

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

Department of General Services
3737 Main Street, Alvarado Room
Riverside, CA 92501

Monday November 6, 2017, beginning at 9:00 a.m., and continuing on Tuesday, November 7, 2017, beginning at 9:00 a.m., if necessary

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

I. Roll Call to Establish a Quorum

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

II. Public Comment for Items Not on the Agenda

No Public Comment.

V. Legislation

A. Legislative Calendar
No report given.

B. Discussion of Legislation for 2017 :

SB 547 (Hill): Professions and vocations: weights and measures (BreEZe annual report)

Ms. Eissler reported that the Bill was approved by the Governor on October 2, 2017.

AB 1190 (Oberholte): Department of Consumer Affairs: BreEZe system (annual report)

Ms. Eissler reported that the Bill was vetoed by the Governor on October 7, 2017.

VI. Administration

A. Fiscal Year 2017/18 Budget Review

Mr. Moore indicated that the Board had not received the Fi\$cal Reports but is optimistic they will be available by the end of November in order to present them at the January meeting.

B. Update on Agencies Transition to Fi\$Cal

Mr. Moore took an opportunity to report the information that is tracked by the Board internally versus the information that is provided by the Department. He noted that the highlighted information in the meeting materials is information that the Board is able to provide.

VII. Exams/Licensing

A. Update on Fall 2017 Examinations

Mr. Moore reported that Prometric and exam staff have been busy with rescheduling candidates affected in the Houston, TX and Santa Rosa, CA area. Complete results will be available at the next meeting.

There was an issue with the San Bruno traffic exam site in which candidates appeared as scheduled and Prometric staff was unavailable to administer the exam due to a miscommunication in shifts. Two of the three candidates were accommodated. The third candidate opted to take the exam on another day.

VIII. Enforcement

A. Enforcement Statistical Reports

1. Fiscal Year 2017/18 Update

The Board was pleased with the direction of the aging of cases and statistics.

III. Hearing on the Petition for Reinstatement of the Revoked License of Paul Christopher Ehe

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

The Board met in Closed Session following the Hearing on the Petition for Reinstatement to decide that matter.

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

XVI. Open Session to Announce the Results of Closed Session

During Closed Session, the Board took action on five stipulations and one proposed decision, discussed litigation as noticed, and directed the Administrative Law Judge to prepare the decision on the petition for reinstatement.

IX. Executive Officer's Report

A. Legislation and Regulation Workgroup Summary

Mr. Moore reported on the Geology Education regulation 3031. It is going through the new rulemaking process at DCA. Even though the Board has approved this regulation for notice, the Department's legal office and regulations coordinator must review it before it can be noticed for public comment.

B. Personnel

No report given.

C. ABET

Mr. Moore reported that ABET did send an email about ABET visits, but we never received it. One of the universities that went through the ABET process reported to Mr. Moore that the review of their program went very well.

D. Association of State Boards of Geology (ASBOG)

Mr. Moore reported that he received a report from Ms. Racca who attended the Annual Meeting in Portland, OR. The American Institute of Professional Geologists (AIPG) is seeking to create a new membership category. The category would be referred to as National Licensed Geologists, and AIPG is seeking ASBOG's support. If a member within this category passed the Fundamentals of Geology and the Professional Geologist exams and they submitted appropriate information to AIPG for certification, it would be recognized by licensing boards and, as a result, expedite the licensing process. It would function similar to that of the NCEES council record. Ms. Racca reported that there was significant opposition because the ASBOG members did not believe AIPG was the appropriate organization to adopt a council record type document for certification. Based on the opposition, AIPG agreed to reconsider proposal.

Mr. Moore reported that Ms. Racca provided a presentation on Computer Based Testing (CBT). She explained how the Board implemented CBT and some of the lessons learned. ASBOG expressed their apprehension. An executive committee member with ASBOG was concerned with the

possibility of computer hacking. The Executive Director requested Ms. Racca's assistance in moving forward in examining the CBT process.

