



**Board for Professional Engineers,  
Land Surveyors, and Geologists**

# Meeting of the Board for Professional Engineers, Land Surveyors, and Geologists

Thursday, December 8, beginning at 9:00 a.m. and continuing on Friday, December 9, beginning at 9:00 a.m., if necessary

Office of the Attorney General  
600 W. Broadway, #1800  
San Diego, CA 92101



# TABLE OF CONTENTS

## MEETING OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS

BOARD MEETING

DECEMBER 8-9, 2016

Office of the Attorney General  
600 West Broadway, Suite 1800  
San Diego, California, 92101

### BOARD MEMBERS

Coby King, President; Mohammad Qureshi, Vice President; Natalie Alavi; Fel Amistad; Chelsea Esquibias; Cynthia Guzman; Kathy Jones Irish; Eric Johnson; Asha Lang; Betsy Mathieson; Karen Roberts; Jerry Silva; Robert Stockton; and Steve Wilson

<b>I. Roll Call to Establish a Quorum</b>	<b>5</b>
<b>II. Public Comment</b> <b>NOTE:</b> The Board cannot take action on items not on the agenda. The Board will also allow for Public Comment during the discussion of each item on the agenda.	<b>7</b>
<b>III. NCEES Board of Directors Report</b>	<b>9</b>
<b>IV. Consideration of Rulemaking Proposals</b>	<b>11</b>
A. Proposal to Amend Title 16, California Code of Regulations §3031 (Geologist Education and Experience Requirements) (Possible Action)	
B. Approval and/or Adoption of Proposed Amendments to Title 16, California Code of Regulations §425 (Land Surveyor Experience Requirements) (Possible Action)	
	<b>17</b>
<b>V. Legislation</b>	
A. Legislative Calendar	
<b>VI. Administration</b>	<b>21</b>
A. Fiscal Year 2016/17 Budget Summary	
<b>VII. Enforcement</b>	<b>25</b>
A. Enforcement Statistical Reports	
1. Fiscal Year 2016/17 Update	
<b>VIII. Exams/Licensing</b>	<b>33</b>
A. Fall 2016 Update	
<b>IX. Approval of Delinquent Reinstatements (Possible Action)</b>	<b>35</b>
<b>X. Executive Officer's Report</b>	<b>39</b>
A. Legislation and Regulation Workgroup Summary	
B. Personnel	
C. ABET	
D. ASBOG	
E. NCEES	

	F. Outreach	
	G. 2015-2018 Strategic Plan – Mid Plan Review (Possible Action)	
<b>XI.</b>	<b>Board and Technical Advisory Committees Operating Procedures (Possible Action)</b>	<b>55</b>
<b>XII.</b>	<b>Technical Advisory Committees (TACs)</b>	<b>89</b>
	A. Assignment of Items to TACs (Possible Action)	
	B. Appointment of TAC Members (Possible Action)	
	C. Reports from the TACs (Possible Action)	
<b>XIII.</b>	<b>President’s Report/Board Member Activities</b>	<b>91</b>
<b>XIV.</b>	<b>Approval of Consent Items (Possible Action)</b>	<b>93</b>
	(These items are before the Board for consent and will be approved with a single motion. 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 October 13-14, Board Meeting	
<b>XV.</b>	<b>Other Items Not Requiring Board Action</b>	<b>107</b>
	A. 2017 Board Meeting Schedule	
<b>XVI.</b>	<b>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)]</b>	<b>111</b>
	A. Civil Litigation	
	1. <u>Thomas Lutge v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Court of Appeal, Third Appellate District, Case No. C075779 (Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS)</u>	
	2. <u>Lawrence Allen Stevens v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Sacramento Superior Court Case No. 34-2016-80002334</u>	
<b>XVII.</b>	<b>Open Session to Announce the Results of Closed Session</b>	<b>113</b>
<b>XVIII.</b>	<b>Adjourn</b>	<b>115</b>

**I. Roll Call to Establish a Quorum**

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## II. **Public Comment**

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**NOTE:** The Board cannot take action on items not on the agenda. The Board will also allow for Public Comment during the discussion of each item on the agenda.





**III. NCEES Board of Directors Report**

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#### **IV. Consideration of Rulemaking Proposals**

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- A. Proposal to Amend Title 16, California Code of Regulations §3031 (Geologist Education and Experience Requirements) (Possible Action)
- B. Approval and/or Adoption of Proposed Amendments to Title 16, California Code of Regulations §425 (Land Surveyor Experience Requirements) (Possible Action)



**Approval and/or Adoption of Proposed Amendments to Amend Title 16, California Code of Regulations section 425 regarding Experience Requirements – Professional Land Surveyors**

At its April 2016 meeting, the Board approved beginning the rulemaking process to amend Title 16, California Code of Regulations section 425 (Board Rule 425) regarding the experience requirements for licensure as a professional land surveyor. These proposed amendments were noticed for a 45-day public comment period that ran from August 12 through September 27, 2016. No comments were received.

At its October 2016 meeting, the Board adopted these proposed amendments as the final language and directed staff to finalize the rulemaking file for submittal to the Department of Consumer Affairs and the Office of Administrative Law.

Subsequently, the Board's Legal Counsel raised questions regarding the wording in subdivision (c), and he recommended that the matter be re-presented to the Board for discussion.

The language as adopted by the Board at its October meeting is included.

**425. Experience Requirements - Professional Land Surveyors.**

(a) An applicant for licensure as a professional land surveyor shall be granted credit towards the experience requirements contained in Sections 8741 and 8742 of the Code, for the following education curriculum:

- (1) Four (4) years experience credit for graduation from an approved land surveying curriculum.
- (2) Two (2) years experience credit for graduation from a non-approved land surveying curriculum.
- (3) Five (5) years of experience credit for graduation from an approved cooperative work-study land surveying curriculum.
- (4) One-half (1/2) year of education credit for each year of study completed in an approved land surveying curriculum that did not result in the awarding of a baccalaureate degree, except that the maximum of such experience shall be two (2) years. A year of study shall be at least 32 semester units or 48 quarter units, no less than 10 semester units or 15 quarter units of which shall be from classes clearly identified as being land surveying subjects.

“Life Experience Degrees” are not acceptable and will not be counted towards the education credit.

(b) All qualifying work experience in land surveying shall be performed under the responsible charge of a person legally authorized to practice land surveying. An applicant shall possess at least two years of actual responsible training experience in land surveying which shall involve at least four of the land surveying activities specified in subdivisions (a) - (g) and (k) - (n) of Section 8726 of the Code. Qualifying experience in activities specified in subdivision (a), (b), (k), (m), and (n) of Section 8726 shall not exceed one year in total. Qualifying experience shall be computed on an actual time worked basis, but not to exceed forty hours per week.

(c) For purposes of Section 8742 of the Code, the ~~term~~ terms “responsible field training” and “responsible office training” include the land surveying activities specified in subdivisions (a) - (g) and (k) - (n) of Section 8726 of the Code performed in a field or office environment. Responsible training means the exercise of independent judgment under the responsible charge of a person legally authorized to practice land surveying.

~~may include, but is not limited to, the land surveying activities listed below. Under the responsible charge, direction, and review of a person legally authorized to practice land surveying, the applicant:~~

- ~~(1) Determines field survey methods and procedures, including selection of accuracy standards.~~
- ~~(2) Selects or verifies that the correct control monumentation is used to establish the designated survey datum(s) (horizontal and vertical) and selects on the ground locations for control monuments.~~
- ~~(3) Determines the relevance of monuments and physical field evidence for the purpose of establishing boundary and property lines.~~
- ~~(4) Reviews measurement observations for the determination of accuracy, completeness, and consistency.~~
- ~~(5) Reviews field notes and records for application of proper field survey procedures.~~
- ~~(6) Plans, performs, and reviews field checks and, based on such checks, determines if completed field surveys are accurate and sufficient.~~

~~(7) Searches for boundary and control monuments; assists in analyzing field evidence for locating boundary points and lines; identifies and describes such evidence; compares record data to found physical evidence; compares record data to measured data; documents discrepancies; assists in acquiring and documenting testimony regarding boundary locations; recommends boundary location and/or establishment; selects or verifies that the correct controlling monuments are used to locate or establish boundary points and lines; and prepares draft record documents.~~

~~(8) Coordinates the fieldwork necessary to prepare maps, plats, reports, descriptions, or other documents.~~

~~(9) Recommends when existing boundary monuments are to be replaced, selects the method(s) to be used for replacing and resetting monuments, and prepares field documentation of such work, including that necessary for Parcel Maps, Final Maps, Record of Survey Maps, and Corner Records.~~

~~(10) Functions as a party chief, chief of parties, or lead person in charge of field crew(s) in the performance of field surveys.~~

~~(11) Plans and performs field observations using Global Positioning System technology and determines if completed field surveys are accurate and sufficient in geodetic and land surveying applications.~~

~~(12) Performs surveys to facilitate the location or construction of infrastructure and fixed works of improvement.~~

~~The enumeration of the above tasks does not preclude the Board from awarding “responsible field training” credit for training of a similar character in other current or future land surveying activities not specifically enumerated herein. It is also understood that the listed tasks are only some of those that may be considered as responsible training, and that this list is not in any way intended to enumerate all of the tasks which may be performed by licensed Professional Land Surveyors.~~

~~(d) For purposes of Section 8742 of the Code, the term “responsible office training” experience may include, but is not limited to, the land surveying activities listed below. Under the responsible charge, direction, and review of a person authorized to practice land surveying, the applicant:~~

~~(1) Performs the planning and analysis necessary for the preparation of survey documents, such as Parcel Maps, Final Maps, Record of Survey Maps, Corner Records, legal descriptions, topographic maps, plat maps, lot line adjustments, annexations, and boundary line agreements.~~

~~(2) Reduces and evaluates field data.~~

~~(3) Develops procedures and systems for the collection, reduction, adjustment, and use of land surveying data.~~

~~(4) Prepares data to be used by field surveyors or field crews.~~

~~(5) Coordinates the processing of maps, plats, reports, descriptions, or other documents with local agencies, other licensed surveyors, or County Surveyors Offices.~~

~~(6) Coordinates the office work necessary to prepare maps, plats, reports, descriptions, or other documents.~~

~~(7) Coordinates survey and design efforts for improvement plans as required for sufficiency to enable proper location of improvements in the field.~~

~~(8) Researches public and private records to obtain survey and title data.~~

~~(9) Performs boundary analysis and determination using record descriptions, survey, and title data.~~

~~(10) Plans and coordinates the application of Global Positioning System technology for geodetic and land surveying applications.~~

~~(11) Plans, coordinates, performs, and reviews the entry of property boundary related geo-referenced data into an electronic database.~~

~~(12) Prepares topographic mapping utilizing photogrammetric methods.~~

~~The enumeration of the above tasks does not preclude the Board from awarding “responsible office training” credit for training of a similar character in other current or future land surveying activities not specifically enumerated herein. It is also understood that the listed tasks are only some of those that may be considered as responsible training, and that this list is not in any way intended to enumerate all of the tasks which may be performed by licensed professional land surveyors.~~

~~(e) (d)~~ Computation of qualifying experience for a license as a professional land surveyor shall be to the date of filing of the application, or it shall be to the final filing date announced for the examination if the application is filed within a period of thirty (30) days preceding the final filing date announced for such examination.

~~(f) (e)~~ An applicant for licensure as a land surveyor who holds a valid and unexpired license as a civil engineer is exempt from the application requirements of ~~(subdivisions (b) and (c), and (d))~~ of this section provided he or she submits sufficient documentation that he or she has a minimum of two years of actual broad based progressive experience in land surveying as required by Business and Professions Code Section 8742(a)(3). For purposes of this subdivision and Section 8742(a)(e) of the Code, “actual broad based progressive experience in land surveying” shall involve at least four of the land surveying activities specified in subdivisions (a) - (g) and (k) - (n) of Section 8726 of the Code. All qualifying work experience in land surveying shall be performed under the responsible charge of a person legally authorized to practice land surveying. Qualifying experience in activities specified in subdivisions (a), (b), (k), (m), and (n) of Section 8726 shall not exceed six months in total. Qualifying experience shall be computed on an actual time worked basis, but not to exceed forty hours per week. Time used to qualify for the civil engineer license, including that given for educational credit, shall not be used to qualify for the land surveyor license, except for the six months allowed for the activities specified in subdivisions (a), (b), (k), (m), and (n) of Section 8726.

Note: Authority cited: Section 8710, Business and Professions Code. Reference: Sections 8726, 8741 and 8742, Business and Professions Code.



## **V. Legislation**

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### A. Legislative Calendar



**2016 TENTATIVE LEGISLATIVE CALENDAR**  
 COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE  
 10/7/2015

**DEADLINES**

JANUARY						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

MARCH						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

APRIL						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

MAY						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 4** Legislature **reconvenes** (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12 (a)).
- Jan. 15** Last day for **policy committees** to hear and report to Fiscal Committees fiscal bills introduced in their house in the odd-numbered year. (J.R. 61(b)(1)).
- Jan. 18** Martin Luther King, Jr. Day observed.
- Jan. 22** Last day for any committee to hear and report to the **Floor** bills introduced in their house in 2015 (J.R. 61(b)(2)). Last day to submit **bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to **pass bills introduced in that house in the** odd-numbered year (J.R. 61(b)(3)), (Art. IV, Sec. 10(c)).

- Feb. 15** Presidents' day observed.
- Feb. 19** Last day for bills to be **introduced** (J.R. 61(b)(4), (J.R. 54(a)).

- Mar. 17** **Spring Recess** begins upon adjournment (J.R. 51(b)(1)).
- Mar. 28** Legislature reconvenes from **Spring Recess** (J.R. 51(b)(1)).

- Apr. 1** Cesar Chavez Day Observed.
- Apr. 22** Last day for **policy committees** to hear and report to Fiscal Committees **fiscal bills** introduced in their house (J.R. 61(b)(5)).

- May 6** Last day for **policy committees** to hear and report to the Floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).
- May 13** Last day for **policy committees** to meet prior to June 6 (J.R. 61(b)(7)).
- May 27** Last day for **fiscal committees** to hear and report to the Floor bills introduced in their house (J.R. 61 (b)(8)). Last day for **fiscal committees** to meet prior to June 6 (J.R. 61 (b)(9)).
- May 30** Memorial Day observed.
- May 31 - June 3** **Floor Session only.** No committee may meet for any purpose (J.R. 61(b)(10)).

\*Holiday schedule subject to Senate Rules committee approval

**2016 TENTATIVE LEGISLATIVE CALENDAR**  
 COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE  
 10/7/2015

JUNE						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

- June 3** Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).
- June 6** Committee meetings may resume (J.R. 61(b)(12)).
- June 15** Budget Bill must be passed by **midnight** (Art. IV, Sec. 12(c)(3)).
- June 30** Last day for a legislative measure to qualify for the Nov. 8 General election ballot (Elections Code Sec. 9040).

JULY						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- July 1** Last day for **policy committees** to meet and report bills (J.R. 61(b)(13)). **Summer Recess** begins upon adjournment provided the Budget Bill has been passed (J.R. 51(b)(2)).
- July 4** Independence Day observed.

AUGUST						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- Aug. 1** Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).
- Aug. 12** Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(14)).
- Aug. 15 - 31 Floor Session only.** No committees may meet for any purpose (J.R. 61(b)(15)).
- Aug. 19** Last day to **amend** on the Floor (J.R. 61(b)(16)).
- Aug. 31** Last day for **each house to pass bills**, except bills that take effect immediately or bills in Extraordinary Session (Art. IV, Sec. 10(c)), (J.R. 61(b)(17)). **Final Recess** begins upon adjournment (J.R. 51(b)(3)).

**IMPORTANT DATES OCCURRING DURING FINAL RECESS**

**2016**

- Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec.10(b)(2)).
- Nov. 8 General Election.
- Nov. 30 Adjournment *Sine Die* at midnight (Art. IV, Sec. 3(a)).
- Dec. 5 12 Noon convening of the 2017-18 Regular Session (Art. IV, Sec. 3(a)).

