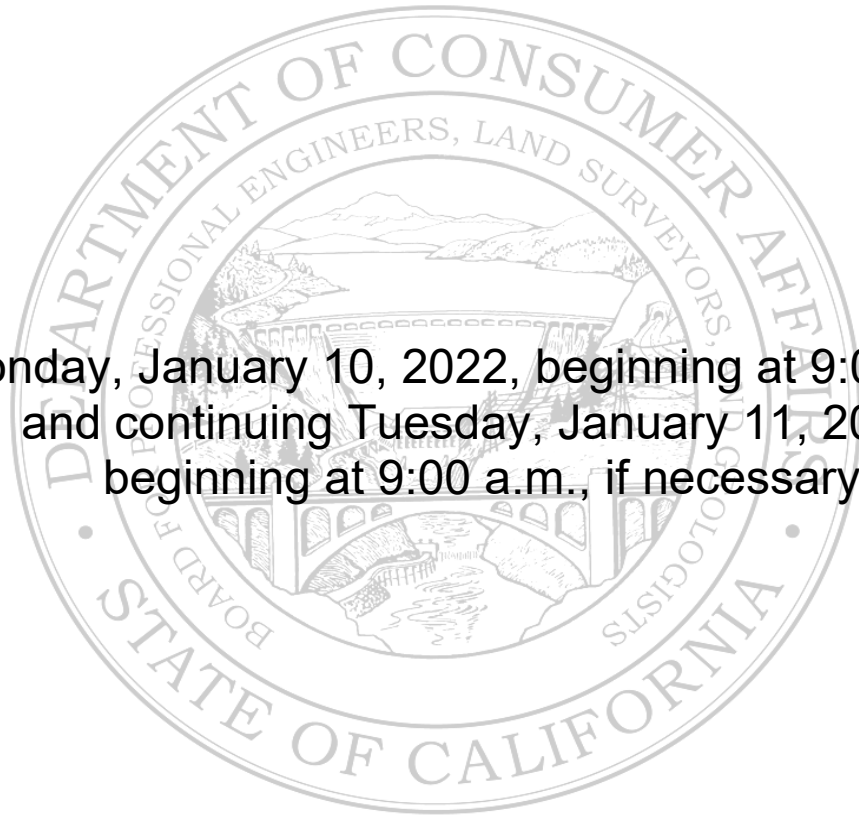




Meeting of the Board for Professional Engineers, Land Surveyors, and Geologists

Board for Professional Engineers,
Land Surveyors, and Geologists

Monday, January 10, 2022, beginning at 9:00 a.m.,
and continuing Tuesday, January 11, 2022,
beginning at 9:00 a.m., if necessary



Teleconference Public Board Meeting

TABLE OF CONTENTS

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

BOARD MEETING

JANUARY 10-11, 2022

TELECONFERENCE

BOARD MEMBERS

President Betsy Mathieson; Vice-President Rossana D'Antonio; Fel Amistad; Alireza Asgari; Duane Friel; Michael Hartley; Kathy Jones Irish; Eric Johnson; Coby King; Paul Novak; Mohammad Qureshi; Frank Ruffino; Wilfredo Sanchez; and Christina Wong

I. Roll Call to Establish a Quorum	5
II. Pledge of Allegiance	7
III. Public Comment for Items Not on the Agenda 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 and will allow time for Public Comment for items not on the agenda at the beginning of both days of the meeting. Please see the last page of this Official Notice and Agenda for additional information regarding Public Comment.	9
IV. Strategic Planning Session NOTE: The Board will engage in a Strategic Planning Session on Monday, January 10, 2022, which is anticipated to last most of the day.	11
V. 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)] 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. <u>Matt Aston, Freddy Espinal, Jesse Moorhouse, Ground Penetrating Radar Systems, LLC v. Board for Professional Engineers, Land Surveyors, and Geologists</u> , Sacramento Superior Court Case No. 34-2020-80003553	13
VI. Department of Consumer Affairs (DCA) Update – Carrie Holmes, Deputy Director for Board and Bureau Services	15
VII. Administration A. Fiscal Year 2021/22 Budget Report	17
VIII. Legislation A. 2022 Legislative Calendar	27
IX. Enforcement A. Enforcement Statistical Reports 1. Fiscal Year 2021/22 Update	31
X. Exams/Licensing	45

A. Examination Updates	
B. 2021 Examination Results	
XI. Executive Officer's Report	53
A. Rulemaking Status Report	55
B. Update on Board's Business Modernization Project	56
C. Personnel	
D. ABET	
E. Association of State Boards of Geology (ASBOG)	
F. National Council of Examiners for Engineering and Surveying (NCEES)	57
1. Request for Information from Committee on Examinations for Professional Engineers (EPE) Related to Potential Mechanical PE Exam - Plumbing Option (Possible Action)	
2. Western Zone Interim Meeting, May 19-21, 2022 in Stateline, NV – Determine Funded Delegates (Possible Action)	
G. Update on Outreach Efforts	
XII. President's Report/Board Member Activities	59
XIII. Approval of Meeting Minutes (Possible Action)	61
A. Approval of the Minutes of the November 8-9, 2021, Board Meeting	
XIV. Discussion Regarding Proposed Agenda Items for Next Board Meeting	79
XV. Adjournment	81
Due to technological limitations, adjournment will not be broadcast. Adjournment will immediately follow Closed Session, and there will be no other items of business discussed.	

I. Roll Call to Establish a Quorum

II. Pledge of Allegiance

III. Public Comment for Items Not on the Agenda

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 and will allow time for Public Comment for items not on the agenda at the beginning of both days of the meeting. Please see the last page of this Official Notice and Agenda for additional information regarding Public Comment.

IV. Strategic Planning Session

NOTE: The Board will engage in a Strategic Planning Session on Monday, January 10, 2022, which is anticipated to last most of the day.

V. 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)]
- 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. Matt Aston, Freddy Espinal, Jesse Moorhouse, Ground Penetrating Radar Systems, LLC v. Board for Professional Engineers, Land Surveyors, and Geologists, Sacramento Superior Court Case No. 34-2020-80003553

VI. Department of Consumer Affairs (DCA) Update – Carrie Holmes, Deputy Director for Board and Bureau Services

VII. Administration

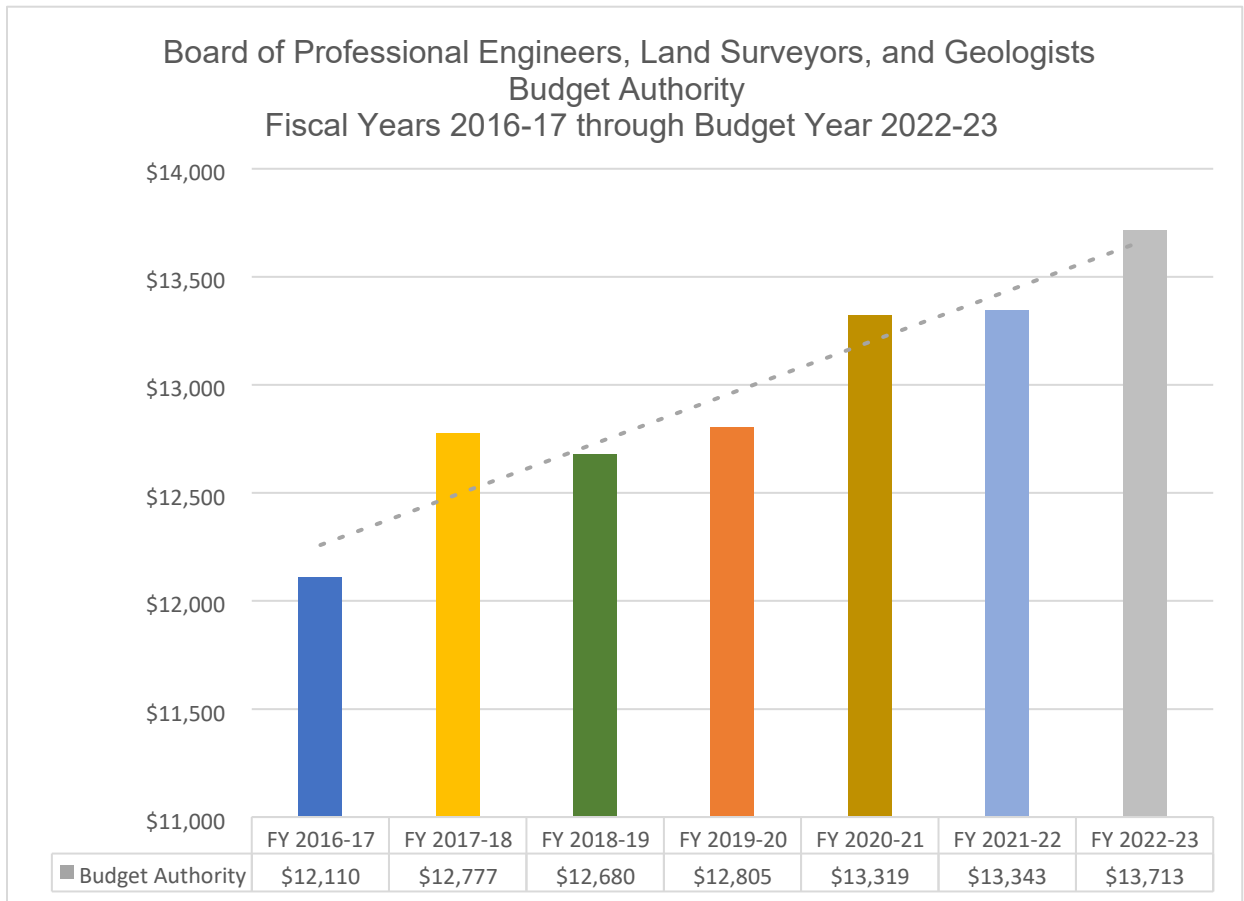
A. Fiscal Year 2021/22 Budget Report

BUDGET AUTHORITY

The Board assumes a 3% increase for FY 2022-23, expected to be published in the Governor’s Budget January 2022.

The Board’s Budget Authority for FY 2021-22 is \$13,343,000 and includes the General Salary Increase of 4.55%. Board actual expenditures six-year average is 86% of Budget Authority.

The Board’s Budget Authority for fiscal year FY 2020-21 was \$13,319,000.00 which included an adjustment for the 9.23% reduction in staff compensation.



Revenues

Fee increase effective January 1, 2021 has had a positive impact on revenues. Total revenue up \$1,276,880 (25%) over prior period.

Current Year Projections
Identifies the revenue amount that BPELSG projects for FY 21-22.

Revenue Category	PRIOR YEAR FY 2020-21 FM 4	CURRENT YEAR FY 2021-22 FM 4	CURRENT YEAR Projections
Delinquent Fees	\$38,696	↑ \$51,464	\$150,076
Other Regulatory Fees	\$32,130	↑ \$39,578	\$102,138
Other Regulatory Licenses & Permits	\$297,960	↑ \$645,747	\$1,743,588
Other Revenue	\$20,822	↓ \$10,486	\$51,328
Renewal Fees	\$3,415,953	↑ \$4,335,166	\$10,269,519
Total	\$3,805,560	↑ \$5,082,440	\$12,316,649

Revenue Category
Provides the name of the line item where our revenues occur.

Arrows
These indicate a change in the current year over prior year. Up/green arrows indicate an increase and down/red arrows indicate a decrease over the prior period.

Current Year
Revenue collected up to FM 4 in October of 2021.

Prior Year
Revenue collected up to FM 4 in October of 2020.

**Department of Consumer Affairs
Expenditure Projection Report**
Fiscal Month: 4
Fiscal Year: 2021 - 2022
Run Date: 12/09/2021

Fiscal Month
Identifies the expenditures up to October 2021
Fiscal Year
Identifies the current year
Run Date
Identifies the date this report was pulled from QBIRT

**CY 21-22
YTD + Encumbrance**
Provides a FM 4 total of YTD Actual and Encumbrance.

Governor's Budget
Publication that the Governor presents which identifies the current year authorized expenditures.

PERSONAL SERVICES

Notes	Fiscal Code	PY 20-21 FM 4 YTD + Encumbrance	CY 21-22 FM 4 YTD + Encumbrance	Governor's Budget	Percent of Governor's Budget Spent	Projections to Year End
1	5100 PERMANENT POSITIONS	\$955,435	\$1,077,755	\$3,425,000	31%	\$3,389,367
	5100 TEMPORARY POSITIONS	\$35,155	\$45,403	\$232,000	20%	\$130,000
	5105-5108 PER DIEM, OVERTIME, & LUMP SUM	\$600	\$38,876	\$36,000	108%	\$48,476
	5150 STAFF BENEFITS	\$559,421	\$618,030	\$1,703,000	36%	\$1,812,693
	PERSONAL SERVICES	\$1,550,611	\$1,780,065	\$5,396,000	33%	\$5,380,536

OPERATING EXPENSES & EQUIPMENT

2	5301 GENERAL EXPENSE	\$23,898	\$22,392	\$32,000	70%	\$71,871
3	5302 PRINTING	\$24,766	\$69,808	\$26,000	268%	\$33,966
	5304 COMMUNICATIONS	\$4,452	\$3,384	\$15,000	23%	\$20,777

Object Description
Provides the name of the line item where our expenditures occur.

**PY 20-21
YTD + Encumbrance**
Provides a FM 4 total of YTD Actual and Encumbrance.

**Percent of Governor's
Budget spent**
Identifies the percentage spent at CY 21-22 FM 4 according to the Governor's Budget.

**Projections to Year
End**
Identifies the expenditure amount that BPELSG projects for FY 21-22.

	OPERATING EXPENSES & EQUIPMENT	\$3,239,095	\$2,474,539	\$6,831,000	36%	\$5,308,996
	OVERALL TOTALS	\$4,789,706	\$4,254,604	\$12,227,000	35%	\$10,689,532

*Does not include additional Architecture Revolving Fund Expenses TBD

SURPLUS/(DEFICIT): 13%

Surplus/(Deficit)
Identifies if we have higher revenue and lower expenses (Surplus) or higher expenses and lower revenue (Deficit). This percentage is calculated using (Governor's Budget-Projections to Year End)/ Governor's Budget.

FISCAL YEAR 2021-22

FISCAL MONTH 4 FINANCIAL STATEMENT

Revenues

Fee increase effective January 1, 2021 has had a positive impact on revenues. Total revenue up \$1,276,880 (25%) over prior period.

