Lena Holohan

Not participating: Bart Reed, Alex Jouravlev, Amber Hardwick, Bryce Sinner, Zak Tomlinson, Todd Henry, Seth Millstein.

The meeting commenced at 12:03 p.m. at Stoel Rives and recessed at 1:06 p.m. Chair Jason Piskel presided and secretary John Evans took the minutes.

Discussion

1. Approval of December Minutes - Minutes for December were presented and approved except for modifications regarding the presenters and topics at the Midyear CLE (Amber Hardwick and Brett Hill will present on *Spearin/Atherton* subject to Brett's availability due to a litigation matter). Thanks to Ron English for preparing the December minutes and his long service as secretary.
2. Financial Report: Treasurer Jennifer Beyerlein is waiting on financial reports from the WSBA and anticipates having a financial update at the next meeting.
3. Midyear Meeting/June 2019 CLE: Ron English reported that the speakers and topics are set though some speaker times will likely be adjusted. The judicial panel will be Judges Andrus and Rogers with a possibility of a third participant.

A discussion of price ensued including the notions that the cost be less than in prior years, that section members get a small price break and the web participants get a break limited to the cost of the lunch. The price will be finalized after we know the room capacity.

Written materials from the speakers will be due May 1, 2019 and power points May 20, 2019.

4. Winter Forum: Confirmed for March 14, 2019 at Cutters. There was general agreement that the price remains \$50.00 per person.
5. Deskbook: There is no update from last month. The WSBA has reported to Ron English that it is to publish this month. The sales price, either hardbound or electronic, is not known.

6. Spring Spokane CLE: The seminar is set for March 22, 2019 in Spokane. There was a discussion of cost sharing with the Spokane County Bar Association and agreement that the chair could make an agreement that covered our costs and if possible, included a small profit.
7. Open Sections Night: Colm and Amber and Alex will attend on January 31, at WSBA.
8. Writing Competition: Edits were made to a flyer to be provided to the law schools and the chair will deliver it to Amber Hardwick.
9. Legislative Update. Brett Hill reported on bills potentially affecting prevailing wages, utility location and bid protests.
10. For the Good of the Order: Athan Tramountanas reported that the most recent newsletter is on the WSBA website.

NEXT MEETING IS 12:00 P.M., FEBRUARY 13, 2019
AT STOEL RIVES

END OF MINUTES

DRAFT

ATTACHMENT 2

WASHINGTON STATE BAR ASSOCIATION

To: Section Chairs, Chair-Elects, and Treasurers

From: Paris Eriksen, Sections Program Manager

cc: Sections Program Specialists, Pat Mead and Eleen Trang

Re: 2019 Nomination & Elections Process for FY2020

Date: January 14, 2019

Section Executive Committee elections are an important aspect of preserving highly effective executive committees, providing opportunities for leadership, and engaging the membership. In 2017, changes to Article XI of the WSBA Bylaws have inspired a more streamlined and consistent process that is, at its core, intended to be **clear, accessible, transparent, and equitable to all WSBA members**.

The below memo describes the **Staff Support, How You Can Help**, the **Suggested/Default Timeline and Action Items (!)** for this process, and the **WSBA Bylaws** excerpted for reference. Your section's bylaws may contain additional elections information. **Please review the below information carefully** and share with your entire Executive Committee, especially those designated as part of a Nominating Committee.

Reminder: the elections occurring this spring 2019 will be for terms beginning October 1, 2019 (the beginning of the WSBA's next fiscal year which ends September 30, 2020).

Staff Support for the Nominations and Elections Process

Your Sections Program Specialist will work closely with the Chair and Nominating Committee (or other persons designated by the section) throughout this process. The Sections Program Specialist will:

- **(New!) Post generalized Volunteer Positions Descriptions online** for executive committee officer positions (Chair, Chair-elect, Treasurer, and Secretary).
- **Maintain information** and documents regarding the nominating committee, nomination and elections timelines, applicant/candidate information, and voting eligibility requirements.
- **Leverage all relevant communication tools** to promote and communicate open leadership opportunities and elections. These tools include, but are not limited to, eblasts to WSBA members, web page updates, [NWSidebar](#) blog, and *TakeNote*. Staff will not post to a section list serve unless specifically requested to do so. Due to the [NWLawyer](#) magazine publication timelines, we are unable to publish section-specific election information, however, the Sections Team will work with WSBA's Communications and Outreach Department to utilize *NWLawyer* to promote all section elections.
- **Set-up the online nominations application** through [MyWSBA](#). This application will be customized for each section, allowing each section's open positions and terms to be visible to eligible voting section members. The online application also allows for the uploading of a resume and/or candidate statement. After the application deadline has passed, all members of the Nominating Committee will be allowed access to the online applicant materials through their own MyWSBA accounts. (Screenshot of application is included with this memo.)