**2017**

- Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

\*Holiday schedule subject to Senate Rules committee approval

**VI. Administration**

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A. Fiscal Year 2016/17 Budget Summary



**0770- Professional Engineers, Land Surveyors and Geologist  
Financial Statement**

Date Prepared  
November 18, 2016

	FY 2015-16 Month 4 (7/15-10/15)	FY 2016-17 Month 4 (7/16-10/16)	% Change	FY 2016-17 Budget Allotment	FY 2016-17 Annual Projections	% Change
<b>Revenue</b>						
Applications/Licensing Fees (125700)	641,066	640,344	0%	2,829,000	2,914,494	3%
Renewal fees (125800)	3,844,998	2,872,348	-25%	6,138,000	6,221,146	1%
Delinquent fees (125900)	5,715	28,403	397%	81,000	76,000	-6%
Interest	6,924	14,214	105%		28,056	N/A
Other	114,166	126,121	10%	134,000	296,877	122%
<b>Total Revenue:</b>	<b>4,612,869</b>	<b>3,681,430</b>	<b>-20%</b>	<b>9,182,000</b>	<b>9,536,574</b>	<b>4%</b>
<b>Expense</b>						
<b>Personnel Services:</b>						
Civil Service Perm.	891,519	883,267	-1%	2,812,000	2,820,229	0%
Temp Help	18,459	37,165	101%	224,000	147,500	-34%
Exam Proctor		2,063	N/A	8,000	4,948	-38%
Board Members	700	1,800	157%	23,000	5,300	-77%
Committee Members	1,300	500	-62%		3,700	N/A
Overtime	255		N/A	14,000	2,186	-84%
<b>Total Salaries and Wages</b>	<b>912,233</b>	<b>924,795</b>	<b>1%</b>	<b>3,081,000</b>	<b>2,983,863</b>	<b>-3%</b>
<b>Total Benefits</b>	<b>446,868</b>	<b>505,506</b>	<b>13%</b>	<b>1,288,000</b>	<b>1,516,518</b>	<b>18%</b>
<b>Total Personnel Services</b>	<b>1,359,101</b>	<b>1,430,301</b>	<b>5%</b>	<b>4,369,000</b>	<b>4,500,381</b>	<b>3%</b>
<b>Operating Expense and Equipment:</b>						
Fingerprints	10,654	7,552	-29%		67,984	N/A
General Expense	19,537	17,354	-11%	14,000	57,248	309%
Printing	53,380	13,062	-76%	25,000	39,186	57%
Communication	6,447	6,430	0%	14,000	19,290	38%
Postage	50,229	15,855	-68%	35,000	46,328	32%
Travel Out-of-State			N/A		6,000	N/A
Travel In State	29,157	20,959	-28%	90,000	116,892	30%
Training			N/A	14,000	0	-100%
Facilities Operations	339,382	352,333	4%	377,000	352,333	-7%
C & P Services - Interdept.	100,000	300,000	200%	48,000	100,000	108%
C & P Services - External	91,278	381,170	318%	6,000	850,062	14068%
Minor Equipment		6,530	N/A		10,247	N/A
Prorata	967,946	598,247	-38%	2,417,000	2,372,276	-2%
<b>Total General Expenses:</b>	<b>1,668,010</b>	<b>1,719,492</b>	<b>3%</b>	<b>3,040,000</b>	<b>4,037,846</b>	<b>33%</b>
<b>Examinations:</b>						
Exam Rent - Non State	1,400		N/A	369,000	6,500	-98%
Administrative External Svcs	628,477	963,830	53%	2,523,000	958,831	-62%
C/P Svcs - Ext Expert Examiners	29,927	35,847	20%	256,000	113,442	-56%
Other Expense			N/A	3,000	0	-100%
<b>Total Examinations:</b>	<b>659,804</b>	<b>999,677</b>	<b>73%</b>	<b>3,151,000</b>	<b>1,078,773</b>	<b>-66%</b>
<b>Enforcement:</b>						
Attorney General	101,318	90,558	-11%	789,000	405,938	-49%
Office Admin. Hearing	27,104		N/A	171,000	73,259	-57%
Evidence / Witness Fees	35,597	42,444	19%	89,000	252,472	184%
Court Reporters	83	1,600	1828%		1,747	N/A
DOI - Investigation	109,500	98,332	-10%	263,000	263,000	0%
<b>Total Enforcement:</b>	<b>273,602</b>	<b>232,934</b>	<b>-15%</b>	<b>1,312,000</b>	<b>996,416</b>	<b>-24%</b>
<b>Total OE&amp;E</b>	<b>2,601,416</b>	<b>2,952,103</b>	<b>13%</b>	<b>7,503,000</b>	<b>6,113,035</b>	<b>-19%</b>
<b>Total Expense:</b>	<b>3,960,517</b>	<b>4,382,404</b>	<b>11%</b>	<b>11,872,000</b>	<b>10,613,416</b>	<b>-11%</b>
<b>Total Revenue:</b>	4,612,869	3,681,430		9,182,000	9,536,574	
<b>Total Expense:</b>	3,960,517	4,382,404		11,872,000	10,613,416	
<b>Difference:</b>	<b>652,352</b>	<b>-700,974</b>		<b>-2,690,000</b>	<b>-1,076,843</b>	

# Board of Prof. Engineers, Land Surveyors, Geologist and Geophysicists

11/18/2016

## Analysis of Fund Condition

(Dollars in Thousands)

	PY 2015-16	CY 2016-17	BY 2017-18	BY+1 2018-19
<b>BEGINNING BALANCE</b>	\$ 8,113	\$ 9,395	\$ 11,519	\$ 7,807
Prior Year Adjustment	\$ 94	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 8,207	\$ 9,395	\$ 11,519	\$ 7,807
<b>REVENUES AND TRANSFERS</b>				
Revenues:				
Applications/Licensing Fees	\$ 2,985	\$ 2,915	\$ 2,676	\$ 2,915
Renewal Fees	\$ 6,852	\$ 6,221	\$ 6,956	\$ 6,221
Delinquent Fees	\$ 93	\$ 76	\$ 85	\$ 76
Interest	\$ 38	\$ 28	\$ -	\$ -
Other	\$ 109	\$ 297	\$ 297	\$ 297
Totals, Revenues	\$ 10,077	\$ 9,537	\$ 10,014	\$ 9,509
Transfers from Other Funds				
Transfer from Geology Fund	\$ -	\$ -	\$ -	\$ -
Proposed GF Loan Repayment per item 1110-011-0770, Budget Act of 2011	\$ -	\$ 3,200	\$ -	\$ -
Totals, Revenues and Transfers	\$ 10,077	\$ 12,737	\$ 10,014	\$ 9,509
Totals, Resources	\$ 18,284	\$ 22,132	\$ 21,533	\$ 17,316
<b>EXPENDITURES</b>				
Disbursements:				
Program Expenditures (State Operations)	\$ 8,868	\$ 10,613	\$ 12,148	\$ 12,180
Financial Information System for CA (State Operations)	\$ 21	\$ -	\$ -	\$ -
Total Disbursements	\$ 8,889	\$ 10,613	\$ 13,726	\$ 13,790
<b>FUND BALANCE</b>				
Reserve for economic uncertainties	\$ 9,395	\$ 11,519	\$ 7,807	\$ 3,526
<b>Months in Reserve</b>	10.6	10.1	6.8	3.0

Please note:

- Revenues are projected to decrease CY 2016-17 due to the cyclical nature of the Board's renewal cycle and the Board's new application processing operations.
- Expenditures are projected to increase this CY 2016-17 generally due to the Board's business requirement contracts, MOU's with state agencies for subject matter experts and increased staffing cost and benefits.



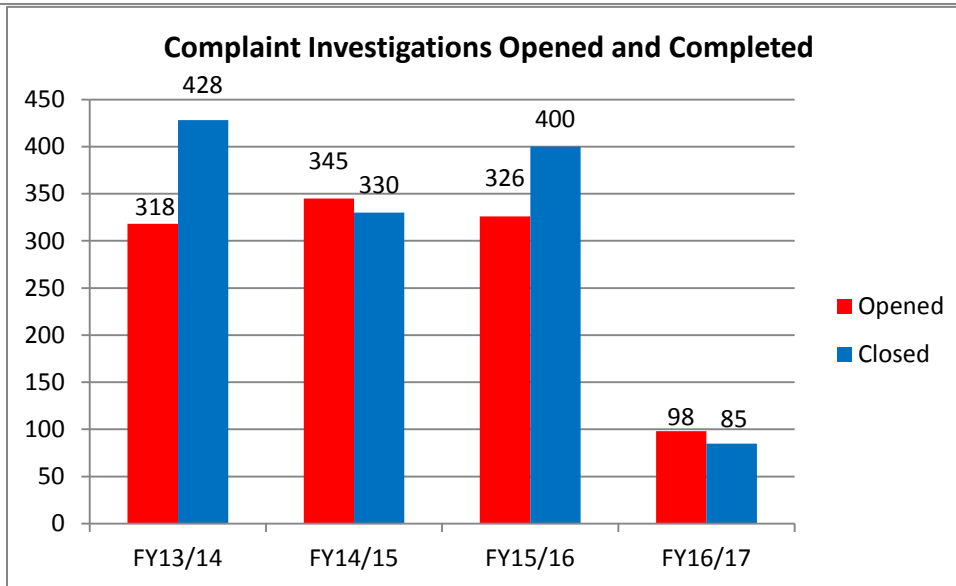
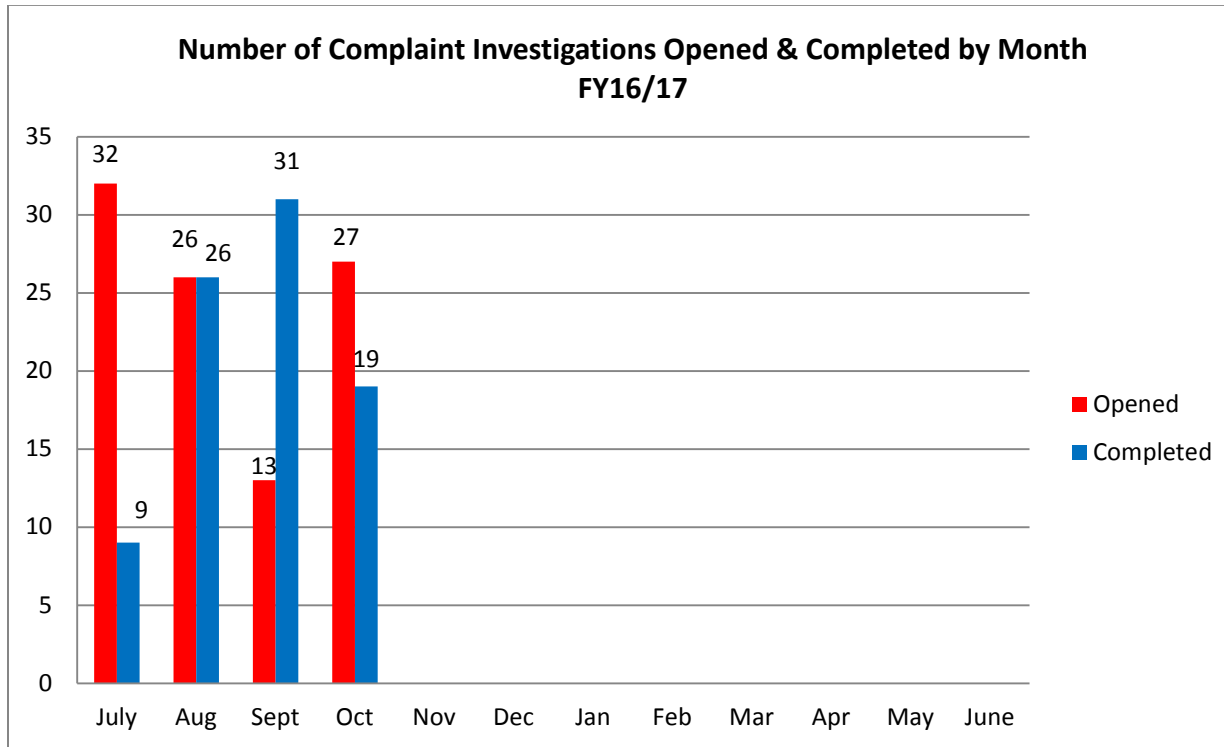
**VII. Enforcement**

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- A. Enforcement Statistical Reports
  - 1. Fiscal Year 2016/17 Update

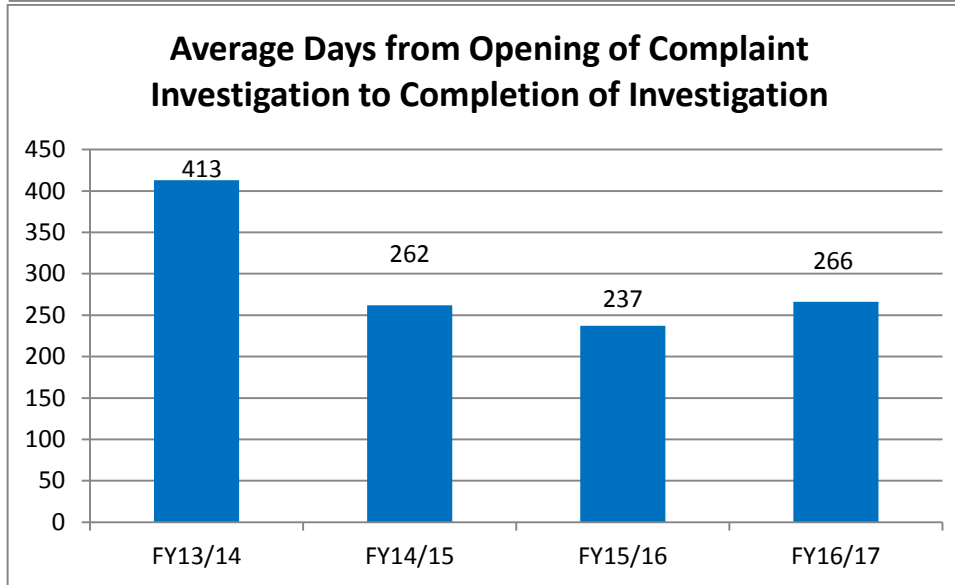
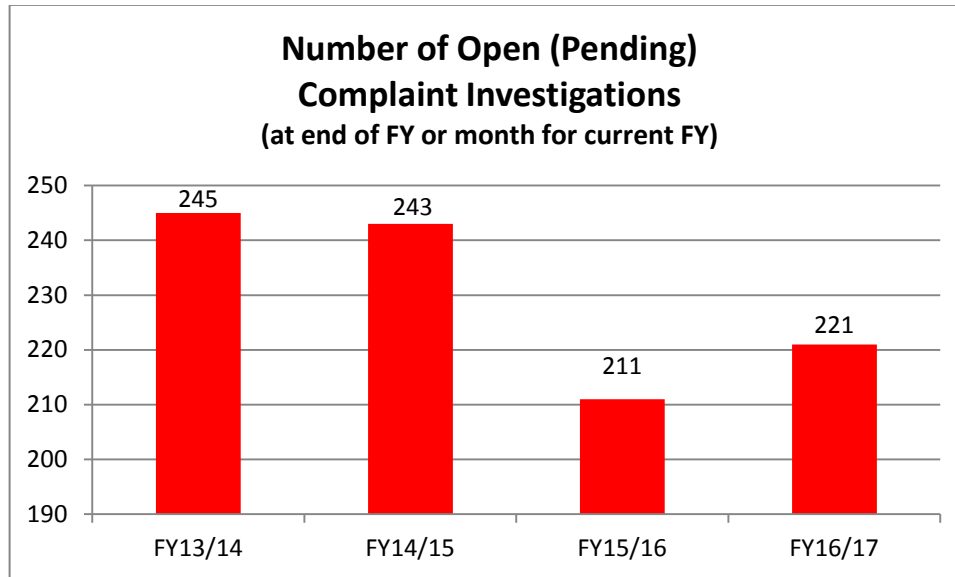


