

**BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

2535 Capitol Oaks Drive, Suite 300, Sacramento, CA 95833-2944

Telephone: (916) 263-2222 Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

www.pels.ca.gov**OFFICIAL NOTICE****MEETING OF THE BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

**Board for Professional Engineers and Land Surveyors
2535 Capitol Oaks Drive, Suite 300
Sacramento, California 95833
(916) 263-2222**

**Wednesday, November 17, 2010, beginning at 9:00 a.m.,
and continuing on
Thursday, November 18, 2010, beginning at 9:00 a.m., if necessary**

Wednesday, November 17, 2010

Board Meeting

9:00 a.m.

Thursday, November 18, 2010, if necessary

Board Meeting

9:00 a.m.

The meeting is open, and the public is invited to attend. The meeting facilities are barrier-free in accordance with the Americans with Disabilities Act. A person who needs disability-related accommodations or modifications in order to participate in the meeting shall make a request by contacting Paula Bruning at (916) 263-2230 or email Paula.Bruning@dca.ca.gov or sending a written request to Ms. Bruning at the Board for Professional Engineers and Land Surveyors, 2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodations.

For further information regarding this meeting, please contact Paula Bruning at (916) 263-2230. Electronic copies of this Official Notice and Agenda are available at <http://www.pels.ca.gov>.

NOTE: All times indicated and the orders of business are approximate and subject to change. It is anticipated that the Board will break for lunch from approximately 12:00 p.m. to 1:00 p.m. each day.

Copies of the bills may be obtained by the public through the Bill Room at the State Capitol. You may also access all California statutes, regulations, and pending bills through the Legislative Counsel's Internet website at <http://www.leginfo.ca.gov>.

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**AGENDA****MEETING OF THE BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS****2535 Capitol Oaks Drive, Suite 300****Sacramento, California 95833****(916) 263-2222****Wednesday, November 17, 2010, beginning at 9:00 a.m.,
and continuing on****Thursday, November 18, 2010, beginning at 9:00 a.m., if necessary****Board Members: Mike Modugno, President; Jerry Silva, Vice President; Kim Blackseth; James Foley; David Luzuriaga; Philip Quartararo; Ray Satorre; Patrick Tami; Michael Trujillo; and Paul Wilburn.**

- I. Roll Call to Establish a Quorum
- II. Public Comment
Public comment will be heard on both days of the Board meeting.
- III. DCA Director Updates
- IV. Mail Ballot Procedures in Administrative Disciplinary Matters (pursuant to Government Code section 11526) (Possible Action)
- V. Temporary Authorization Applications (Possible Action)
- VI. Closed Session – Personnel Matters, Examination Procedures and Results, Administrative Adjudication, and Pending Litigation (As Needed) [Pursuant to Government Code sections 11126(a) and (b), 11126(c)(1), 11126(c)(3), 11126(e)(1), and 11126(e)(2)(B)(i)]
Closed session will take place on both days of the Board meeting.
 - A. Discrimination Complaint (Authority for Closed Session Discussion pursuant to Government Code section 11126(e)(2)(B)(i))
 - B. Rodolfo Ventura Dimalanta v. Board for Professional Engineers and Land Surveyors, Alameda County Superior Court Case No. RG10513640.
 - C. Examinations
 - D. Executive Officer
- VII. Open Session to Announce the Results of Closed Session