REVENUE CATEGORY	PRIOR YEAR FY 2020-21 FM 4		CURRENT YEAR FY 2021-22 FM4	CURRENT YEAR PROJECTIONS
Delinquent Fees	\$38,696	↑	\$51,464	\$150,076
Other Regulatory Fees	\$32,130	↑	\$39,578	\$102,138
Other Regulatory Licenses & Permits	\$297,960	↑	\$645,747	\$1,743,588
Other Revenue	\$20,822	↓	\$10,486	\$51,328
Renewal Fees	\$3,415,953	↑	\$4,335,166	\$10,269,519
Total	\$3,805,560	↑	\$5,082,440	\$12,316,649

There are no changes in the revenue projections from FM 1.

Reimbursements total \$47,633 including \$20,433 for background checks and \$26,300 in cost recovery. Background check expenses are included in General Expense category.

FY 2021-22 Current Year projections include renewal revenue for delinquent licenses and licenses issued during the fiscal year and subject to renewal. FY 2019-20 FM 4 includes \$1,553,268 Revenue in advance. FY 2021-22 FM 4 includes \$1,376,750 Revenue in advance (additional \$1,273,630 expected to be booked by December 2021).

Department of Consumer Affairs
Expenditure Projection Report

Fiscal Month: 4

Fiscal Year: 2021 – 2022

Run Date: 12/09/2021

PERSONAL SERVICES

Notes	Fiscal Code	PY 20-21 FM 4 YTD + Encumbrance	CY 21-22 FM 4 YTD + Encumbrance	Governor's Budget	Percent of Governor's Budget Spent	Projections to Year End
1	5100 PERMANENT POSITIONS	\$955,435	\$1,077,755	\$3,425,000	31%	\$3,389,367
	5100 TEMPORARY POSITIONS	\$35,155	\$45,403	\$232,000	20%	\$130,000
	5105-5108 PER DIEM, OVERTIME, & LUMP SUM	\$600	\$38,876	\$36,000	108%	\$48,476
	5150 STAFF BENEFITS	\$559,421	\$618,030	\$1,703,000	36%	\$1,812,693
	PERSONAL SERVICES	\$1,550,611	\$1,780,065	\$5,396,000	33%	\$5,380,536

OPERATING EXPENSES & EQUIPMENT

2	5301 GENERAL EXPENSE	\$23,898	\$22,392	\$32,000	70%	\$71,871
3	5302 PRINTING	\$24,766	\$69,808	\$26,000	268%	\$33,966
	5304 COMMUNICATIONS	\$4,452	\$3,384	\$15,000	23%	\$20,777
	5306 POSTAGE	\$0	\$1,462	\$36,000	4%	\$26,562
	5308 INSURANCE	\$0	\$0	\$0	0%	\$200
	53202-204 IN STATE TRAVEL	\$117	\$113	\$22,000	1%	\$650
	5322 TRAINING	\$0	\$2,000	\$15,000	13%	\$1,000
4	5324 FACILITIES*	\$138,721	\$149,839	\$377,000	40%	\$451,500
5	53402-53403 C/P SERVICES (INTERNAL)	\$227,253	\$196,528	\$696,000	28%	\$737,355
6	53404-53405 C/P SERVICES (EXTERNAL)	\$1,845,017	\$822,404	\$3,504,000	23%	\$1,906,443
7	5342 DEPARTMENT PRORATA	\$852,500	\$947,000	\$1,890,000	50%	\$1,890,000
8	5342 DEPARTMENTAL SERVICES	\$238	\$5,263	\$27,000	19%	\$27,000
	5344 CONSOLIDATED DATA CENTERS	\$77	\$32	\$22,000	0%	\$22,000
	5346 INFORMATION TECHNOLOGY	\$102,374	\$237,506	\$166,000	143%	\$91,172
	5362-5368 EQUIPMENT	\$19,683	\$16,809	\$0	0%	\$28,500
9	5390 OTHER ITEMS OF EXPENSE	\$0	\$0	\$3,000	0%	\$0
	54 SPECIAL ITEMS OF EXPENSE	\$0	\$0	\$0	\$0	\$0
	OPERATING EXPENSES & EQUIPMENT	\$3,239,095	\$2,474,539	\$6,831,000	36%	\$5,308,996
	OVERALL TOTALS	\$4,789,706	\$4,254,604	\$12,227,000	35%	\$10,689,532

*Does not include additional Architecture Revolving Fund Expenses TBD

Expenditure Report Notes

- 1 Salary & Wages (Staff)** - The projected expenditures for salaries and wages is due to the Board almost being fully staffed, additional merit salary adjustments, and new bargaining unit agreements. The Board has the following vacancies: 3.0 SSA/AGPA, and 1.0 OT.
- 2 General Expenses** - Includes Membership and Subscription Fees, Freight and Drayage, Office Equipment - Maintenance, Office Supplies, and DOJ and FBI fees for background checks which are reimbursed. Scheduled background check reimbursements through FM 4 are \$20,433.00.
- 3 Printing** - Contract with EDD expired June 30, 2020. Historically EDD billing for printing services was delayed up to 18 months. New DCA wide printing contract bills timely and there will be expenses recorded in FY 21-22 for both contracts.
- 4 Facilities Operations** - Includes facilities maintenance, facilities operations, janitorial Services, rent and leases, exam rental sites, security, COVID-19 sanitation, and tenant improvements with DGS in a support planning role from the ARF Deposit.
- 5 C&P Services Interdepartmental** - Includes all contract services with other state agencies for examination services (Dept. of Conservation and Water Resources). This line item also now includes enforcement expenses for the Attorney General and the Office of Administrative Hearings.
- 6 C&P Services External** - Includes all external contracts (examination development, expert consultant agreements, and credit card processing). This line also includes our executed agreements for our business modernization project (system developer, project management, oversight, and software license subscription services).
- 7 DCA Pro Rata** - Includes distributed costs of programmatic and administrative services from DCA.
- 8 Departmental Services (Interagency Services)** - Includes pay-per-services billed through the Department of General Services.
- 9 Other Items of Expense (ARF Deposit)** - The Board has created an architectural revolving fund (ARF) to support tenant improvements throughout the office and majority of the costs will be new modular furniture procurement that has been moved over to Facilities Operations.

REVENUE, EXPENDITURES AND FUND RESERVES

Actual Revenue

Biennial renewal cycle requires comparing 'like' years (high/low years). FY 2020-21 was a low year cycle and compares to FY 2018-19 and FY 2016-17. There was a slight increase in revenue over FY 2018-19 (\$30k) and decrease from FY 2016-17 (\$440k).

FY 2019-20 revenue shows decrease in comparison to both previous 'like' periods. Actual revenues showed a consistent but small downward trend from 2015-16 which prompted Board to enact fee increase. Renewal transaction volume has been increasing (compared to 'like' years) and is the largest revenue fee category. Renewal fees are not reported equally through the year as a high percentage of licenses renew on a quarterly cycle, the largest quarterly cycle is for licenses expiring June 30. Renewal fees collected during FM 11 and FM 12 may be treated as Revenue in Advance (RIA) and accrued to and reported in the next Fiscal Year. RIA for 2019-20 of \$1,553,268 was recorded in October 2020. RIA for 2020-21 of \$2,650,380 is expected to be booked by December 2021.

Renewal Transaction Volume and Fees FY 2016-17 to FY 2020-21			
Period	# Licenses Renewed	Renewal Fee Revenue	% of Total Revenue
FY 2016-17	35,130	\$6,189	69%
FY 2017-18	34,543	\$6,851	78%
FY 2018-19	40,808	\$6,260	74%
FY 2019-20	56,185	\$6,833	79%
FY 2020-21	53,575	\$6,704	78%

Projected Revenue

The Board enacted a fee increase effective January 1, 2021 which is expected to increase revenue against prior periods. Renewal Fees for FY 2022-23 are based on transaction volume of 50,450.

Current and Delinquent Licenses by License Expiration Date		
Expiration Date	License Expiration Date	Expected Renewal Revenue
6/30/2022	15,710	\$2,828
9/30/2022	13,678	\$2,462
12/31/2022	11,551	\$2,079
3/31/2023	9,498	\$1,710
Total FY 2022-23	50,437	\$9,079

Data source QBIRT report CAS Licenses All Status with Expiration Date (includes active and delinquent licenses, does not include new licenses issued after December 2021 which will be subject to renewal). Does not include renewal revenue for prior periods. Does not include revenue in advance from prior period.

Actual Expenditures

Historically, the Board has reported expenditures less than Budget Authority. Personnel Salaries, Wages and Benefits represent the largest expenses (average 45-50% total). Salaries, Wages and Benefits were down from FY 2019-20 to FY 2020-21.

Department Pro-Rata expenses were down in FY 2020-21 (\$1,547,520.00).

Category	Projected FY 2021-22	Actual FY 2020-21	Actual FY 2019-20	Actual FY 2018-19
Personnel	\$5,380,536	\$4,673,379	\$5,022,539	\$4,733,522
O&E	\$5,308,000	\$5,570,344	\$5,026,232	\$5,739,267
Total	\$10,958,532	\$10,243,723	\$10,048,771	\$10,472,788

Beginning in FY 2019-20 the Board has funded a Business Modernization effort entirely from Fund Reserves. The new BPELSG Connect platform has been implemented in phases and the development expenses span FY 2019-20 through FY 2021-22.

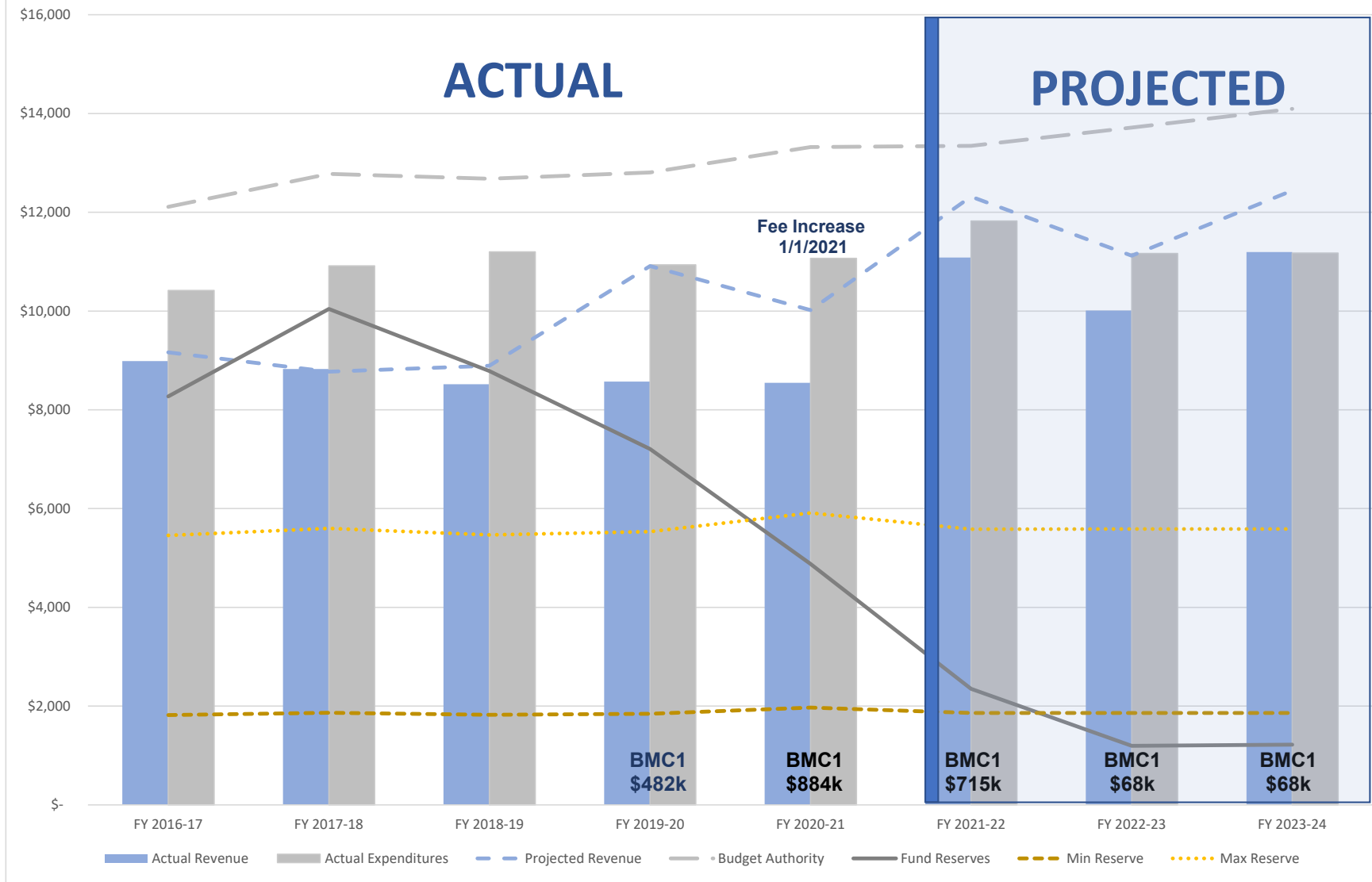
Period	BizMod Contract Encumbrance	BizMod Actual Expenses	Credit Card Actual Expenses
FY 2020-21	\$481,541	\$269,737	\$63,532
FY 2020-21	\$884,310	\$805,618	\$87,730
FY 2021-22 FM 4	\$715,266	\$146,896	\$36,916
FY 2022-23 Proj	\$68,062		

Credit card transaction fees are expected to increase to \$175,000 in FY 2021-22, \$211,000 in FY 2022-23 and \$215,000 on-going. The Department is actively pursuing strategies to reduce and/or mitigate these expenses for Boards and Bureaus participating in business modernization efforts.