# Complaint Investigation Phase



NOTE: FY16/17 statistics are through October 31, 2016

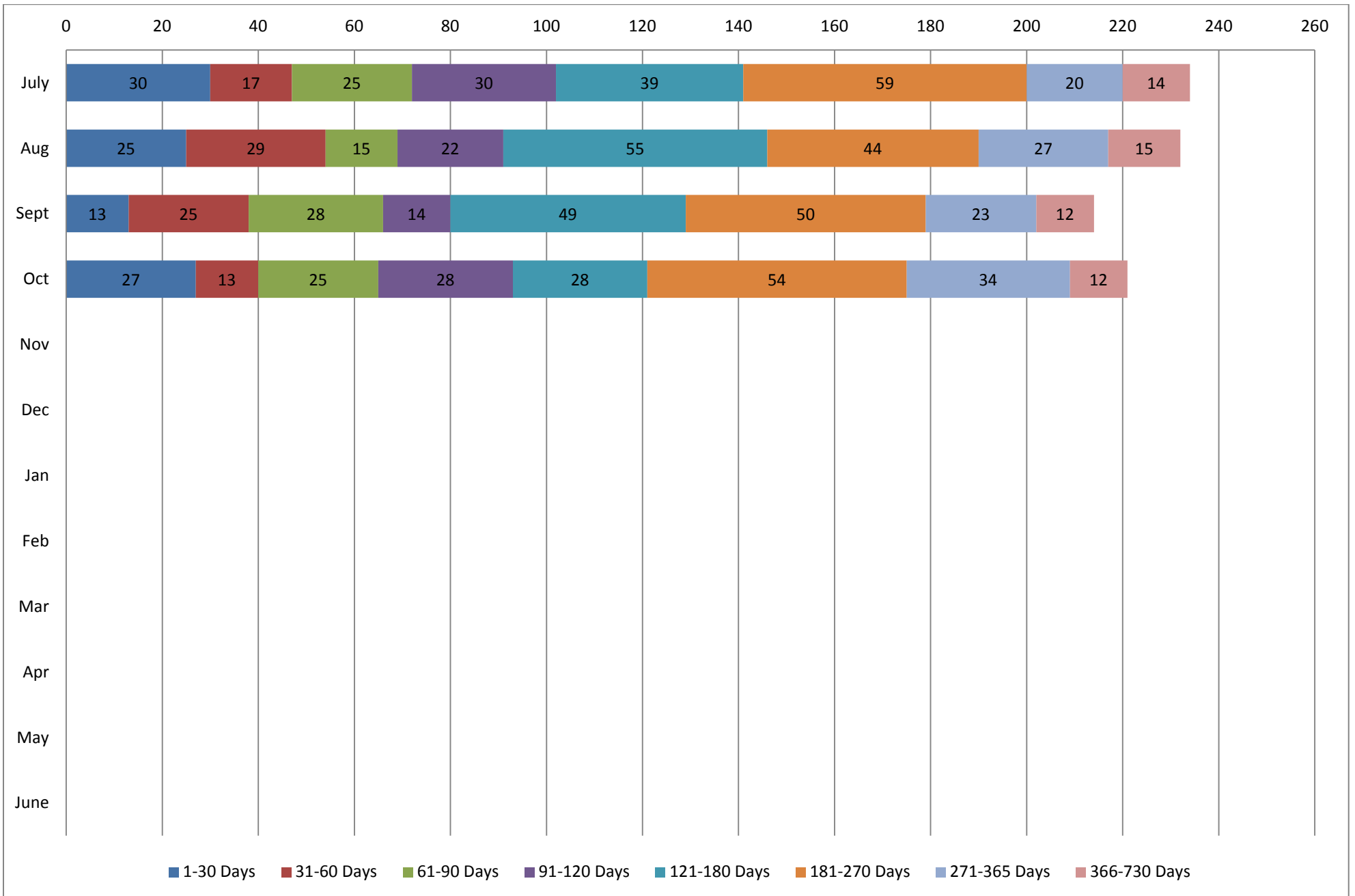
# Complaint Investigation Phase



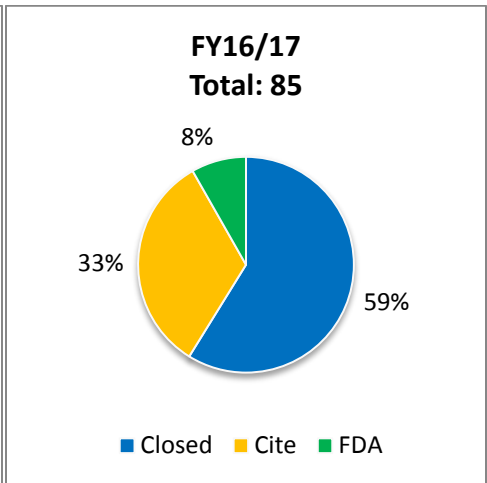
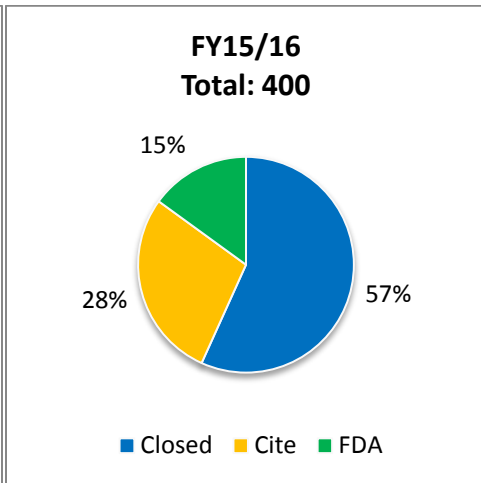
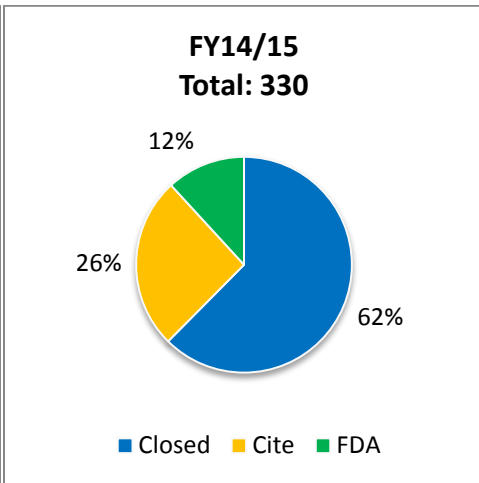
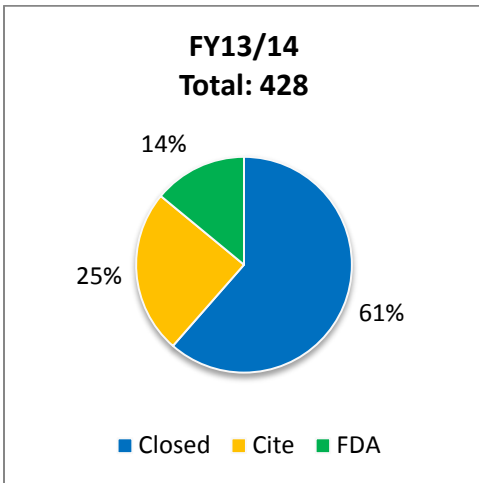
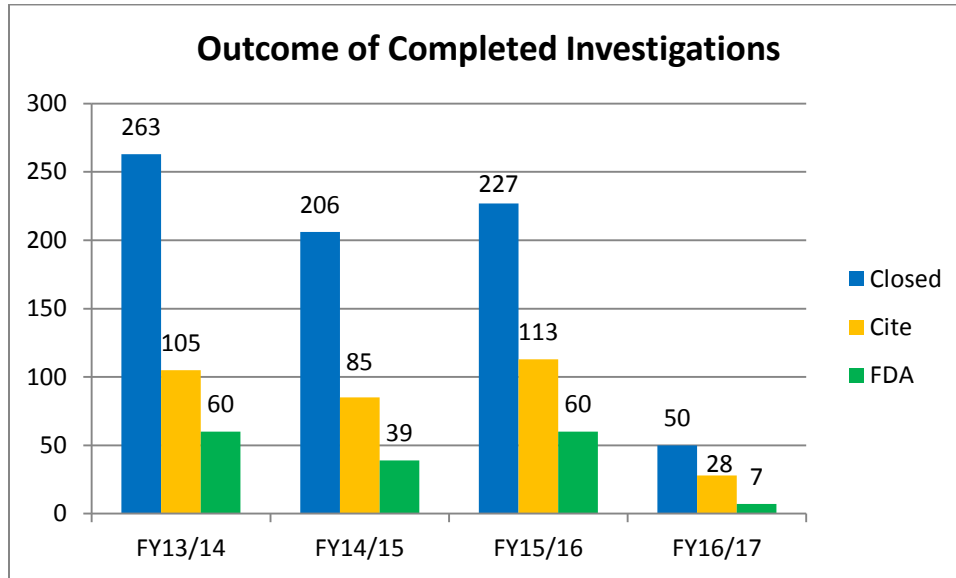
NOTE: FY16/17 statistics are through October 31, 2016

# Complaint Investigation Phase

## Aging of Open (Pending) Complaint Investigation Cases – FY16/17



# Complaint Investigation Phase Outcome of Completed Investigations



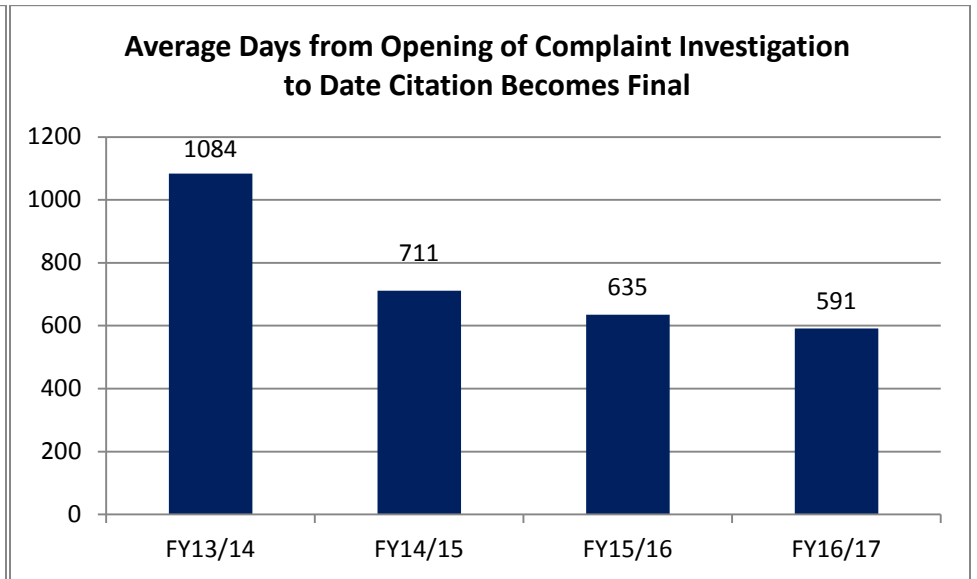
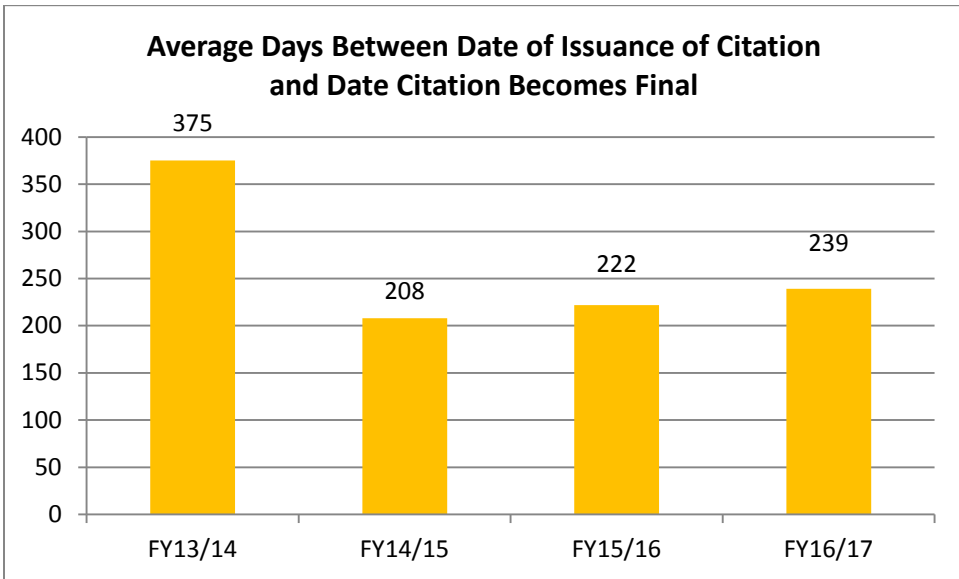
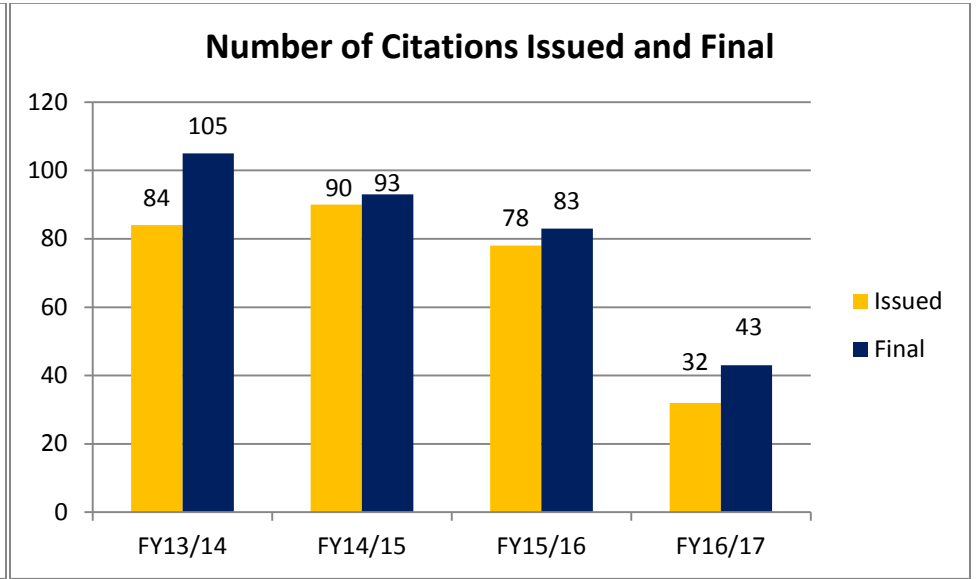
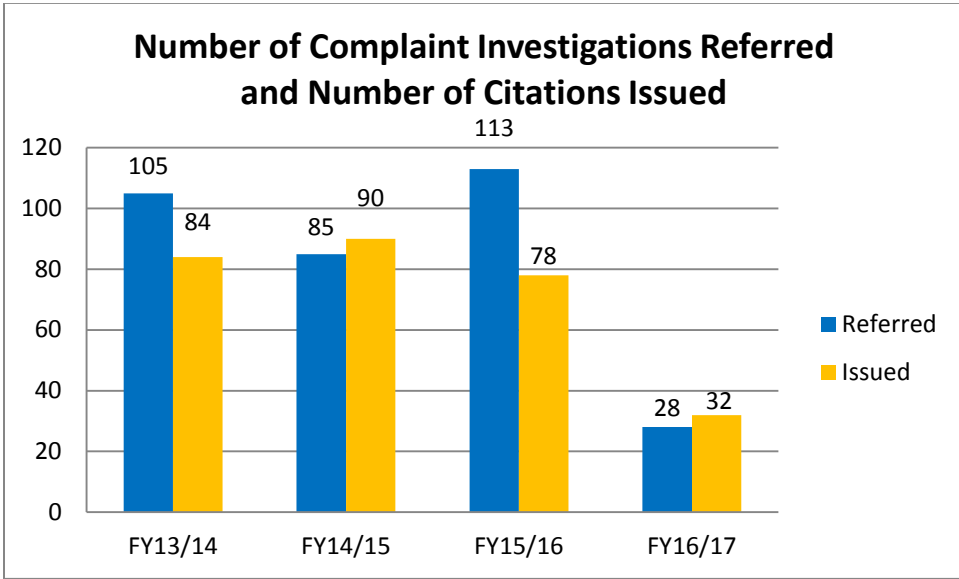
**NOTE: FY16/17 statistics are through October 31, 2016**

Closed = Closed with No Action Taken, includes the categories listed on the next page.

Cite = Referred for Issuance of Citation

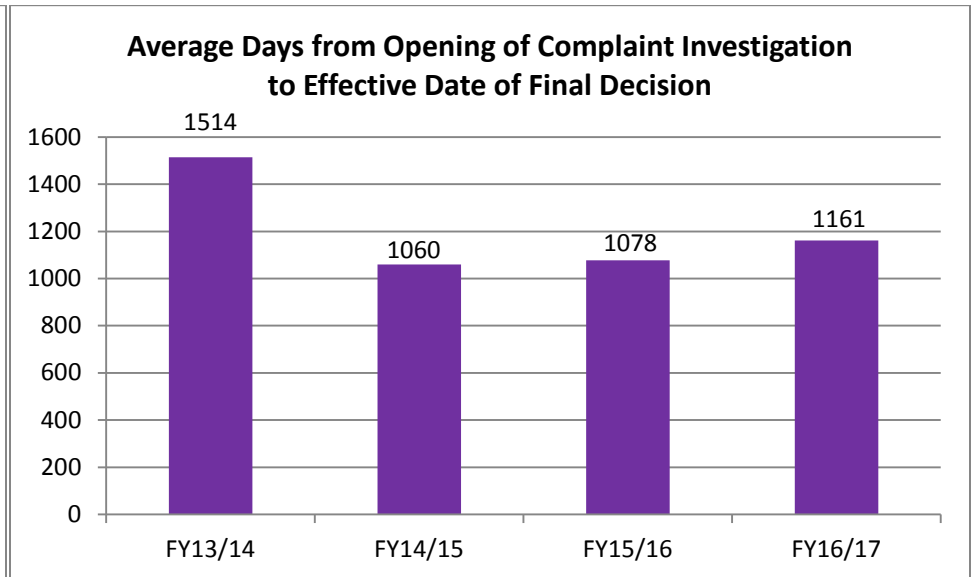
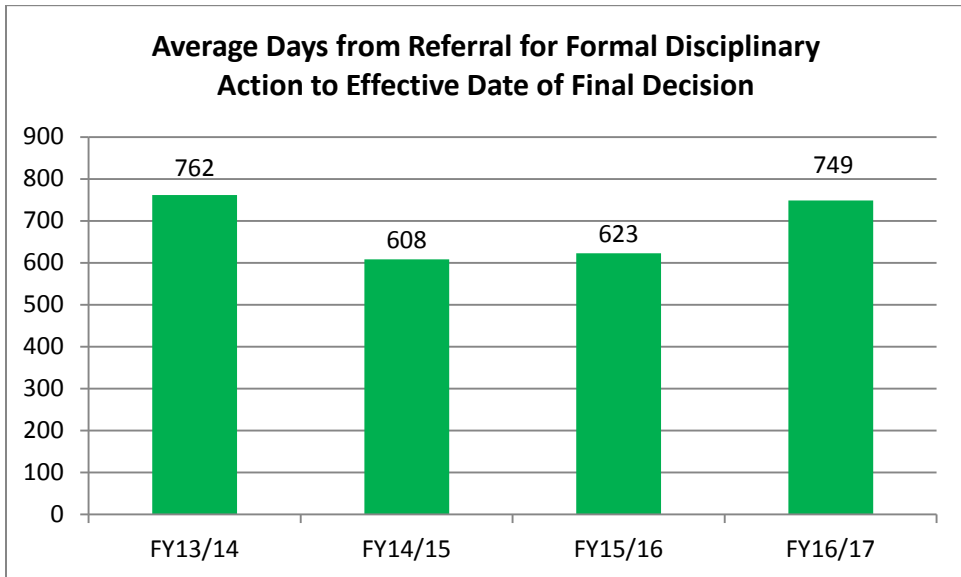
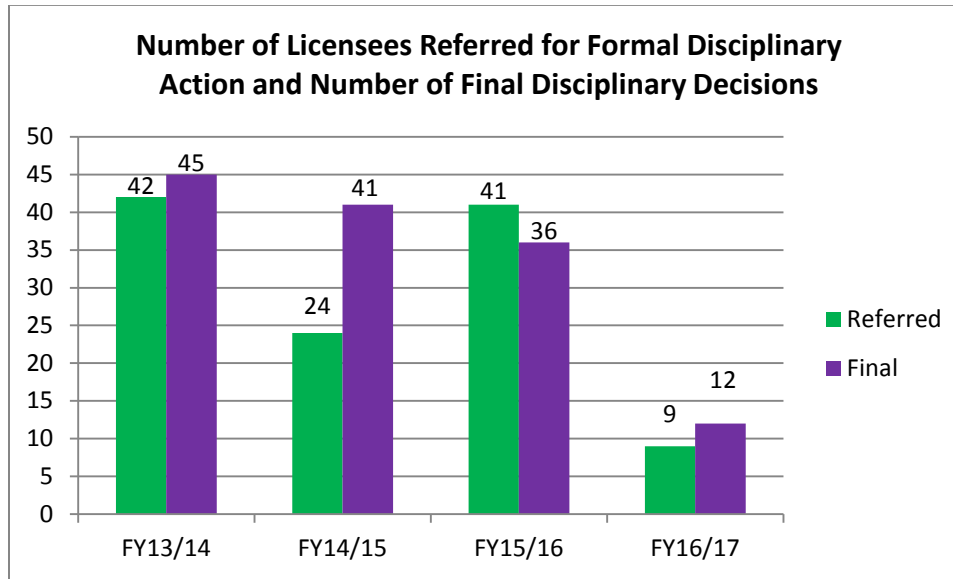
FDA = Referred for Formal Disciplinary Action

# Citations (Informal Enforcement Actions)



NOTE: FY16/17 statistics are through October 31, 2016

# Formal Disciplinary Actions Against Licensees



NOTE: FY16/17 statistics are through October 31, 2016



**VIII. Exams/Licensing**

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A. Fall 2016 Update



**IX. Approval of Delinquent Reinstatements (Possible Action)**

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## **APPROVAL OF DELINQUENT REINSTATMENTS**

**Motion: Approve the following 3 and 5-year delinquent reinstatement applications.**

### **CIVIL**

#### **KHAN, ABDUS**

Reinstate applicant's Civil license once he/she takes and passes the Take Home Examination, pays all delinquent and renewal fees; and completes the fingerprinting/background check requirement.