- **Collect final candidate information** from the Nominating Committee and/or the section Executive Committee, build the ballot using SurveyMonkey, circulate a draft ballot for approval and disseminate the ballot to eligible section members. Additionally, we will respond to requests/comments regarding any missed ballots to ensure that all eligible members receive a ballot. Your Sections Program Specialist will not disseminate the final ballot until it is approved by the designated section representative from the nominating committee.
- **Send the Nominating Committee the final results** of the election and, once approved, post the information online.
- As the next fiscal year approaches (FY20), we will send each new executive committee member **'onboarding' information** to orient them to their role, the WSBA, and WSBA sections.

How You Can Help

As you embark on this process, here are some ways in which you and the other current members of the executive committee can support and contribute to a successful election process.

- As you review open positions, **identify the executive committee's needs**; what skill sets are needed, and in what areas can you diversify your executive committee (gender, geography, etc.).
- Confirm which current Executive Committee members would like to run for an open position (either their current position or a new role). **All those members interested in being considered for an open position MUST complete the online application process**, including current executive committee members.
- **Utilize section communication tools** such as the list serve, newsletter and webpages to promote these leadership opportunities
- **Promote your section leadership opportunities** through your own professional networks.

Suggested Timeline and Action Items

In order for the Sections Team to best facilitate this year's election process, please adhere to the below default timelines and read all future communications associated with the process. We recommend following the default timeline suggested below for member convenience (less confusion following different timelines if a member is involved in more than one section), and inclusion in all related WSBA marketing efforts. If your section wishes to follow a different timeline, please indicate this in the appropriate section of the 2019 Section Election Set-Up Form.

- **Friday, February 15, 2019**
 (!) Action Item: Complete 2019 Section Election Set-Up Form (included with this email).
This completed form is crucial for a smooth election process.
- **Monday, February 25 @ Noon**
 Join the open conference call with the Sections Team if you have any questions about this process. To join the call, dial 1.866.577.9294, participant code 5016532#.
- **Friday, March 1 – Friday, March 29**
 Nomination/Applications Open
All eligible section members will be able to apply online using their MyWSBA account.
- **(New!) March 15 & 22**
 Section Executive Committee Leadership Informational Calls – *more information coming soon!*
- **Monday April 1 - Friday April 26**
 (!) Action Item: The Sections Program Specialists will use this month to finalize any details with you, build the ballot, gather ballot approval, update information on the website, and finalize election communications. Please

respond to requests to allow us to create your ballot in a timely manner.

- **Monday, May 13 – Friday, May 31**

Section Elections (electronically via SurveyMonkey)

Voting will open at 8:00 a.m. May 13 and close at 5:00 p.m. on May 31. Requests for paper ballots and any technical difficulties may be directed to sections@wsba.org or the Sections Program Specialist.

- **Monday, June 3**

Election results will be sent to the Section Chair, Nominating Committee, and any other representatives.

- **Friday, June 14**

(!) Action Item: We ask that someone from the section (likely chair) communicate the election results to all candidates by this date. Please invite elected members to participate in any section executive committee planning (e.g. budget planning, CLE planning).

- **Friday, June 28**

Elections results are posted online.

For Your Reference: WSBA Bylaws

The above information and timeline adhere to the WSBA Bylaws below. If a section elects to deviate from the above, please ensure that the plan adheres to these bylaws. The [WSBA Bylaws](#) state:

XI.G NOMINATIONS AND ELECTIONS

1. *Nominations*

- Nominating Committee. Each section will have a nominating committee consisting of no less than three section members appointed annually by the Chair or executive committee. At least one member of the nominating committee should not be a current member of the section executive committee.*
- The executive committee should reflect diverse perspectives. To assist this, all applicants will apply through an electronic application process administered by the Bar. The application form will, on a voluntary basis, solicit information including but not limited to, the person's ethnicity, gender, sexual orientation, disability status, area of practice, years of practices, employer, number of lawyers in law firm, previous involvement with section activities, and skills or knowledge relevant to the position. The nominating committee should actively take factors of diversity into account when making recommendations.*
- Alternate Nomination Process. The executive committee will also have an alternative process to allow nominations to occur outside the nominating committee process.*
- Executive Committee Approval. The executive committee will approve a list of nominees for each open position. Persons nomination through an alternative nomination process will be included on the final list of approved nominees.*

2. *Elections*

- Only voting members of the section may participate in section elections.*
- The Bar will administer the elections by electronic means and certify results, unless the section develops its own equivalent electronic election process. For sections that administer elections through an alternate equivalent electronic election process, the section must provide the Bar with the total number of votes cast and the number of votes received for each candidate immediately following the close of the election.*
- In the event of a tie, the section executive committee will implement a random tie-breaker of its choice, such as a coin toss or a drawing of lots, to determine the winner.*
- All election processes must comply with the Bar record retention policies.*

3. *Timing. Nominations and elections for open executive committee persons will be held between March and May each year.*