Fund Condition

Loan Repayments from the General Fund (0001), per Item Budget Act of 2011 in FY 2016-17 (\$3.2m) and FY 2018-19 (\$800k) had a positive impact. The Board has been using fund reserves to augment revenues since FY 2016-17. Fee increase effective January 1, 2021 was intended to stabilize the fund reserves. Business modernization expenses are expected to be reduced after FY 2021-22 and the on-going maintenance contracts are projected at less than \$100k/year. Current guidance is the optimal reserve is equal to three months of expenses. Months in reserve for FY 2017-18 was 8.5 and has declined to 2.1 for FY 2020-21. ***If revenues are within 90% of projections and expenditures hold to Board projections (less than Budget Authority) it is expected that in FY 2023-24 revenues will exceed expenditures and begin to increase fund reserves.*** The calculated minimum and maximum reserve amount will fluctuate based on projected expenses. In FY 2022-23 and 2023-24 the fund reserves are projected to be approximately \$650k under the calculated minimum reserves (two months of expenses projected for the next fiscal period).

Board of Professional Engineers, Land Surveyors, and Geologists
 Revenue, Expenditures and Fund Reserves
 Fiscal Years 2016-17 through Budget Year 2023-24



VIII. Legislation

A. 2022 Legislative Calendar

DEADLINES

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

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	<u>18</u>	19
20	<u>21</u>	22	23	24	25	26
27	28					

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
					<u>1</u>	2
3	4	5	6	<u>7</u>	8	9
10	11	12	13	14	15	16
17	<u>18</u>	19	20	21	22	23
24	25	26	27	28	<u>29</u>	30

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

- Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 3 Legislature **reconvenes** (J.R. 51(a)(4)).
- Jan. 10 Budget must be submitted by Governor (Art. IV, Sec. 12 (a)).
- Jan. 14 Last day for **policy committees** to hear and report to fiscal Committees fiscal bills introduced in their house in 2021 (J.R. 61(b)(1)).
- Jan. 17 Martin Luther King, Jr. Day.
- Jan. 21 Last day for any committee to hear and report to the **Floor** bills introduced in their house in 2021 (J.R. 61(b)(2)).
- Jan. 21 Last day to submit **bill requests** to the Office of Legislative Counsel.
- Jan. 31 Last day for each house to pass **bills introduced in 2021** in their house (Art. IV, Sec. 10(c)), (J.R. 61(b)(3)).

- Feb. 18 Last day for bills to be **introduced** (J.R. 61(b)(4)), (J.R. 54(a)).
- Feb. 21 Presidents' Day.

- Apr. 1 Cesar Chavez Day observed
- Apr. 7 **Spring Recess** begins upon adjournment of this day's session (J.R. 51(b)(1)).
- Apr. 18 Legislature reconvenes from **Spring Recess** (J.R. 51(b)(1)).
- Apr. 29 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 **non-fiscal** bills introduced in their house (J.R. 61(b)(6)).
- May 13 Last day for **policy committees** to meet prior to May 31 (J.R. 61(b)(7)).
- May 20 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 May 31 (J.R. 61 (b)(9)).
- May 23-27 **Floor Session only.** No committee, other than conference or Rules, may meet for any purpose (J.R. 61(b)(10)).
- May 27 Last day for bills to be **passed out of the house of origin** (J.R. 61(b)(11)).
- May 30 Memorial Day.
- May 31 Committee meetings may resume (J.R. 61(b)(12)).

*Holiday schedule subject to final approval by the Rules Committee

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

JULY						
S	M	T	W	TH	F	S
					<u>1</u>	2
3	<u>4</u>	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						

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

June 15 Budget Bill must be passed by **midnight** (Art. IV, Sec. 12 (c)).

June 30 Last day for a legislative measure to qualify for the Nov. 8 General election ballot (Elec. Code Sec. 9040).

July 1 Last day for **policy committees** to meet and report bills (J.R. 61(b)(13)). **Summer Recess** begins at the end of this day's session if Budget Bill has been passed (J.R. 51(b)(2)).

July 4 Independence Day.

Aug. 1 Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).

Aug. 12 Last day for **fiscal committees** to meet and report bills to the Floor (J.R. 61(b)(14)).

Aug. 15 - 31 Floor Session only. No committees, other than conference and Rules, may meet for any purpose (J.R. 61(b)(15)).

Aug. 25 Last day to **amend** bills on the Floor (J.R. 61(b)(16)).

Aug. 31 Last day for **each house to pass bills** (Art. IV, Sec. 10(c)), (J.R. 61(b)(17)).

Final Recess begins at end of this day's session (J.R. 51(b)(3)).

IMPORTANT DATES OCCURRING DURING FINAL RECESS

2022

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 m. convening of the 2023-24 Regular Session (Art. IV, Sec. 3(a)).

2023

Jan. 1

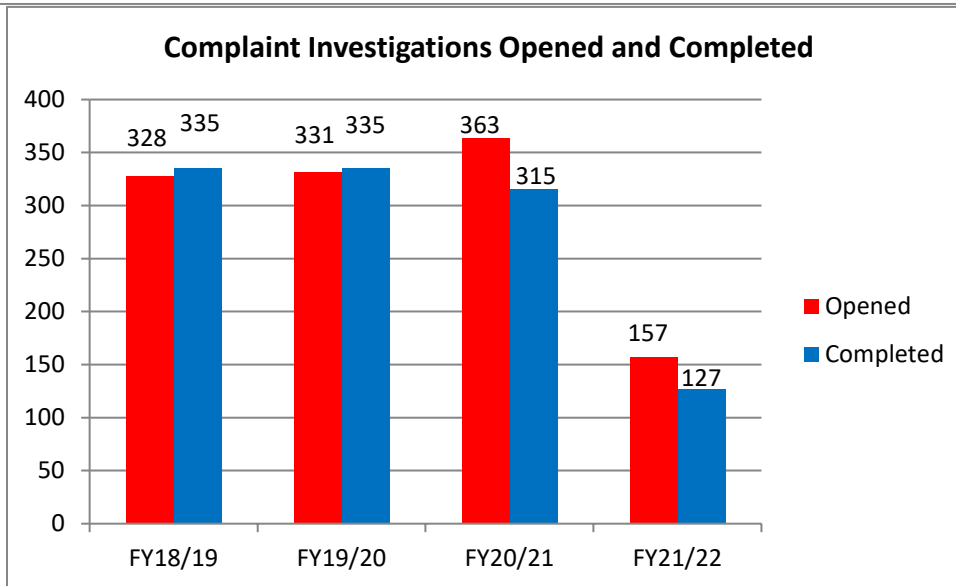
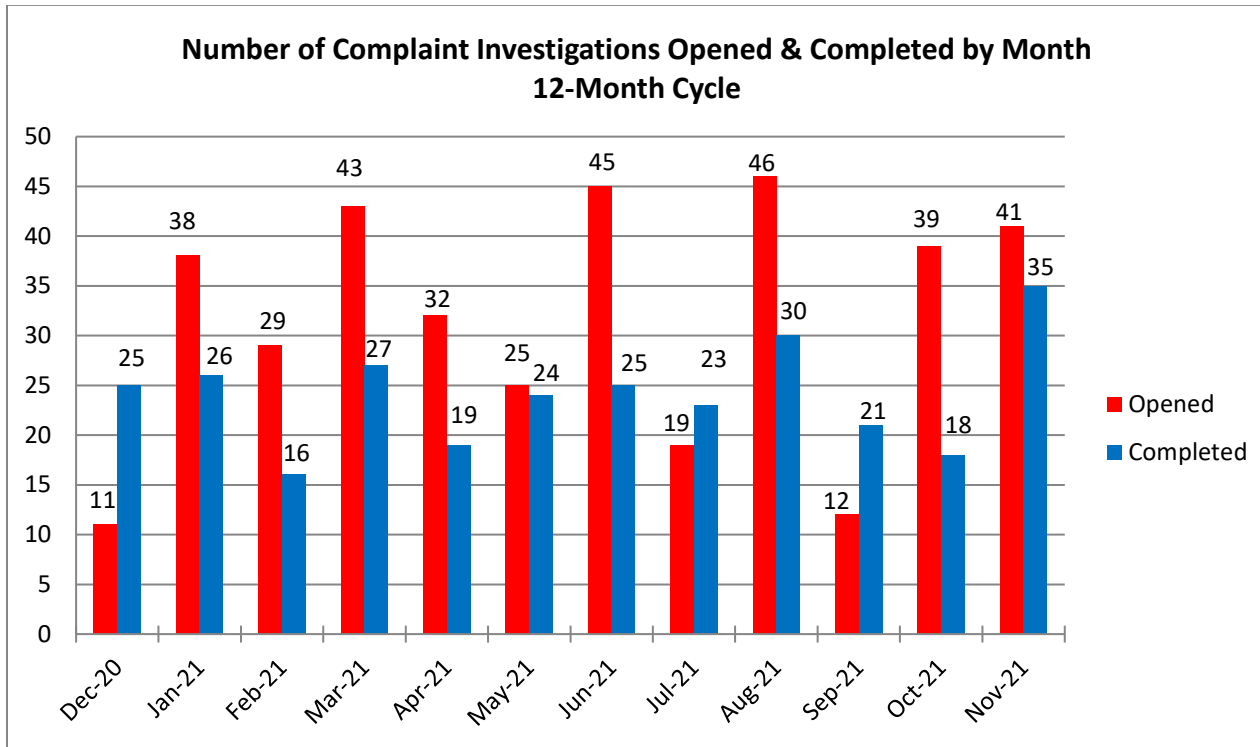
Statutes take effect (Art. IV, Sec. 8(c)).

