



NOVEMBER 2022

November 7, 2022

November 14, 2022

November 21, 2022

November 28, 2022

November 7, 2022

The **VOICE** of Construction



INDUSTRY NEWS



The Last Minute

By Dustin Steiner, Vice President Government & Industry Relations

A well-known procrastinator, my father had a sign on his desk that read, “*if it wasn’t for the last minute, nothing would ever get done.*” Well...if you’ve been waiting for the last minute, or you’re like me and actually *enjoy* the campaign mail, **the time to vote is now! Election Day is TOMORROW!** Dust off that ballot (yes, it’s somewhere in your house), fill it out, and drop it off at your local polling station. And, don’t forget to [enter our election contest!](#) **Deadline tomorrow at 5PM.**

Want advice on who your Board of Directors believes will best represent the construction industry? Please check your [AGC Official Voter Guide!](#) Below are a few other guidelines and reminders for voters and employers.

To check your registration status or to register click here: [Check Your Registration \(sdvote.com\)](#). If you missed the deadline, you can still vote in-person by registering to be a conditional same day voter here: [Same Day Voter Registration \(Conditional Voter Registration\) California Secretary of State.](#)

Every registered voter was mailed a ballot, but you can still vote in-person at the Registrar of Voters (5600 Overland Avenue, San Diego, CA, 92123) or at a designated polling place. Check [here](#) for one near you. Please be advised that there could be long lines.

So-called ballot harvesting is legal in the State of California. According to the Secretary of State ([Voting Law Compliance Handbook California Secretary of State](#)): “A vote-by-mail voter who is unable to return his or her ballot may designate any person to return the ballot to the elections official who issued the ballot or a polling location or vote-by-mail drop-off location within the state. However, the designated person cannot interfere with the ballot’s return to the elections official. (Elections Code §§ 3017, 3021, 18577)”

Also “including in or on your pay envelope any type of written or printed opinion that directly or by implication urges [an employee] to vote for or against a candidate or measure or is intended to influence [an employee’s] political action or opinion is prohibited by law. (Elections Code § 18542)”

Lastly, “The California Elections Code section 14001 requires employers to post a notice to employees advising them of provisions for taking paid leave for the purpose of voting in statewide elections.” California law allows employees to take up to two hours of paid time to vote, if there is not sufficient time outside of working hours to do so, which should be taken at the beginning or end of a regular work shift unless otherwise arranged. You can find additional information and a flyer here: ["Time off to Vote" Notices California Secretary of State.](#)

Diesel Truck Ban Lurches Forward

By Mike McManus, Director of Engineering Construction & Industry Relations

The California Air Resources Board held its first public hearing on rules that would ban manufacturers from selling any new fossil-fueled medium-duty and heavy-duty trucks by 2040. The new rules would also require larger trucking companies to convert their fleets to electric models, buying more over time until all are zero-emission by 2042.

“California is leading the transition to wide-scale electrification of trucks and buses,” said board chair Liane Randolph. “These actions can show the world how to simultaneously address the climate crisis, improve air quality and alleviate key concerns identified by communities.”

The proposed regulation received fiery criticism from both sides, as 167 members of the public lined up to speak at last week’s hearing — which started at 9 a.m. and lasted well into the night.

Environmentalists and public health groups called for a tougher rule that would speed up the 100% electric truck sales requirement to 2036 instead of 2040, while trucking companies said the proposal ignores concerns about electric vehicle costs and technology, lack of infrastructure and the loss of good-paying jobs.

The Air Resources Board is expected to hold a second hearing on the proposal and vote in the spring.

One part of the gradual conversion of existing fleets would apply only to federal agencies and “high-priority fleets,” which are owned or operated by companies with 50 or more trucks or \$50 million or more in annual revenue. Also affected: trucks weighing 10,001 pounds or more and package delivery vehicles of 8,500 lbs. or more, including U.S. Postal Service, FedEx, UPS, and Amazon fleets. The other part of the proposed regulations would apply to state and local governments.

The requirements for converting fleets would not apply to smaller companies that operate less than 50 trucks. They could keep their trucks as long as they want under the proposal, although their new purchases would have to be zero-emission by 2040.

The transition to electric trucks for many fleet operators would begin as early as 2024. These trucks include delivery and drayage trucks, which transport cargo at railways and

ports. New models would need to be zero-emission in 2024, while diesel and gas drayage trucks must retire after 18 years.

Just 1,943 zero emission medium and heavy-duty vehicles are on the state's roads, and nearly all of them are buses. About 300 are zero-emission commercial trucks, and less than 90 are electric semi-trucks. The rule would add about 510,000 carbon-free medium and heavy-duty vehicles to roads and highways in 2035, increasing to 1.2 million in 2045 and nearly 1.6 million in 2050.

To meet that demand, some experts say that the state would need to install as many as 800 chargers per week to power truck fleets, representing anywhere from 64 to 158 megawatts of new charging capacity, or enough to power 118,000 households.

Some board members questioned whether the California Public Utilities Commission was prepared to build out the necessary infrastructure and power grid improvements under the proposed timeline.

Many truck drivers at the hearing called the proposal unfair due to the high costs of purchasing an electric truck compared to that of a traditional diesel truck.

