

Profile

Ben Neuman
First Name Middle Initial Last Name

[Redacted]
Email Address

[Redacted] Street Address Suite or Apt
Napa CA 94559
City State Postal Code

Mailing Address (if different than Resident Address above)

[Redacted]

[Redacted] Primary Phone [Redacted] Alternate Phone

Length of Residence in the City of Napa:

36 years

Length of Residence in the County of Napa:

60 years

Registered to vote in the City of Napa?

Yes No

Retired- County of Sonoma Building Department Manager
Employer Job Title

Ethnicity *

Caucasian/Non-Hispanic

Interests & Experiences

Which Boards would you like to apply for?

Building and Fire Code Board of Appeals: Appointed
Disability Access Board of Appeals: Appointed

Question applies to Building and Fire Code Board of Appeals

3 of 5 Members MUST serve on the Disability Access Board of Appeals. Are you also applying to serve on the Disability Access Board of Appeals?

Yes No

Question applies to Disability Access Board of Appeals

3 of 5 Members MUST serve on the Building & Fire Code Board of Appeals. Are you also applying to serve on the Building & Fire Code Board of Appeals?

Yes No

Question applies to Disability Access Board of Appeals

2 of 5 Members MUST be part of the Disabled Community. Are you part of the Disabled Community?

Yes No

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Community Service Experience:

Board Member, CrossWalk Community Church, 2005-2007 Pete Shaw, Pastor

Education:

Santa Rosa Junior College, Associates Degree, September 1981 Calistoga High, June 1978

Other relevant experience or expertise:

Building and Safety Division Manager 2012- 2015 Code Enforcement Manager 2002- 2012 Code Enforcement Supervisor 1998- 2002 Building Inspector 1987- 1998 Project Manager - Vintage Structures- 1984-1987 Naval Architect Technician - Mare Island Naval Shipyard, 1980-1984

Additional Questions

What is your understanding of the role and responsibility of this board?

The Board of Building Appeals primary role is to render interpretation of adopted building codes and regulations as they apply to specific projects under appeal. The Board of Accessibility Appeals provides the same function and in addition, can approve technical policy and enforcement direction for the complex web of state and federal accessibility regulations for the jurisdiction. The powers of the Accessibility Appeals Board reached beyond building issues and may address land uses and more.

Have you ever attended a meeting of this board? If so, how many?

Not in Napa. Many in Sonoma County

What duties of this board are most interesting to you?

Code interpretation. I'm a bookish nerd.

What activities of this board are least interesting to you?

None. All aspects are interesting.

What programs or projects would you like to see improved or implemented?

I have insufficient information to respond to this question at this time.

How would you approach improving these project(s) or program(s)?

Same answer as above

Are you involved in any organizations or activities that may result in a conflict of interest if you are appointed to this board?

None.

Please list two local references and their phone numbers:

DeWayne Starnes, [REDACTED] Tennis (JT) Wick, [REDACTED]

How did you learn of this vacancy?

Internet

Ben Neuman

Napa Ca

Experience

County of Sonoma – Building Division Manager

September 2011 to October 2015 – retired as of October 2015

Management responsibility for the Plan Check, Building Inspection and Code Enforcement Sections. 34 Staff total. Duties included:

- Development of local ordinances and adoption of model codes.
- Department representative for administrative hearings and appeals
- Oversight of all alternative construction methods and materials applications.
- Development of all budgetary items
- Hiring, evaluation, disciplinary action for staff
- General management of all plan review and building inspection functions
- General management of all code enforcement functions including housing, building, accessibility, land use, stormwater quality, grading, septic, and roadway encroachment issues.

County of Sonoma – Code Enforcement Manager

April 2002 – September 2011

Management responsibility for the Code Enforcement Division. Note- In 2011 the Building Division and Code Enforcement Division was consolidated as a recession related cost reduction. Duties as noted above.

County of Sonoma – Code Enforcement Supervisor

May 1998 – April 2002

Directly supervised Building Inspectors, Environmental Health Specialists, Planners and clerical staff within the Code Enforcement Division.

Education

Santa Rosa Junior College

Associate Science Degree, September 1981

Certifications

ICC Certified Building Official, Combination Inspector

References

Dewayne Starnes, - Retired

Deputy Director, Sonoma County Permit and Resource Management

Ben Neuman

Napa Ca

[REDACTED]
[REDACTED]
Tennis Wick

Director, Sonoma County Permit and Resource Management

Tennis.wick@sonoma-county.org
[REDACTED]

Profile

David Ericksen
First Name Middle Initial Last Name

[Redacted]
Email Address

[Redacted] Suite or Apt
Street Address
Napa CA 94559
City State Postal Code

Mailing Address (if different than Resident Address above)

[Redacted] [Redacted]
Primary Phone Alternate Phone

Length of Residence in the City of Napa:

3.5 years

Length of Residence in the County of Napa:

3.5

Registered to vote in the City of Napa?