IX. Enforcement

A. Enforcement Statistical Reports

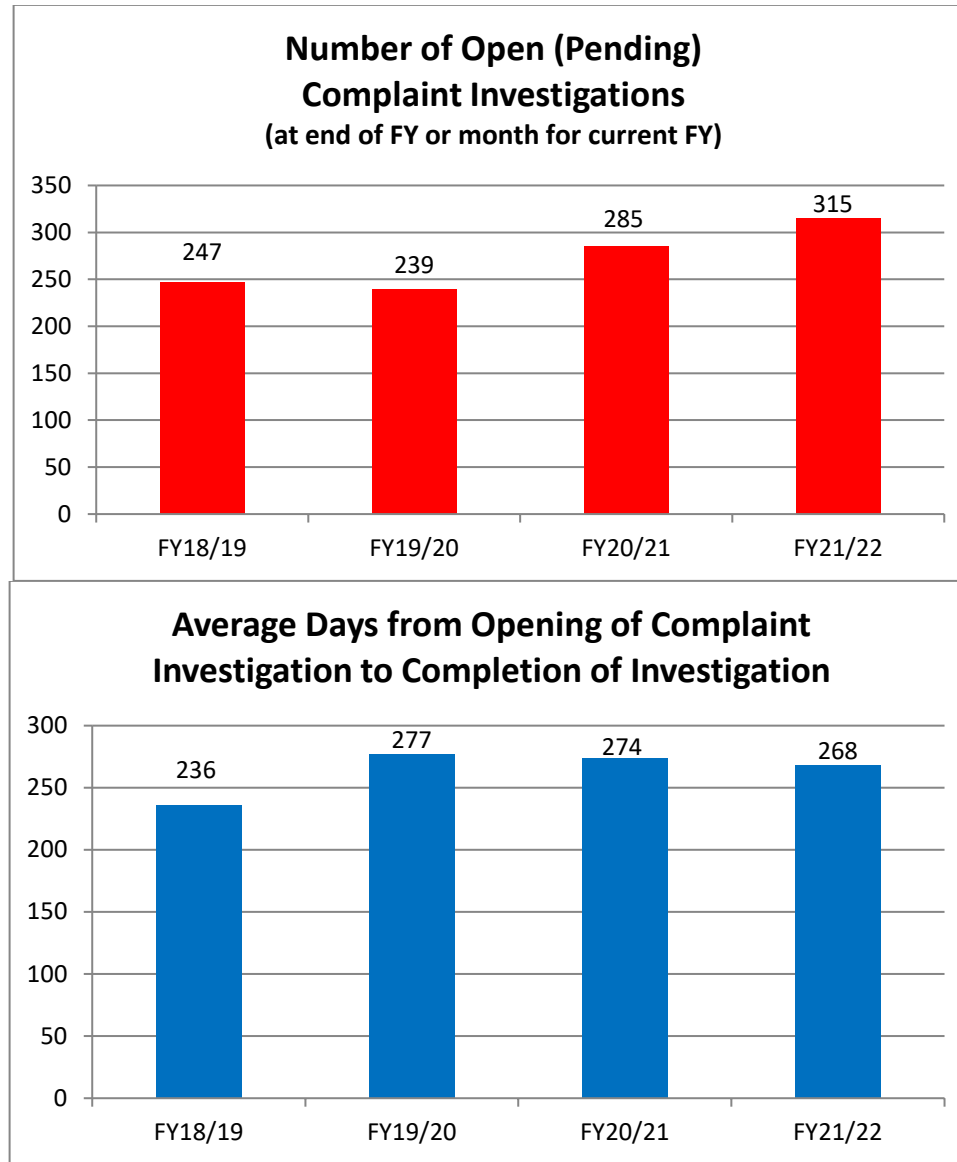
1. Fiscal Year 2021/22 Update

Complaint Investigation Phase



NOTE: FY20/21 statistics are through November 30, 2021

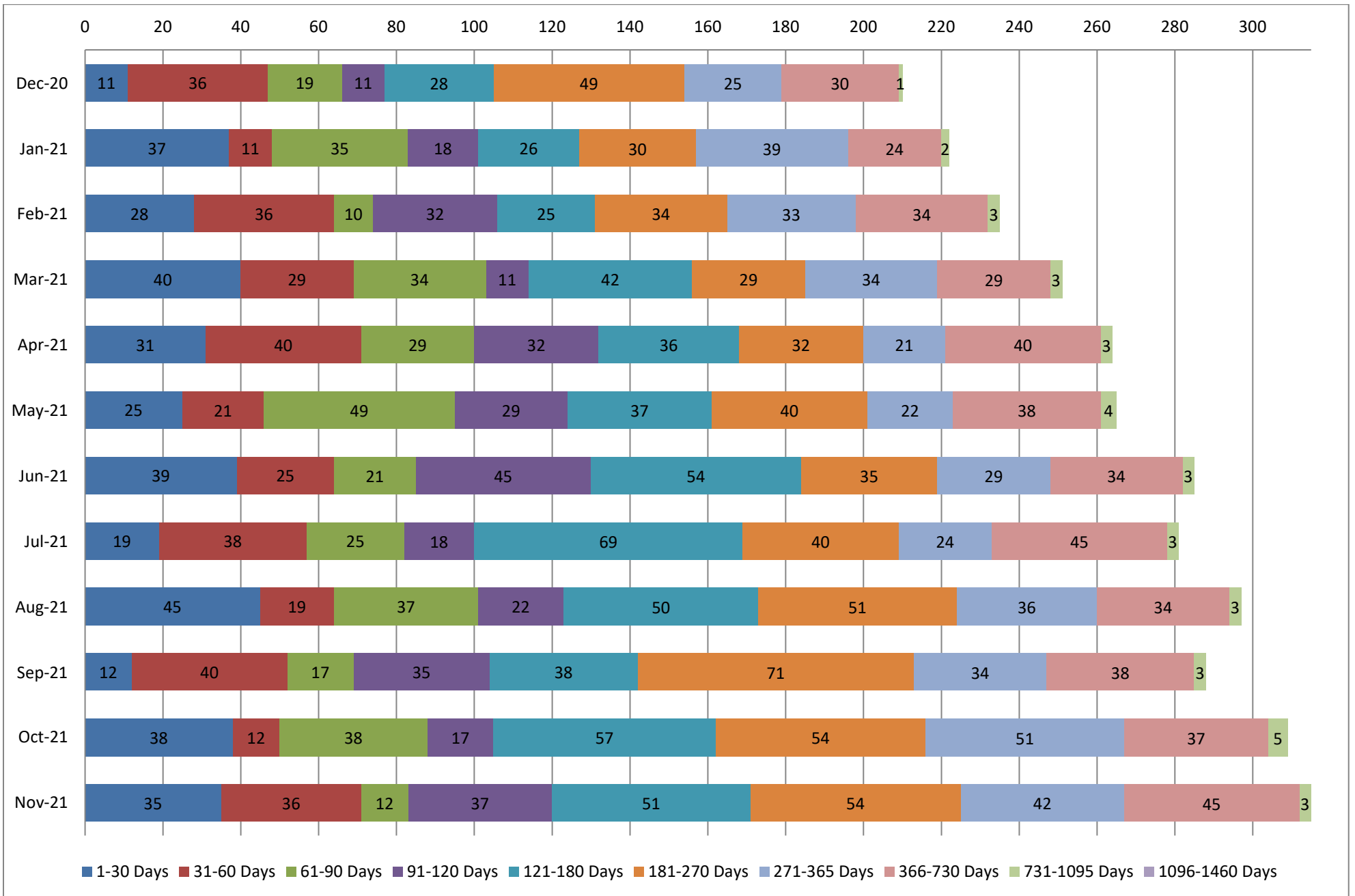
Complaint Investigation Phase



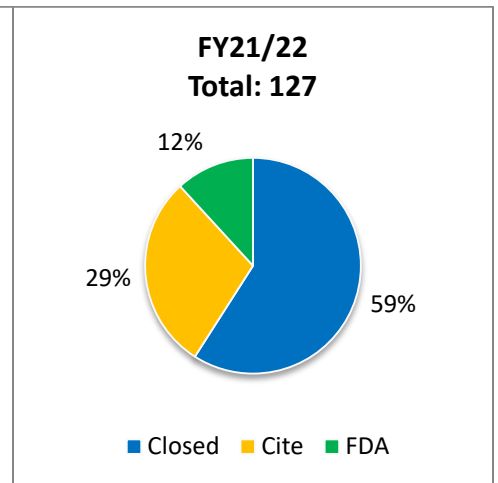
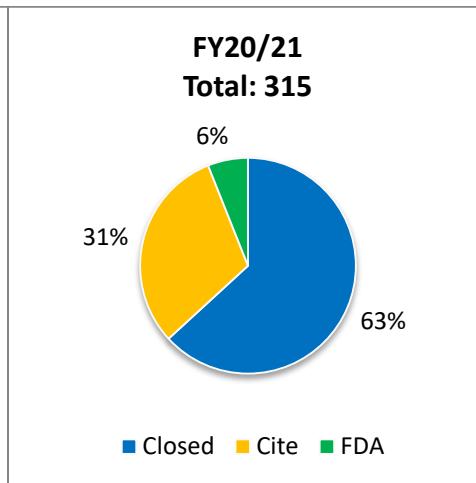
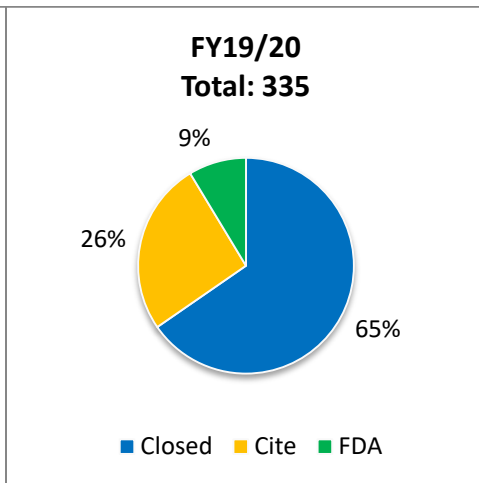
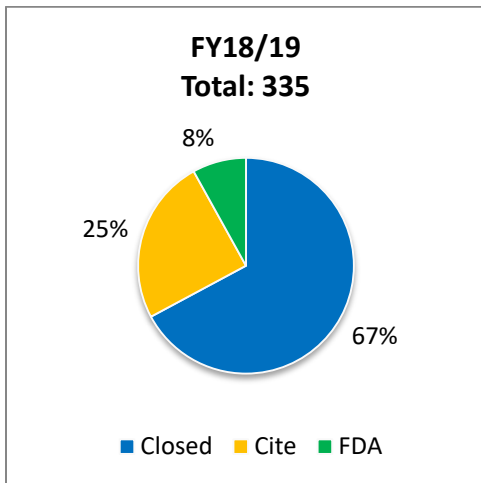
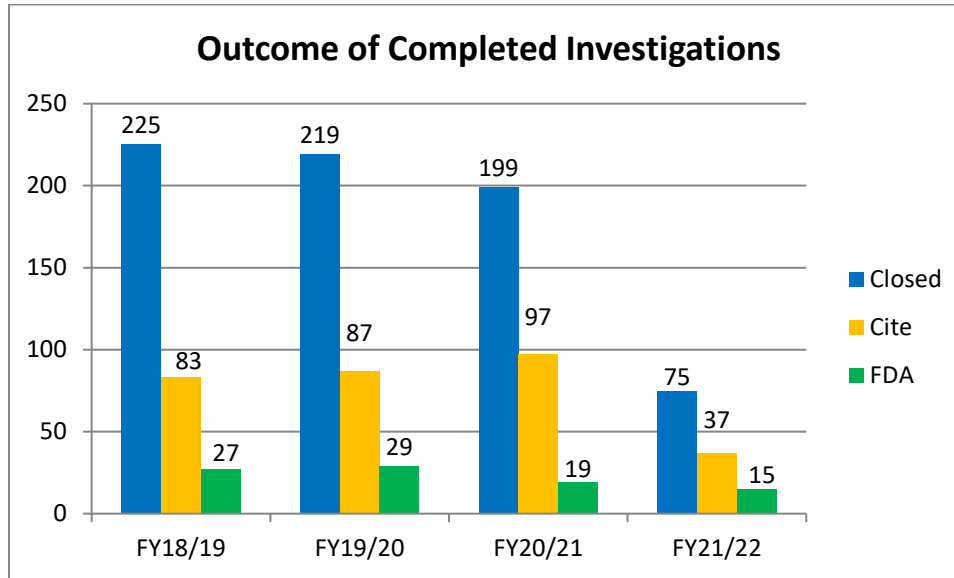
NOTE: FY20/21 statistics are through November 30, 2021

Complaint Investigation Phase

Aging of Open (Pending) Complaint Investigation Cases – 12-Month Cycle



Complaint Investigation Phase Outcome of Completed Investigations



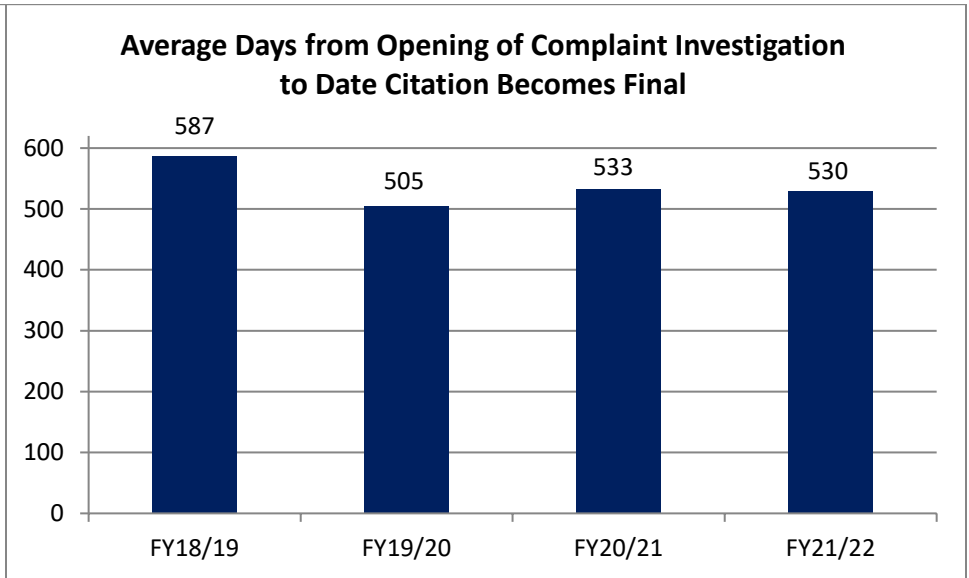
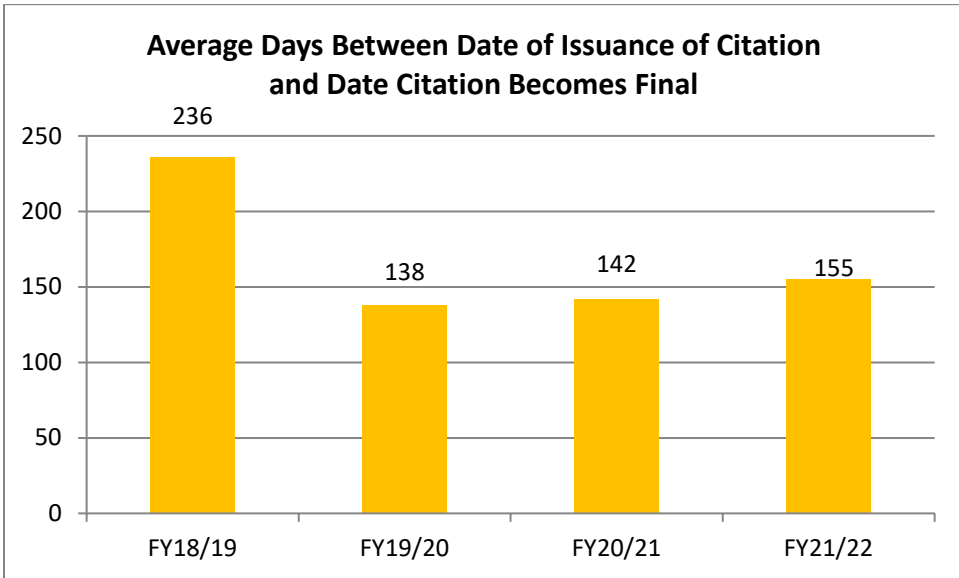
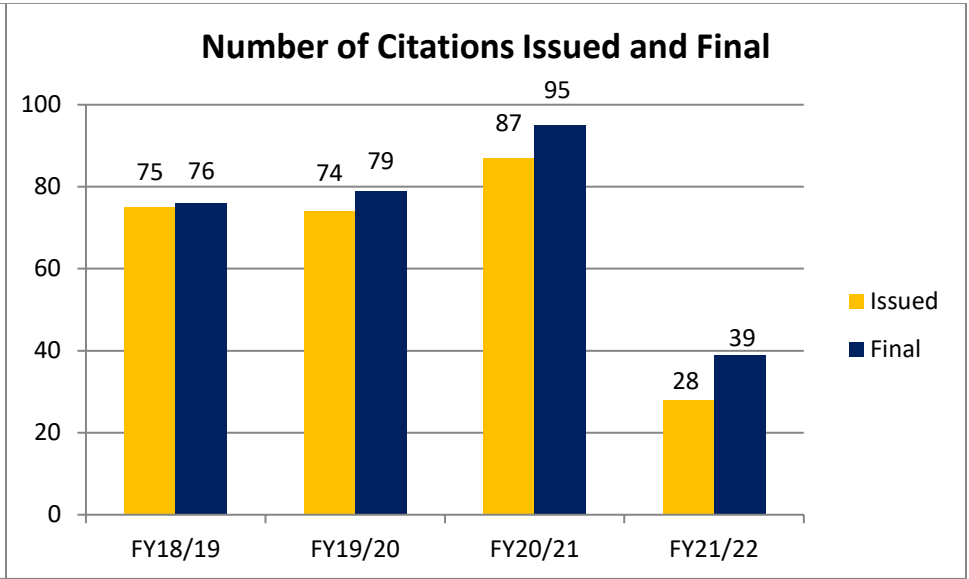
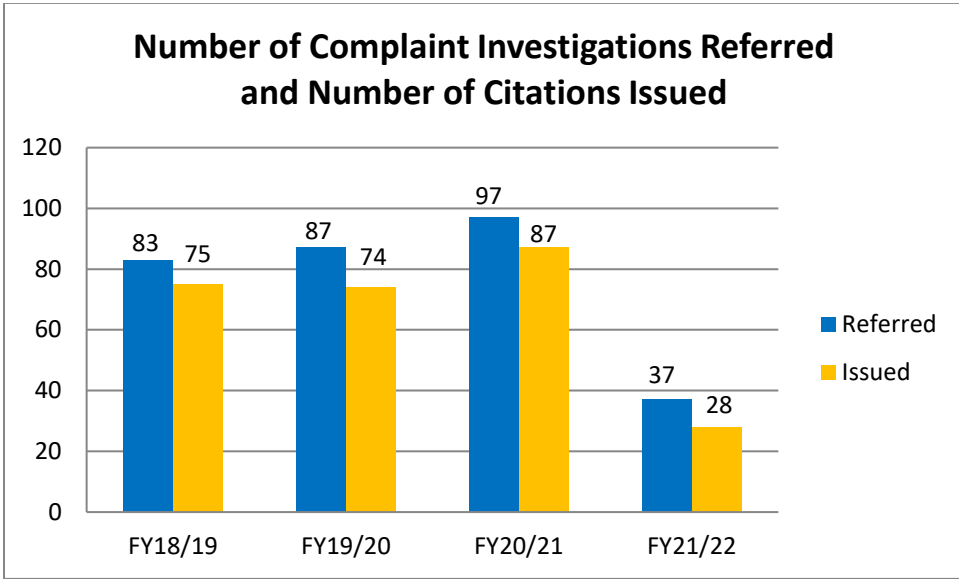
NOTE: FY20/21 statistics are through November 30, 2021

Closed with No Action Taken, includes No Violation/Insufficient Evidence; Compliance Obtained; Warning Letter; Other Reason for Closing Without Action (e.g., subject deceased); Resolved After Initial Notification; Referred to District Attorney with Request to File Criminal Charges; and Mediated.