Air board staff estimate that truck drivers and companies would pay higher upfront vehicle prices now but expect those costs to go down as more models enter the market, eventually bringing the cost down to that of a conventional truck.

When comparing diesel and electric trucks in 2035, staff project that buying and operating an electric semi-truck over its lifespan, for example, could range between \$765,000 and \$1.1 million compared to a gas or diesel truck, which could cost between \$919,000 and \$1.2 million. These totals exclude state and federal subsidies that some companies could receive to help them pay for a truck.

Staff also said lower maintenance and operational costs would save fleet operators money over time.

The proposal has different deadlines for phasing in new sales of electric models, varying based on the size and type of truck, until all are electric by 2042.

Although California legislators have no direct say over whether the board adopts the rule, dozens of lawmakers weighed in on the proposal — and vastly disagreed about it.

[In a letter](#) to the air board, a group of state legislators, including Democratic Sens. Nancy Skinner of Berkeley and Josh Becker of Menlo Park, agreed with environmentalists. They note that these changes are achievable due to this year's massive \$54 billion climate investment.

But in [a separate statement](#), some legislators including Democratic Assemblymembers Blanca Rubio of Baldwin Park, and David Alvarez of San Diego— sided with the trucking industry, saying the proposal is too “aggressive”. They also said the plan fails to address many technical challenges, such as the toll that electric trucks will have on the grid as power demand grows.

MEMBER NEWS



AGC San Diego Chapter's 95th Annual Meeting

Early bird rate ends November 18 - Register and make plans to attend AGC Chapter's 95th Annual Meeting on **Thursday, December 15th**, from **10:30 a.m. - 12:30 p.m.** - San Diego Mission Bay Resort ([1775 East Mission Bay Drive, San Diego, CA 92109](#)).

Your involvement is critical, and the 2022 Report will detail how valuable member resources are working for you.

We encourage all AGC firms to take a couple of hours out of your schedule on December 15, 2022 to attend this final meeting of the year.

[Click Here to Register](#)



AGC Installation Dinner & Member Awards

It's going to be a big night - we welcome you to join us as we install **Austin Cameron** of **TC**

Construction as the incoming 2023 President of the AGC San Diego Board of Directors.

This event is an opportunity for the industry and members to hear from the outgoing President, **Kari Kyne**, of **Kyne Construction**, on the progress of AGC San Diego and the accomplishments of the industry during the past year. And what a year it's been!

It is also an opportunity to hear the incoming President's vision for 2023.

Each member in the AGC is a major "stakeholder" in the Association. It is important that you attend and understand the messages these individuals have concerning the direction of the AGC.

The evening's program will also include the following recognitions:

- Presentation of the coveted, **AGC Member Awards**...**Deadline to submit your nominations is November 14.** [Click here to download the nomination form!](#)
- Presentation of the significant, annual **Construction Safety Excellence Awards (CSEA)**. **Deadline for CSEA submissions is December 15. APPLY NOW!**
- Acknowledgment of our retiring **AGC Committee Chairs and Board Members**
- Graduation of **AGC Apprentices** with honors
- Graduation of members completing the **AGC Project Management Certificate Program**

Bottom line....this is an opportunity to give those in attendance a real “feel” for the San Diego construction industry, and to give recognition to those that have volunteered to lead the industry in 2022 and in 2023.

The program is proudly sponsored by: [Alliant](#) and [Liberty Mutual Surety](#)

We depend on the support of companies like these who enable us to offer quality AGC events. It is very much appreciated!

[Register online today!](#)

If you would like to register by email, please use the [registration form](#).

GIVING BACK - FOOD DRIVE ENDS NOV 9



Thanksgiving Food Drive for our Military Families ends Wednesday, November 9

AGC San Diego's Build & Serve Charitable Alliance is supporting the STEP's (Support the Enlisted Project) Thanksgiving Dinner Program. Each year, STEP donates items to make a turkey dinner with all of the fixings to local military families in need.

Please bring items to your participating AGC member offices then deliver to one of the three member locations around the County by November 9:

Erickson-Hall Construction Co. - Escondido
Atlas Technical Consultants - Mission Valley
AGC - Lakeside

[FLYER](#)



EVENTS - MEETINGS - CLASSES



The AGC 2022 Holiday Dinner Dance at the Hotel Del Coronado on December 3

Sponsored by Alliant Insurance Services and Moss Adams, LLP

Are you attending the best party of the year? **Puttin' on the Ritz 1920's Evening Attire** this year!

[Click here](#) for a copy of the invitation. [Website registration link](#).

Remember the deadline for room reservations at the Del is Nov. 11. At this time, the room block is full, but the hotel will accept reservations as long as there is availability. Make sure to mention the group code: **AGCA**

Please contact Rae Krushensky at the AGC with any questions at raek@agcsd.org.

Join the AGC Technology Committee for a Free IT Roundtable Discussion – November 17

- Does IT have you concerned?
- Does the Dark Web have you worried?
- Do you know what IT needs replacing?
- Are you investing in the correct field technology?