Yes No

Collins + Collins LLP Partner - Attorney
Employer Job Title

Ethnicity *

Caucasian/Non-Hispanic

Interests & Experiences

Which Boards would you like to apply for?

Building and Fire Code Board of Appeals: Submitted

Question applies to Building and Fire Code Board of Appeals

3 of 5 Members MUST serve on the Disability Access Board of Appeals. Are you also applying to serve on the Disability Access Board of Appeals?

Yes No

Upload a Resume

Community Service Experience:

Board Member & General Counsel - Crosslight Theater Board Member - Walnut Creek Little League
General Counsel - Lamorinda Soccer Club Steering Committee & Education Superintendent - St. Matthew
Lutheran Church, Walnut Creek, CA Risk Management Committee - American Council of Engineering
Companies

Education:

University of California Berkeley School of Law - Juris Doctorate - 1990 Pacific Lutheran University -
Bachelor of Arts - Mathematics and History - Minor - Religion - Summa Cum Laude Sehome High School,
Bellingham, WA - Summa Cum Laude

Other relevant experience or expertise:

I have been an attorney practicing design, construction, real estate and environmental law in California
since 1991. I practice both in the transactional and on the litigation sides of the industry. I was also a law
clerk for the Washington State Supreme Court - 1990-1991.

Additional Questions

What is your understanding of the role and responsibility of this board?

In the event an Code cannot be resolved at the project level between the project owner and the building
department, it would be referred to this Board for hearing and a decision. It would follow administrative law
procedures under California law.

Have you ever attended a meeting of this board? If so, how many?

No

What duties of this board are most interesting to you?

I have worked with 100s of projects, parties, and disputes in the design, development, and construction in
California. I would like to share the benefits of that experience with my community.

What activities of this board are least interesting to you?

None.

What programs or projects would you like to see improved or implemented?

Third party "Mediation" of such disputes at the project level so they do not get to an impasse.

How would you approach improving these project(s) or program(s)?

Gauge the current environment and particularly so following the recent pandemic which has changed so much of how we communicate and business activity.

Are you involved in any organizations or activities that may result in a conflict of interest if you are appointed to this board?

I have represented some owners, architects, engineers, and contractors in the community. I do not expect it, but if they were a part of a project it would be a conflict and I would have to recuse from that matter.

Please list two local references and their phone numbers:

Ellen Falcinelli [REDACTED] Gretchen McCann - [REDACTED] Randall Wulff [REDACTED]

How did you learn of this vacancy?

-
- Internet
 - Other

David A. Ericksen, Esq.

Collins + Collins, LLP

Walnut Creek, CA 94596

dericksen@ccllp.law

OVERVIEW

David Ericksen is a trusted resource and advocate to the professional service community (design, construction, environmental, real estate, and insurance) and is passionately committed to collaboration in their long-term strategic success. He has repeatedly and successfully represented design professionals in jury trial, bench trial, single arbitrator arbitration, and panel arbitration as well as mediation and other forms of alternative dispute resolution in state and federal courts. He has built on that experience of troubled projects and contracts and failed communications to become a trusted resource and counselor on the risk management strategies to avoid such disputes through strategic planning and management. In that capacity, he focuses on contractual, risk management, and litigation issues affecting the design, construction, environmental, real estate, and insurance professional community. He does so both as outside general counsel to many firms as well as through short term interventions in pursuit of strategic solutions and remedies. As a result, he is a frequent speaker before construction professional organizations such as the AIA, SEA, ACEC, NSPE, SDA, CSI and others, and also provides in-house training seminars and strategic planning for firms. He has authored numerous articles addressing issues important to the design and construction communities which have been published by professional organizations and industry related periodicals.

He is a graduate of the Law School at the University of California, Berkeley after receiving multiple undergraduate degrees from Pacific Lutheran University. Following law school, Mr. Ericksen served as the law clerk to Justice James M. Dolliver of the Washington State Supreme Court. He has been admitted to the Bar of the States (capitalized?) of California and Washington and multiple Federal Courts, up to and including the United States Supreme Court as a nominee of ACEC. Mr. Ericksen has been named a Northern Californian "Super Lawyer" for more than 18 years.

Primary Areas of Legal Practice

Construction Litigation. Representing design professionals, construction managers, developers, and contractors in construction defect and delay claims.

Transactional Counseling and Document Preparation. Primarily focused on the construction and environmental fields. Emphasis on contract preparation and negotiation, and risk management counseling and advice.

Environmental Litigation and Regulatory Compliance. Representing professionals and parties in transactions and litigation involving hazardous substances, hazardous wastes, pollutants, and regulatory issues.

Risk Management Advice and Seminars. Frequent speaker and trainer regarding risk management issues for construction professionals.