#### **DOETZL, KEVIN**

Reinstate applicant's Civil license once he/she takes and passes the Take Home Examination, pays all delinquent and renewal fees; and completes the fingerprinting/background check requirement.

### **CIVIL AND STRUCTURAL**

#### **WAQFI, OMAR**

Reinstate applicant's Civil and Structural licenses once he/she takes and passes the Take Home Examination, pays all delinquent and renewal fees; and completes the fingerprinting/background check requirement.

#### **KISABULI, M.**

Reinstate applicant's Civil and Structural licenses once he/she takes and passes the Take Home Examination, pays all delinquent and renewal fees; and completes the fingerprinting/background check requirement.

### **CHEMICAL**

#### **WELCH, DANIEL**

Reinstate applicant's Chemical license once he/she takes and passes the Take Home Examination, pays all delinquent and renewal fees; and completes the fingerprinting/background check requirement.

### **ELECTRICAL**

#### **TRYGSTAD, CRAIG**

Reinstate applicant's Electrical license once he/she takes and passes the Take Home Examination, pays all delinquent and renewal fees; and completes the fingerprinting/background check requirement.

### **SAFETY**

#### **MADDOX, BRUCE**

Reinstate applicant's Safety license once he/she takes and passes the Take Home Examination, pays all delinquent and renewal fees; and completes the fingerprinting/background check requirement.

### **MECHANICAL**

#### **GRANDA, JOSE**

Reinstate applicant's Mechanical license once he/she takes and passes the Take Home Examination, pays all delinquent and renewal fees; and completes the fingerprinting/background check requirement.



**X. Executive Officer's Report**

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- A. Legislation and Regulation Workgroup Summary
- B. Personnel
- C. ABET
- D. ASBOG
- E. NCEES
- F. Outreach
- G. 2015-2018 Strategic Plan – Mid Plan Review (Possible Action)





## Legislation and Regulations Workgroup

### **Regulations:**

- 1. Citations (472-473.4/3062-3063.4)**
  - Final Package at Department of Consumer Affairs Budget Office.
    - Board approved initial rulemaking proposal March 8, 2012.
    - Noticed to (OAL) March 11, 2016, for 45-day Comment Period.
    - Noticed for 15-day Comment Period June 22, 2016.
    - OAL Comment Period ended July 7, 2016.
    - Final package sent to DCA for final review August 12, 2016.
- 2. Exam Appeals Repeal (443, 444, 3063.1, 3037.1)**
  - Final Package at Department of Consumer Affairs Legislative and Regulatory Deputy Director's Office
    - Board approved initial rulemaking proposal March 7, 2013.
    - Noticed to (OAL) May 17, 2016, for 45-day Comment Period.
    - OAL Comment Period ended June 22, 2016.
    - Board approved final rulemaking package, August 18, 2016.
    - Final package sent to DCA for final review September 9, 2016.
- 3. SE, GE qualifications/experience (426.10/426.14/426.50).**
  - Final Package at Department of Consumer Affairs Budget Office.
    - Board approved initial rulemaking proposal February 13, 2014.
    - Noticed to (OAL) May 6, 2016, for 45-day Comment Period.
    - OAL Comment Period ended June 20, 2016.
    - Board approved final rulemaking package, August 18, 2016.
    - Final package sent to DCA for final review September 9, 2016.
- 4. Corner Record (464(g)).**
  - Final Package sent to OAL November 9, 2016.
    - Board approved initial rulemaking proposal June 11, 2015.
    - Noticed to Office of Administrative Law (OAL) November 13, 2015, for 45-day Comment Period.
    - OAL Comment Period ended December 28, 2015.
    - Public Hearing held January 5, 2016.
    - Noticed for 15-day Comment Period March 17, 2016 to April 4, 2016.
    - Noticed for 15-day Comment Period April 25, 2016 to May 13, 2016.
    - Board approved final rulemaking package, June 9, 2016.
    - Final package sent to DCA for final review July 11, 2016.
- 5. Qualifying Experience Land Surveyor (425)**
  - Final package sent to DCA for final review November 3, 2016.
    - Board approved initial rulemaking proposal April 9, 2016.
    - Noticed to (OAL) August 12, 2016, for 45-day Comment Period.
    - OAL Comment Period ended September 27, 2016.
    - Board approved final rulemaking package, October 13, 2016.

**Note:** Documents related to any rulemaking file listed as “noticed” can be obtained from the Board’s website at [http://www.bpelsg.ca.gov/about\\_us/rulemaking.shtml](http://www.bpelsg.ca.gov/about_us/rulemaking.shtml).



## November 1, 2016, ASBOG Administrator's Workshop

The ASBOG Administrator's workshop was held the day before the Annual Meeting. The Workshop was intended to provide ASBOG Member Board Executive Directors, Administrators, and their Assistants an opportunity to deepen their understanding of ASBOG examination procedures and protocols through hands-on training as well as provide an opportunity for collaboration on common issues between Member Boards. The workshop focused on the following topics:

- Examination logistics and procedures (pre-exam, exam administration, post-exam) with an emphasis on maintaining exam security.
- Other exam related items of note:
  - 13 states currently have the applicants pay ASBOG directly for the exam fee.  
**Note:** CA BPELSG will soon have the authority to do this (SB 1479)
  - Some states use a testing agency to administer/proctor the exams.
  - The ASBOG Executive Director stated that there has never been a manual regrade or proctored review of an ASBOG exam that resulted in a changed score.  
**Note:** CA BPELSG has rulemaking in progress to repeal the inspection of the California specific geology and geophysics exams.
- Increasing the use of the Curriculum Performance Assessment Tool –offered as a free service to Universities to help them gauge how well their students perform on the Fundamentals of Geology exam.
- Ethics or Codes of Conduct: information collection on which states have them, how are they implemented.
- Discussion of the EPA Coal Combustion Residuals Rule and how ASBOG and states responded.
- Discussion of the first geoscience program to request ABET accreditation (Arkansas)
- Presentations and discussion by member Board representatives on the following topics:
  - Charles Horton (TX) – Preparation for Sunset Review
  - Pam Groose (MO) – How to Increase Licensure Participation
  - Laurie Racca (CA) – Consistency in Licensure Educational Requirements
  - Rick Ericksen (MS) – Proactive State-level Interactions
  - Christine Valentine (OR) – Consideration of Continuing Education

## November 2, 2016, ASBOG Annual Meeting

The Annual Meeting focused on tasks associated with business and operations of ASBOG as an organization. The following items were voted on by the Member Boards.

### 1. Proposed Charter and Bylaw Changes

- i) Replace the term “registered” with the term “licensed/registered” in various sections of the ASBOG Charter.
  - BPELSG vote: approve.
  - **Approved by Member Boards.**
- ii) Define subject matter expert (SME) for participants in the exam development workshops. The definition is to be used in the Charter and Bylaws, and grants the Executive Committee the ability to approve SMEs who are not licensed geologists.
  - BPELSG vote: disapprove unless amended.

- **Member Boards voted to table this amendment and send it back to committee to address concerns raised during the discussion.**
- iii) Various changes to the standing committees including renaming and reorganizing functions.
- BPELSG vote: approve.
  - **Approved by Member Boards.**
- iv) Changes to the Bylaws describing how officers are nominated to the Executive Committee.
- BPELSG vote: approve with reservations.
  - **Approved by Member Boards with discussion of concerns raised by California.**
2. **Approval of the Draft 2015 ASBOG Annual Meeting Minutes.**
- BPELSG vote: approve with edits/changes.
  - **Approved by Member Boards to include the edits/changes recommended by California which were provided for review by Member Boards during the meeting.**
3. **Election of the 2017 ASBOG Officers.**
- BPELSG vote: approve.
  - **Approved by Member Boards.**
4. **ASBOG Budget Summary**
- BPELSG vote: approve.
  - **Approved by Member Boards. Discussion included the following:**
    - A reminder from ASBOG about the FG fee increase, a discussion of trying to place future cost increases on the Professional Level applicants (PG exam) vs. the Geologist in Training applicants (FG exam)
    - ASBOG finances have improved to the point that they will be discontinuing the fee charged to Member Boards to attend the Annual Meeting.
    - Mention of the contract/fee for psychometrician services and future contract negotiations.

There were also several presentations and general discussion of the following items not requiring a vote of the Member Boards.

1. Record number of participants signed up for the ASBOG Council of Examiners. This will help to increase the size of the question/item banks and improve the quality of the exam questions.
2. Focus on increasing exam participation through outreach efforts by ASBOG to professional societies, keeping the website up to date, and increasing presence on social media.
3. Ongoing efforts to streamline processes and reduce operating costs.
4. Presentation from Geoscience Canada regarding professional mobility and reciprocity agreements between jurisdictions.
5. General discussion about how violations in one jurisdiction or state are reported to other states and how that affects licensees with the violation.

6. Discussion of the EPA Coal Combustion Residuals Rule and how ASBOG and states responded.
7. General discussion of various changes to sign/seal requirements in several states (including California).
8. Additional discussion on Ethics or Codes of Conduct: information collection on which states have them, how are they implemented.
9. How to increase licensure and increase participation in the GIT. Offer from California to share the presentation we give to colleges and universities on geology licensure.

### **November 3 and 4, 2016, ASBOG Council of Examiners**

A record number of Subject Matter Experts volunteered and participated in the November 2016 ASBOG Council of Examiners workshops. The large number of participants allowed for three working groups. One group was dedicated to writing new exam questions. The other two groups (FG exam and PG exam) worked on review and scoring the Fall 2016 exams, and reviewing the exam forms for the Spring 2017 exam administration. California geologists were represented by Laurie Racca (BPELSG Senior Registrar), Bob Tepel (representing the Association of Engineering Geologists, and a California exam SME), John Williams (Professor Emeritus at San Jose State), and Erik Zinn (former BPELSG Board Member).



**Outreach events conducted between the October 13 and December 8, 2016 Board Meetings.**

11/9	CVRWQCB Executive Management Team	Laurie	Licensing regulations update
11/9	UC Berkeley	Laurie/Fel Amistad	Geology Licensing, GIT
11/10	California Energy Commission	Laurie, Mike, Susan	Licensing regulations update
11/17	Cal Poly Pomona	Laurie/Mark Riches PGP from TAC	Geology Licensing, GIT
11/22	OMR SMARA update pre rulemaking	Laurie	Supporting Office of Mine Reclamation/State Mining and Geology Board as part of their SMARA regulations update
11/29	Cal Poly SLO	Laurie, Mike, Susan	Licensing, GIT, EIT
11/30	OMR SMARA update pre rulemaking	Laurie	Supporting Office of Mine Reclamation/State Mining and Geology Board as part of their SMARA regulations update
12/1	CSU east bay	Laurie	Geology Licensing, GIT
12/6	OMR SMARA update pre rulemaking	Laurie	Supporting Office of Mine Reclamation/State Mining and Geology Board as part of their SMARA regulations update





# BPELSG 2015-18 Strategic Plan Progress Report

	IN PROGRESS	IN PROGRESS NOTES	COMPLETED	COMPLETION DATE
<b>Goal 1: Licensing: The Board provides applicants and licensees a method for providing services in California in order to protect consumers.</b>				
<b>Objective 1.1 - Identify the minimum curriculum required for a qualifying geological sciences degree. [NOTE: Also part of Objective 2.6]</b>				
<ul style="list-style-type: none"> <li><i>Begin rulemaking process for clarifying core curriculum through regulations</i></li> </ul>	<b>X</b>	Proposed language to be presented to Board 2/17		
<b>Objective 1.2 - Develop fact sheets that describe the legal authority, functions, and benefits for the public for each of the license types regulated by the Board.</b>				
<ul style="list-style-type: none"> <li><i>Prepare fact sheets regarding each license discipline</i></li> </ul>		Need to consult with Legal Counsel	<b>X</b>	<b>July 2016</b>
<b>Objective 1.3 - Improve the existing credit card process with the implementation of BreEZe.</b>				
<b>Objective 1.4 - Expand credit card transactions to all license types with the implementation of BreEZe.</b>				
<ul style="list-style-type: none"> <li><i>Credit card usage explained to include geologist and geophysicist licenses</i></li> </ul>			<b>X</b>	<b>July 2016</b>
<b>Objective 1.5 - Recommend potential methods for enacting continuing education requirements.</b>				
<ul style="list-style-type: none"> <li><i>Legislation enacted to require assessment on laws and regulations at time of renewal</i></li> </ul>			<b>X</b>	<b>January 2017</b>
<b>Objective 1.6 - Educate university administrators and students about the importance of licensure.</b>				
<ul style="list-style-type: none"> <li><i>Information packet sent to colleges/universities on an annual basis</i></li> </ul>			<b>X</b>	<b>2015</b>
<ul style="list-style-type: none"> <li><i>Staff conduct outreach presentations for students and meet with deans and instructors</i></li> </ul>			<b>X</b>	<b>2015</b>

# BPELSG 2015-18 Strategic Plan Progress Report

	IN PROGRESS	IN PROGRESS NOTES	COMPLETED	COMPLETION DATE
<b>Goal 2: Applications/Examinations: The Board promotes appropriate standards so that qualified individuals may obtain licensure in order to protect the public.</b>				
<b>Objective 2.1 - Work with DCA to increase Board involvement in all aspects of the national exams.</b>				
<ul style="list-style-type: none"> <li>Approval of out-of-state travel to NCEES and ASBOG meetings</li> </ul>			X	2015
<b>Objective 2.2 - Increase exam opportunities for candidates.</b>				
<ul style="list-style-type: none"> <li>Allow licensure applicants to register for and pass required national exams prior to applying to BPELSG for licensure [NOTE: also applies to Objective 2.4]</li> </ul>			X	June 2016
<b>Objective 2.3 - Advocate for national exams to include content that measures competency that meets California's needs.</b>				
<ul style="list-style-type: none"> <li>Board member and staff attendance at NCEES Western Zone and Annual Meetings and ASBOG meetings</li> </ul>			X	2015
<b>Objective 2.4 - Evaluate and identify ways to reduce the application process timeframes.</b>				
<ul style="list-style-type: none"> <li>Evaluate staffing resources/needs and report on findings</li> </ul>			X	February 2015
<ul style="list-style-type: none"> <li>Initiate a business process/needs assessment study (i.e. Legacy systems, BreEZe, etc.)</li> </ul>			X	May 2016
<ul style="list-style-type: none"> <li>Evaluate current application processes, identify process improvements, and report on findings (i.e.</li> </ul>			X	May 2016
<b>Objective 2.5 - Explore costs and benefits of considering, if appropriate, withdrawing from national exams and developing California exams.</b>				
<ul style="list-style-type: none"> <li>Estimation of costs prepared and presented to Board</li> </ul>			X	2015
<b>Objective 2.6 - Examine the appropriateness of current education/experience requirements for licensure.</b>				
<ul style="list-style-type: none"> <li>Adopt and implement changes to regulations regarding land surveying experience requirements</li> </ul>	X	Re-review of proposal to Board 12/8/16		
<ul style="list-style-type: none"> <li>Adopt and implement changes to regulations regarding geology education requirements</li> </ul>	X	Proposed language to be presented to Board 2/17		
<b>Goal 3: Laws and Regulations: The Board ensures that statutes, regulations, policies, and procedures strengthen and support their mandate and mission.</b>				
<b>Objective 3.1 - Establish a legislative and regulatory work group of two Board members and staff and provide a written report at Board meetings.</b>				
<ul style="list-style-type: none"> <li>Appoint Board representation and staff to legislative and regulatory work group</li> </ul>			X	2015
<ul style="list-style-type: none"> <li>Establish a meeting schedule, workgroup goals, and provide regular written reports to the Board</li> </ul>			X	2015
<b>Objective 3.2 - Determine if changes to legislation or regulations are needed due to emerging technologies and industry practices.</b>				
<b>Objective 3.3 - Pro-actively clarify conflicting laws and regulations.</b>				
<ul style="list-style-type: none"> <li>Review of laws and regulations by staff with recommendations for changes to be presented to Board when needed</li> </ul>	X	Always ongoing		
<b>Objective 3.4 - Seek legislation to merge the Geology fund with Engineers/Land Surveyors fund.</b>				
<ul style="list-style-type: none"> <li>Propose merger via sunset review process</li> </ul>			X	2015
<ul style="list-style-type: none"> <li>Submit support letters, contact support groups, attend hearings, and track legislation thru completion</li> </ul>			X	2015
<ul style="list-style-type: none"> <li>Merge funds</li> </ul>			X	July 2016