If you are worried by even one of these questions, then we have an event for you! The AGC Technology Committee is holding a **FREE Roundtable Discussion** during our next committee meeting on **Thursday, November 17, 2022, from 11:00 a.m. -12:30 p.m., at AGC Lakeside** and ALL interested AGC members are invited to attend.

Attendees will gain valuable insight as to how their fellow member companies have implemented a variety of solutions to tackle their challenging IT environment issues. This

FREE roundtable event will kick off a series of regular discussions, each with a different focus on relevant, real world IT business solutions. The initial roundtable in November will focus on challenges in the field - with devices, data collection, connectivity, processes, procedures, and more. Come join your industry peers to learn how they are enhancing and advancing the building process with Field Technology.

If you have any direct expertise as a contractor in this area, and would like to attend as a core contributor to the discussion, then please contact Kellie Korhonen Kellie@agcsd.org. Our goal is to provide a venue for lively and spirited discussion to inform and benefit the maximum number of members, so substantial attendance is strongly encouraged. All non-proprietary discussion contributions will serve to assist and strengthen others in our community.

We look forward to seeing you at this **FREE (LUNCH INCLUDED)** event! Please RSVP to kellie@agcsd.org by Nov. 14 to reserve your seat and lunch!



December 3 - [HOLIDAY DINNER DANCE](#) - Roaring 20's theme
December 15 - [ANNUAL MEETING](#)
January 12, 2023 - [INSTALLATION DINNER](#)

COMMITTEES

NOVEMBER MEETINGS

Nov. 9 - 11:30 a.m. - **Workforce Development** - Lakeside
Nov. 9 - 1:00 p.m. - **County of San Diego Liaison** - Virtual
Nov. 16 - 8:00 a.m. - **Build & Serve Charitable Alliance** - Lakeside & Virtual
Nov. 16 - 11:30 a.m. - **Affiliate Members Council** - Lakeside
Nov. 17 - 11:00 a.m. - **Technology Committee** - Lakeside
Nov. 29 - 11:30 a.m. - **Specialty Council** - Lakeside

Committee Meeting
Calendar

Get Involved - Join a
Committee

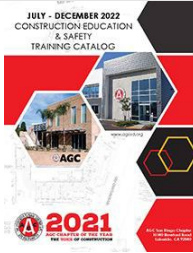
CLASSES

NOVEMBER CLASSES

Nov. 9 -10 - **USACE CQM-C** – Virtual Training

- Nov. 10 - Microsoft Excel Intermediate
- Nov. 14-16 - Fall Protection 24 Hour CPT (**Limited Seating**)
- Nov. 14 - Fall Protection Competent Person Refresher
- Nov. 17 - Microsoft Excel Advanced
- Nov. 17 - Construction Law: Scheduling Impact
- Nov. 30 - CPR / First Aid

JULY - DEC EDUCATION CATALOG



Training Calendar & Class Registration

For more information on classes, contact: [Becca Schaffer](mailto:Becca.Schaffer@agcsd.org), 619-592-4533

PLAN ROOM

FIND US

AGC East County Facility & Apprenticeship Training Center
 10140 Riverford Road
 Lakeside, CA 92040
 (858) 558-7444
[DIRECTIONS](#)

AGC Government Affairs Office & Fall Protection Training Campus
 6212 Ferris Square
 San Diego, CA 92121
 2nd floor
[DIRECTIONS](#)

About Monday Morning Quarterback

Visit agcsd.org

AGC San Diego Chapter's Monday Morning Quarterback is a "hot off the press" and to the point Monday morning briefing on the important issues facing San Diego's construction industry. It is prepared by AGC Chief Executive Officer, Eddie Sprecco, and Vice President Government & Industry Relations, Dustin Steiner.

Please contact [Eddie Sprecco](#) or [Dustin Steiner](#) with your comments, or with information that should be conveyed to the industry through this service. Well over 3,000 individuals employed by AGC member firms are part of this system.

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The VOICE of Construction



INDUSTRY NEWS

Election Aftermath

By Dustin Steiner, Vice President Government & Industry Relations

It's been almost a week since the midterm elections and as the dust settles nationally, the federal landscape continues to be very, very close. The Senate will remain in Democrat hands for the next two years with an upcoming run-off race in Georgia determining whether or not Vice President Kamala Harris will continue to be the tiebreaker, or if Senate Democrats will have 51 seats (which would be a net pick-up of 1 seat). The House side is still too close to call, but it appears as though Republicans will flip the House by the narrowest of margins. Control of the 435-member body requires 218 seats and latest predictions put the final Republican count around 222. A razor thin margin especially as House Minority Leader Kevin McCarthy attempts to coalesce the caucus into making him Speaker. He undoubtedly has the majority of votes in his caucus, but all members of the House vote on Speaker, regardless of party.

Locally, our campaign against Measure D was unsuccessful. We put up a valiant effort with a broad coalition, but at the end of the day, we were outspent by over a million dollars total, including a million dollars in the final two weeks of the campaign alone. It is important to note that Measure D does not place a mandatory Project Labor Agreement (PLA) on City projects, but rather removes the current ban on PLAs that was put in place by voters in 2012. AGC staff will be working with city officials to communicate our concerns about a wall-to-wall PLA and hope that we can have a meaningful conversation and find compromise to keep San Diegans working on city projects.