- VIII. Executive Officer's Report
 - A. Legislation
 - 1. Results of 2010 Legislative Session: AB 1431, AB 1659, AB 2038, AB 2130, SB 275, SB 294, SB 1111, SB 1491 and SB 1171 (Possible Action)
 - 2. Legislative Proposals for 2011 (Possible Action)
 - 3. Regulation Status Report
 - B. Sunset Review 2010: Business and Professions Code 101.1 (Possible Action)
 - C. Personnel/Enforcement/Exams/Licensing/Publications/Website
 - D. Structural Engineering Certification Board – Background and Position
 - E. Plastic Identification Cards
 - F. BPELSG Operational Changes
- IX. Consideration of Rulemaking Proposals, as follows:
 - A. Approval and Adoption of Rulemaking Proposals relating to Approved Curricula and Waiver of Fundamentals Examination [Title 16, California Code of Regulations sections 404, 424, 425, 438, and 460] (Possible Action)
 - B. Possible Amendments to Title 16, California Code of Regulations sections 405 and 3004 – Delegation of Certain Functions (Possible Action)
 - C. Possible Amendments to Title 16, California Code of Regulations section 3005: Fees for Geology (Possible Action)
- X. Approval of Delinquent Reinstatements (Possible Action)
- XI. 2011 Board Meeting Schedule (Possible Action)
- XII. Information Technology Updates (Possible Action)
 - On-Line Renewals/Credit Card Renewals (Possible Action)
- XIII. NCEES National ID – Process and Lessons Learned (Possible Action)
- XIV. California State-Specific Structural Engineering Examination (Possible Action)
- XV. Administration (Possible Action)
 - A. Fund Condition (Possible Action)
 - B. FY 2010/11 Budget (Possible Action)
 - C. FY 2011/12 Budget Change Proposals (Possible Action)
- XVI. Reports from the Technical Advisory Committees (TACs) (Possible Action)
 - A. Board Assignments to TACs (Possible Action)
 - B. Appointment of TAC Members (Possible Action)
 - C. TAC Report (Possible Action)
- XVII. Liaison Reports (Possible Action)
 - A. ASBOG (Possible Action)
 - B. ABET (Possible Action)
 - C. NCEES (Possible Action)
 - D. Technical and Professional Societies (Possible Action)
- XVIII. California Green Building Standards Code – CALGreen Presentation

XIX. President's Report/Board Member Activities

XX. Other Items Not Requiring Board Action

A. California Senate Resolution: Earth Science Week – October 10-16, 2010

B. Date of Next Board Meeting: Strategic Planning – February 9 & 10, 2011,
San Diego, California.

XXI. Approval of Consent Items (Possible Action)

(These items are before the Board for consent and will be approved with a single motion following the completion of Closed Session. Any item that a Board member wishes to discuss will be removed from the consent items and considered separately.)

- Approval of the Minutes of the August 11 & 12, 2010, Board Meeting

XXII. Adjourn

PUBLIC COMMENT

Time is allotted during the meeting to provide members of the public with an opportunity to address the Board. The time allotted for each member of the public to address the Board may be limited by the Board based on the number of individuals wishing to speak.

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It is requested that the speakers stand or come forward as they are recognized to speak. It is also requested, but not required, that the speakers give their names and any organizations they represent.

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The public may speak on items on the agenda during the Public Comment item or when the specific item comes up for discussion by the Board. If the Board does not notice a person's request to speak during discussion of an item, it is not a deliberate attempt to limit comment. It is sometimes difficult to notice a raised hand in a meeting room. If the Board does not notice you at first, please stand so that you may be recognized to speak.

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The public may speak on items not on the agenda; however, the Board may not discuss or take action on such items at this meeting. Board members cannot engage in dialogue, other than to request clarification from the speaker, regarding items not on the agenda due to constraints imposed by law. The Board may direct staff to follow up on the item with the speaker or may direct that the item be placed on the agenda of a future meeting for discussion.

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The Board asks that you not discuss a pending application or a disciplinary complaint matter because the Board members will be the "judges" who ultimately decide the matter and by law are not permitted to receive information that is not part of the official administrative record in the matter. Any issues relating to such matters should be addressed in writing to the Board's Executive Officer. If a person attempts to speak on such a matter, the person will be instructed to refrain from making further comments.

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If a person becomes disruptive, the person will be requested to cease the disruptive behavior. If the person fails to do so, the Board is allowed by law to request that the person leave the meeting and may even have the person removed if he or she fails to leave.