# BPELSG 2015-18 Strategic Plan Progress Report

	IN PROGRESS	IN PROGRESS NOTES	COMPLETED	COMPLETION DATE
<b>Goal 4: Enforcement: The Board protects the health and safety of consumers through the enforcement of the laws and regulations governing the practices of engineering, land surveying, geology, and geophysics.</b>				
<b>Objective 4.1 - Leverage collaborative relationships to encourage a reduction in cycle times at the Office of Administrative Hearings, Division of Investigation, and Attorney General's Office.</b>				
<ul style="list-style-type: none"> <li>Assist AG's Office with implementation of case age reporting required by Business and Professions Code</li> </ul>			X	2015
<ul style="list-style-type: none"> <li>Econducted meetings with Division of Investigations to discuss strategies in efficiency and effectiveness of investigations, including training and collaboration between the Division of Investigation and clients</li> </ul>			X	2016
<b>Objective 4.2 - Analyze and determine reasonable time frames and develop a benchmark/expectation for each step in the investigation.</b>				
<ul style="list-style-type: none"> <li>Evaluate current procedures</li> </ul>			X	May 2015
<ul style="list-style-type: none"> <li>Identify where delays primarily occur and where improvements can be made</li> </ul>			X	May 2015
<ul style="list-style-type: none"> <li>Standardize reasonable timeframes and procedures for the investigation process</li> </ul>			X	May 2015
<b>Objective 4.3 - Reduce complaint investigation cycle times to under 180 calendar days.</b>				
<ul style="list-style-type: none"> <li>Average age of investigations reduced to 154 days</li> </ul>			X	October 2016
<b>Objective 4.4 - Research the feasibility of adding a legal requirement that licensees respond to Board investigative inquiries within a specified period of time.</b>				
<ul style="list-style-type: none"> <li>Seek inclusion, via Sunset Bill, to implement authority that requires licensees to cooperate with</li> </ul>			X	January 2016
<b>Objective 4.5 - Reduce formal disciplinary action process to a target of 540 calendar days.</b>				
<b>Objective 4.6 - Improve the technical expert consultant selection process, training, and compensation to enhance quality and quantity.</b>				
<ul style="list-style-type: none"> <li>Develop training for existing and potential experts appropriate to the services required by the Board. (i.e. exam development, enforcement review, DAGs)</li> </ul>	X	Training targeted for 2nd half of 2017; dependent on manual		
<ul style="list-style-type: none"> <li>Implement procedures to improve internal communication to monitor the use and effectiveness of experts (i.e. universal database or spreadsheets)</li> </ul>	X	Part of business process/needs assessment to be completed in 2017		
<ul style="list-style-type: none"> <li>Evaluate current compensation rates and recommend changes</li> </ul>			X	July 2016
<ul style="list-style-type: none"> <li>Modernize Expert Reference Manual</li> </ul>	X	Targeted for publication in 1st half of 2017		
<ul style="list-style-type: none"> <li>Identify and implement effective recruitment opportunities (i.e. research other boards)</li> </ul>			X	September 2016
<ul style="list-style-type: none"> <li>Establish qualification guidelines for experts</li> </ul>	X	Developing survey for current experts to be sent in 1st half of 2017		

# BPELSG 2015-18 Strategic Plan Progress Report

	IN PROGRESS	IN PROGRESS NOTES	COMPLETED	COMPLETION DATE
<b>Goal 5: Outreach: The Board promotes the importance of licensing in an effort to regularly and consistently educate consumers, licensees, and stakeholders about the practice and regulation of the professions.</b>				
<b>Objective 5.1 - Develop a multi-phase stakeholder outreach plan.</b>				
<ul style="list-style-type: none"> <li>Identify and maintain comprehensive list of stakeholders (consumers, organizations, Board staff, Legislature, State agencies)</li> </ul>			X	September 2015
<ul style="list-style-type: none"> <li>Foster relationships with stakeholders for continued education and communication</li> </ul>			X	September 2015
<ul style="list-style-type: none"> <li>Measure current outreach effectiveness and infuse new goals (i.e. college outreach, social media, visit organizations)</li> </ul>			X	December 2015
<ul style="list-style-type: none"> <li>Increase publications/posts for: military, fingerprinting, tax forms, retired status</li> </ul>			X	September 2015
<ul style="list-style-type: none"> <li>Identify ways to improve communication with existing (refile) and potential (EIT/LSIT/GIT) applicants (i.e. database communication that alerts individuals about deadline and exam dates)</li> </ul>			X	September 2015
<b>Objective 5.2 - Communicate enforcement actions on an ongoing basis on the website as soon as feasible.</b>				
<ul style="list-style-type: none"> <li>Identify implementation dates for posting final administrative citations and formal disciplinary decisions</li> </ul>	X	Part of website redesign in 2017		
<b>Objective 5.3 - Produce a newsletter on a quarterly basis that includes enforcement actions.</b>				
<ul style="list-style-type: none"> <li>Identify quarterly deadline dates</li> </ul>			X	January 2015
<ul style="list-style-type: none"> <li>Establish themes</li> </ul>			X	March 2015
<ul style="list-style-type: none"> <li>Coordinate with enforcement staff to supply enforcement actions (NOTE: also applies to Objective 5.2)</li> </ul>			X	January 2015
<ul style="list-style-type: none"> <li>Assign and obtain articles from staff and Board members</li> </ul>			X	January 2015
<b>Objective 5.4 - Encourage DCA and Agency to approve speaking and/or participating in conferences and other public and/or licensee outreach events.</b>				
<ul style="list-style-type: none"> <li>Regularly submit requests and seek approval to travel</li> </ul>			X	July 2015
<ul style="list-style-type: none"> <li>Attend approved events and report on participation (i.e. website, bulletin, FB, twitter)</li> </ul>			X	April 2015
<b>Objective 5.5 - Increase the Board's social media presence.</b>				
<ul style="list-style-type: none"> <li>Work with DCA IT unit to make Board communications "mobile aware" (i.e. mobile app)</li> </ul>	X	Part of website redesign in 2017		
<ul style="list-style-type: none"> <li>Establish procedures to consistently communicate important dates (i.e. application, registration, exam dates, fingerprinting, exam changes)</li> </ul>			X	February 2015
<ul style="list-style-type: none"> <li>Research the feasibility to implement new technologies that reach our shareholders (i.e. YouTube instructional videos)</li> </ul>			X	October 2016
<ul style="list-style-type: none"> <li>Perform Q&amp;A sessions on FB or Twitter</li> </ul>			X	March 2015
<b>Objective 5.6 - Proactively educate stakeholders to prevent violations.</b>				
<ul style="list-style-type: none"> <li>Participate in consumer fairs, events, and professional organization meetings</li> </ul>			X	January 2015
<ul style="list-style-type: none"> <li>Post trivia to FB &amp; Twitter to educate viewers</li> </ul>			X	March 2015
<ul style="list-style-type: none"> <li>Create YouTube educational videos</li> </ul>			X	October 2016

# BPELSG 2015-18 Strategic Plan Progress Report

	IN PROGRESS	IN PROGRESS NOTES	COMPLETED	COMPLETION DATE
<b>Goal 6: Customer Service: The Board works to develop and maintain an efficient and effective team of professional and public leaders and staff with sufficient resources to improve the Board's provision of programs and services.</b>				
<b>Objective 6.1 - Provide Board-specific training for new Board members in addition to DCA's Board Member Orientation Training.</b>				
<ul style="list-style-type: none"> <li>Update and revise Board and Technical Advisory Committees Operating Procedures</li> </ul>	X	To Board for review 12/8/16		
<ul style="list-style-type: none"> <li>Conduct annual BPELSG-specific training for all Board members</li> </ul>	X	Presentations on budgets, exam development, & enforcement done in 2016; others to be done in 2017		
<b>Objective 6.2 - Enhance customer service by providing training for staff.</b>				
<ul style="list-style-type: none"> <li>Unit meetings bi-weekly to keep current on office procedures and updates</li> </ul>			X	January 2015
<ul style="list-style-type: none"> <li>Ensure each position has at least one back up for their job</li> </ul>			X	September 2015
<ul style="list-style-type: none"> <li>Email out training classes available to interested staff on a consistent basis</li> </ul>			X	January 2015
<ul style="list-style-type: none"> <li>Contact SOLID for training solutions</li> </ul>			X	May 2016
<ul style="list-style-type: none"> <li>Provide front desk with application status checks for callers</li> </ul>			X	April 2016
<ul style="list-style-type: none"> <li>Schedule all-staff meetings on a regular basis</li> </ul>			X	February 2016
<b>Objective 6.3 - Implement a plan to improve internal collaboration. (Dependent on objective 6.2)</b>				
<ul style="list-style-type: none"> <li>Create team building workshops and activities to increase morale and promote knowledge</li> </ul>			X	January 2015
<ul style="list-style-type: none"> <li>Reach out to SOLID to provide specific Board staff training</li> </ul>			X	May 2016
<b>Objective 6.4 - Issue licenses on environmentally friendly wallet-sized cards in addition to current paper license.</b>				
<ul style="list-style-type: none"> <li>Appoint staff person to research cost and effectiveness of machines and procedures</li> </ul>			X	July 2015
<ul style="list-style-type: none"> <li>Allocate funds in the budget to tackle the project</li> </ul>			X	July 2015
<ul style="list-style-type: none"> <li>Distribute cards to all current licensees</li> </ul>			X	September 2016
<b>Objective 6.5 - Educate the public about the steps and timing in the enforcement process.</b>				
<ul style="list-style-type: none"> <li>Create and post YouTube video on how to file a complaint</li> </ul>			X	September 2016
<ul style="list-style-type: none"> <li>Develop a speaker presentation on an overview of the enforcement complaint/disciplinary process</li> </ul>			X	March 2016



**XI. Board and Technical Advisory Committees Operating Procedures (Possible Action)**

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## **BOARD AND TECHNICAL ADVISORY COMMITTEES OPERATING PROCEDURES**

This item has been included on the agenda for two reasons: 1) at its August 2016 meeting, the Board directed staff to prepare language to add to the Board Operating Procedures regarding recognition of departing Board and Committee members; and 2) it has been 20 years since the Board and Technical Advisory Committees Operating Procedures have been reviewed and revised.

Staff has performed an initial review and has made proposed revisions to both the Board Operating Procedures and the Technical Advisory Committees Operating Procedures. Many of the suggested changes are based on changes to the laws as well as changes to the policies and procedures of the Board over time. Some of the changes are simply to rearrange the items in a more logical sequence. Staff comments are included to help explain some of the changes.

At this time, staff is seeking input from the Board members and the Board's Legal Counsel for any further revisions to be made before presenting the final draft for approval at the next Board meeting. [It should be noted that formatting, such as spacing and pagination, along with the table of contents, will need to be done once all revisions have been made.]





**Board for Professional Engineers,  
Land Surveyors, and Geologists**

~~BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS~~

**OPERATING PROCEDURES**

Adopted (INSERT DATE OF ADOPTION)



**TABLE OF CONTENTS**

**TO BE CREATED ONCE PROCEDURES ARE FINALIZED  
AND DOCUMENT IS FORMATTED**

## ARTICLE I: PARLIAMENTARY PROCEDURE

### 1.0 RULE PRIORITY

1.0.1 ~~All state laws and their associated regulations (e.g., the Bagley-Keene Open Meeting Act (Government Code section 11120, et seq.), the Professional Engineers Act (Business and Professions Code section 6700, et seq.)) govern the actions and procedures of the Board and its Committees for all meetings and take precedence over the Board Operating Procedures in case of any conflict.~~

1.0.2 The Board Operating Procedures will govern the actions to be taken by the Board and ~~the its~~ Committees. If a situation is not covered by the Board Operating Procedures, Robert's Rules of Order ~~as set forth in the Bantam Books paperback edition~~ will govern the actions to be taken by the Board and ~~the its~~ Committees.

~~1.0.2 All votes for an action to be taken at board meetings shall be carried by a majority vote of no less than five members as set forth in Section 6716 of the Business and Professions Code.~~

**Comment [NE1]:** This law was amended many years ago. The vote is now a simple majority of the members present. Additionally, voting is addressed in a separate section.

### 1.1 SUSPENSION OF AN OPERATING PROCEDURE

1.1.1 ~~Any operating procedure of the Board may be suspended temporarily by a majority of the members present, provided that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond adjournment.~~

### 1.2 AMENDMENT TO THE BOARD OPERATING PROCEDURES

1.2.1 ~~The Board Operating Procedures may be amended at a scheduled meeting of the Board by a majority of the members present, provided that the proposed amendment has been placed on the agenda.~~

**Comment [NE2]:** These two were moved from later on in the document to be in a more logical order.

### 1.34 TIME AND PLACE OF **BOARD** MEETINGS

1.34.1 Board meetings shall occur at times and places determined by the Board, ~~and As required by Business and Professions Code section 101.7,~~ the Board shall hold at least ~~two three~~ regular meetings each calendar year; ~~at least one meeting shall be in northern California and at least one shall be in southern California.~~

1.34.2 Any meeting or session may be recessed or adjourned for cause, in accordance with the provisions of the Bagley-Keene Open Meeting Act, to any time or from time-to-time,

when determined necessary by a majority of the Board or Committee for the expeditious transaction of business.

~~1.1.3 Standing Committee and Special Committee meetings shall be scheduled by the Committee Chairperson with notification and approval of the Board President.~~

**Comment [NE3]:** Moved to section on committees.

**1.42 SELECTION OF BOARD PRESIDENT, VICE PRESIDENT, AND TEMPORARY PRESIDENT, AND COMMITTEE CHAIRPERSONS**

**Comment [NE4]:** Moved to section on committees.

1.42.1 The nomination for and selection of the Board President and Vice President shall be accomplished by the last scheduled meeting of each fiscal year.

1.42.2 The method of selection for the Board President shall be by nomination from the members of the Board. The Board President may appoint a Nominating Committee to recommend to the Board a proposed Board President and Vice President. Members of the Board may suggest names to the Nominating Committee. Nominations from the floor shall also be accepted.

~~1.2.3 The method of selection for the four (4) Standing Committee Chairpersons shall be by appointment by the President from among the members of the Board.~~

**Comment [NE5]:** Moved to section on committees.

1.4.32.4 The terms for the Board President and, Vice President, and Chairpersons shall be for a period of one year commencing July 1.

1.4.42.5 During the absence of the Board President or Chairperson, the Vice President or Vice Chairperson shall preside, and, in the event that both the Board President and Vice President or Chairperson and Vice Chairperson are absent, the Board or Committee members present shall select a member as Temporary President or Chairperson.

~~1.2.6 The President may appoint Special Committees and work groups as deemed necessary for the conduct of the Board affairs.~~

**Comment [NE6]:** Addressed in sections on committees.

~~1.2.7 The ex officio member of a committee shall not serve as committee chairperson of a Standing Committee, shall not count toward a quorum, and does not have a right to vote. An alternate committee member, appointed pursuant to 1.3.2.g., may serve as chairperson of a Standing Committee, may count toward a quorum, and has a right to vote.~~

**Comment [NE7]:** Moved to section on committees.

1.4.52.8 In the event that the office of the Board President and/or Vice President becomes vacant, the Board members present shall elect from its members to complete the term(s) of office.

~~1.2.9 In the event that the office of a committee Chairperson and/or Vice Chairperson becomes vacant, the President shall select a Board member to complete the term(s) of office.~~

**Comment [NE8]:** Moved to section on committees.

## **1.53 ROLE OF BOARD PRESIDENT**

1.53.1 The Board President is considered to be an active participant in all Board matters. As such, the Board President may make or second motions and may vote on any motion.

1.53.2 The duties of the Board President are as follows:

a) Presiding over Board meetings as Chairperson and facilitating the process whereby the Board accomplishes its business.

b) Fostering Board cooperation and teamwork including expeditious and frequent communication with all Board members, as allowable under the Bagley-Keene Open Meeting Act.