On the positive side, a number of our AGC-endorsed candidates appear headed to victory including all three County offices in which we chose a candidate – **Jim Desmond** (*Supervisor*), **Jordan Marks** (*Assessor*), and **Kelly Martinez** (*Sheriff*). And, all six mayors we supported have or will soon be declaring victory – **Keith Blackburn** (*Carlsbad*), **John McCann** (*Chula Vista*), **Bill Wells** (*El Cajon*), **Steve Vaus** (*Poway*), **Rebecca Jones** (*San Marcos*), and **John Franklin** (*Vista*). Additionally, we supported

David Alvarez (*Assembly*) who won his second election this year (he won the special back in June) as well as **Kent Lee** and **Vivian Moreno** on the *San Diego City Council*.

There is also going to be some movement at SANDAG as current Board Chair Catherine Blakespear (Encinitas) appears to be headed to Sacramento (State Senate) and Second Vice Chair Alejandra Sotelo-Solis (National City) is currently in third place in her bid for re-election. With new elected Mayors in Carlsbad, Chula Vista, Encinitas, Escondido, Imperial Beach, National City, and Vista, there is sure to be plenty to watch over the next few months, especially as SANDAG will likely again be looking to fund future infrastructure through a sales tax measure.

AGC staff will be working with all of our elected leaders to ensure investment in infrastructure remains a top priority!

Thank you for your support of our efforts this cycle! Onward!

Workforce Challenges Persist in the Industry

By Mike McManus, Director of Engineering Construction & Industry Relations

As many firms and owners know, projects may be delayed or go over budget in these trying times of supply chain disruptions and materials price escalations. What's new, what could possibly go wrong in heavy construction? Besides the obvious related costs, to delayed or over budget projects, either can hurt the contractor's bottom line as well as damage client and owner relations. But, that's assuming a project comes to fruition. Some jobs must be turned down or are simply lost in the bidding process. Causes are many, but one that is more and more common these days are staffing issues.

Construction workforce limitations are costing general contractors throughout the project life cycle, according to a 2022 survey by AGC America. The results are a little surprising.

The US construction industry is facing an unusually tight labor market, especially among those with specialist skills. The situation isn't expected to improve anytime soon, yet 70% of surveyed contractors said they plan staff allocations less than two months in advance. This lack of foresight has consequences because it is also difficult to staff up quickly which can lead to project delays.

In 2021, 36% of surveyed contractors turned down six or more projects because they didn't have the right people for the job. Most surveyed contractors – 77% – are confident their firm's bids on projects match their capabilities and workforce availability, and yet almost as many – 65% – suffered at least one project delay in 2021 due to workforce limitations. A third reported six or more project delays in 2021 for the same reason.

With profit margins already slim and risk factors such as rising materials costs often tough to predict, delays can be an expensive burden. Some experts suggest that some of the top reasons for project delays include process inconsistencies, defective plans and specifications, and a lack of adequate communication among owners, contractors, and trade partners. However, in 2022 add supply chain disruptions and materials availability to previous theories about project delays. According to the AGC survey, some of the

past theories about delay are not coming into play as having the right people to do the job is problem number one.

Heading off potential workforce shortages means removing a key risk factor, but almost half of survey respondents – 46% – said they don't have adequate time to hire staff when the project requires it, which happens as much as 20% of the time. That could affect winning, as well as keeping, work. About 86% of respondents have bid on projects only to discover later that they don't have the proper workforce to complete the job.

The good news is there should be a lot on which to bid. Nationwide, the nonresidential construction workforce is expected to grow by 30% this decade, in part, to meet the demands of projects funded by the bipartisan infrastructure law, according to industry analysts. Yet, unfilled construction positions are at almost record highs for the past two decades, despite construction wages rising 7.9% between December 2019 and 2021.

The problem is apparently not just a lack of numbers but also some specific skill sets that are needed in an increasingly complex marketplace for contractors. As evidenced in the survey, 85% of respondents have bid on projects only to find they do not have the proper workforce to complete the project and must scramble to hire people or trade partners to execute the project on schedule. This contrasts with only 12% who cited workforce limitations as the most common reason for losing a bid. Many contractors may not be fully aware of employees' availability to staff a job far enough in advance to make informed decisions about their capabilities.

While much of the construction industry has weathered recent industry disruptions well, demonstrating the agility of most construction industry companies. We may need to think more strategically to counter the persistent challenges, of the present tight labor market, rising materials costs and increasingly complex projects. All of which appear to be stubborn issues not going away anytime soon. Work is plentiful but times are tough.

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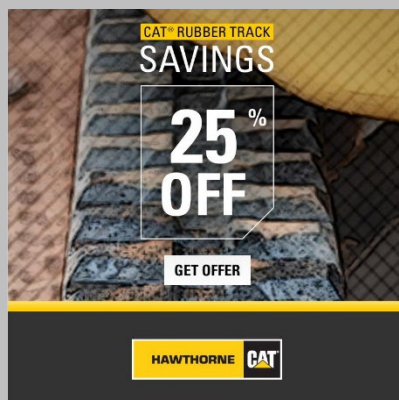
Do your teams in the field use IT equipment?
What is the best equipment for field crews?
Want to enhance your field operations with technology?
Want to share your experience with a particular field technology?