Cite = Referred for Issuance of Citation

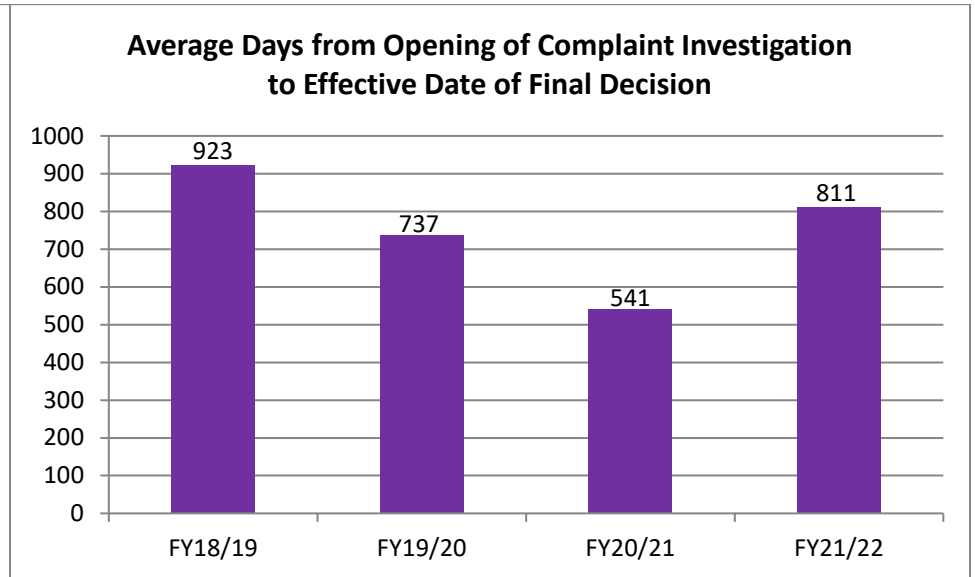
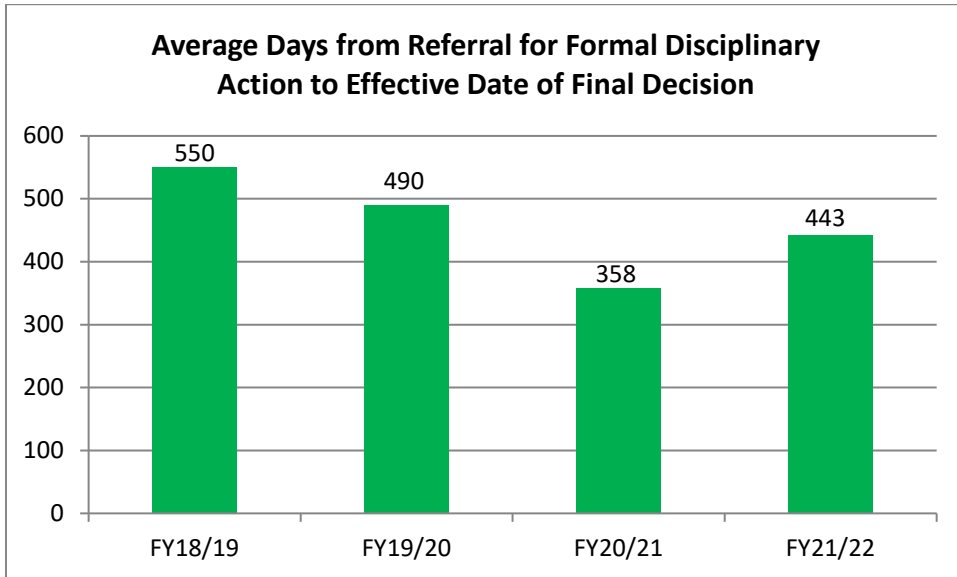
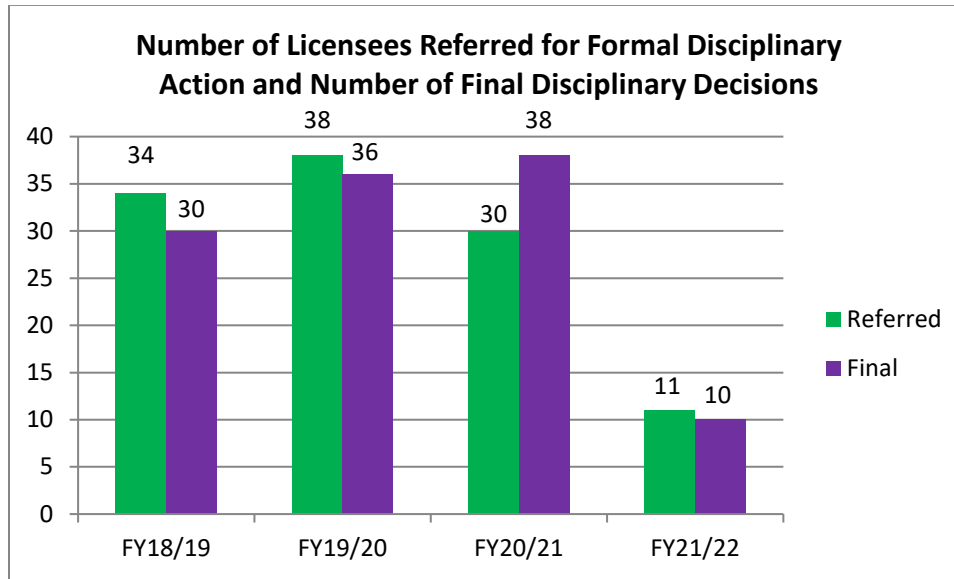
FDA = Referred for Formal Disciplinary Action

Citations (Informal Enforcement Actions)



NOTE: FY20/21 statistics are through November 30, 2021

Formal Disciplinary Actions Against Licensees



NOTE: FY20/21 statistics are through November 30, 2021

Complaint Investigation Phase

Number of Complaint Investigations Opened & Completed by Month 12-Month Cycle

Month	Complaint Investigations Opened	Complaint Investigations Completed
December 2020	11	25
January 2021	38	26
February 2021	29	16
March 2021	43	27
April 2021	32	19
May 2021	25	24
June 2021	45	25
July 2021	19	23
August 2021	46	30
September 2021	12	21
October 2021	39	18
November 2021	41	35

Complaint Investigations Opened and Completed Total by Fiscal Year

Fiscal Year	Complaint Investigations Opened	Complaint Investigations Completed
2018/19	328	335
2019/20	331	335
2020/21	363	315
2021/22	157	127

Current Fiscal Year through November 30, 2021

Number of Open (Pending) Complaint Investigations (at end of FY or month for current FY)

Fiscal Year	Number of Open (Pending) Complaint Investigations
2018/19	247
2019/20	239
2020/21	285
2021/22	315

Current Fiscal Year through November 30, 2021

Complaint Investigation Phase

Average Days from Opening of Complaint Investigation to Completion of Investigation (at end of FY or month for current FY)

Fiscal Year	Average Days
2018/19	236
2019/20	277
2020/21	274
2021/22	268

Current Fiscal Year through November 30, 2021

Outcome of Completed Investigations

Fiscal Year	# Closed	% Closed	# Cite	% Cite	# FDA	% FDA
2018/19	225	67%	83	25%	27	8%
2019/20	219	65%	87	29%	29	9%
2020/21	199	63%	97	31%	19	6%
2021/22	75	59%	37	29%	15	12%

Current Fiscal Year through November 30, 2021

Closed = Closed with No Action Taken, includes No Violation/Insufficient Evidence; Compliance Obtained; Warning Letter; Other Reason for Closing Without Action (e.g., subject deceased); Resolved After Initial Notification; Referred to District Attorney with Request to File Criminal Charges; and Mediated.

Cite = Referred for Issuance of Citation

FDA = Referred for Formal Disciplinary Action

Complaint Investigation Phase

Aging of Open (Pending) Complaint Investigation Cases 12-Month Cycle

Month	0-30 Days	31-60 Days	61-90 Days	91-12 Days	121-180 Days	181-270 Days	271-365 Days	1-2 Years	2-3 Years	3-4 Years
December 2020	11	36	19	11	28	49	25	30	1	0
January 2021	37	11	35	18	26	30	39	24	2	0
February 2021	28	36	10	32	25	34	33	34	3	0
March 2021	40	29	34	11	42	29	34	29	3	0
April 2021	31	40	29	32	36	32	21	40	3	0
May 2021	25	21	49	29	37	40	22	38	4	0
June 2021	39	25	21	45	54	35	29	34	3	0
July 2021	19	38	25	18	69	40	24	45	3	0
August 2021	45	19	37	22	50	51	36	34	3	0
September 2021	12	40	17	25	38	71	34	38	3	0
October 2021	38	12	38	17	57	54	51	37	5	0
November 2021	35	36	12	37	51	54	42	45	3	0

Citations (Informal Enforcement Actions)

Number of Complaint Investigations Referred and Number of Citations Issued

Fiscal Year	Complaint Investigations Referred for Issuance of Citation	Citations Issued
2018/19	83	75
2019/20	87	74
2020/21	97	87
2021/22	37	28

Current Fiscal Year through November 30, 2021

Number of Citations Issued and Final

Fiscal Year	Issued	Final
2018/19	75	76
2019/20	74	79
2020/21	87	95
2021/22	28	39

Current Fiscal Year through November 30, 2021

Average Days Between Date of Issuance of Citation and Date Citation Becomes Final

Fiscal Year	Number of Days
2018/19	236
2019/20	138
2020/21	142
2021/22	155

Current Fiscal Year through November 30, 2021

Average Days from Opening of Complaint Investigation to Date Citation Becomes Final

Fiscal Year	Number of Days
2018/19	587
2019/20	505
2020/21	533
2021/22	530

Current Fiscal Year through November 30, 2021

Formal Disciplinary Actions Against Licensees

Number of Licensees Referred for Formal Disciplinary Action and Number of Final Disciplinary Decisions

Fiscal Year	Number of Licensees Referred for Formal Disciplinary Action	Number of Final Disciplinary Decisions
2018/19	34	30
2019/20	38	35
2020/21	30	38
2021/22	11	10

Current Fiscal Year through November 30, 2021

Average Days from Referral for Formal Disciplinary Action to Effective Date of Final Decision

Fiscal Year	Number of Days
2018/19	550
2019/20	490
2020/21	358
2021/22	443

Current Fiscal Year through November 30, 2021

Average Days from Opening of Complaint Investigation to Effective Date of Final Decision

Fiscal Year	Number of Days
2018/19	923
2019/20	737
2020/21	541
2021/22	811

Current Fiscal Year through November 30, 2021

X. Exams/Licensing

- A. Examination Updates
- B. 2021 Examination Results

NCEES Transition to Computer-Based testing (CBT)

NCEES Exam	Current Format for Continuous Testing and Fall Exams	Transition to CBT
Fundamentals of Engineering (FE) and Fundamental of Surveying (FS)	CBT	
PE Agricultural and Biological	CBT	
PE Chemical	CBT	
PE Civil	CBT	This exam will transition to CBT beginning in 2022. Eligible examinees are currently able to register and schedule CBT appointments. Appointments will be available year-round starting on April 1, 2022.
PE Control Systems	CBT	This exam will transition to CBT beginning October 2022 (a one-day administration on Tuesday, October 18, 2022).
PE Electrical	CBT	
PE Fire Protection	CBT	
PE Industrial	CBT	
PE Mechanical	CBT	
PE Metallurgical	CBT	This exam will transition to CBT beginning October 2022 (a one-day administration on Monday, October 17, 2022).
PE Nuclear	CBT	
PE Petroleum	CBT	
PS Principles of Surveying	CBT	
16-hour Structural	Paper/Pencil	This exam will be the only exam offered in paper-and-pencil format and it will be offered at select locations beginning with the April 2022 administration. Site location and additional information can be found on the NCEES website.