**Comment [NE9]:** Legal Counsel should advise on this item.

c) Publicly representing the Board on policies made and actions taken by the Board, and other factors affecting the Board.

d) Appointing the Chairperson and members of the Standing Committees, Special Committees, work groups, and alternates-representatives to NCEES and ASBOG meetings.

e) Approving public agenda notices for Board meetings.

f) Setting the agenda items in the Order of Business for scheduled Board meetings. The Order of Business may include, but is not limited to, the following items:

Roll Call

Public Comment ~~on Open and Closed Agenda Items~~

Closed Session

Open Session to Announce the Results of Closed Session

Action Items

Administrative Report

Enforcement Report

Examinations Report

Legislative Report

Executive Officer's Report

Committee Reports

President's Report/Board Member Activities

Approval of Consent Agenda

Approval of the Minutes of a Previous Meeting

New Business for future consideration

Information Items



## Adjournment

g) The Board President is either an ex-officio or an alternate member of all ~~s~~Standing ~~e~~Committees. When a committee does not have a quorum, the Board President may designate himself ~~or /~~herself as an alternate member of the committee; and/or the Board President may designate a Board member as an alternate. The voting right is extended only to alternates. The Board President shall give notice to the Committee Chairperson informing him ~~or /~~her which Board member has been designated as an alternate for that Committee meeting prior to the commencement of the Committee's meeting.

h) The Board President shall schedule at least one annual performance appraisal of the Executive Officer at a Board meeting.

1.53.3 The Vice President of the Board assumes the duties of the Board President in the full or temporary absence, or temporary incapacitation of the Board President.

### ~~1.4~~ ~~SUSPENSION OF AN OPERATING PROCEDURE~~

~~1.4.1~~ Any operating procedure of the Board may be suspended temporarily by a majority of the members present (but not less than five), provided that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond adjournment.

### ~~1.5~~ ~~AMENDMENT TO OPERATING PROCEDURES~~

~~1.5.1~~ Board operating procedures may be amended at a scheduled meeting of the Board by a majority of the members present (but not less than five), provided that the proposed amendment has been placed on the agenda.

Comment [NE10]: Moved to earlier in the document.

## ARTICLE II: MEETINGS OF THE BOARD ~~AND COMMITTEES~~

### 2.0 QUORUM

2.0.1 ~~Seven-Eight~~ members of the Board shall constitute a quorum. Except as otherwise provided by law, the vote required for any action of the Board is a majority of the members present ~~(but not less than five)~~. No business shall proceed when the number of ~~voting~~ members present is reduced below a quorum with the exception of information items.

~~2.0.2 A majority of members of the Committee shall constitute a quorum. The vote required for a recommendation of the committee to the Board is a majority of those present. No business shall proceed when the number of voting members is reduced below a quorum with the exception of information items.~~

**Comment [NE11]:** Moved to section on committees.

## 2.1 ROLL CALL

2.1.1 A roll call to establish a quorum of members present shall be made at each Board ~~and Committee~~ meeting.

## 2.2 APPROVAL OF MINUTES

2.2.1 The Executive Officer (or Designee) shall ensure that the Minutes of each scheduled meeting are included in the agenda of the next scheduled meeting. The Minutes of the preceding meeting shall not be read at any Board ~~or Committee~~ meeting unless a member shall request it, but the Board President or Committee chairperson shall inquire whether there are corrections to the Minutes ~~and shall order them approved, without objection, after any corrections ordered have been made.~~ Any member may make recommendations for corrections; however, no corrections shall be made unless approved by a majority vote of the members present.

## 2.3 PRESERVATION OF MINUTES

2.3.1 The Minutes of the Board and the Committees including corrections, shall be kept by the Executive Officer, typewritten and maintained with pages numbered consecutively. ~~All resolutions and actions taken by the Board shall be excerpted from the minutes and placed into a log.~~ The Executive Officer is charged with the custody of all papers, books, documents, and materials of the Board and shall make these available to the public during normal business hours. Closed session minutes will not be made available to the public.

**Comment [NE12]:** Legal Counsel should advise if this provision is appropriate or necessary.

~~2.3.2 Resolutions established by the board, such as policy resolutions, shall remain in effect until changed or modified by the Board. A record of these resolutions shall be maintained separate and apart from the Board minutes.~~

## 2.4 RECORDING OF THE MEETINGS

2.4.1 The Executive Officer shall ensure that recordings of Board and Committee meetings are made and retained, as permitted by law, for the required legal retention period.

**Comment [NE13]:** Legal Counsel should advise if this provision is appropriate or necessary.

| **2.5 BOARD MEETING NOTICE AND AGENDA**

| 2.5.1 The Executive Officer shall prepare and issue a notice and agenda for each scheduled meeting.

| 2.5.2 Matters not contained on the agenda for a scheduled meeting shall not be considered by the Board ~~or Committee~~ at that meeting except as an information item.

2.5.3 Matters on the agenda for scheduled meetings which have not been considered and acted upon, or continued to a subsequent meeting, shall be deemed continued to the next scheduled meeting as an agenda item.

2.5.4 The agenda shall specifically designate items thereon that are scheduled for reconsideration.

| 2.5.5 The agenda shall be approved by the Board President. [See 1.5.2.e and 1.5.2.f]

**Comment [NE14]:** This item is duplicative of items under the "Role of the Board President"; however, it is suggested that it remain in this section as a cross-reference.

2.5.6 Any member of the Board or the Executive Officer shall be authorized to place items on the Board agenda. The Executive Officer shall have the authority to consider requests from a member of the public to place items on the Board ~~or Committee~~ agenda.

| **2.6 PROCEDURES GOVERNING MOTIONS**

| 2.6.1 To make a motion, resolution, or any other call to action by the Board ~~or Committee~~, a member must be recognized by the Board ~~President or Committee Chairperson~~. The member shall then state the motion, resolution or call to action. Any other member may second the motion. If there is no second, the motion, resolution or call for action dies and shall be declared so by the Board ~~President or Committee Chairperson~~. If a second is declared, the matter is open for discussion, or a call for a vote.

| 2.6.2 A motion, resolution, or any other call to action by the Board ~~or Committee~~ open for discussion may be amended any time prior to adoption or rejection by an amendatory motion made by any member. An amendatory motion may be in the form of a substitute motion so that it replaces the original motion and can be adopted with a majority vote or may be phrased as to amend the original motion. If the substitute motion fails to carry, the original motion shall be voted upon. If an amendment to the original motion is separately voted upon and is not adopted, the original motion shall then be voted upon. If the amendment is adopted, the original motion as amended shall then be voted upon.

| 2.6.3 A motion may be withdrawn by the maker at any time before ~~adopted~~ adoption or rejection with the consent of the second. The second to a motion may be withdrawn by the seconding member at any time before adoption or rejection of the motion, and the

motion shall then be deemed dead for lack of a second unless seconded by another member.

2.6.4 After a motion has been seconded, any member may discuss or comment on the motion. When no member wishes to add further comment, the Board ~~President or Committee Chairperson~~ shall call for a vote. In the event of a prolonged discussion, a motion to end debate shall take precedence over further debate.

2.6.5 A motion to reconsider the vote may be made by any member who voted with the prevailing side. No question can be reconsidered twice unless it was amended after its first consideration. Such a motion may be made at the meeting at which it was acted upon, or at the continued session of the same meeting.

## 2.7 VOTING

2.7.1 The ~~Board~~ President ~~or Chairperson~~ may vote on any call for a vote.

2.7.2 Members must be present to vote and shall cast only one vote at each call for a vote.

2.7.3 ~~Pursuant to the Bagley-Keene Open Meeting Act, all votes shall be done as roll call votes. Votes cast by voice or show of hands, shall be counted, tallied and announced by the Board or Committee Chairperson.~~ Pursuant to the Bagley-Keene Open Meeting Act, all votes shall be done as roll call votes. Votes cast by voice or show of hands, shall be counted, tallied and announced by the Board or Committee Chairperson. The results shall appear in the minutes, with the total votes on each side of the issue or abstaining and a listing of how each member voted.

~~2.7.4 Any member may ask for a roll call vote. The Board or Committee Chairperson shall call for votes in favor, opposing or abstaining. The results shall be announced by the Board or Committee Chairperson and shall appear in the minutes, with the names of the members voting on each side of the issue or abstaining.~~

## 2.8 PUBLIC COMMUNICATION WITH THE BOARD

2.8.1 The PUBLIC COMMENT items on Board ~~and Committee~~ meeting agendas are provided to allow members of the public to speak on any item(s) related to Board business.

2.8.2 During deliberation of an agenda item, public comment may be solicited and shall always be entertained.

2.8.3 The Board ~~President or Committee Chairperson~~ may establish a reasonable time limit for public comment, consistent with the conduct of ~~its~~ business.

2.8.4 The Board ~~President or Committee Chairperson~~ may limit the time available for ~~the~~ public comments on an item before the Board ~~or Committee~~. Insofar as possible, the agenda will identify when public comment will be limited.

## 2.9 DISRUPTION OF BOARD MEETINGS

2.9.1 In the event that a meeting of the Board ~~or Committee~~ is deliberately interrupted so as to prevent the conducting of business in a timely or orderly manner, the ~~Board President or Chairperson~~ may, unless there is an objection by a majority of ~~voting~~ members present, order the offending person or persons to remove themselves or be removed from the meeting.

## 2.10 MEMBER ATTENDANCE AT BOARD AND STANDING COMMITTEE MEETINGS

2.10.1 Each Board member will agree to commit to make their best effort to attend three-quarters of the scheduled Board and their assigned Standing Committee meetings. In the event that a member cannot attend a scheduled meeting, he or she will advise either the Board President, or the Committee chairperson, or the Executive Officer with as much advance notice as possible.

2.10.2 If a Board member cannot meet the Board's policy for attendance at meetings within a fiscal year, the member shall advise the appropriate appointing authority.

2.10.3 If a Board member cannot meet the Board's policy for attendance at meetings within a fiscal year, and cannot or will not advise the appointing authority, the Board President shall make a written report, with the approval of two-thirds of the Board, to the appointing authority of the absentee member.

**Comment [NE15]:** Legal Counsel needs to address whether this entire section (2.10) is appropriate.

## ARTICLE III: STANDING COMMITTEES, SPECIAL COMMITTEES, WORK GROUPS, AND TECHNICAL ADVISORY COMMITTEES

### 3.0 STANDING COMMITTEES

3.0.1 The Board President may appoint Standing Committees as he or she determines necessary for the orderly and timely conduct of the Board's business. The four (4) Standing Committees of the Board are: 1) the Administrative Committee; 2) the Enforcement Committee; 3) the Examinations/Qualifications Committee; and, 4) the Legislative Committee.

3.0.2 The Administrative Committee shall consider all matters affecting the administrative operations of the Board and report its recommendations to the Board for appropriate action.

3.0.32 The Enforcement Committee shall consider all matters related to the enforcement of the Board's statutes, regulations, and rules and report its recommendations to the Board for appropriate action.

3.0.43 The Examination/Qualification Committee shall consider all matters related to the development and administration of examinations given under the authority of the Board and related to the qualifications of the applicants seeking licensure as professional engineers, ~~or~~ professional land surveyors, professional geologists, or professional geophysicists and report its recommendations to the Board for appropriate action.

3.0.54 The Legislative Committee shall consider all legislative matters that affect the Board and its operations; and report its recommendations to the Board for appropriate action.

3.0.6 The President shall appoint the Chairs, Vice Chairs, and members of the Standing Committees from among the membership of the Board.

3.0.7 The terms for the Chairpersons and Vice Chairpersons shall be for a period of one year commencing July 1.

### 3.1 SPECIAL COMMITTEES AND WORK GROUPS

3.1.1 The Board President may appoint Special Committees as he or she determines necessary for the orderly and timely conduct of the Board's business. Special Committees and Ad Hoc Committees are one and the same, and the terms are used interchangeably by this Board.

3.1.2 The President of the Board shall report the appointment of any Special Committee and specify its purpose and objectives at a regularly scheduled Board meeting.

3.1.3 Special Committees appointed by the President shall be deemed temporary in nature and shall cease to exist when the function or mission for which they were created is achieved or abandoned.

3.1.4 The Board shall review all Special Committees annually to determine their effectiveness and rationale for continuance. Following these reviews, the Board shall determine whether to continue or discontinue these committees.

3.1.5 A Board member shall be the Chairperson of Special Committees. ~~Special and Ad Hoc committees are one and the same kind of committee as used by this Board.~~

3.1.62 A work group is an informal body assembled at the discretion of the Board President to perform designated tasks. Work groups ~~can~~ may be comprised of Board members, Board staff, consumers, professionals, or any combination thereof.

**Comment [NE16]:** There is nothing in the current Operating Procedures that addresses who may serve on a Special Committee. The Board may want to consider adding this (see 3.0.5 and 3.1.6).

**Comment [NE17]:** Moved to 3.1.1.

### 3.2 TECHNICAL ADVISORY COMMITTEES

3.2.1 The Board may establish Technical Advisory Committees (TAC) to advise and assist the Board in accordance with the provisions of Sections 6726 through 6726.4 (engineering), Sections 7826 through 7826.4 (geology and geophysics), and Sections 8715 through 8715.4 (land surveying) of the Business and Professions Code.

3.2.2 The Board may have Technical Advisory Committees in any discipline as needed.

3.2.3 The Technical Advisory Committees shall advise and assist the Board with respect to the following:

a) Application review and verification for any level of registration, licensure, authority, or title.

b) Evaluation and investigation of potential violations of the Acts.

c) Amendment, repeal, adoption, or revision of Board rules, regulations and procedures.

3.2.4 The Board shall establish Technical Advisory Committees only as it determines them necessary for the orderly and timely conduct of the Board's business.

3.2.5 All Technical Advisory Committees shall be advisory, and no Technical Advisory Committee nor individual TAC member shall have the power to bind or represent the Board except when specifically authorized by the Board.

3.2.6 The Board President shall designate two Board members to serve as Board liaisons to the TAC, one of whom shall be the corresponding professional member and one who is a public member. The professional member will be the senior representative and will make reports to the Board and recommendations on matters calling for Board action. The public member will report to the Board in the professional member's absence. All transactions between the TAC and the Board, and the Board and the TAC shall be through a Board liaison member.

~~3.2.2 The Board may have Technical Advisory Committees in any discipline as needed.~~

~~3.2.3 The Technical Advisory Committees shall advise and assist the Board with respect to the following:~~

~~a) Application review and verification for any level of registration, licensure, authority, or title.~~

~~b) Evaluation and investigation of potential violations of the Acts.~~

~~e) Amendment, repeal, adoption, or revision of Board rules, regulations and procedures.~~

~~3.2.4 Procedures for Technical Advisory Committees (TAC) will be in accordance with the document "Organization and Procedure: Technical Advisory Committees". (Appendix A)~~

~~3.2.5 The "Organization and Procedure: Technical Advisory Committees" and changes thereto will be approved by the Board.~~

~~3.2.6 The TACs shall operate in accordance with the Board Operating Procedures and the most current "Technical Advisory Committees Operating Procedures" as adopted by the Board.~~

### **3.3 APPOINTMENT, NATURE AND TERM MEETINGS OF COMMITTEES**

~~3.3.1 The President shall appoint the Chairs and members of the Standing and Special Committees from among the membership of the Board.~~

~~3.3.2 For the purpose of this rule, Special Committees appointed by the President as prescribed herein shall be deemed temporary in nature and shall cease to exist when the function or mission for which they were created is achieved or abandoned.~~

~~3.3.3 The President of the Board shall report the appointment of any Special committee and specify its purpose and objectives at a regularly scheduled Board meeting.~~

~~3.3.4 The Board shall review all Special Committees annually to determine their effectiveness and rationale for continuance. Following these reviews, the Board shall determine whether to continue or discontinue these committees.~~

**Comment [NE18]:** Moved to sections on Standing Committees and Special Committees as appropriate.

~~3.3.1 Unless otherwise noted, Standing Committee meetings and Special Committee meetings shall follow the procedures outlined in Article II, except any reference to the Board President and Vice President shall be deemed to be a reference to the Committee Chair and Vice Chair, respectively.~~

~~3.3.2 Standing Committee and Special Committee meetings shall be scheduled by the Committee Chairperson with notification and approval of the Board President.~~

~~3.3.3 During the absence of the Committee Chairperson, the Committee Vice Chairperson shall preside, and, in the event that both the Chairperson and Vice Chairperson are absent, the Committee members present shall select a member as temporary Chairperson.~~

~~3.3.4 A majority of members of the Committee shall constitute a quorum. The vote required for the Committee to make a recommendation on an item to the Board is a majority of~~



~~those present. No business shall proceed when the number of voting members is reduced below a quorum with the exception of information items.~~

~~3.3.5 The ex officio member of a committee shall not serve as committee chairperson of a Standing Committee, shall not count toward a quorum, and does not have a right to vote. An alternate committee member, appointed pursuant to 1.5.2.g., may serve as chairperson of a Standing Committee, may count toward a quorum, and has a right to vote.~~

~~3.3.6 In the event that the office of a Committee Chairperson and/or Vice Chairperson becomes vacant, the President shall select a Board member to complete the term(s) of office.~~

**Comment [NE19]:** Moved from other sections and made specific to committees.

### **3.4 DUTIES OF COMMITTEE CHAIRPERSONS**

- 3.4.1 a) Calling and cancellation of meetings;  
b) Setting the committee agenda;  
c) Presiding over committee meetings;  
d) Presenting the recommendations of the committee to the Board in an appropriate and timely manner;  
e) Facilitating adherence to the purposes and objectives of the committee in its deliberations and actions;  
f) Ensuring that the minutes of all committee meetings are recorded and are accessible.

