

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

Wharfinger Building  
1 Marina Way, Great Room  
Eureka, CA 95501

Thursday, June 1, 2017

<b>Board Members Present:</b>	Coby King, President; Mohammad Qureshi, Vice President; Fel Amistad; Kathy Jones Irish; Eric Johnson; Betsy Mathieson; Karen Roberts; Robert Stockton; and Steve Wilson
<b>Board Members Absent:</b>	Natalie Alavi; Asha Lang; and Jerry Silva
<b>Board Staff Present:</b>	Ric Moore (Executive Officer); Dallas Sweeney (Registrar); Laurie Racca (Registrar); and Michael Santiago (Legal Counsel)

## I. Roll Call to Establish a Quorum

President King called the meeting to order at 9:01 a.m., and a quorum was established.

## II. Public Comment for Items Not on the Agenda

During Public Comment, Bob DeWitt, representing ACEC, reported that ACEC would like to assist in the endorsement of members who are seeking reappointment. He asked that members forward their resumes to ACEC as they would endorse and support the members they feel are doing a good job for the profession and consumers.

Rob McMillan, representing CLSA, also indicated that they would endorse and support the Board members who are seeking reappointment.

## III. Legislation

### A. Legislative Calendar

Mr. Moore reviewed the legislative calendar.

### B. Discussion of Legislation for 2017:

#### **AB 703** – Professions and vocations: licenses: fee waivers (military spouses)

This bill is now a two-year bill and will not be considered by the Legislature until January 2018. The Board currently does not have a position on this bill.

#### **AB 710** – Department of Consumer Affairs: boards: meetings

<b>MOTION:</b>	Vice-President Qureshi and Mr. Johnson moved to take a Watch position on AB 710, as amended April 27, 2017.
<b>VOTE:</b>	9-0, Motion Carried.

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

**AB 1005** – Professions and vocations: fines: relief

<b>MOTION:</b>	Vice-President Qureshi and Mr. Wilson moved to take an Oppose Unless Amended position on AB 1005, as amended May 2, 2017.
<b>VOTE:</b>	9-0, Motion Carried.

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

**AB 1190** – Department of Consumer Affairs: BreZE system: annual report

<b>MOTION:</b>	Mr. Stockton and Mr. Johnson moved to take a Watch position on AB 1190, as amended May 2, 2017.
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<b>VOTE:</b>	9-0, Motion Carried.
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Member Name	Yes	No	Abstain	Absent	Recusal
Coby King	X				
Mohammad Qureshi	X				
Natalie Alavi				X	
Fel Amistad	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				

**SB 27** – Professions and vocations: licenses: military service (fee waiver)

<b>MOTION:</b>	Dr. Amistad and Ms. Jones Irish moved to take a Watch position on SB27, as amended April 17, 2017.
<b>VOTE:</b>	9-0, Motion Carried.

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

**IV. Administration**

A. Budget Summary

Mr. Moore reviewed the budget summary and answered questions from the Board members.

**V. Enforcement**

A. Enforcement Statistical Reports

1. Fiscal Year 2016/17 Update

Mr. Moore reported that some of the numbers are rising slightly due to taking care of the older cases. In addition, 12 of the 28 cases in April that were over the 365-day threshold were closed in May.

**VI. Exams/Licensing**

A. Update on Spring 2017 Examinations

Mr. Moore provided handouts which outlined the Spring 2017 National and State Specific exam results. There were 2,392 candidates who took the NCEES PE Civil Principles and Practice exams, which is the highest number of test takers since the recession. He also noted that the California state Seismic Principles and Engineering Surveying exams are close to 2,000 candidates, and the pass rates are remaining steady. Overall, the population and pass rates are consistent.

**VII. Executive Officer's Report**

A. Legislation and Regulation Workgroup Summary

Exam Appeals Repeal (443, 444, 3063.1, 3037.1) – Mr. Moore reported that there were no comments received as it went through the process. Mr. Moore indicated that it was approved by the Office of Administrative Law on May 31, 2017.

SE, GE qualifications/experience (426.10/426.14/426.50) – Mr. Moore reported that there were no comments received, and it was approved by the Office of Administrative Law and will become effective on July 1, 2017.

Qualifying Experience Land Surveyor (425) – Mr. Moore reported that there were no comments received, and the rulemaking is currently with DCA and should go to Agency soon for final review before submittal to the Office of Administrative Law.

B. Personnel

As mentioned at the April meeting, Mr. Moore announced that Candace Cummins, who was formerly the human resources liaison, is now the new Licensing Manager. Her previous position was filled by the Board's cashier, Catherine Bednarczyk. They are now actively recruiting to fill the cashier vacancy along with two other licensing positions.