If you are interested in discussing field technology, then we have an event for you! The AGC Technology Committee is holding a **FREE Roundtable Discussion** during our next committee meeting on **Thursday, November 17th, 2022, from 11:00 a.m. -12:30 p.m., at AGC Lakeside** and ALL interested AGC members are invited to attend.

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[Committee Meeting Calendar](#)

[Get Involved - Join a Committee](#)

TRAINING CLASSES

NOVEMBER CLASSES

Nov. 17 - Microsoft Excel Advanced
Nov. 17 - Construction Law: Scheduling Impact
Nov. 30 - CPR / First Aid

[JULY - DEC EDUCATION CATALOG](#)



[Training Calendar & Class Registration](#)

For more information on classes, contact: [Becca Schaffer](#),
619-592-4533

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San Diego, CA 92121
2nd floor
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important issues facing San Diego's construction industry. It is prepared by AGC Chief Executive Officer, Eddie Sprecco, and Vice President Government & Industry Relations, Dustin Steiner.

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INDUSTRY NEWS

And the Winner Is ...

...And the Winner is...

By Dustin Steiner, Vice President Government & Industry Relations

It's been labeled "too close to call," "razor thin," "headed to a recount"...After weeks of studying the issues, talking with voters, reading MMQB, and weathering the ups and downs of election season, followed by almost two additional weeks of counting the votes, we had a late swing and finally a winner! Of course, I'm talking about **AGC's biannual Election Contest!**

10 races, 1 tiebreaker. For several days, we had a 4-way tie for first and were anxiously awaiting the results on Measure C to give us a winner. For the record, two of the four were within tenths of a percent on C. It was down to the proverbial wire...and, then, 8 days post-election at the 5 p.m. posting, the results of Measure B flipped from *No* to *Yes*, and with that we went from watching tenths of a percent to having a clear winner. In second place, with a brag-worthy 7 out of 10 are:

Austin Cameron	TC Construction Co.
Jim Linthicum	Retired (formerly SANDAG)
Marcy Knopman	AGC
Pete Saucedo	AGC Apprenticeship
Randy Finch	Finch, Thornton, and Baird, LLC

For fun, since we asked the question, we will use the tiebreak for second place and give the honorable mention to **Jim Linthicum** who guessed 51.05% for Measure C. Final result? 51.13%! A remarkable 7/10ths of a percent off! Congratulations, Jim!

Also, of note, if you simply followed AGC's Official Voter Guide, you would have ended up with 6 correct guesses (out of 9 since we did not have a position on Measure B). For the record, of the 39 candidates AGC supported this cycle, 30 of them were successful! Congratulations and best wishes to each of them!

Okay, okay, about that *other* winner! Well, with the shift in Measure B, we had one contestant move from 7 correct predictions to 8, where she now stands, alone, at the top of our leader board! She's also a repeat champion! **Congratulations to Nancy Chase, representing Herzog Contracting Company!**

Thank you to all of you who participated! And, thank you for your support of our endeavors this election cycle. I am thankful for each of you and thankful, always, for the right to vote, the peaceful transfer of power, and the freedoms we hold dear in this country!

Happy Thanksgiving!

California faces \$25 Billion Deficit

By Mike McManus, Director of Engineering Construction & Industry Relations

After back-to-back historic budget surpluses, California analysts, last week, projected that Governor Gavin Newsom and state legislators could be forced to navigate a \$25 billion budget deficit next year. That shortfall, according to a new report from the state's independent Legislative Analyst's Office, could be followed by continued annual budgetary gaps between \$17 billion and \$8 billion for the subsequent three years.

If the forecast holds true through June, when the state's next budget must be passed, Newsom and legislators may have to make some tough calls. Those include how far to dip into the state's reserves, where to make potential spending cuts, and what projects and programs to slow down. AGC will be watching the process closely because it may affect some construction programs and projects funded out of the general fund.

Luckily, the state has stashed away billions of dollars in reserves in recent years to help cope with it. The downturn is due to state revenues growing slower than spending — a possible precursor to a recession, the report indicated. The revenue estimates, if accurate, would represent the weakest economic performance California has experienced since the Great Recession of 2007 to 2009. The gloomy projections follow nearly a decade of growth, including during the COVID-19 pandemic. The state was overflowing with cash, thanks to a historic surge in tax collections on incomes, sales, and corporations.

Now, the state faces a slew of economic headwinds, including high interest rates and global stock market woes. The estimate released Wednesday will help the governor and lawmakers begin to craft their budget proposals for the upcoming fiscal year. With the state likely to have a \$25 billion budget deficit, the report says that this will likely lead to some painful spending decisions in the nation's most populous state.

Gavin Newsom warned of a coming recession when he emphasized budgetary discipline in his veto signings. Then last month, the state Department of Finance disclosed that general fund cash receipts were falling significantly short of projections. The new forecast also coincides with some of California's tech giants laying off double-digit percentages of their workers, citing excessive pandemic-fueled hiring blitzes, a slowdown in online commerce and a worsening economy.

