

**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**

**Los Angeles Athletic Club
431 West Seventh Street
Los Angeles, CA 90014
(213) 625-2211**

**Wednesday, August 11, 2010, beginning at 9:30 a.m., and
continuing on**

Thursday, August 12, 2010, beginning at 9:00 a.m., if necessary

Wednesday, August 11, 2010

1. Board Meeting

9:30 a.m.

Including the Hearing on the Petition for Reinstatement of Revoked Certificate of Thomas Mix Terwilliger, Jr. This hearing will be held on Wednesday, August 11, 2010, beginning at 9:30 a.m., or as soon thereafter as the matter may be heard.

Hearing on the Petition for Reinstatement of Revoked License of Richard Joseph Godina. This hearing will be held on Wednesday, August 11, 2010, beginning immediately following the hearing on the Petition of Thomas Terwilliger or as soon thereafter as the matter may be heard.

Thursday, August 12, 2010, if necessary

1. 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 Jennifer Fyfe at (916) 263-2230 or email Jennifer.Fyfe@dca.ca.gov or sending a written request to Ms. Fyfe 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 Jennifer Fyfe 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**

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**Wednesday, August 11, 2010, beginning at 9:30 a.m., and
continuing on**

Thursday, August 12, 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.

1. Roll Call to Establish a Quorum
2. Public Comment
Public comment will be heard on both days of the Board meeting.
3. Hearing on the Petition for Reinstatement of Revoked Certificate of Thomas Mix Terwilliger, Jr.
This hearing will be held on Wednesday, August 11, 2010, beginning at 9:30 a.m., or as soon thereafter as the matter may be heard.
4. Hearing on the Petition for Reinstatement of Revoked License of Richard Joseph Godina
This hearing will be held on Wednesday, August 11, 2010, beginning immediately following the hearing on the Petition of Thomas Terwilliger or as soon thereafter as the matter may be heard.
5. 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)]
 - 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
6. Open Session to Announce the Results of Closed Session
 7. 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.)
 - a. Approval of the Minutes of the May 5, 2010, Board Meeting
 8. Temporary Authorization Applications (Possible Action)
 9. Executive Officer's Report
 - I. Legislation
 - a. Discussion of Proposed Legislation for 2010: AB 1431, AB 1659, AB 2038, AB 2130, SB 275, SB 294, SB 1111, SB 1171, and SB 1491 (Possible Action)
 - b. Legislative Proposals for 2010 (Possible Action)
 - c. Regulation Status Report
 - II. Sunset Review 2010: Business and Professions Code 101.1 (Possible Action)
 - III. Personnel/Enforcement/Exams/Licensing/Publications/Website
 - a. Release of Examination Results (Possible Action)
 10. DCA Director Updates
 11. Land Surveyor Technical Advisory Committee Recommendation to Define the Words "Established" and "Establishment" as in the Professional Land Surveyors' Act (Business and Professions Code section 8700, et seq.) (Possible Action)
 12. Approval of Delinquent Reinstatements (Possible Action)
 13. Information Technology Updates (Possible Action)
 - a. On-Line Renewals/Credit Card Renewals (Possible Action)
 - b. NCEES Candidate ID Requirement (Possible Action)
 - c. Computer Based Testing (Possible Action)
 14. Administration (Possible Action)
 - a. Fund Condition (Possible Action)
 - b. FY 2009-10 Budget (Possible Action)
 - c. FY 2010-11 Budget Change Proposals (Possible Action)
 - d. FY 2011-12 Budget Change Proposals (Possible Action)
 15. Technical Advisory Committee (TAC) Reports (Possible Action)
 - a. Board Assignments to TACs (Possible Action)
 - b. Appointment of TAC Members (Possible Action)
 - c. TAC Report (Possible Action)
 16. Liaison Reports (Possible Action)

- a. ASBOG (Possible Action)
- b. ABET (Possible Action)
- c. NCEES (Possible Action)
- d. Technical and Professional Societies (Possible Action)

17. President's Report/Board Member Activities

18. Other Items Not Requiring Board Action

Date of Next Board Meeting: November 17 & 18, 2010, Sacramento, California.

19. Adjourn

PUBLIC COMMENT

Time is allotted during the meeting to provide members of the public with an opportunity to address the Board.

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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.

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The public may speak on items not on the agenda; however, the Board may not take action on such items at this time.

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The time allotted for each member of the public to address the Board may be limited by the Board President based on the number of individuals wishing to speak.

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The Board may deny a person the right to address the Board and have the person removed if the person becomes disruptive.

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Due to the need for the Board to maintain fairness and neutrality when performing its adjudicative function, the Board shall not receive any substantive information from a member of the public regarding matters that are currently under or subject to investigation or that involve a pending administrative or criminal action.

If a person attempts to provide the Board with substantive information regarding matters that are currently under or subject to investigation or that involve a pending administrative or criminal action, the person shall be advised that the Board cannot properly consider or hear such substantive information, and the person shall be instructed to refrain from making such comments.

If a person addresses the Board concerning alleged errors of procedure involving matters that are currently under or subject to investigation or involve a pending administrative or criminal action, the Board may direct the Executive Officer to review whether the proper procedure was followed and report back to the Board.