### ~~3.5 COMMITTEE NOTICES AND AGENDA~~

~~3.5.1 The schedule of the committee meetings, and changes thereto, shall be approved by the Chairperson.~~

~~3.5.2 Each notice of a committee meeting and its agenda shall be approved by the Chairperson and distributed according to these rules and applicable law.~~

~~3.5.3 Items may be placed on committee agendas by the Board President, Board members, Committee members, or the Board's Executive Officer. The Executive Officer shall have the authority to consider requests from a member of the public to place items on the Committee agenda.~~

**Comment [NE20]:** This entire section is covered by the reference to Article II in 3.3.1.

## **ARTICLE IV. OTHER ACTIVITIES OF THE BOARD**

### ~~4.1 3.6~~ **NCEES AND ASBOG REPRESENTATION**

~~4.1.1 3.6.1~~ The Board President shall appoint representatives from the Board membership to attend the NCEES Annual and Western Zone meetings and the ASBOG Annual meetings. ~~The Board's NCEES liaison shall be a registered member.~~

~~4.1.2 3-6.2~~ In appointing representatives, priority shall be given to Tthe Board President, the Vice President, ~~the NCEES liaison,~~ and the Executive Officer ~~will attend the NCEES annual and western zone meetings.~~

~~3.6.3~~ Alternates will be appointed by the Board President.

~~3.6.4~~ First alternates to attend NCEES meetings will be the immediate Past President and/or Standing Committee Chairperson(s). The second alternates will be the remaining Board members.

~~4.1.3 3-6.5~~ As many members should be appointed by the Board President to represent the Board at NCEES and ASBOG meetings as are authorized by the Governor to attend. Appointments will be made in accordance with Section 3.6.4.

~~4.1.4 3-6.6~~ All Board members may apply for membership on any of the NCEES standing committees, task forces, or other work groups as designated by NCEES or ASBOG.

~~4.1.5 3-6.7~~ Each Board member shall notify the Board President and the Executive Officer of application and acceptance of membership on NCEES or ASBOG committee(s).

~~4.1.6~~ The Board may recommend/appoint former Board members for NCEES Emeritus Member status by formal motion and vote at any regularly scheduled Board meeting.

## 4.2 RECOGNITION OF DEPARTING BOARD AND COMMITTEE MEMBERS

~~4.2.1~~ A Board proclamation shall be presented to all Board members who served two full terms, as full terms are defined by statute.

~~4.2.2~~ The proclamation shall be presented at the last Board meeting of the Board member's second full term, prior to the Board member entering his or her grace period.

~~4.2.3~~ Letters of appreciation signed by the Board President, the Board Vice President, and the Executive Officer shall be sent to any Board member who did not serve two full terms upon his or her departure from the Board.

~~4.2.4~~ Letters of appreciation signed by the Board member liaisons and the Executive Officer shall be sent to Technical Advisory Committee members upon the member's departure from the Technical Advisory Committee.

## **ARTICLE IV: POLICIES FOR THE EXECUTIVE OFFICER**

### **54.0 TRAVEL, AND TIME SHEETS AND COMPENSATION**

- | ~~54.0.1~~ The Board President shall review and authorize the travel claims of the Executive Officer.
- | ~~54.0.2~~ The Board President shall review and authorize the time sheets of the Executive Officer.
- | ~~4.0.3~~ ~~The Executive Officer may accrue compensated time off only by Board Authority or the discretion of the President.~~

**Comment [NE21]:** This is questionable and likely not allowed under State Civil Service rules.





**Board for Professional Engineers,  
Land Surveyors, and Geologists**

**TECHNICAL ADVISORY COMMITTEES  
OPERATING PROCEDURES**

Adopted (INSERT DATE OF ADOPTION)



**TABLE OF CONTENTS**

**TO BE CREATED ONCE PROCEDURES ARE FINALIZED  
AND DOCUMENT IS FORMATTED**

~~STATE OF  
CALIFORNIA  
BOARD FOR PROFESSIONAL ENGINEERS AND LAND  
SURVEYORS~~

~~ORGANIZATION AND PROCEDURE-  
TECHNICAL ADVISORY COMMITTEES  
(TAC)~~

~~I. — GENERAL~~

~~POLICY/ORGANIZATION~~

~~A. Appointing Authority of Technical Advisory Committees~~

~~The Board may establish Technical Advisory Committees (TACs) to advise and assist the Board in accordance with the provisions of Chapter & (Sections 6726 through 6726.4 engineering), Sections 7826 through 7826.4 (geology and geophysics), and Sections 8715 through 8715.4 (land surveying) of the Business and Professions Code and Articles 2 and 2.3 of Chapter 15 of the B & P Code.~~

~~The Board may have Technical Advisory Committees in any discipline as needed.~~

~~The Board shall establish Technical Advisory Committees only as it determines them necessary for the orderly and timely conduct of the Board's business.~~

~~All TACs-Technical Advisory Committees shall be advisory, and no TAC-Technical Advisory Committee nor individual TAC member shall have the power to bind or represent the Board except when specifically authorized by the Board. ~~(See Attachment A for duties.)~~~~

~~B. Governance of Technical Advisory Committees~~

~~All state laws and their associated regulations (e.g., the Bagley-Keene Open Meeting Act (Government Code section 11120, et seq.), the Professional Engineers Act (Business and Professions Code section 6700, et seq.)) govern the actions and procedures of the Technical Advisory Committees for all meetings and take precedence over the TAC Operating Procedures and the Board Operating Procedures in case of any conflict.~~

~~The TAC Operating Procedures and the Board Operating Procedures will govern the actions to be taken by the TACs. If a situation is not covered by the TAC Operating Procedures or the Board Operating Procedures, Robert's Rules of Order will govern the actions to be taken by the TAC.~~



The TAC Operating Procedures may be amended only by the Board at a scheduled meeting of the Board by a majority of the members present, provided that the proposed amendment has been placed on the agenda.

### **C. Role of Technical Advisory Committees**

The role of the TAC is to advise and assist the Board with respect to the following:

- 1) Application review and verification for any level of registration, licensure, authority, or title.
- 2) Evaluation and investigation of potential violations of the act.
- 3) Amendment, repeal, adoption, or revision of board rules, regulations, policies, and procedures.

### **B. Chain of Authority**

~~The Board president shall designate two Board members to serve as liaison to the TAC, one of whom shall be the corresponding professional member and one who is a public member. The professional member will be the senior representative and will make reports to the Board and recommendations on matters calling for Board action. The public member will report to the Board in the professional member's absence. All transactions between the TAC and the Board, and the Board and the TAC shall be through the Board liaison member.~~

**Comment [NE1]:** Moved to new C- Board Liaisons section.

### **C. Board Liaisons**

The Board President shall designate two Board members to serve as Board Liaisons to the TAC, one of whom shall be the corresponding professional member and one who is a public member.

The professional member will be the senior representative and will make reports to the Board and recommendations on matters calling for Board action, including recommendations on appointments of individuals to serve on the TAC. The public member will report to the Board in the professional member's absence.

All transactions between the TAC and the Board, and the Board and the TAC shall be through the Board Liaisons.

The Board Liaisons are not members of the TAC and do not have voting privileges at TAC meetings. The role of the Board Liaisons is to provide guidance to the TAC on the topics assigned to it by the Board and to report to the Board the

### **D. Committee Composition**

The Board shall solicit applications from interested parties for appointment to the TACs as it deems necessary. ~~may consult with professional organizations and societies regarding the~~

~~nomination and appointment of persons registered in the applicable branch of engineering or licensed as land surveyors. The board professional liaison member may select for nomination to the Board any of those so suggested by the societies and/or others known to the member and who have the requisite competence, experience, and interest to serve in these responsible positions.~~

The TACs shall be limited to five members.

To the extent practical, ~~all appointments to the membership of the TACs shall be made in a manner as to provide for broad representation of the registrants and licensees in each branch of engineering and land surveying the discipline represented by the TAC.~~

All TAC members shall have a current and valid license registration in the discipline represented throughout their tenure on the TAC.

~~Members of the TACs shall be appointed for a two year term, beginning on July 1. The initial TAC appointments should be made so half of the appointees serve one year terms and the remainder serve regular two year terms. Appointments of TAC members shall be limited to two terms and shall serve at the pleasure of the Board. A vacancy in the membership of any TAC shall be filled by the Board.~~

**Comment [NE2]:** Addressed in new section: E - Terms of Appointment.

#### **E. Terms of Appointment**

Members of the TACs shall be appointed for a two-year term, beginning on July 1, and shall serve at the pleasure of the Board.

Appointments of TAC members shall be limited to two terms.

The initial appointments to a newly-created TAC should be made so half of the appointees serve one-year terms and the remainder serve regular two-year terms.

**Comment [NE3]:** I thought this had been changed to three terms (for a total of six years), but I can't find a record of that. Additionally, the Board does not currently follow this policy and allows members to be appointed for more than two terms.

A vacancy in the membership of any TAC shall be filled by the Board.

#### **DE. Quorum**

Three TAC members ~~present~~ shall constitute a quorum for the transaction of TAC business. A quorum shall be present to conduct business.

#### **EG. TAC Meetings**

TACs shall meet only when topics have been assigned to them by the Board. TACs shall not meet to discuss topics that have not been assigned by the Board.

The number of TAC meetings during the ~~budget~~ year will be governed by the approved budget and by approval of the Board. The locations of the TAC meetings shall be designated by the ~~e~~Chair of the TAC after coordination with the Board ~~Liaisons~~ and the Executive Officer.

TAC meetings in excess of those approved in the annual workplan may not be called unless approved by the Board President, ~~and the Board Liaisons, and the Executive Officer prior to notice and must be present on the agenda for approval at the Board's next scheduled meeting.~~

**FH. Voting**

TAC eChairpersons may vote on all motions before their committees and may participate in the debate of questions and motion. ~~The executive officer or his/her designee shall serve as ex-officio members, without vote, on all committees.~~ Only TAC members shall vote on matters pending in TAC meetings.

**GI. Officers**

Each TAC shall elect a eChairperson and may designate a ~~v~~Vice-eChairperson or other such person to act in the eChairperson's absence.

**HJ. Duties and Responsibilities of TAC Chairpersons**

Preside at all TAC meetings

Insure compliance with the Bagley-Keene Open Meeting Act ~~including but no limited to the preparation of minutes for both the open and closed portion of for all aspects of TAC meetings, including but not limited to preparing notices and agendas for and minutes of the meetings.~~

May request consultation from the Board ~~Committees~~ or staff when necessary

Prepare TAC reports and recommendations prior to the scheduled Board meetings and deliver these to the Board ~~Liaisons~~ members.

~~See that minutes of the meeting are prepared.~~

Comment [NE4]: Addressed above.

**HK. Workplan**

Each TAC shall submit ~~an~~ a proposed annual workplan to the Board through the Board Liaisons no later than two months prior to the beginning of each fiscal year. The ~~year end~~ work-plan for each TAC should contain the number of meetings required to accomplish the next year's work load.

Issues or topics not in the approved workplan shall be brought by the Board Liaisons to the attention of the Board for discussion and possible assignment to the TAC before such issues or topics may be discussed by the TAC.

**J. Notice**

~~Notice of the TAC meetings is governed by the Open Meeting Act. All meetings are open to the public and any Board member who wishes to attend. However, pursuant to the Open Meeting Act, that portion of any meeting dealing with the review of applications for "qualifying experience", or specific investigations or disciplinary actions is to be held in closed session. Board members may participate in closed sessions but may later have to disqualify themselves from voting at subsequent Board meetings on those matters discussed at the closed session which deal with specific individuals or specific cases. Board members may, however, engage in discussion concerning various categories of offenses not dealing with any one specific case without disqualifying themselves.~~

**Comment [NE5]:** I do not believe this is necessary since there are other references to the need to comply with the Bagley-Keene Open Meeting Act in other sections.

**L. Actions and Recommendations by the TAC**

~~The TAC may take action to approve and adopt minutes of prior TAC meetings; to schedule future meetings; and to select items for discussion at future meetings. Any other "action" taken by the TAC must be in the form of a recommendation to be presented to the Board since the TAC has no authority to act on behalf of the Board.~~

**M. Presentation of TAC Recommendations to the Board**

~~The TAC members shall work with the Board Liaisons and the Executive Officer regarding the presentation of any recommendations from the TAC to the Board.~~

~~Recommendations from the TAC shall be considered by the Board at a regularly scheduled Board meeting with proper notice of such consideration.~~

**H. TAC PROCEDURES, TAC REPORTS AND PROGRAM RESPONSIBILITY**

**A. Procedure**

~~Issues not in the approved work plan should be brought to the attention of the Board for discussion and assignment, as appropriate, to the applicable Board committee.~~

**Comment [NE6]:** Moved to section on Workplan above.

**B. TAC Reports**

**1. Content**

~~As TAC report should be as brief as possible. It should give the background necessary to an understanding of any recommendation the TAC is making for decision by the Board. Each recommendation must be in the form of a motion or resolution to be presented by the Board liaison or the designee, and discussed and acted on as a separate motion by the Board.~~

~~The TAC report must reflect the opinions of the majority of its members and should include:~~

- ~~a. A recommendation for Board consideration~~

- b. A statement of the questions, subject, or work assigned to TAC, and any important instructions or priorities given to it by the Board.
- c. A brief explanation of how the TAC carried out its work.
- d. A description of the work that the TAC performed or, in the case of a deliberative or investigative issue, its findings and conclusions.

## **2. Consideration of TAC reports by Full Board**

- a. A TAC report, after being presented to the Board is open for comment, questions, or criticism, but the members of the TAC and their motives may not be attacked.
- b. A TAC report cannot be amended except by the TAC since no one can make the TAC say anything it does not want to say.
- e. A TAC report, after it is presented to the Board may be disposed of in any of the following ways:
  - 1. The report may be received. A report that is received is not binding on the Board but is available for information and may be considered again at any time.
  - 2. A report may be rejected and referred back to the TAC. Frequently, TAC reports may require further study, modifications, or recommendations before Board action is appropriate.
  - 3. Consideration of a TAC report may be postponed to a more convenient time.
  - 4. A report may be adopted in total. This commits the Board to all findings and recommendations that might be included in it, but not to any recommendations submitted separately. A TAC report may be adopted in whole or in part or with reservations or exceptions.

## **C. Program Responsibility**

If monetary resources are necessary after the issue review is completed, the action plan would be submitted to the Board's Administrative Committee for review and recommendation. The submitted plan would not only identify the specific resources necessary, but would also include a discussion of:

~~The program alternatives considered and the cost/benefit of each.~~

~~Identification of the program selected and reasons why the program was selected. If the program selected requires enactment of legislation or adoption of regulations, the report would be submitted to the Board's Legislative Committee for review and recommendation. The comments and recommendations from the Legislative Committee, the TAC and the original committee would then be presented to the full Board for final approval. Should the full Board decide to pursue the issue, the new issue can be prioritized with all other issues and responsibilities assigned to the appropriate Board committee or TAC.~~

~~Once the Board has granted authority to the TAC to begin work on the issue, the TAC would report back to the full Board following each identified work stage of the action plan scheduled.~~

**Comment [NE7]:** I would recommend deleting this entire portion. This is not the process we follow for presenting items to the Board (and I don't remember it being done this way in the last 25 years). I have added new sections L – Actions and Recommendations by the TAC and M – Presentation of TAC Recommendations to the Board, above,

**ATTACHMENT A**

**ASSIGNMENT OF DUTIES TO TACS**

~~The Board may establish one or more technical advisory committees to advise and assist the board with respect to the following:~~

- ~~1) Application review and verification for any level of registration, licensure, authority, or title.~~
- ~~2) Evaluation and investigation of potential violations of the act.~~
- ~~3) Amendment, repeal, adoption, or revision of board rules, regulations, policies, and procedures.~~

**Comment [NE8]:** Moved to "Authority of Technical Advisory Committees" section.





## **XII. Technical Advisory Committees (TACs)**

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- A. Assignment of Items to TACs (Possible Action)
- B. Appointment of TAC Members (Possible Action)
- C. Reports from the TACs (Possible Action)



### **XIII. President's Report/Board Member Activities**

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**XIV. Approval of Consent Items** (Possible Action)

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(These items are before the Board for consent and will be approved with a single motion. 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 October 13-14, Board Meeting



**DRAFT**

**MINUTES OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

Office of the Attorney General  
1515 Clay Street, 20th Floor  
Conference Room 20-52  
Oakland, CA 94612

Thursday, October 13, beginning at 10:00 a.m.

**Thursday, October 13, 2016**

<b>Board Members Present:</b>	Coby King, President; Mohammad Qureshi, Vice President; Natalie Alavi; Fel Amistad; Chelsea Esquibias; Cynthia Guzman; Eric Johnson; Asha Lang; Betsy Mathieson; Karen Roberts; Jerry Silva; Robert Stockton; and Steve Wilson
<b>Board Members Absent:</b>	Kathy Jones Irish
<b>Board Staff Present:</b>	Ric Moore (Executive Officer); Nancy Eissler (Assistant Executive Officer); Tiffany Criswell (Enforcement Manager); Celina Calderone (Board Liaison); Kara Williams (Budget Analyst); Laurie Racca (Registrar); and Michael Santiago (Legal Counsel)

**I. Roll Call to Establish a Quorum**

President King called the meeting to order at 10:15 a.m., and a quorum was established.

**II. Public Comment**

No public comment.

**V. Consideration of Rulemaking Proposals**

A. Approval and/or Adoption of Proposed Amendments to Title 16, California Code of Regulations §425 (Land Surveyor Experience Requirements)

Ms. Eissler reported that the Board did not receive comments during the 45-day comment period.