2021 Exam Results Statistics

2021-California State Specific Civil Engineer Examination Results

First Quarter 2021			
Civil Engineer - Seismic Principles			
	Total Number of Candidates	Number Passed	Pass %
January	142	100	70%
February	96	66	69%
March	No Exams Administered		
Total	238	166	70%
Civil Engineer - Engineering Surveying			
	Total Number of Candidates	Number Passed	Pass %
January	133	89	67%
February	170	118	69%
March	No Exams Administered		
Total	303	207	68%
Second Quarter 2021			
Civil Engineer - Seismic Principles			
	Total Number of Candidates	Number Passed	Pass %
April	171	117	68%
May	259	149	58%
June	511	216	42%
Total	941	482	51%
Civil Engineer - Engineering Surveying			
	Total Number of Candidates	Number Passed	Pass %
April	185	107	58%
May	285	162	57%
June	534	199	37%
Total	1004	468	47%
Third Quarter 2021			
Civil Engineer - Seismic Principles			
	Total Number of Candidates	Number Passed	Pass %
July	83	57	69%
August	126	78	62%
September	302	120	40%
Total	511	255	50%
Civil Engineer - Engineering Surveying			
	Total Number of Candidates	Number Passed	Pass %
July	72	44	61%
August	152	89	59%
September	298	141	47%
Total	522	274	52%
Fourth Quarter 2021			
Civil Engineer - Seismic Principles			
	Total Number of Candidates	Number Passed	Pass %
October	95	55	58%
November	149	87	58%
December	Exams Pending		
Total	244	142	58%
Civil Engineer - Engineering Surveying			
	Total Number of Candidates	Number Passed	Pass %
October	91	56	62%
November	187	106	57%
December	Exams Pending		
Total	278	162	58%
2021 Totals (*Excluding December 2021)			
Civil Engineer - Seismic Principles			
	Total Number of Candidates	Number Passed	Pass %
2021 Total*	1934	1045	54%
Civil Engineer - Engineering Surveying			
	Total Number of Candidates	Number Passed	Pass %
2021 Total*	2107	1111	53%

2021 Exam Results Statistics

2021-California State Specific Exams

California Land Surveyor			
	Total Number of Candidates	Number Passed	Pass %
Spring	85	30	35%
Fall	88	27	31%
Total	173	57	33%

Traffic Engineer			
	Total Number of Candidates	Number Passed	Pass %
Spring	N/A	N/A	N/A
Fall	60	28	47%
Total	60	28	47%

Geotechnical Engineer			
	Total Number of Candidates	Number Passed	Pass %
Spring	N/A	N/A	N/A
Fall	74	26	35%
Total	74	26	35%

Professional Geologist California Specific Exam			
	Total Number of Candidates	Number Passed	Pass %
Spring	106	47	44%
Fall	133	60	45%
Total	239	107	45%

Certified Engineering Geologist			
	Total Number of Candidates	Number Passed	Pass %
Spring	N/A	N/A	N/A
Fall	39	20	51%
Total	39	20	51%

Certified Hydrogeologist			
	Total Number of Candidates	Number Passed	Pass %
Spring	N/A	N/A	N/A
Fall	18	10	56%
Total	18	10	56%

Professional Geophysicist			
	Total Number of Candidates	Number Passed	Pass %
Spring	N/A	N/A	N/A
Fall	9	4	44%
Total	9	4	44%

2021-Geology ASBOG Exams

Fundamental of Geology			
	Total Number of Candidates	Number Passed	Pass %
Spring	161	105	65%
Fall	132	95	72%
Total	293	200	68%

Practice of Geology			
	Total Number of Candidates	Number Passed	Pass %
Spring	95	69	73%
Fall	91	74	81%
Total	186	143	77%

2021 Exam Result Statistics

2021 - NCEES Engineering & Land Surveying National Exams

Paper and Pencil Exams
Spring 2021

	California			National		
	Total Number of Candidates	Number Passed	Pass %	Total Number of Candidates	Number Passed	Pass %
Civil Engineer	2011	870	43	10324	5644	55
Control Systems Engineer	n/a	n/a	n/a	n/a	n/a	n/a
Metallurgical Engineer	n/a	n/a	n/a	n/a	n/a	n/a
Structural Engineer (Lateral)	125	44	35	665	234	35
Structural Engineer (Vertical)	101	42	42	571	232	41

Paper and Pencil Exams
Fall 2021

	California			National		
	Total Number of Candidates	Number Passed	Pass %	Total Number of Candidates	Number Passed	Pass %
Civil Engineer	2439	990	41			
Control Systems Engineer	37	14	38			
Metallurgical Engineer	16	12	75			
Structural Engineer (Lateral)	120	30	25			
Structural Engineer (Vertical)	123	39	32			

Computer-Based Exams (CBT)
January - June 2021

	California			National		
	Total Number of Candidates	Number Passed	Pass %	Total Number of Candidates	Number Passed	Pass %
Agricultural Engineer	n/a	n/a	n/a	n/a	n/a	n/a
Chemical Engineer	42	20	48	296	157	53
Electrical Engineer	381	208	55	41	26	63
Fundamentals of Engineering	3,358	1,812	54	13,515	9,720	72
Fundamentals of Surveying	163	72	44	914	550	60
Mechanical Engineer	295	180	61	1173	1198	68
Practice of Surveying	81	43	53	429	263	61
Petroleum Engineer	6	2	33	n/a	n/a	n/a
Industrial Engineer	4	4	100	n/a	n/a	n/a
Fire Protection Engineer	11	11	100	77	65	84

Computer-Based Exams (CBT)
July - December 2021

	California			National		
	Total Number of Candidates	Number Passed	Pass %	Total Number of Candidates	Number Passed	Pass %
Agricultural Engineer	4	4	100			
Chemical Engineer	29	18	62			
Electrical Engineer	335	169	50			
Fundamentals of Engineering	2,707	1,303	48			
Fundamentals of Surveying	156	57	37			
Mechanical Engineer	223	136	61			
Practice of Surveying	84	40	48			
Petroleum Engineer	16	2	13			
Industrial Engineer	15	9	60			
Fire Protection Engineer	46	41	89			

Examination Statistics

(State Specific and ASBOG Examinations)

NCEES examination statistics are available on the NCEES website at: <https://ncees.org/>

Civil Seismic Principles

Exam Cycle	Tested	Passed	Pass %
Spring 2016	1933	1035	54
Fall 2016	1695	738	44
Total 2016	3628	1773	49
Spring 2017	1969	1080	55
Fall 2017	1626	713	44
Total 2017	3595	1793	50
Q1 2018	No exams administered		
Q2 2018	1341	556	41
Q3 2018	513	225	44
Q4 2018	802	347	43
Total 2018	2656	1128	42
Q1 2019	593	283	48
Q2 2019	801	405	51
Q3 2019	715	341	48
Q4 2019	818	398	49
Total 2019	2927	1427	49
Q1 2020	319	177	55
Q2 2020	No exams administered		
Q3 2020	715	476	67
Q4 2020	713	369	52
Total 2020	1747	1022	59
Q1 2021	238	166	70
Q2 2021	940	482	51
Q3 2021			
Q4 2021			
Total 2021			

Civil Engineering Surveying

Exam Cycle	Tested	Passed	Pass %
Spring 2016	1874	760	41
Fall 2016	1900	1013	53
Total 2016	3774	1773	47
Spring 2017	1911	873	46
Fall 2017	1794	972	54
Total 2017	3705	1845	50
Q1 2018	No exams administered		
Q2 2018	1254	485	39
Q3 2018	513	224	44
Q4 2018	839	383	46
Total 2018	2606	1092	42
Q1 2019	553	251	45
Q2 2019	823	385	47
Q3 2019	695	304	44
Q4 2019	814	386	47
Total 2019	2885	1326	46
Q1 2020	420	232	55
Q2 2020	No exams administered		
Q3 2020	747	438	59
Q4 2020	713	332	47
Total 2020	1880	1002	53
Q1 2021	303	207	68
Q2 2021	1004	468	47
Q3 2021			
Q4 2021			
Total 2021			

CA Professional Land Surveyor

Exam Cycle	Tested	Passed	Pass %
Spring 2016	206	43	21
Fall 2016	167	47	28
Total 2016	373	90	24
Spring 2017	203	44	22
Fall 2017	154	34	22
Total 2017	357	78	22
Spring 2018	129	30	23
Fall 2018	93	25	27
Total 2018	222	55	25
Spring 2019	112	40	36
Fall 2019	81	33	41
Total 2019	193	73	38
Spring 2020	No exams administered		
Fall 2020	116	38	33
Total 2020	116	38	33
Spring 2021	85	30	35
Fall 2021			
Total 2021			

Traffic Engineer

Exam Cycle	Tested	Passed	Pass %
Spring 2016	N/A	N/A	N/A
Fall 2016	81	31	38
Total 2016	81	31	38
Spring 2017	N/A	N/A	N/A
Fall 2017	117	38	32
Total 2017	117	38	32
Spring 2018	N/A	N/A	N/A
Fall 2018	77	39	51
Total 2018	77	39	51
Spring 2019	N/A	N/A	N/A
Fall 2019	69	36	52
Total 2019	69	36	52
Spring 2020	N/A	N/A	N/A
Fall 2020	49	31	63
Total 2020	49	31	63
Spring 2021	N/A	N/A	N/A
Fall 2021			
Total 2021			

Geotechnical Engineer

Exam Cycle	Tested	Passed	Pass %
Total 2016*	58	22	38
Total 2017*	68	17	25
Spring 2018	39	13	33
Fall 2018	35	7	20
Total 2018	74	20	27
Spring 2019	N/A	N/A	N/A
Fall 2019	78	30	38
Total 2019	78	30	38
Spring 2020	N/A	N/A	N/A
Fall 2020	60	21	35
Total 2020	60	21	35
Spring 2021	N/A	N/A	N/A
Fall 2021			
Total 2021			

*In 2016 and 2017 the Geotechnical Engineer exam was offered on a continuous basis.

ASBOG Fundamentals of Geology

Exam Cycle	Tested	Passed	Pass %
Spring 2016	126	86	68
Fall 2016	136	87	64
Total 2016	262	173	66
Spring 2017	137	101	74
Fall 2017	159	117	74
Total 2017	296	218	74
Spring 2018	105	75	71
Fall 2018	216	149	69
Total 2018	321	224	70
Spring 2019	153	108	71
Fall 2019	209	136	65
Total 2019	362	244	67
Spring 2020	No exams administered		
Fall 2020	145	112	77
Total 2020	145	112	77
Spring 2021	161	105	65
Fall 2021			
Total 2021			

ASBOG Practice of Geology

Exam Cycle	Tested	Passed	Pass %
Spring 2016	60	46	77
Fall 2016	78	57	73
Total 2016	138	103	75
Spring 2017	73	56	77
Fall 2017	93	73	78
Total 2017	166	129	78
Spring 2018	61	45	74
Fall 2018	105	73	70
Total 2018	166	118	71
Spring 2019	80	61	76
Fall 2019	89	70	79
Total 2019	169	131	78
Spring 2020	No exams administered		
Fall 2020	75	61	81
Total 2020	75	61	81
Spring 2021	95	69	73
Fall 2021			
Total 2021			

Geology California Specific

Exam Cycle	Tested	Passed	Pass %
Spring 2016	98	66	67
Fall 2016	100	57	57
Total 2016	198	123	62
Spring 2017	103	46	45
Fall 2017	134	73	54
Total 2017	237	119	50
Spring 2018	102	47	46
Fall 2018	137	69	50
Total 2018	239	116	49
Spring 2019	116	56	48
Fall 2019	139	44	32
Total 2019	255	100	39
Spring 2020	150	74	49
Fall 2020	79	40	51
Total 2020	229	114	50
Spring 2021	106	47	44
Fall 2021			
Total 2021			

Certified Engineering Geologist

Exam Cycle	Tested	Passed	Pass %
Spring 2016	N/A	N/A	N/A
Fall 2016	37	23	62
Total 2016	37	23	62
Spring 2017	N/A	N/A	N/A
Fall 2017	37	11	30
Total 2017	37	11	30
Spring 2018	N/A	N/A	N/A
Fall 2018	45	24	53
Total 2018	45	24	53
Spring 2019	N/A	N/A	N/A
Fall 2019	40	29	73
Total 2019	40	29	73
Spring 2020	N/A	N/A	N/A
Fall 2020	17	11	65
Total 2020	17	11	65
Spring 2021	N/A	N/A	N/A
Fall 2021			
Total 2021			

Certified Hydrogeologist

Exam Cycle	Tested	Passed	Pass %
Spring 2016	N/A	N/A	N/A
Fall 2016	27	21	78
Total 2016	27	21	78
Spring 2017	N/A	N/A	N/A
Fall 2017	22	11	50
Total 2017	22	11	50
Spring 2018	N/A	N/A	N/A
Fall 2018	33	22	67
Total 2018	33	22	67
Spring 2019	N/A	N/A	N/A
Fall 2019	18	11	61
Total 2019	18	11	61
Spring 2020	N/A	N/A	N/A
Fall 2020	14	9	64
Total 2020	14	9	64
Spring 2021	N/A	N/A	N/A
Fall 2021			
Total 2021			

Professional Geophysicist

Exam Cycle	Tested	Passed	Pass %
Spring 2016	N/A	N/A	N/A
Fall 2016	9	5	56
Total 2016	9	5	56
Spring 2017	N/A	N/A	N/A
Fall 2017	6	5	83
Total 2017	6	5	83
Spring 2018	N/A	N/A	N/A
Fall 2018	4	1	25
Total 2018	4	1	25
Spring 2019	N/A	N/A	N/A
Fall 2019	3	1	33
Total 2019	3	1	33
Spring 2020	N/A	N/A	N/A
Fall 2020	5	2	40
Total 2020	5	2	40
Spring 2021	N/A	N/A	N/A
Fall 2021			
Total 2021			

Past examination statistics are available on the Board's website at: https://www.bpelsg.ca.gov/applicants/exam_statistics.shtml

XI. Executive Officer's Report

- A. Rulemaking Status Report
- B. Update on Board's Business Modernization Project
- C. Personnel
- D. ABET
- E. Association of State Boards of Geology (ASBOG)
- F. National Council of Examiners for Engineering and Surveying (NCEES)
 - 1. Request for Information from Committee on Examinations for Professional Engineers (EPE) Related to Potential Mechanical PE Exam - Plumbing Option (Possible Action)
 - 2. Western Zone Interim Meeting, May 19-21, 2022 in Stateline, NV – Determine Funded Delegates (Possible Action)
- G. Update on Outreach Efforts

Rulemaking Status Report

- 1. Examination Fees (Title 16, California Code of Regulations sections [16 CCR] 3005, 3024, and 3026)**
 - Submitted for initial (pre-notice) review by DCA Legal on December 6, 2021.
 - Board directed staff to pursue rulemaking proposal on November 8, 2021.
- 2. Abandoned Applications and Postponements (16 CCR 3024 and 3024.5)**
 - Submitted for initial (pre-notice) review by DCA Legal on December 6, 2021.
 - Board directed staff to pursue rulemaking proposal on November 8, 2021.
- 3. Applications, Final Filing Dates, and Schedules of Examinations (16 CCR sections 420, 422, 3021, 3023, 3023.1, and 3032)**
 - Submitted for initial (pre-notice) review by DCA Legal on December 6, 2021.
 - Board directed staff to pursue rulemaking proposal on November 8, 2021.
- 4. References for Professional Engineers and Land Surveyors, Soils Engineers, and Structural Engineers (16 CCR 426.14, 427.10, 427.20, and 427.30)**
 - Submitted for initial (pre-notice) review by DCA Legal on December 6, 2021.
 - Board directed staff to pursue rulemaking proposal on November 8, 2021.
- 5. Definition of Traffic Engineering (16 CCR 404)**
 - Board staff working with DCA Legal to prepare documents for initial notice.
 - Submitted for initial (pre-notice) review by DCA Legal on September 3, 2020.
 - Board directed staff to pursue rulemaking proposal on March 8, 2018.
- 6. Definitions of Negligence and Incompetence and Responsible Charge Criteria for Professional Geologists and Professional Geophysicists (16 CCR 3003 and 3003.1)**
 - Board staff working on pre-notice documents on September 3, 2021.
 - Board directed staff to pursue rulemaking proposal on September 6, 2018.