California's finances are especially prone to waves of capital gains and losses, because the state relies so heavily on tax revenues of its wealthiest residents. The top 1% of income-

earning Californians pay nearly half of the state's income taxes, according to the state's franchise tax board.

In recent years, Newsom has largely avoided contentious decisions during the budget season. Bracing for a pandemic-driven recession in 2020, Newsom's administration imposed pay cuts of up to 9.23% across state government. But gloomy projections about the state's financial health never materialized, and the governor was saved from initiating any further cuts. Fearing a future economic downturn, Newsom and legislative leaders have been cautious about spending its billions of unexpected dollars to pay for ongoing programs. Instead, they have tried to use the surpluses for one-time spending on items such as inflation relief checks and infrastructure projects, which have been much appreciated in the construction industry.

Even so, Newsom and the Legislature have poured some of the state's money into ongoing priorities. These include starting new homeless and housing programs, pursuing ambitious climate goals, and expanding early childhood education and Medi-Cal health coverage for undocumented Californians.

In their annual report released Wednesday, state budget analysts recommended that the governor and legislators reevaluate expenditures and look for programs to pause or delay rather than patch up holes using the state's reserves. The analysts advised state officials to save its reserves for a potential recession down the line.

Senate President Pro-Tem Toni Atkins, D-San Diego, said similarly dim forecasts may have forced tax increases or program cuts in the past, but that does not need to be the case in this situation. She plans to hold onto the "gains we have made," then get back to business as usual when the economy rebounds.

MEMBER NEWS



AGC San Diego Chapter's 95th Annual Meeting

Register and make plans to attend AGC Chapter's 95th Annual Meeting on **Thursday, December 15th**, from **10:30 a.m. - 12:30 p.m.** - San Diego Mission Bay Resort ([1775 East Mission Bay Drive, San Diego, CA 92109](https://www.missionbayresort.com/)).

Your involvement is critical, and the 2022 Report will detail how valuable member resources are working for you.

We encourage all AGC firms to take a couple of hours out of your schedule on December 15, 2022 to attend this final meeting of the year.

[Click Here to Register](#)

WELCOME NEW MEMBERS

The AGC Board of Directors and AGC staff would like to welcome the following new members to the Association.

[Delaware Resource Group of Oklahoma, LLC](#)
[Richardson Steel, Inc.](#)
[Texas Aviation Premier Services, LLC](#)
[Western State Builders, Inc.](#)

AGC's Motto: "It's Good Business to do Business with an AGC Member."



JAN
12
2023

AGC
INSTALLATION
DINNER & MEMBER
AWARDS

AGC Installation Dinner & Member Awards

It's going to be a big night - we welcome you to join us as we install **Austin Cameron** of **TC**

Construction as the incoming 2023 President of the AGC San Diego Board of Directors.

This event is an opportunity for the industry and members to hear from the outgoing President, **Kari Kyne**, of **Kyne Construction**, on the progress of AGC San Diego and the accomplishments of the industry during the past year. And what a year it's been!

It is also an opportunity to hear the incoming President's vision for 2023.

Each member in the AGC is a major "stakeholder" in the Association. It is important that you attend and understand the messages these individuals have concerning the direction of the AGC.

The evening's program will also include the following recognitions:

- Presentation of the significant, annual **Construction Safety Excellence Awards (CSEA)**. **Deadline for CSEA submissions is December 15. APPLY NOW!**
- Acknowledgment of our retiring **AGC Committee Chairs and Board Members**
- Graduation of **AGC Apprentices** with honors
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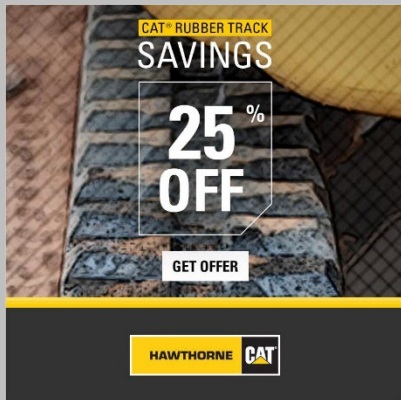
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The program is proudly sponsored by: [Alliant](#) and [Liberty Mutual Surety](#)

We depend on the support of companies like these who enable us to offer quality AGC events. It is very much appreciated!

[Register online today!](#)

If you would like to register by email, please use the [registration form](#).



EVENTS



The AGC 2022 Holiday Dinner Dance at the Hotel Del Coronado on December 3
Sponsored by Alliant Insurance Services and Moss Adams, LLP
Are you attending the best party of the year? **Puttin' on the Ritz 1920's Evening Attire** this year!

invitation. [Website registration link.](#)

[Click here](#) for a copy of the

At this time, the room block is full, but the hotel will accept reservations as long as there is availability. Make sure to mention the group code: **AGCA**

Please contact Rae Krushensky at the AGC with any questions at raek@agcsd.org.



