

**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

Facsimile: (916) 263-2246

www.bpelsg.ca.gov

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

**Board for Professional Engineers, Land Surveyors, and Geologists
2535 Capitol Oaks Drive
Third Floor Conference Room
Sacramento, CA 95833**

February 9-10, 2015

**Monday, February 9, beginning at 9:00 a.m. and continuing on
Tuesday, February 10, beginning at 9:00 a.m., if necessary**

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>.

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Board Members: Kathy Jones Irish, President; Robert Stockton, 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; Patrick Tami; and Erik Zinn

- 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 also allow for Public Comment during the discussion of each item on the agenda.
- III. Legislation**
 - A. Legislative Calendar
 - B. Discussion of Legislation for 2015: AB 177 (Possible Action)
 - C. Proposal from SEAOC regarding Significant Structures (Possible Action)
- IV. Consideration of Rulemaking Proposals (Possible Action)**
 - A. Request from CalGeo to Amend Title 16, California Code of Regulations section 461 (Testing Laboratory Reports)
 - B. Adoption of Proposed Amendments to Title 16, California Code of Regulations sections 416 and 3060 (Substantial Relationship Criteria)
 - C. Proposal to Amend Title 16, California Code of Regulations section 438 (Waiver of Fundamentals Examination)
 - D. Update on Title 16, California Code of Regulations section 3003(b) and (e) (Definitions of Engineering Geology and Professional Geophysical Work)
- V. Administration**
 - A. FY 2014/15 Budget Summary (Possible Action)
 - B. Governor's Proposed FY 2015/16 State Budget
- VI. Enforcement**
 - A. Enforcement Statistical Report

- B. Policy on Disclosure of Complaints and Enforcement Actions (Possible Action)

VII. Executive Officer's Report

- A. Strategic Plan (Possible Action)
- B. Legislation and Regulation Workgroup Summary
- C. Sunset Review
- D. Personnel
- E. BreEZe Update

VIII. Exams/Licensing

- A. Fall 2014 Examination Results
- B. FE/FS 2014 Examination Results
- C. Fingerprinting Update
- D. Approval of Washington State Specific Engineering Geology and Hydrogeology Examinations for Comity Licensure (Possible Action)

IX. Approval of Delinquent Reinstatements (Possible Action)

X. 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)

XI. Liaison Reports

- A. ASBOG (Possible Action)
- B. ABET (Possible Action)
- C. NCEES (Possible Action)
 - 1. Liaison Report for: 2015 Western Zone Interim Meeting (Possible Action)
 - 2. Board Presidents Assembly Report
- D. Technical and Professional Societies (Possible Action)

XII. President's Report/Board Member Activities

XIII. 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 November 13, 2014, Board Meeting

XIV. Other Items Not Requiring Board Action

XV. 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, Court of Appeal, Third Appellate District, Case No. C075779 (Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS)
3. Ruvn Grutman v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles Superior Court Case No. BS145675
4. Ruvn 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
6. Paul Christopher Ehe v. Board for Professional Engineers, Land Surveyors, and Geologists (San Bernardino Superior Court, Case No. CIVDS1413253)

XVI. Open Session to Announce the Results of Closed Session

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.