Professional Liability. Defending architects, engineers, and other professionals against errors, omissions, and other claims.

Insurance Coverage and Bad Faith. Advising insurers and insureds regarding coverage, representing insurers and insureds in declaratory relief and coverage actions

General Litigation. Representing plaintiffs and defendants in all manners of commercial, property, and casualty disputes.

Biographical Information

Education:

Juris Doctorate, University of California, Berkeley, 1990

Bachelor of Arts Degrees, Pacific Lutheran University, *summa cum laude*,
Mathematics, History, & Religion, 1986

Employment History:

Collins + Collins, LLP - 2021-present - Partner

Severson & Werson - San Francisco, California - 1991-2021 - President 2009-2013

Law Clerk to Justice James M. Dolliver, Washington State Supreme Court, 1990-1991

Admitted to Practice:

Washington State 1990

California 1991

United States Supreme Court 2017

Representative Litigation Experience

Handling of hundreds of disputes from inception to resolution in federal and state courts through trial, arbitration, mediation, and the Special Master process.

Representative examples as follows:

Jury Trial:

Sacramento West - Successful defense to 11-1 jury verdict on \$56M claim against structural engineer for design of residential subdivision.

San Francisco - Successful defense to 12-0 and 11-1 jury verdicts of \$3M claim for residential renovation design in San Francisco, California.

Oakland - Successful defense on directed verdict of structural engineer on claim for seismic investigation deficiencies

Contra Costa - Successful defense to 12-0 jury verdict of claims against civil engineer for roadway compaction failures.

Fairfield - Successful defense of civil engineer to 12-0 jury verdict in five-month trial of claim for slope stability and landslide issues.

San Francisco - Defense of architect to defense verdict on condominium homeowner's association claim.

Sacramento - Defense of structural engineer to defense verdict on claims for design of ninety-unit condominium project.

Bench Trial (and Bench Dispositions):

San Mateo - Successful defense of architect on K-12 construction project to bench judgment for defense.

San Francisco - Defense of structural engineer on residential defect claim.

San Francisco - Successful Motion for Summary Judgment in defense of engineer on claims for defects in design of San Francisco Cable Car system.

San Mateo - Obtained successive defense summary judgments of owners' \$25 million claim for foundation defects. Successfully preserved result on appeal.

Mission Oaks Ltd. v. Santa Barbara County - Successful demurrer and SLAPP suit motion to defeat developer's claim against environmental consultant for preparation of unfavorable environmental impact report. Upheld on appeal.

Arbitration:

Portland - Successful defense award in claims against water engineer for California water treatment project. Preserved through multiple state and federal challenges.

San Francisco - Successful defense of architect on hospital design claim and recovery of \$3M+ in unpaid fees to architect.

San Jose - Successful defense of attorneys involved in real estate and construction project transactions.

Los Angeles - Successful arbitration of claims against architect on hospital project.

Santa Clara - Arbitration of claim for alleged errors and omissions in design of commercial office building to a defense result.

San Francisco - Arbitrated dangerous condition claim to a defense verdict.

Other Representative Matters Resolved:

Guam - Defense of structural engineer on claim for design errors in Guam high-rise hotel.

Sacramento – Defense of design-builder on claims arising out of design-build construction of soy sauce factory.

Alameda – Negotiated dismissal of \$3 million claim for design of laboratory facilities.

Jansen v. Shell Oil Co. – Successfully represented property owner in prosecution of claim for petroleum contamination.

San Jose – Defeated claim for soil and groundwater contamination in light industrial area.

Marin – Mediated condominium defect litigation to resolution without contribution to settlement.

San Francisco – Mediated condominium defect litigation to resolution without contribution to settlement.

Golden Gate Cycles v. Foley – Obtained \$656,000 judgment for embezzlement.

Representative Transactional Experience

Preparation of partnership and corporate documents for entities ranging from sole practices to multi-disciplinary national practices.

Preparation, review, and negotiation of all manners of agreements including standard form service agreements, joint venture agreements, prime association agreements, design/build agreements, and independent contractor agreements. Projects range from large public projects to small residential projects, as well as master or program agreements.

Consulting, intervention, and risk management in ongoing project concerns and disputes.

Training seminars and advice regarding professional practices and risk management.

General advice regarding all matters related to the practice of design professionals, construction managers, and environmental professionals as well as insurance and real estate professionals.

General counsel and defense counsel to design teams for major public and infrastructure projects such as the San Francisco Bay Bridge, Interstate 405 Expansion, and the DeYoung Museum.