December 3 - [HOLIDAY DINNER DANCE](#) - Roaring 20's theme - Puttin' on the Ritz
December 15 - [ANNUAL MEETING](#) - Mission Bay Hilton
January 12, 2023 - [INSTALLATION DINNER](#) - Marriott Marquis
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[Committee Meeting
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[JULY - DEC EDUCATION CATALOG](#)



[Training Calendar & Class Registration](#)

For more information on classes, contact:

[Becca Schaffer](#), 619-592-4533

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San Diego, CA 92121
2nd floor
[DIRECTIONS](#)

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Please contact [Eddie Sprecco](#) or [Dustin Steiner](#) with your comments, or with information that should be conveyed to the industry through this service. Well over 3,000 individuals employed by AGC member firms are part of this system.

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November 28, 2022

The **VOICE** of Construction

INDUSTRY NEWS

Ink by the Barrel

By Dustin Steiner, Vice President Government & Industry Relations

There is an old saying in politics that one must not argue with those who buy ink by the barrel. Indeed the quote appears to have [originated in 1962](#) with then-attorney Roger Branigin, who later became Governor of Indiana, making the observation about newspaper publishers. The so-called “fourth estate” has long been the watchdog of politics and has been relied upon by voters to hold their elected leaders accountable. In the aftermath of the election, the San Diego Union Tribune (UT) wrote a rather scathing op-ed over the weekend about the various ballot measures in the City of San Diego.

As you will recall, AGC San Diego sued the City of San Diego back in August over the ballot language for Measure D. The Court agreed with our petition and had this to say about their misleading messaging: “...the court similarly finds the text of these ballot materials is false and misleading. The available evidence confirms not only that the City is already eligible for state funding notwithstanding the Ordinance, but also that the City has continued to receive state funding for its projects. These portions of the ballot materials suggest the City is not currently eligible for state funding, which is demonstrably untrue. Accordingly, the court grants Petitioner’s request for a writ ordering Respondents to delete these portions of the ballot material.”

Unfortunately, the threshold for deleting or editing the actual ballot language is very high. The UT notes this in their op-ed saying, “Thanks to state law saying that judges can reject the official language used to describe ballot measures prepared by the Attorney General’s Office “only upon clear and convincing proof that the material in question is false, misleading or inconsistent,” state attorneys general often brazenly seek to manipulate voters.”

The UT goes on to say “The sad news for San Diegans is that such dirty tricks were on display in the city’s recent election” before opining specifically on Measure D. “[Measure D](#), which won easily, is built on similar deceit. It repealed voters’ 2012 ban on union-favoring project labor agreements. This will make it difficult for the nonunion companies which employ more than 80 percent of local construction workers to get city contracts. It was sold

as being a way to avoid state and federal funding penalties — even though the 2012 law was written in a way that precludes such penalties by allowing PLAs to be used on projects involving such funding. In the end, [the ballot question](#) used the term “may preserve state funding” to hoodwink voters — and didn’t remind voters that they had banned PLAs only 10 years ago.” You will also recall that the [UT recommended a NO vote](#) back in October.

The op-ed ends with this “*But changes are plainly needed to keep the local ballot measure process neutral.*”

We agree.

To read the full story click the link: [San Diego leaders used deceit to pass ballot measures - The San Diego Union-Tribune \(sandiegouniontribune.com\)](#)

CARB Passes Amendments to Off-Road Diesel Regulations

By Mike McManus, Director of Engineering Construction & Industry Relations

With little fanfare recently, the California Air Resources Board (CARB) approved amendments to the In-Use Off-Road Diesel-Fueled Fleets Regulation (Off-Road Regulation) aimed at further reducing emissions from the off-road sector. The amendments will require fleets to phase-out the use of the oldest and highest polluting off-road diesel vehicles in California; prohibit the addition of high-emitting vehicles to a fleet; and require the use of R99 or R100 renewable diesel in off-road diesel vehicles.

Off-road vehicles subject to the amendments are used in construction, mining, industrial operations, and other industries. The amendments phase-in starting in 2024 through the end of 2036 and include changes requiring prime contractors and public works agencies to enforce CARB’s Off-Road Regulations. Despite protests from the industries affected by the amendments the governing board of CARB passed the amendments unanimously with one abstention.

According to CARB staff, the amendments are expected to yield \$5.7 billion in health benefits, prevent more than 570 air-quality related deaths and nearly 200 hospitalizations and emergency room visits from 2023 to 2038. CARB’s staff has estimated the cost of the program is \$1.9 billion.

These polluting emission reductions are driven by the 2022 State Strategy for the State Implementation Plan which requires a reduction of NOx emissions by 4 tons per day by 2037 in the off-road diesel sector. In addition, the 2022 State Strategy specifies the need to reduce diesel PM2.5 at a statewide level to reduce the health risk throughout California, especially in communities that experience disproportionate burdens from exposure to toxic air contaminants.

The approved amendments will force the turnover of older equipment by banning the operation of equipment with older engines, for large and medium fleets on the following schedule:

Tier 0 - 2024

Tier 1 - 2026

Tier 2 - 2028

There is also now a ban on new purchases of equipment with Tier 3 or Tier 4 interim engines. Those bans will begin on January 1, 2024. The year-by-year low-use option sunsets on January 1, 2024, meaning no year-by-year low-use vehicle reporting will be permitted on or after January 1, 2024. Also on that same date, fleets will be required to use R99 or R100 renewable diesel in off-road vehicles.