Note: Documents related to any rulemaking file listed as noticed for public comment can be obtained from the Board's website at: http://www.bpelsq.ca.gov/about_us/rulemaking.shtml.

PROJECT STATUS REPORT

Reporting period:	1/21/2020 – 12/30/2021	Project title:	Business Modernization Cohort 1
--------------------------	---------------------------	-----------------------	------------------------------------

EXECUTIVE SUMMARY

Narrative Summary of Status	Schedule:	GREEN	Budget:	GREEN	Issues:	GREEN
<p>PI 4 – Further development on investigation monitoring/management; additional engineering applications; and scope design for geology/geophysicist applications.</p>						

PROJECT MILESTONE STATUS REVIEW

Project Milestones	Status	Completion Date	Issues Exist (Yes/No)
Project Planning Complete – Project Start	Complete	1/13/2020	No
Go Live – Most Viable Product (MVP1)	Complete	9/16/2020	No
Go Live - Product Increment 2 (PI2)	Complete	1/20/2021	No
Go Live - Product Increment 3 (PI3)	Complete	6/16/2021	No
Go Live Product Increment 3.5 (PI3.5)	Complete	11/10/2021	No
Product Increment 4 (PI4) – Commenced shortly after PI3 Go Live	On-going	Jan 2021	No
Go Live – PI4	Estimated	Apr 2022	No

NCEES > Request for Information from Committee In Examinations for Professional Engineers (EPE) Related to Potential Mechanical PE Exam – Plumbing Option (Possible Action)

NCEES has received a request from ten (10) member boards to add a fourth option under the Mechanical Engineering PE exam which would focus on Plumbing Engineering.

Current Options: HVAC and Refrigeration; Machine Design and Materials; Thermal and Fluid Systems (The Board currently accepts any of these options to qualify for a Mechanical PE license)

The Board discussed this in April 2017 after a letter was sent to many (if not all) member boards and took no action.

NCEES has asked all member boards 1) if our board would accept this proposed fourth option for licensure and 2) an estimate for a minimum/maximum number of first-time test takers. This was due December 31, 2021. Below are the estimates provided by the ten member boards:

Board	Potential 1st Time Takers per Year	
	Min	Max
Arizona	8	10
Florida	9	18
Georgia	7	14
Idaho	0	6
Iowa	10	14
Minnesota	6	10
Nevada	0	4
New Mexico	2	3
Ohio	15	20
Utah	1	2
Total	58	101

Research with other members boards indicates that many are unable to provide a reliable minimum/maximum estimate due to the low level of inquiry or interest received.

XII. President's Report/Board Member Activities

XIII. Approval of Meeting Minutes (Possible Action)

A. Approval of the Minutes of the November 8-9, 2021, Board Meeting

DRAFT

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

Teleconference

Monday, November 8, 2021, beginning at 9:00 a.m., and
Tuesday, November 9, 2021, beginning at 9:00 a.m.

Monday, November 8, 2021

Board Members Present:	President Betsy Mathieson; Vice-President Fel Amistad; Alireza Asgari; Duane Friel; Michael Hartley; Kathy Jones Irish; Eric Johnson; Coby King; Paul Novak; Mohammad Qureshi; Frank Ruffino; Wilfredo Sanchez; and Christina Wong
Board Members Absent:	Rossana D’Antonio
Board Staff Present:	Ric Moore (Executive Officer); Nancy Eissler (Assistant Executive Officer); Tiffany Criswell (Enforcement Manager); Celina Calderone (Board Liaison); Dawn Hall (Administrative Manager); and Joseph Chin (Legal Counsel)

I. Roll Call to Establish a Quorum

President Mathieson called the meeting to order at 9:10 a.m., and a quorum was established.

II. Pledge of Allegiance

Dr. Amistad led everyone in the recitation of the Pledge of Allegiance.

President Mathieson welcomed new Board member, Christina Wong. Ms. Wong provided a brief introduction about herself.

III. Public Comment for Items Not on the Agenda

During Public Comment, an individual identified as Kristy W. had questions regarding the complaint process and how to contact Mr. Moore. She inquired about whether there is a statute of limitations on a complaint as she had not had much follow up on her complaint that she submitted over six months ago. President Mathieson suggested visiting the Board’s website for Mr. Moore’s email address and to contact Ms. Criswell for further information. Mr. Moore provided his email address. Mr. Chin noted that there is no statute of limitations. Kristy expressed her appreciation.

Roger Ball, representing Rick Engineering, referenced an issue that is of interest to the profession and concerning to engineering firms. Section 6703 of the PE Act defines responsible charge of work and does not refer to the concept of financial

liability. Mr. Ball stated that Section 6753 of the Business and Professions Code requires that engineering documents be prepared by or under the responsible charge of a licensed civil engineer. The same section also requires that the documents be signed, sealed, or stamped by the engineer. The standard protocol is that one goes through the process with the public agency which involves plan check that ultimately results in the approval of the plans. The issue is evolving and expanding with some public agencies. These public agencies are requiring an expanded and onerous declaration by the engineer to be made in conjunction with the signature and approval of the plans by the engineer. These agencies are using identical language in this declaration. The declaration requires that the engineer of work make a statement that there is an understanding that the public agency's review of the plans is done for the purpose of looking at the agency's procedures, applicable policies, and ordinances. Public agencies scrutinize the engineering documents which explains why there are multiple plan check cycles that are necessary to reach approval of the plans. If that is true, and if the public agencies are only looking at the plans with respect to policies and procedures of the agency, then there is potential harm to the public. While engineers depend on the public agency to scrutinize the plans but to make a statement that is not truthful is problematic. If the agencies are not looking at plans with respect to technical accuracy, then the public is being done a disservice. The agencies are likewise asking the engineer to issue a unilateral indemnity where the engineer agrees to defend and protect the agency from a third-party claim. There is no insurance which is totally outside of the purview and violates the provision in 6703 which indicates financial liability does not rest as a component of responsible charge.

IV. Hearing on the Petition for Reduction or Modification of Probation of Gary Hawthorne Hall

This hearing was held on Monday, November 8, 2021.

V. Hearing on the Petition for Reinstatement of Revoked License of Walid A. Hneiti

This hearing was held on Monday, November 8, 2021, immediately following the Hearing on Petition for Reduction or Modification of Probation of Gary Hawthorne Hall.

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

NOTE: The Board met in Closed Session immediately following the Hearing on the Petition for Reduction or Modification and the Hearing for Petition for Reinstatement of Revoked License to decide those matters.

During Closed Session, the Board took action on a hearing for reduction or modification of probation of Gary Hawthorne Hall and took action on a petition for reinstatement of revoked license of Walid A. Hneiti.

VII. Administration

- A. Fiscal Year 2020/21 Year-End Summary
- B. Fiscal Year 2021/22 Budget Report

Ms. Hall reported that the renewal revenue was lower than expected, the volume was on target, but there were additional fees that were over and above what was normally attributed to revenue in advance for the next year. Traditionally, we have seen between \$1 and 1.5 million dollars reserved in October for the prior year, this year we are expecting it to be closer to \$2.5 million dollars.

As for the expenses, the reports provided are more aligned to the Fi\$Cal reports that are provided to the Board.

Mr. King asked for clarification in reference to revenue shifting from one year to another. Ms. Hall explained.

Mr. King expressed his concern of heading towards insolvency as he does not believe the numbers represented in the reports are sustainable.

Mr. Moore indicated that he is cautiously concerned; however, the Board will not wait as long before reevaluating fees again. We will need to get through the current Fiscal Year with the introduction of the new system as it will redefine the processes.

Ms. Hall noted that the fee increase is expected to have an impact for the full year and the \$2.5 million revenue in advance to be booked in October. That is \$1 million dollars higher than expected.

Mr. King is wondering if staff needs to consider bringing down some expenditures to ensure that we do not run into significant problems on C&P services both intradepartmental and external. He is aware that the last thing the Board wants to do is slow down enforcement and investigations, etc. While it is a radical action, he wondered if the Board needs to consider another fee increase at this time.

Mr. Moore reported that when the MOU's (Memos of Understanding) are established with other agencies to provide licensees for exam development or exam development meetings, we are very judicious in how we establish the ceilings of those encumbrances so that we are not realizing a number we will never obtain. It is something that staff is monitoring closely. As Ms. Hall explained, the behavior of the applicants and licensees and the impact it has on workload and staff will not be fully realized until later this Fiscal Year. This is when we will have a better handle on where we are going.

Mr. King requested a breakdown of the monthly budget report columns that represent the Board projections for the month and the Board projections for

year-to-date as opposed to the actuals. He does not recall this being a report that the Board has offered but believes it will be helpful.

Dr. Qureshi agrees with Mr. King’s request and offered to work with Mr. King and staff on the new budget report format.

4:00 P.M. Mr. Ruffino left the meeting.

VIII. Consideration of Rulemaking Proposals

A. Amendments to Title 16, California Code of Regulations sections 3005, 3024, and 3026 relating to Examination Fees

MOTION:	Ms. Wong and Ms. Irish moved to direct staff to begin the rulemaking process to amend Title 16, California Code of Regulations sections 3005 and 3024 and to repeal Title 16, California Code of Regulations section 3026, relating to examination fees.
VOTE:	12-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Mathieson	X				
Vice-President D’Antonio				X	
Fel Amistad	X				
Alireza Asgari	X				
Duane Friel	X				
Michael Hartley	X				
Kathy Jones Irish	X				
Eric Johnson	X				
Coby King	X				
Paul Novak	X				
Mohammad Qureshi	X				
Frank Ruffino				X	
Wilfredo Sanchez	X				
Christina Wong	X				

B. Amendments to Title 16, California Code of Regulations section 3024 relating to Abandoned Applications and Postponements

MOTION:	Dr. Qureshi and Mr. King moved to direct staff to begin the rulemaking process to amend Title 16, California Code of Regulations section 3024 and to adopt Title 16, California Code of Regulations section 3024.5, relating to abandoned applications and postponements.
VOTE:	12-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
-------------	-----	----	---------	--------	---------

President Mathieson	X				
Vice-President D'Antonio				X	
Fel Amistad	X				
Alireza Asgari	X				
Duane Friel	X				
Michael Hartley	X				
Kathy Jones Irish	X				
Eric Johnson	X				
Coby King	X				
Paul Novak	X				
Mohammad Qureshi	X				
Frank Ruffino				X	
Wilfredo Sanchez	X				
Christina Wong	X				

- C. Amendments to Title 16, California Code of Regulations sections 420, 422, 3021, 3023, and 3032 relating to Applications, Final Filing Dates, and Schedules of Examinations

MOTION:	Mr. Novak and Mr. King moved to direct staff to begin the rulemaking process to amend Title 16, California Code of Regulations sections 420, 422, 3021, 3023, and 3032 and to adopt Title 16, California Code of Regulations section 3023.1, relating to applications, final filing dates, computations of qualifying experience, and schedules of examinations.
VOTE:	12-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Mathieson	X				
Vice-President D'Antonio				X	
Fel Amistad	X				
Alireza Asgari	X				
Duane Friel	X				
Michael Hartley	X				
Kathy Jones Irish	X				
Eric Johnson	X				
Coby King	X				
Paul Novak	X				
Mohammad Qureshi	X				
Frank Ruffino				X	
Wilfredo Sanchez	X				
Christina Wong	X				

- D. Amendments to Title 16, California Code of Regulations sections 426.14, 427.10, 427.20, and 427.30 regarding References for Professional Engineers and Land Surveyors, Soils Engineers, and Structural Engineers.

MOTION:	Ms. Wong and Mr. Friel move to direct staff to begin the rulemaking process to amend Title 16, California Code of Regulations sections 426.14, 427.10, 427.20, and 427.30, relating to references for professional engineers and land surveyors, soils engineers, and structural engineers.
VOTE:	12-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Mathieson	X				
Vice-President D'Antonio				X	
Fel Amistad	X				
Alireza Asgari	X				
Duane Friel	X				
Michael Hartley	X				
Kathy Jones Irish	X				
Eric Johnson	X				
Coby King	X				
Paul Novak	X				
Mohammad Qureshi	X				
Frank Ruffino				X	
Wilfredo Sanchez	X				
Christina Wong	X				

IX. Legislation

A. Possible Legislative Proposals for 2022

1. Amendments regarding Engineering and Land Surveying Businesses (Business and Professions Code sections 6738 and 8729)

MOTION:	Ms. Irish and Dr. Qureshi moved to direct staff to pursue legislation to amend Business and Professions Code sections 6738, 6787, 8729, and 8792, relating to engineering and land surveying businesses.
VOTE:	12-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Mathieson	X				
Vice-President D'Antonio				X	
Fel Amistad	X				
Alireza Asgari	X				
Duane Friel	X				
Michael Hartley	X				

Kathy Jones Irish	X				
Eric Johnson	X				
Coby King	X				
Paul Novak	X				
Mohammad Qureshi	X				
Frank Ruffino				X	
Wilfredo Sanchez	X				
Christina Wong	X				

2. Amendments regarding Requirements for Certification as a Geologist-in-Training (Business and Professions Code section 7841.2)

MOTION:	Dr. Qureshi and Mr. Novak moved to direct staff to pursue legislation to amend Business and Professions Code section 7841.2, relating to requirements for certification as a geologist-in-training.
VOTE:	12-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Mathieson	X				
Vice-President D'Antonio				X	
Fel Amistad	X				
Alireza Asgari	X				
Duane Friel	X				
Michael Hartley	X				
Kathy Jones Irish	X				
Eric Johnson	X				
Coby King	X				
Paul Novak	X				
Mohammad Qureshi	X				
Frank Ruffino				X	
Wilfredo Sanchez	X				
Christina Wong	X				

3. Addition of New Sections to the Professional Engineers Act, the Geologist and Geophysicist Act, and the Professional Land Surveyors' Act (Business and Professions Code sections 6700-6799, 7800-7887, and 8700-8805) regarding Collection of Email Addresses from Applicants and Licensees

MOTION:	Dr. Qureshi and Mr. Johnson moved to direct staff to pursue legislation to add new sections to the Professional Engineers Act (Business and Professions Code section 6700, et seq.), the Geologist and Geophysicist Act (Business and Professions Code section 7800, et seq.), and the Professional Land Surveyors' Act (Business and Professions Code section 8700, et seq.) to require
----------------	--

	applicants and licensees to provide the Board with their email addresses, if they have one.
VOTE:	12-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Mathieson	X				
Vice-President D'Antonio				X	
Fel Amistad	X				
Alireza Asgari	X				
Duane Friel	X				
Michael Hartley	X				
Kathy Jones Irish	X				
Eric Johnson	X				
Coby King	X				
Paul Novak	X				
Mohammad Qureshi	X				
Frank Ruffino				X	
Wilfredo Sanchez	X				
Christina Wong	X				

Board meeting recessed at 4:55 p.m.