ASBOG is requesting a list of core and elective courses for model regulations similar to that of the California Board's Rulemaking Proposal.

As of October 1, 2017, the geoscience program with the University of Arkansas, Little Rock is the first ABET accredited program for Geology.

E. National Council of Examiners for Engineering and Surveying (NCEES)
No report given.

F. Outreach

Mr. Moore reported that the Board's outreach efforts focus on the licensing process and allow the professional associations to focus on efforts to encourage people to join the profession.

G. Update on Business Process Improvement Study

DCA Business Modernization Report

Mr. Moore reported that since the implementation of BreZE for many boards, the Legislature has been interested in knowing what is happening with the remaining boards. The Office of Information Systems (OIS) at DCA assembled the Business Modernization Report in an effort to start responding to the Legislature and submitted it to Agency. Mr. Moore expressed his concern that the report generated by OIS may be perceived that it was developed by the Board. DCA's Deputy Director of OIS has been very receptive with concerns from the Board. Ms. Eissler explained that the report is going to be updated quarterly and noted that it is a living document and will continue to evolve. Ms. Mathieson is worried the legislature would be less than impressed if this document were to be presented to them. Mr. Moore added that the information contained in the document is DCA's perception of what the Board is doing based on a meeting that took place months ago. Ms. Irish asked if DCA will follow the Board in terms of the work already being done and how that information will that be properly integrated. President Johnson took issue with the Board's logo on the title page as if the Board generated the document. Ms. Irish noted that this document highlights a disconnect between DCA and the Board. Mr. Stockton in concerned with the upcoming Sunset review and how the report will play into it. Mr. Moore will meet with the Director and pass along the Board's concerns and to see how to change the process of reporting the information.

Mr. Moore also reported that the staff is proceeding with the contract for a vendor to assist with the development of system requirements for Stage II. The Board received four good proposals. Unfortunately, the one selected accepted a permanent employment offer from the Department of General

Services (DGS). Therefore, staff is looking into what needs to be done to release the Request for Qualifications/Proposal again.

X. Technical Advisory Committees (TACs)

- A. Assignment of Items to TACs
No report given.
- B. Appointment of TAC Members
No report given.
- C. Reports from the TACs
No report given.

Mr. Moore indicated that staff is working on scheduling a Traffic TAC meeting to finish up the items on their work plan as directed by the Board.

XI. President’s Report/Board Member Activities

President Johnson participated in California State University, Sacramento’s Industry Night. There were 120 juniors and seniors in attendance. The presentation outlined what employers are looking for and promoted licensure in the process.

Mr. Stockton added that Mr. Moore and Mr. Sweeney provided a presentation to the Industry Advisory Group for Land Surveyors in Riverside County.

Mr. Stockton added that he is a Guinness World Record authenticator. As a person legally authorized to practice land surveying, he was able to certify distance and slope for riding a bicycle backwards.

XII. Approval of Meeting Minutes

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

MOTION:	Dr. Qureshi and Dr. Amistad moved to approve minutes as amended.
VOTE:	8-0, Motion Carried

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

XIII. Discussion Regarding Proposed Agenda Items for Next Board Meeting

A. 2018 Board Meeting Schedule

The Board reviewed the 2018 Board meeting schedule and concluded that the Riverside and San Diego dates be switched so that the June 28-29 meeting will take place in San Diego and the December 13-14 meeting will take place in Riverside.

XVI. Other Items Not Requiring Board Action

Mr. Wilson inquired as to the status of the Executive Officer evaluation. Mr. King indicated that they are gathering additional comments and are in the process of finalizing it.

XVII. Adjourn

The meeting adjourned at 3:42 p.m.

PUBLIC PRESENT

Chris Ehe

Mark Norton, ASCE Region 9

Bob DeWitt, ACEC

Rob McMillan, CLSA