Beginning January 1, 2024, prime contractors and public works awarding bodies are subject to the new requirements of regulated fleets. For a project involving the use of vehicles subject to this regulation, the prime contractor or public works awarding body, must obtain copies of the valid Certificates of Reported Compliance, for the fleet selected for the contract and their listed subcontractors, prior to entering into a new or renewed contract with that fleet. The Certificates of Reported Compliance received by the prime contractor or public works awarding body, as applicable, for a project must be retained for three years after that project's completion. Upon request by CARB, these records must be provided to CARB within five business days of the request.

Beginning January 1, 2024, prime contractors are also subject to the requirements described above for projects, public or private.

Between March 1 and June 1 of each year, a prime contractor must collect new valid Certificates of Reported Compliance for the current compliance year, from all fleets that have an ongoing contract with the prime contractor as of March 1 of that year. Prime contractors must not write contracts to evade this requirement. Prime contractors shall only allow fleets with valid Certificates of Reported Compliance on the prime contractor's job sites.

If the prime contractor discovers that any fleet intending to operate vehicles subject to this regulation for the prime contractor does not have a valid Certificate of Reported Compliance, or if the prime contractor observes any noncompliant vehicles subject to the regulation on the prime contractor's job site, then the prime contractor must report the information to CARB, for each fleet without a valid Certificate of Reported Compliance or each noncompliant vehicle, as applicable, within 5 business days of such discovery.

CARB initially adopted the [Off-Road Regulation](#) in 2007 and approved amendments in 2009 and 2010. The new amendments are likely to lead to a smaller fleet in the industries affected including construction. We expect many requests for time extensions and exemptions will flood the CARB's offices.

Be on the lookout for upcoming AGC sponsored seminars and/or educational opportunities to help contractors and fleet owners understand how to comply with these new amendments.

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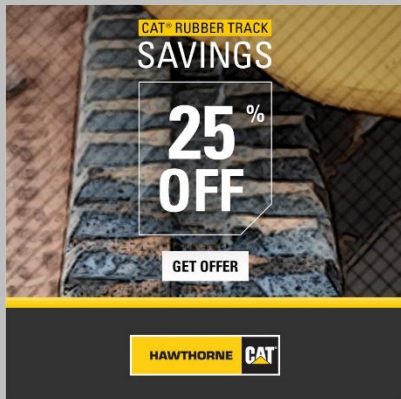
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GIVING BACK

The logo for the AGC San Diego Chapter Toy Drive. It features a red banner with various toy icons, the AGC logo, and a house icon with "TOY DRIVE" written on it. Below the banner, it says "HOLIDAY TOY DRIVE" in large red and green letters, "DECEMBER 1-13, 2022" in green, and "Drop off Locations: Holiday Dinner Dance (Dec. 3) AGC San Diego - Ferris Square & Lakeside". At the bottom, there are two bars: a green one saying "DROP OFF TOYS BY DECEMBER 13, 2022" and a yellow one saying "WE NEED YOUR HELP!".

HOLIDAY TOY DRIVE
DECEMBER 1-13, 2022
Drop off Locations:
Holiday Dinner Dance (Dec. 3)
AGC San Diego - Ferris Square & Lakeside

DROP OFF TOYS BY DECEMBER 13, 2022 **WE NEED YOUR HELP!**

2022 AGC Holiday Toy Drive - December 1 - 13, 2022

The AGC Meetings & Events Committee and Build & Serve Charitable Alliance ask for your help with our annual holiday toy drive. We are continuing this 35+ year old tradition, but we need YOUR HELP. Toys will be distributed to Polinsky Children's Center and Foundation for Women Warriors.

Please collect unwrapped toys at your offices, and drop off at either AGC San Diego office **by Tuesday, December 13**. Toys will also be accepted at the AGC Holiday Dinner Dance on December 3.

Drop Off Locations:

AGC San Diego

6212 Ferris Square
San Diego, CA 92121
(858) 558-7444
Contact: [Robin Scott](#)

AGC San Diego - Lakeside

10140 Riverford Road
Lakeside, CA 92040
(858) 558-7444
Contact: [Rae Krushensky](#) or [Marcy Knopman](#)



- December 1 - 13 - [AGC TOY DRIVE](#)
- December 3 - [HOLIDAY DINNER DANCE](#) - Roaring 20's theme - Puttin' on the Ritz - **SOLD OUT!**
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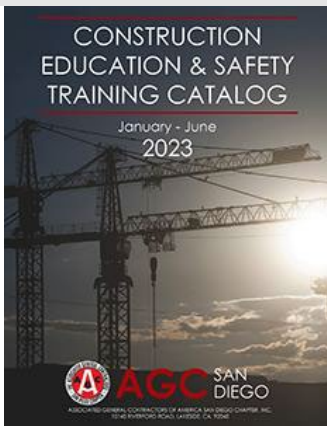
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2023 Training Calendar & Class Registration

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For more information on classes, contact:
[Becca Schaffer](mailto:Becca.Schaffer@agcsd.org), 619-592-4533

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