Tuesday, November 9, 2021

Board Members Present:	President Betsy Mathieson; Vice-President Fel Amistad; Alireza Asgari; Duane Friel; Michael Hartley; Kathy Jones Irish; Eric Johnson; Paul Novak; Mohammad Qureshi; Frank Ruffino; and Christina Wong
Board Members Absent:	Rossana D’Antonio; Coby King; and Wilfredo Sanchez
Board Staff Present:	Ric Moore (Executive Officer); Nancy Eissler (Assistant Executive Officer); Tiffany Criswell (Enforcement Manager); Celina Calderone (Board Liaison); and Joseph Chin (Legal Counsel)

I. Roll Call to Establish a Quorum

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

III. Public Comment for Items Not on the Agenda

No public comment.

X. Enforcement

A. Enforcement Statistical Reports

1. Fiscal Year 2021/22 Update

Ms. Criswell reviewed the enforcement statistics. President Mathieson explained that much of the Enforcement Unit’s hard work is apparent during Closed Session.

XI. Exams/Licensing

A. 2021 Examination Update

Mr. Moore reviewed the examination report.

During Public Comment, a person identified as Thomas sent a message via WebEx and inquired when PLS (Professional Land Surveyors) test takers will receive their results. Mr. Moore responded that they would be released early December.

XII. Executive Officer's Report

A. Rulemaking Status Report

Mr. Moore thanked Ms. Eissler for her hard work in assembling the Rulemaking Proposals and Legislation reports.

Mr. Moore reported that staff continues to work with the DCA Legal Office’s Regulations Unit for the Definition of Traffic Engineering to prepare documents for initial notice and staff continues to work on the prenotice for the Negligence and Incompetence and Responsible Charge Criteria for Professional Geologists and Professional Geophysicists.

B. Update on Board’s Business Modernization Project

Mr. Moore reported that we are nearing the release of version 3.5 of BPELSG Connect. This is an interim release that is related solely to civil engineer and land surveyor applications. This will allow the applicants and those needing to re-take any of the civil engineering or land surveying state exams the ability to register, pay, monitor, view scheduling, and view their results. Staff has been diligently working and have extensively tested this release for the last three weeks. This version may be released as early as tonight. If it is not released today, it will be tomorrow as Veteran's Day is on Thursday. DCA makes every effort to not release new features on a day before a holiday. Releases are done overnight for minimal disruption. Staff will continue development for Project Increment 4 which is related to the Enforcement functionality for the internal investigation monitoring and management. In addition, more application types will be added, such as geotechnical and traffic applications, which should take place in January. Work will continue on Product Increment 4, after which if all goes well, the Board will be in maintenance and operations mode. Mr. Moore thanked Board staff and the DCA Agile Team, specifically Jeff Alameida, Ryan Perez, and Dimitri Okhrimenko.

C. 2022 Board Meeting Schedule

Mr. Moore reviewed the 2022 Board meeting dates explaining that DCA's main conference room is being utilized on Thursdays for COVID testing staff who are not vaccinated. Therefore, we have proposed to move our Board meeting dates to Mondays and Tuesdays for the first three meetings for 2022. Mr. Novak indicated that he would appreciate efforts to resume Thursday-Friday Board meeting dates as Monday-Tuesday meetings are extraordinarily difficult for him to attend. Mr. Johnson asked if the meetings are in Sacramento for the foreseeable future. Mr. Moore confirmed that they would be, as DCA will need to help with the hybrid facilitation of the meeting. This means that all Board members will have to be in one location, but an allowance will be made for the public to participate remotely rather than in person. Mr. Johnson asked if Board members will be tested prior to attending. Mr. Moore explained that Board members must either provide proof of vaccination or be tested and that he and Ms. Eissler will provide information. President Mathieson added that Board members received instructions on how to submit proof of vaccination via a Teams meeting with a DCA Human Resources staff member. Mr. Moore introduced Deputy Director for Board and Bureau Services Carrie Holmes. Ms. Holmes reported that DCA staff will assist with any meetings requests and help with coordinating submission of vaccine verification for Board members and any logistics. She will continue to keep Board members and staff updated. Mr. Novak requested that the email be resent to allow for Board members to connect with DCA to provide their verification of vaccination. Mr. Ruffino asked if there was flexibility in the January dates. Mr. Moore noted that while we try to accommodate Board members who have a conflict, we cannot promise anything as long as there is a quorum. Mr. Ruffino understood. Mr. Moore is optimistic that the Strategic Planning Session can be completed in one day and the Board meeting the next day or possibly conduct the Board meeting in the

morning and have the Strategic Planning Session in the afternoon. He will communicate with Sarah Irani who will facilitate the Strategic Planning Session and see what will be on the agenda for January before determining how the Board meeting will proceed.

D. ABET

Dr. Amistad reported that he attended his third visit via Zoom, on October 24-27. He encouraged Board members to participate. Ms. Criswell also participated in her second visit. She enjoys the interactions with students and looks forward to getting back to an in-person campus experience. She also encouraged others to participate to understand the functions of ABET.

Dr. Qureshi added that he participated in a peer review for a civil engineering program outside of California. This was his first virtual review. He reported that while he did not get the interaction with the students and faculty and found it difficult to do certain evaluations such as labs, their ability to share documents via Dropbox types of programs proved to be helpful.

E. Association of State Boards of Geology (ASBOG)

1. 2021 Annual Meeting – Report from October 27, 2021, Meeting

Mr. Moore reported that President Mathieson virtually attended as the Board representative. Mr. Moore attended the Administrators workshop. There were interesting discussions about the conversion to Computer Based Testing (CBT) and continued updates from Prometric representatives. This meeting was conducted in a hybrid format and was handled very well. Beyond the conversion to CBT, there was some discussion with regards to how the last year and a half has impacted the education requirements for those seeking licensure for geology and geology in training certification.

President Mathieson reported that Laurie Racca, the Board's Professional Geologist Senior Registrar, was thanked for work that she had done directly for ASBOG such as assembling the manual for developing an exam and updating an exam so that the process is done consistently every time and those who are involved are aware of the procedures. Ms. Racca was also thanked for the survey she organized for boards on how they submit surveys to licensees for the purpose of doing task analysis. President Mathieson explained that the license examination questions are based on real world geologist tasks. A task analysis survey is distributed to licensees periodically to ensure that the subject areas being examined are still relevant.

F. National Council of Examiners for Engineering and Surveying (NCEES)

1. 2022-24 Western Zone Vice President Nomination

Mr. Moore reported that Dr. Qureshi is seeking nomination for the Western Zone Vice-President, he is currently the Assistant Vice-President. The election will take place at the next Western Zone meeting in State Line, NV.

MOTION:	Mr. Johnson and Mr. Novak nominated Dr. Qureshi as Western Zone Vice-President
VOTE:	11-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Mathieson	X				
Vice-President D'Antonio				X	
Fel Amistad	X				
Alireza Asgari	X				
Duane Friel	X				
Michael Hartley	X				
Kathy Jones Irish	X				
Eric Johnson	X				
Coby King				X	
Paul Novak	X				
Mohammad Qureshi	X				
Frank Ruffino	X				
Wilfredo Sanchez				X	
Christina Wong	X				

Mr. Moore will prepare a letter of nomination to NCEES.

G. Update on Outreach Efforts

Mr. Moore reported on the Board's Outreach efforts. President Mathieson reported that she and Board Senior Registrar for Civil Engineering Natalie King provided a virtual presentation to first year engineering students at the University of San Francisco. This is the second year of their program which is currently not ABET accredited as you must have a program for four years before you can apply for accreditation.

H. Strategic Plan 2021-22 Update

Mr. Moore has been advised that the external surveys and the Board member and Board staff interviews have been completed and compiled into what is referred to as the Environmental Scan Report. He anticipates that Board members will be receiving the Environmental Scan Report via email before the January Board meeting to allow time to review.

Mr. Moore introduced Mike Donelson, the Board's Electrical Engineer Senior Registrar. Mr. Donelson reported that he was preparing for a virtual presentation with Los Angeles Water and Power. He is responsible for reviewing all mechanical and electrical applications and most title act disciplines. He is also responsible for distributing the Seismic and Engineering Surveying examination results. Ms. Eissler reported that he is also responsible for much of the Board's outreach presentations to universities.

XIII. Discussion for an Increase in the Exempt Salary Level of the Executive Officer

President Mathieson reported that the salary level being discussed is for the position of the Board’s Executive Officer, not specifically Mr. Moore. Ms. Eissler explained that there are two separate issues, one is called an exempt level change and the other is exempt salary pay increase. The exempt level change has to do with the Executive Officer position. Within the state, there are several different salary levels with ranges from a minimum to a maximum salary for the Executive Officers of the various boards. The Board had made the decision last December to seek a change and have the exempt level for the Executive Officer position moved from Level I to Level G which adjusts the salary range which the Executive Officer would be paid. CalHR established a process in which DCA Office of Human Resources oversees for the various boards to ensure that all appropriate documents are completed. Once they are finalized, it will have to be approved by CalHR and the Governor’s office for the level change to be complete. Ms. Eissler reviewed the background and justification report, which listed the Board’s achievements since Mr. Moore was appointed.

President Mathieson suggested adding, “in addition, the Executive Officer ensures compliance with DCA training requirements” to the Duty Statement under “Board Liaison and Public Contact” on Page 2 of 6. Ms. Eissler will check with DCA Human Resources and ask where they think would be most appropriate to include the information. Additionally, President Mathieson noted that on Page 4 of the Duty Statement last paragraph under Item A, the word “appeal” should be “repeal”, the section “Personal Contacts” should include Board Members, and on Page 5 under Item H, the word “effective” should be “effectively”.

MOTION:	Dr. Qureshi and Mr. Friel moved to direct that an Exempt Position Request using the included justification be submitted to the Department of Consumer Affairs Office of Human Resources to request an exempt level change for its Executive Officer position from Level I to Level G and to request a simultaneous 5% exempt salary pay increase for the current Executive Officer due to his excellent performance, based on the last performance evaluation and to approve the included duty statement for the Executive Officer position with suggested edits.
VOTE:	11-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Mathieson	X				
Vice-President D’Antonio				X	
Fel Amistad	X				
Alireza Asgari	X				
Duane Friel	X				

Michael Hartley	X				
Kathy Jones Irish	X				
Eric Johnson	X				
Coby King				X	
Paul Novak	X				
Mohammad Qureshi	X				
Frank Ruffino	X				
Wilfredo Sanchez				X	
Christina Wong	X				

Ms. Eissler recommended that President Mathieson conduct a final review before it is submitted to DCA and if there are any recommended changes that are non-substantive, she would approve those. If there are changes that are substantive, those would be brought before the Board for discussion.

XIV. President’s Report/Board Member Activities

President Mathieson reviewed both decision write ups by the Administrative Law Judge (ALJ) from the September meeting and met via Teams with DCA to show her vaccination card. In addition, she met Vice-President Rossana D’Antonio. She is hoping to meet everyone at the January Board meeting.

Mr. Novak inquired if staff proactively contacts those individuals who have issues during Public Comment. In addition, he was also not able to find Mr. Moore’s email on the website as was mentioned by the commenter during Public Comment.

XV. Approval of Meeting Minutes

A. Approval of the Minutes of the September 16-17, 2021, Board Meeting

MOTION:	Dr. Amistad and Dr. Qureshi moved to approve the minutes as amended.
VOTE:	11-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Mathieson	X				
Vice-President D’Antonio				X	
Fel Amistad	X				
Alireza Asgari	X				
Duane Friel	X				
Michael Hartley	X				
Kathy Jones Irish	X				
Eric Johnson	X				
Coby King				X	
Paul Novak	X				
Mohammad Qureshi	X				
Frank Ruffino				X	

Wilfredo Sanchez	X				
Christina Wong	X				

XVI. Discussion Regarding Proposed Agenda Items for Next Board Meeting

Mr. Moore noted that with the new Connect system, online renewals and applications have dramatically increased in terms of cashiering payments more efficiently. With that comes a service fee that is attached to electronic credit card transactions. Staff is monitoring it closely and will report on the financial impact to the Board at a future meeting.

Mr. Hartley referenced Mr. Ball’s comments from Public Comment the day before as he ran out of time and inquired whether it needs to be an agenda item for a future meeting or something that requires the Technical Advisory Committee (TAC) to review. Mr. Moore explained that Mr. Ball can reach out to him to discuss it further.

Ms. Irish suggested establishing working committees to address items that have surfaced as a result of the presentation of the Budget materials.

XVII. Closed Session – The Board met in Closed Session to discuss, as needed:

- A. Personnel Matters [Pursuant to Government Code sections 11126(a) and (b)]
- 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. Matt Aston, Freddy Espinal, Jesse Moorhouse, Ground Penetrating Radar Systems, LLC v. Board for Professional Engineers, Land Surveyors, and Geologists, Sacramento Superior Court Case No. 34-2020-80003553

XVIII. Adjournment

Due to technological limitations, adjournment was not broadcast. Adjournment immediately followed Closed Session, and there were no other items of business discussed.

PUBLIC PRESENT

Kristy W.
Roger Ball

XIV. Discussion Regarding Proposed Agenda Items for Next Board Meeting

XV. Adjournment

Due to technological limitations, adjournment will not be broadcast. Adjournment will immediately follow Closed Session, and there will be no other items of business discussed.