C. ABET

No report given.

D. Association of State Boards of Geology (ASBOG)

Ms. Racca has been working with ASBOG to develop a packet specifically for their Curriculum Performance Assessment Tool (CPAT), a statistical package that is generated for universities that outlines how their graduates have

performed on the fundamentals examination. ASBOG provides the reports upon request from the universities. Ms. Racca noted that the professors find the report very useful when she has provided them and suggested to ASBOG that they develop a packet that all the states can utilize that would include the CPAT information and each particular states' specific licensing information and that ASBOG provide them to the universities proactively instead of waiting for them to ask.

She also reported that she has again submitted her name for nomination to be Secretary to the Executive Committee and is very optimistic that she will become part of the committee this year. The Board offered to prepare a nomination letter to ASBOG in support of Ms. Racca.

Mr. Moore took a moment to introduce and welcome local geologists, Jason Woodward, Scott Kirkman, and Anne Fehrenbach from Green Diamond Resource Co., a local timber company. He also introduced Dave Ryan, a former County Surveyor retired from Humboldt County and part-time employee with the City of Arcata.

- E. National Council of Examiners for Engineering and Surveying (NCEES)
2. Request for the Board to Support Inclusion of a Plumbing Engineer Option within the NCEES Mechanical Engineering Principles and Practice Examination  
Mr. Moore provided an update to the Board and noted there was no discussion at NCEES Western Zone meeting and minimal action in support of this request. Mr. Moore will update the Board as information becomes available.
  3. Proposed Resolution to Revise Voting Procedures  
Dr. Qureshi reported that the Western Zone did vote unanimously to make the California Board's Resolution into a Western Zone Resolution to change the voting structure for member boards within NCEES to provide member boards two votes if they are a combined engineering and surveying board. Based on discussions at the joint Central and Western Zone meeting, Dr. Qureshi has been working with Western Zone Vice President Brian Hansen to provide more information in the background and justification portions of the Resolution document. The Resolution will be presented at the Annual Meeting in August for a vote by all member boards.
  1. Report on the Interim Zone Meeting  
Dr. Amistad reported that Ric Moore was re-elected as Secretary Treasurer for the Western Zone and former Board member Patrick Tami is the President Elect for NCEES.

4. Proposed Resolution for NCEES to Develop a Public Lands Survey System Module as a Depth Portion of the NCEES Principles and Practice of Surveying Examination

Mr. Moore reported that he was given the opportunity to present the proposed resolution to the Central and Western Zones. He received very good feedback and those in attendance were in favor of it. It will go forward as a formal resolution from California at the August Annual Meeting. He is seeking letters of support from at least ten other boards and six boards have already committed their support.

Mr. Moore advised that the two Resolutions, as well as any motions to be considered at the Annual Meeting, will be presented to the Board at the July meeting so that the Board can direct its delegates on how to vote at the Annual Meeting.

Mr. Moore reported that he was selected as Chair for the MBA Committee, Ms. Eissler was chosen as a consultant on the Law Enforcement Committee, Mr. Wilson was appointed to the Examinations for Professional Surveying Committee, Dr. Qureshi was appointed to the Examinations for Professional Engineering Committee and Mr. Stockton was reappointed to the NCEES Finance Committee.

F. 2015-2018 Strategic Plan Update

Mr. Moore reported that SOLID came back with some revisions based on the session that took place in April. The updated plan should be available at the July Board meeting for discussion and possible adoption by the Board.

G. Outreach

Ms. Racca reported that the registrars are continuing their outreach to public agencies. She added the both Ms. Eissler and Mr. Moore have been supportive in the use of videos on the Board's website. Conceptually, there has been discussion to produce a *What Professional Licensing is for Geology Students* video. She will be working on a storyboard for approval and is looking at completing this task in time for the 50<sup>th</sup> anniversary of the Geologist and Geophysicist licensing act.

Dr. Qureshi suggested holding Board meetings at college campuses and recommended both Cal Poly, San Luis Obispo, and Pomona.

H. Update on Business Process Improvement Study

Mr. Moore noted that the last few process diagrams and the stakeholder requirements are progressing well and are on schedule to be completed in July, as planned. Mr. Alameida is continuing to research methods to move forward with system requirements. DCA's Office of Information Services (OIS) is continuing to be supportive and helpful.