Representative Publications

“16 Contract Provisions You Need to Know” – PE Magazine – March 2011

“A Sustainable Standard of Care? Managing Evolving & Innovative Products, Processes & Performance Standards in Design Delivery” – The AIA Trust – December 2010

“Digital Stamping, A Strategic Plan for Design Professionals” – Structure Magazine – November 2017

“Dispute Management and Resolution” – The Architect’s Handbook of Professional Practice (15th Ed.) by the American Institute of Architects – December 2014

“No Guarantees” - PE Magazine - March 2012

Representative Papers and Alerts

Are You Ready for Prime Time!?! The Real World of Prime Consultant Contract Provisions

Building Toward the Paperless Project: Risks, Rewards, and Safeguards

California’s “SB800” – Legislative Engineering of Residential Construction Liability Implications and Strategies

Can You Condo? Strategic Analysis for Design Professionals Evaluating the Risks and Opportunities of Condominium Projects

Case Law Alert: Professional Engineer Found to Have No Duty to Property Owner or Contractor

Certificate of Merit Statute Gets Teeth

Changing Combatants to Collaborators: Building Possible Relationships Between Design Professionals and Construction Managers

Changing of the Guard: Dealing with the Transition Between Design Professionals

The Collections/Claim Connection: Getting Paid Without Getting Sued

Dangers of Design Delegation: Lessons from the Kansas City Hyatt Disaster

Dealing with Time is of the Essence

Design-Build Projects: Seizing Opportunity and Managing Risk

Design Delegation/Transfer: The Buck Stops Where?

The Design Professional’s Perspective – Hard Markets, Hard Times: Getting Harder?

Electronic Record Keeping and Discovery

E-Mail as a Project Communication Tool: Loose Fingers Sink Ships

Engineering the Service Agreement: Contractual Issues and Strategies for Engineers

Evaluating and Controlling Third Party Liability

Getting Paid: Strategies to Secure Payment for Services Delivered

Know Your Limits: A Design Professional Guide to Limited Liability

Lessons from the War Room: Contractual Provisions for Architects/Engineers

Making the Grade: Testing Design Professional Indemnity Provisions

Managing and Capitalizing on the Shift Toward Risk-Based Corrective Actions

Managing The Construction Manager

Managing the Risk in Construction Management

The Mold Menace: It's Here! Are you ready?

The New AIA Form Contracts: The Good, the Bad, and the Dangerous

Opportunities of Innovation & Limitations of Reality: Providing Design Services in a World of Accelerating Changes & Restrictions

Pareto Principles of Design Professional Service Agreements

The Perfect Storm - Managing and Surviving Threats to Budgets and Schedules

Project Certification and Closeout in a Virtual COVID World and After

Public Facilities and Public Liability: Design Exposure Containment with Contracts, Collaboration, and Closure

Resiliency in the Climate Challenge: A Guide for Design and Construction Professionals

Risk Management for Construction Managers

Seven Steps to Effective Risk Management for Architects/Design Professionals

Skating on Thin Ice: Surviving and Succeeding on Projects with Precarious Contract Terms

When Less Service Means More Risk: Managing Risk of Reduced Services

Whose Design is It Anyway?

Representative Conference Presentations

"Strategies for Professional Services in the "New" Normal" - PUA Advisory Council - Chicago - June 2022

"Leaning Tower Claims Expose" - Structures Conference - Atlanta - April 2022

"Design Build as a Second Language" - Dallas, Texas and Phoenix, Arizona - May 2018

"Proposal Strategies for Sanity and Security" - American Institute of Architects, California - June 2016

"Opportunities, Strategies, and Risks in Design Joint Ventures" - Willis Towers Watson A/E Large Firm Symposium - Chicago, Illinois - June 2016

"'Everything' You Need to Know About Design Professional Agreements" - Society of Design Administrators EDSymposium - Spokane, Washington - May 2016

“The Ever Evolving Standard of Care” - Invited Attorneys Conference - Tampa - April 2010

“The Changing Face of Practice and the Contracts to Make It Work” - Structural Engineers Association of Utah - Salt Lake City, Utah - 2007

“Breaking the Mold Before It Breaks You” - Design Professional Risk Control Group Convocation - Vancouver, B.C. - 2002

“Mediation and Arbitration of International Construction Disputes” - International Construction Superconference - London, England - 2001

“Design in the E-World” - Design Professional Risk Control Group Convocation - San Francisco, California - 2000

“Sustainable Design: Structural Engineering Relevance, Challenges, and Threats” - AIA California Council - Palm Desert, California - 2000

Multiple Presentations Over Multiple Years:

American Counsel of Engineering Companies - multiple years

American Institute of Architects - multiple years

American Institute of Architects California Counsel - multiple years

AE Pronet - multiple years

Society of Design Administrators - multiple years

Structural Engineers Association - multiple years

Structures Conference - multiple years

All Ohio Convocation - multiple years

Assured Partners

Design Professional Risk Control Group - multiple years

Professional Liability Agents Network - multiple years

Risk Strategies of Texas - multiple years

Willis Towers Watson Legal Roundtable and Large Firm Convocations - multiple years