<b>MOTION:</b>	Mr. Stockton and Ms. Lang moved to adopt the proposed amendments to Title 16, California Code of Regulations section 425 and direct staff to finalize the rulemaking file for submission to the Department of Consumer Affairs and the Office of Administrative Law.
<b>VOTE:</b>	13-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
Coby King	X				
Mohammad Qureshi	X				
Natalie Alavi	X				
Fel Amistad	X				
Chelsea Esquibias	X				
Cynthia Guzman	X				
Eric Johnson	X				
Kathy Jones Irish				X	
Asha Lang	X				
Betsy Mathieson	X				
Karen Roberts	X				
William Silva	X				
Robert Stockton	X				
Steve Wilson	X				

<b>MOTION:</b>	Mr. Stockton and Mr. Johnson moved to delegate the authority to the Executive Officer to make any nonsubstantive grammatical changes that may arise during the finalization of the rulemaking file and to then finalize the actual rulemaking file for submittal.
<b>VOTE:</b>	13-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
Coby King	X				
Mohammad Qureshi	X				
Natalie Alavi	X				
Fel Amistad	X				
Chelsea Esquibias	X				
Cynthia Guzman	X				
Eric Johnson	X				
Kathy Jones Irish				X	
Asha Lang	X				
Betsy Mathieson	X				
Karen Roberts	X				
William Silva	X				
Robert Stockton	X				
Steve Wilson	X				

### VIII. Enforcement

#### A. Enforcement Statistical Reports

##### 1. Fiscal Year 2016/17 Update

Ms. Criswell reported on the enforcement statistics that included combined PELS and G&G statistics for prior years. She added that



they are reaching their Strategic Plan goals in reducing the aging of cases. Mr. Moore added that they are close to meeting and exceeding the performance measure goals that were established in the 1990's.

## **IX. Exams/Licensing**

### **A. Fall 2016 Update**

Mr. Moore reported on behalf of Larry Kereszt, Licensing Program Manager. He noted that the state civil engineering examinations will start next week on October 19 and continue for three weeks. The state specific land surveyor examination will take place on October 31. Changes are being promoted to the land surveyor application process as discussed in previous meetings which will provide more flexible opportunities to take the examinations and become licensed. Some of the changes are coupled with NCEES's movement towards Computer Based Testing (CBT) for the professional level examinations starting with the Professional Surveyor examination. NCEES started continuous testing October 3 across North America. Land Surveyor candidates are being instructed that if they have passed their Fundamentals of Surveying examination, they can continue to take the National Principles of Surveying examination without first applying to the Board. Once they have successfully passed the examination and have the required experience, they may then apply for California licensure.

Mr. Moore reported that Prometric has opened up a Stockton location to aid in accommodating examination candidates.

President King noted for the record that Ms. Jones Irish was absent as she was recovering from surgery, and her doctor advised against travel.

### **III. Hearing on the Petition for Reinstatement of Surrendered License of Shih-Weng Chiang, a.k.a. Steve Lin Chiang**

### **IV. Closed Session – Administrative Adjudication [Pursuant to Government Code section 11126(c)(3)]**

### **XVI. 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. Civil Litigation**

1. Thomas Lutge v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Court of Appeal, Third Appellate District, Case No. C075779 (Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS)
2. Joseph Elfelt v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Sacramento Superior Court Case No. 34-2015-80002130

3. Lawrence Allen Stevens v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Sacramento Superior Court Case No. 34-2016-80002334

**IX. Open Session to Announce the Results of Closed Session**

During Closed Session the Board directed the Administrative Law Judge to prepare its decision on the Petition for Reinstatement of Surrendered License, took action on a proposed decision and a stipulation, and discussed litigation, as noticed.

**VI. Legislation**

**A. Discussion of Legislation for 2016:**

Ms. Williams briefly discussed important dates and noted that the Legislature will reconvene December 5, 2016, for the 2017-2018 session.

**SB 1194** Senator Jerry Hill, Chair of the Senate Committee on Business, Professions, and Economic Development, carried SB 1194 related to the North Carolina Board of Dental Examiners Supreme Court case. This bill failed the deadline pursuant to Joint Rule 61 on August 31, 2016. Significant concerns from opposition arose in regards to the implementation and necessity of the bill as it relates to California law. However, DCA reported that this bill will return next year and will be in an amended form.

**SB 1085** This bill, which was authored by Senator Roth, is needed to safeguard the public from unnecessary non-practice-related violations of the laws committed by California Professional Engineers, Land Surveyors, and Geologists. Based on the Board's experience, licensees fail to adequately and independently stay up-to-date with critical legal and regulatory changes that directly affect the manner in which they provide services to and for the general public. This bill would institute an online assessment relating to California laws and regulations under the Board's jurisdiction to reinforce licensee's knowledge of the relevant laws. This bill was chaptered September 25, 2016, by the Secretary of State, Chapter 629, Statutes of 2016, and will go into effect January 1, 2017.

**SB 1165** This bill is authored by Senator Canella. It requires geologists and geophysicists to sign and seal documents and extends the delinquent reinstatement rights to a licensee from 3-years to 5-years after expiration of their license. In addition, this bill will allow an applicant for licensure as a geologist, instead of the graduation requirement, to have completed a combination of at least 30 semester hours, or the equivalent, in courses that, in the opinion of the board, are relevant to geology and requires that at least 24 semester hours, or the equivalent, be in upper division or graduate coursework. This bill was chaptered August 29, 2016, by the Secretary of State. Chapter 236, Statutes of 2016, and will go into effect January 1, 2017.

**SB 1479** This bill was authored by the Senate Committee on Business, Professions and Economic Development as the Committee Omnibus Bill. This bill makes nonsubstantive changes to the provisions of the Board's Acts. This bill was chaptered September 25, 2016, by the Secretary of State. Chapter 634, Statutes of 2016, and will go into effect January 1, 2017.

**VII. Administration**

**A. FY 2015/16 Budget Summary**

Ms. Williams reviewed the expenditures for Fiscal Year 2015-2016 and the prior 2014-2015 Fiscal Year. She outlined personnel services, prorata, general expense, examinations, and enforcement. She outlined the revenue report which included revenues from fees and fines, new license and application fees, license renewal fees, delinquent fees, income from surplus money investments and any unclaimed checks and warrants. The Board's revenue exceeded the expenditures resulting in a surplus of approximately \$1 million.

President King would prefer seeing actual expenditures for the current fiscal year, along with a comparison of the actual expenditures for the prior fiscal year for the same time period.

**B. FY 2016/17 Budget Summary**

Ms. Williams reported on the projected Governor's budget.

**X. Approval of Delinquent Reinstatements**

<b>MOTION:</b>	Mr. Stockton and Mr. Silva move to approve the delinquent reinstatements.
<b>VOTE:</b>	13-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
Coby King	X				
Mohammad Qureshi	X				
Natalie Alavi	X				
Fel Amistad	X				
Chelsea Esquibias	X				
Cynthia Guzman	X				
Eric Johnson	X				
Kathy Jones Irish				X	
Asha Lang	X				
Betsy Mathieson	X				
Karen Roberts	X				
William Silva	X				
Robert Stockton	X				
Steve Wilson	X				

**XI. Executive Officer's Report**

A. Legislation and Regulation Workgroup Summary

Ms. Eissler provided an update on the regulations staff is currently working on and indicated there are quite a few that have started the final review process. They have been submitted to DCA to be reviewed and once approved, they will go to the Office of Administrative Law. The regulation concerning Qualifying Experience for Land Surveyors was adopted by the Board earlier in the meeting; therefore, staff will begin finalizing the rulemaking file for submittal.

B. Personnel

Mr. Moore reported that recruitment for the Land Surveyor Registrar is still ongoing. Enforcement staff members, Tralee Morris and Donna Vaum, will be leaving the Board’s Enforcement Unit by the end of the calendar year, and the Licensing Unit is currently recruiting for a lead analyst.

C. ABET

Mr. Moore reported that the majority of the ABET visits for this year involved computer engineering programs in which the Board does not offer licensure.

D. ASBOG

1. Fall meeting motions

- a. Charter Amendment 2016-2: Article 3 related to Definition of Subject Matter Expert
- b. Bylaws Amendment 2016-17: Section 9.01 related to Committee on Nominations Members and Voting Rights for Member Boards

Ms. Racca explained that ASBOG’s Executive Committee is looking to define Subject Matter Expert for the purpose of exam development at the national level. This would give them the ability to approve subject matter experts who are not licensed. If they choose to allow this, it will then put the Board’s ability to participate in the national exam in jeopardy as it is an examination security issue and does not meet California’s standards. She also reviewed the other proposed amendments to the Bylaws and the staff recommendations on how the Board’s representatives should vote at the upcoming ASBOG meeting.

c.

<b>MOTION:</b>	Ms. Mathieson and Mr. Silva moved to approve all staff recommendations.
<b>VOTE:</b>	13-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Coby King	X				
Mohammad Qureshi	X				
Natalie Alavi	X				
Fel Amistad	X				

Chelsea Esquibias	X				
Cynthia Guzman	X				
Eric Johnson	X				
Kathy Jones Irish				X	
Asha Lang	X				
Betsy Mathieson	X				
Karen Roberts	X				
William Silva	X				
Robert Stockton	X				
Steve Wilson	X				

c. Approve BPELSG Representative for Voting

<b>MOTION:</b>	Mr. Johnson and Ms. Lang moved to approve Betsy Mathieson and Laurie Racca as voting delegates at ASBOG.
<b>VOTE:</b>	12-0-1, Motion Carried

Member Name		No	Abstain	Absent	Recusal
Coby King	X				
Mohammad Qureshi	X				
Natalie Alavi	X				
Fel Amistad	X				
Chelsea Esquibias	X				
Cynthia Guzman	X				
Eric Johnson	X				
Kathy Jones Irish				X	
Asha Lang	X				
Betsy Mathieson			X		
Karen Roberts	X				
William Silva	X				
Robert Stockton	X				
Steve Wilson	X				

E. Discussion with Department of Conservation, Office of Mine Reclamation (OMR) and State Mining and Geology Board (SMGB) pertaining to the Surface Mining and Reclamation Act (SMARA) and future Rulemaking Efforts

Ms. Racca reported that there were several pieces of legislation regarding SMARA that the Board was tracking and recently SB 209 and AB 1142 were chaptered. The Board was contacted by the Office of Mine Reclamation (OMR) for assistance in developing regulations to implement these changes because they wanted to make sure that they had the Board's participation when drafting requirements for licensed professionals. They facilitated a meeting and included the Board's registrars and discussed training that they will be directing to the various counties. They will draft regulations and will meet back with staff and include them in their training endeavors.

F. NCEES

Mr. Moore reported that former Board member Patrick Tami was elected as the 2016-17 President–Elect.

The Structural Engineer position statement did not pass.

Mr. Moore added that the member boards approved an increase of \$25 for the CBT examinations for the professional surveying and professional engineering while decreasing the fees for the fundamentals examinations by \$50 to encourage more participation.

G. Outreach

Since the August Board meeting, Ms. Racca participated in two professional society presentations, two school visits, a visit to the Department of Water Resources, and the Regional Water Quality Control Board in Redding. She has an invitation to speak to employees at the California Energy Commission about licensure. Mr. Moore provided a presentation to the Los Angeles Department of Water and Power and participated in an enforcement presentation with Tiffany Criswell at Cal Poly Pomona’s Geomatics conference. Ms. Racca will be going to UC Berkeley November 9, 2016, Cal Poly Pomona November 17, 2016, and all three registrars will be at Cal Poly, San Luis Obispo at the end of November to provide outreach. Mr. Moore provided a webinar for CLSA regarding the land surveyor application process and another webinar is scheduled in November to discuss unlicensed practice.

**XII. Technical Advisory Committees (TACs)**

A. Assignment of Items to TACs

No report given.

B. Appointment of TAC Members

No report given.

C. Reports from the TACs

1. Approval of 2016-2017 Geology and Geophysics TAC Workplan

Mr. Santiago requested that Number 5 in the workplan be struck. Mr. Moore recommended forgoing the adoption at this time so that appropriate language may be developed to properly reflect the role of the TACs relating to enforcement issues.

**XIV. Approval of Consent Items**

D. Approval of the Minutes of the August 18, 2016, Board Meeting

<b>MOTION:</b>	Mr. Stockton and Mr. Silva moved to approve the August minutes.
<b>VOTE:</b>	12-0-1, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Coby King	X				
Mohammad Qureshi	X				
Natalie Alavi	X				
Fel Amistad	X				
Chelsea Esquibias	X				
Cynthia Guzman	X				
Eric Johnson	X				
Kathy Jones Irish				X	
Asha Lang	X				
Betsy Mathieson			X		
Karen Roberts	X				
William Silva	X				
Robert Stockton	X				
Steve Wilson	X				

**XIII. President's Report/Board Member Activities**

No report given.

**XIV. Other Items Not Requiring Board Action**

A. 2017 Board Meeting Schedule

Board members will review the proposed calendar and provide feedback so that it can be finalized at the December Board meeting.

B. Next Board Meeting:

December 8-9, 2016  
San Diego, CA

The Board recessed at 4:40 p.m.

**Friday, October 14, 2016**

<b>Board Members Present:</b>	Coby King, President; Mohammad Qureshi, Vice President; Fel Amistad; Chelsea Esquibias; Cynthia Guzman; Asha Lang; Betsy Mathieson; Karen Roberts; Jerry Silva; Robert Stockton; and Steve Wilson
<b>Board Members Absent:</b>	Natalie Alavi; Kathy Jones Irish; and Eric Johnson
<b>Board Staff Present:</b>	Ric Moore (Executive Officer); Nancy Eissler (Assistant Executive Officer); Tiffany Criswell (Enforcement Manager); Celina Calderone (Board Liaison); and Michael Santiago (Legal Counsel)

**I. Roll Call to Establish a Quorum**

President King called the meeting to order at 9:00 a.m., and a quorum established.

Mr. Moore reminded the Board to download their meeting materials before each meeting and not use Wi-Fi or the internet during meetings.

## **XI. Executive Officer's Report (Cont.)**

### **H. 2015-2018 Strategic Plan – Mid Plan Review**

Mr. Silva indicated that licensees say they do not know when publications are available and suggested including a notice in the renewal. Mr. Moore indicated that he will look into whether an insert can be included and explained the Board does not disseminate the renewals and cannot modify the notice.

President King inquired about the Board's social media presence. Mr. Moore indicated that the Board is on both Facebook and Twitter and encouraged Board members to follow the newsfeeds.

Mr. Stockton addressed Objective 2.4, "Evaluate and identify ways to reduce the application process timeframes," and asked for clarification of the completeness of this objective. Mr. Moore explained that the assessment has been initiated, and staff is evaluating the current processes.

Mr. Stockton indicated that since many of the items are still in progress he suggested an abbreviated workshop to benefit the new Board members.

Ms. Eissler explained that the spreadsheet only shows what the Board had identified as the priorities for the first and second year and not the entire Strategic Plan. The plan in its entirety will be presented at the December meeting. Mr. Moore advised that a full workshop should take place in the spring/summer of 2017 in order to update the Strategic Plan.

Vice-President Qureshi indicated that the "In Progress" phase is nohelpful. He explained that the Strategic Plan is not a to-do list; the items are tasks that are ongoing and have a process to them. There has to be some level of completion to that process.

Mr. Moore explained that the Strategic Plan is a tool to aid in determining where we want to go and the plan helps justify requests to DCA, Agency, and Budgets.

President King suggested breaking down the objectives into more detailed sub-tasks to demonstrate progress. Vice-President Qureshi indicated that some of the tasks and objectives are ongoing while others are measurable.



President King noted that if an item is in progress, he would prefer more information on what has been completed and what is remaining. Mr. Moore suggested having an item on the agenda to report on what is in progress only.

President King added that for the remaining items, he would like to have a start date and a projected finish date. In addition, he would like a spreadsheet of the entire plan.

Mr. Moore provided an update to the BreEZe implementation and explained that it has been released to half of the boards. The remaining boards are no longer considered to be "Release 3" boards, and there is no BreEZe implementation plan for them. The Board has elected to proceed with its own business process improvement plan to determine what it will need in a new system, a process which has been encouraged by DCA.

Ms. Roberts inquired about Objective 4.6, with regards to the status of technical expert consultants. Ms. Criswell explained that she has been consulting with the Division of Investigations and the Attorney General's Office and other boards to get input on what they look for in an expert. SOLID has been contacted to help determine how best to present an effective training tool for the experts.

President King directed that the entire Strategic Plan, with status updates for the objectives, be presented at the December meeting for further discussion.

**XV. Adjourn**

The meeting adjourned at 10:25 a.m.

**PUBLIC PRESENT**

Craig Copelan  
Warren Smith  
Robert McMillan  
Bob DeWitt



**XV. Other Items Not Requiring Board Action**

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A. 2017 Board Meeting Schedule



January 2017						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Holidays	
1/1	New Year's
1-16	M. L. King, Jr. Day
2/20	President's Day
3/31	Cesar Chavez Day
5/29	Memorial Day
7/4	Independence Day
9/4	Labor Day
11/10	Veteran's Day
11/23-11/24	Thanksgiving Break
12/25	Christmas

April 2017						
S	M	T	W	T	F	S
30						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

May 2017						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2017						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Board Meeting Dates	

July 2017						
S	M	T	W	T	F	S
30	31					1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

August 2017						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2017						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Key		
BOARD MEETING	HOLIDAYS	MBA MTG.
NCEES WZ Denver, CO	NCEES ANNUAL MTG	

October 2017						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2017						
S	M	T	W	T	F	S
31					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30



**XVI. 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)]

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A. Civil Litigation

1. Thomas Lutge v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Court of Appeal, Third Appellate District, Case No. C075779 (Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS)
2. Lawrence Allen Stevens v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Sacramento Superior Court Case No. 34-2016-80002334





**XVII. Open Session to Announce the Results of Closed Session**

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**XVIII. Adjourn**

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