I. State Mining and Geology Board (SMGB) – Notice of Proposed Regulations (OAL File No. Z2017-0418-01)

Mr. Moore followed up on the rulemaking package associated with the amendments made by SB 209 to the Surface Mining and Reclamation Act. He advised that, during the legislative process, the Board worked closely with the Department of Conservation and they took into account any concerns the Board had concerning licensed professionals. The language in the proposed amended regulation is consistent with the changes to the statutes made by SB 209 and with the Board’s licensing laws.

**VIII. Revised Board and Technical Advisory Committees Operating Procedures**

President King reported there were minor changes made to the Board’s Operating Procedures at the April meeting and those changes are now reflected in the final version which were previously provided to each Board Member electronically.

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

A. Assignment of Items to TACs

No report given.

B. Appointment of TAC Members

<b>MOTION:</b>	Ms. Mathieson and Ms. Irish moved to reappoint Bill Owen and Mark Riches to the Geology & Geophysics TAC.
<b>VOTE:</b>	9-0, Motion Carried.

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

No action was taken on the Land Surveying Technical Advisory Committee reappointment at this time.

<b>MOTION:</b>	Ms. Roberts and Mr. Johnson moved to reappoint Alireza Azgari, Douglas Hohbach, Ryan Huxley, and Gregg
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	Brandow and to appoint Carl Josephson to the Structural Engineering TAC.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Coby King	X				
Mohammad Qureshi	X				
Natalie Alavi				X	
Fel Amistad	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>	Vice-President Qureshi and Dr. Amistad moved to reappoint Mahmoud Khodr, Maurice Palumbo, Walter Okitsu, Jason Pack, and Troy Arseneau the Traffic Engineering TAC.
<b>VOTE:</b>	9-0, Motion Carried.

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

Ms. Jones Irish asked for a breakdown of women who have served on the Technical Advisory Committees over the last couple of years and questioned whether the Board needs to do more to increase the number of woman who are participating.

- C. Reports from the TACs  
No report given.

**X. President’s Report/Board Member Activities**

Ms. Jones Irish reported that she attended an event hosted by the Black Professional Engineers Association in Los Angeles and suggested providing outreach at one of their events in the future.

Ms. Roberts announced that her term will be expiring June 30, 2017, and she has elected not to request appointment to another term. She will remain on the Board until there is a replacement for her.

Mr. Moore announced that Ms. Racca has been with the Board two years.

**XII. Approval of Consent Items**

- A. Approval of the Minutes of the April 20-21, 2017, Board Meeting

<b>MOTION:</b>	Vice-President Qureshi and Mr. Wilson moved to approve the minutes as amended.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Coby King	X				
Mohammad Qureshi	X				
Natalie Alavi				X	
Fel Amistad	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. Nomination and Election of President and Vice President for Fiscal Year 2017/18**

<b>MOTION:</b>	Mr. Stockton and Ms. Jones Irish moved to elect Eric Johnson as Board President.
<b>VOTE:</b>	8-0-1, Motion Carried.

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

Fel Amistad	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 Ms. Jones Irish moved to elect Betsy Mathieson as Vice-President.
<b>VOTE:</b>	8-0-1, Motion Carried.

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

Mr. Johnson and Ms. Mathieson thanked the Board, and President King thanked Dr. Qureshi for his service as Vice-President.

**XIII. Discussion Regarding Proposed Agenda Items for Next Board Meeting (July 27-28, 2017, Long Beach)**

Mr. Moore indicated that the next Board meeting will be held at the Long Beach Gas and Oil Auditorium.

**XIV. Closed Session – The Board will meet in Closed Session to discuss, as needed:**

- A. Personnel Matters [Pursuant to Government Code sections 11126(a) and (b)]
  - 1. Executive Officer Performance Evaluation
- B. Examination Procedures and Results [Pursuant to Government Code section 11126(c)(1)]

- C. Administrative Adjudication [Pursuant to Government Code section 11126(c)(3)]
- D. Pending Litigation [Pursuant to Government Code section 11126(e)]
  - 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

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

During Closed Session, the Board discussed personnel matters; took action on one stipulation, one default decision, one petition for reconsideration, and one proposed decision; and discussed litigation as noticed.

**X. President's Report/Board Member Activities (Cont.)**

Mr. Moore thanked President King for his service as Board President and presented him with a gavel plaque.

**XVI. Adjourn**

The meeting adjourned at 2:38 p.m.

**PUBLIC PRESENT**

Dan Walsh, County of Ventura

Bob DeWitt, ACEC

Dave Ryan

Rob McMillan, CLSA

Scott Kirkman, Green Diamond Resource Co.

Ann Fehrenbach, Green Diamond Resource Co.