

**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

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

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

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www.bpelsg.ca.gov

**OFFICIAL NOTICE AND AGENDA****MEETING OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

**2535 Capitol Oaks Drive
Third floor conference room
Sacramento, CA 95833**

**April 24-25, 2014
Beginning at 9:30 a.m.**

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

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

NOTE: All times indicated and the orders of business are approximate and subject to change. Regardless of the position of Closed Session shown on the agenda, the Board typically conducts Closed Session during the lunch break and for a period of time immediately after as necessary. It is anticipated that the Board will break for lunch from approximately 12:00 p.m. to 1:00 p.m.

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



Represents items from the Strategic Plan

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**AGENDA****MEETING OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS****April 24-25, 2014****Beginning at 9:30 a.m.**

Board Members: Erik Zinn, President; Kathy Jones Irish, Vice President; Natalie Alavi; Asha Brooks; Diane Hamwi; Eric Johnson; Coby King; Philip Quartararo; Mohammad Qureshi; Hong Beom Rhee; Karen Roberts; Ray Satorre; Jerry Silva; Robert Stockton; and Patrick Tami

I. Roll Call to Establish a Quorum**II. Public Comment**

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

III. Hearing on the Petition for Reduction/Modification of Penalty of Dennis William McCreary

This hearing will be held on Thursday, April 24, 2014, beginning at 9:30 a.m., or as soon thereafter as the matter may be heard.

IV. 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. Dennis William McCreary vs. Board for Professional Engineers, Land Surveyors, and Geologists, Sierra County Superior Court Case No. 7361
2. Thomas Lutge v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS
3. Rubin Grutman v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles Superior Court Case No. BS145675
4. Rubin Grutman v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles Superior Court Case No. BS145796
5. Sassan Salehipour v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles County Superior Court Case No. BS146185

V. Executive Officer's Report

- A. Legislation
 - 1. Discussion of Legislation for 2014: AB 186; AB 1551 AB 1702; AB 1855; AB 2165; AB 2598; SB 1467 (Possible Action)
- B. Strategic Plan
- C. Sunset Report (Possible Action)
- D. Personnel
 - 1. Staff Presentations
- E. Administrative Task Force

VI. **Enforcement**

- A. Enforcement Statistical Reports (Possible Action)

VII. **Exams/Licensing**

- A. Update on Spring 2014 Exams (Possible Action)
- B. Professional Geophysicist October 2013 Examination Results (Possible Action)

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

IX. **Consideration of Rulemaking Proposals (Possible Action)**

- A. Update on Proposals to Amend 16 CCR 416 and 3060 (Substantial Relationship Criteria); 16 CCR 426.10, 426.14, and 426.50 (Qualifying Experience); 16 CCR 3003(b) and (e) (Definitions of Engineering Geology and Professional Geophysical Work); and 16 CCR 3005 (Retired Status Fee for Professional Geologists and Geophysicists)

X. **Administration**

- A. FY 2013/14 Budget Overview (Possible Action)
- B. Out-of-state Travel Update (Possible Action)

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

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

XII. **Liaison Reports**

- A. ASBOG (Possible Action)
- B. ABET (Possible Action)
- C. NCEES (Possible Action)
- D. Technical and Professional Societies (Possible Action)

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

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

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

(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 February 12-13, 2013, Board Meeting

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

XVII. **Adjourn**

PUBLIC COMMENT

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

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

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

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

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

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