

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

Department of Consumer Affairs
1747 North Market Boulevard, Hearing Room
Sacramento, CA 95834

Monday, January 8, 2018, beginning at 9:00 a.m.

Board Members Present:	Eric Johnson, President; Betsy Mathieson, Vice-President; Natalie Alavi; Fel Amistad; Kathy Jones Irish; Coby King; Asha Lang; Mohammad Qureshi; Robert Stockton; and Steve Wilson
Board Members Absent:	Karen Roberts and Jerry Silva
Board Staff Present:	Ric Moore (Executive Officer); Nancy Eissler (Assistant Executive Officer); Tiffany Criswell (Enforcement Manager); Jeff Alameida (Administration Manager); Celina Calderone (Board Liaison); Kara Williams (Budget and Legislative Analyst); and Anthony Pane (Legal Counsel)

I. Roll Call to Establish a Quorum

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

II. Public Comment for Items Not on the Agenda

During public comment, Rob McMillan, representing California Land Surveyors Association (CLSA), expressed his appreciation to Board staff in their collaboration with CLSA.

Christopher Castrillo, Deputy Director for Board and Bureau Services, is looking forward to applying his personal experience and skills to implement the goals laid out in the Department's Strategic Plan. He reported on several personnel changes that included former Deputy Director of Board and Bureau Relations, Christine Lally, joining the Medical Board as Deputy Director; Karen Nelson and Patrick Le have been appointed as the two new Assistant Deputy Directors for Board and Bureau Services; Chris Schultz is the new Chief Deputy Director; and Natalie Daniel as the new Deputy Director of Administration. He is confident that the staff additions will strengthen their ability to pursue the Department's mission and the services provided to the boards and bureaus.

Steven Hunter requested the Board evaluate the current procedures and potentially clarify the pathway for individuals seeking dual licensure in both Professional Engineering and Land Surveying.

Bob DeWitt reported that he renewed his license online in July but noticed recently that his license was delinquent. He has since paid but was concerned that perhaps there was an issue with the online payment process. Mr. Moore explained that he should have received a receipt via e-mail to confirm his payment. Mr. DeWitt indicated he had not.

9:03 a.m. Ms. Irish arrived.

III. Administration

A. Fiscal Year 2017/18 Budget Review

Ms. Williams distributed copies of the fund condition and reviewed the budget. Fi\$Cal reports should be available by the end of January.

IV. Legislation

A. Legislative Calendar

Ms. Williams reviewed the legislative calendar and highlighted important dates.

B. Legislative and Regulatory Proposals to Address Fee Inequities (Article 7 of Chapter 12.5 of Division 3 of the Business and Professions Code and Title 16, California Code of Regulations sections 407 and 3005)

MOTION:	Mr. King and Mr. Stockton moved to direct staff to seek an author to carry legislation to amend Business and Professions Code section 7887.
VOTE:	10-0, 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				

V. Enforcement

A. Enforcement Statistical Reports

1. Fiscal Year 2017/18 Update

Ms. Criswell reviewed the statistics. She noted that they are starting to open cases based on subsequent arrests and convictions of the applicants once they become licensed.

VII. Executive Officer's Report

F. Update on Business Process Improvement Study

1. DCA Business Modernization Report

Mr. Moore introduced Jason Piccione, Deputy Director, Office of information Services. Mr. Piccione reported on the Business Modernization Plan and addressed business needs and emerging technology that can help the Board in its mission. He acknowledged staff and the leadership of the Board in that it is leading the business modernization effort and is ahead in schedule from other Release 3 programs. He recognized that the Board has put in a lot of work into recognizing the need for change and dedicating resources to this effort.

VI. Exams/Licensing

A. Update on Fall 2017 Examinations

Mr. Moore reflected on the statistics from the November meeting and noted that as of November 2017 there were 33 Geotechnical examinees. He provided an update and announced there were an additional 35 candidates who sat for the examination in December alone, for a total of 67.

B. Adoption of Test Plan Specifications for the California Traffic Engineer Examination

Mr. Moore reviewed the Traffic Engineering test plan as recommended by Prometric based on the occupational analysis conducted last year.

MOTION:	Dr. Qureshi and Vice-President Mathieson move to approve the Traffic Engineering Test Plan.
VOTE:	10-0, 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	

VII. Executive Officer's Report (cont.)

A. Legislation and Regulation Workgroup Summary

Mr. Moore reported that the geology education regulation (3031) remains with DCA and continues to be reviewed by the regulations staff, the legal office, and budgets. Once that review is completed, the Board will be able to notice the proposal for public comment to being the official rulemaking process.

B. Personnel

Mr. Moore announced that Susan Christ, Senior Registrar for Civil Engineering, retired from the Board after 25 years of service. Ms. Eissler is currently working with Human Resources to establish an examination process to create a hiring list for engineers. Mr. Moore is optimistic that the position will be filled within the next six months.

C. ABET

Mr. Moore reported on a newspaper article that announced that both Stanford and CalTech were considering not seeking ABET accreditation for their chemical engineering programs.

D. Association of State Boards of Geology (ASBOG)

1. American Institute of Professional Geologists (AIPG) – Proposal of New Membership Category to ASBOG

Mr. Moore expressed his concern with a request ASBOG received from AIPG (American Institute of Professional Geologists) to establish a new membership category called “Nationally Licensed Geologists”. Ms. Racca indicated the proposal was not well received by the ASBOG Member Boards. AIPG has not formally presented anything to ASBOG. Mr. Moore recommended sending a letter to AIPG expressing concerns.

MOTION:	Mr. King and Ms. Lang moved to direct staff to write a letter to AIPG expressing the Board's concern with the use of the title "Nationally Licensed Geologist" and to send a copy to ASBOG.
VOTE:	10-0, 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				

- E. National Council of Examiners for Engineering and Surveying (NCEES)
Mr. Moore reported that Chief Executive Officer, Jerry Carter, will retire as of October 1, 2018.

VIII. 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

Ms. Eissler reported that there will be a Traffic TAC meeting January 30, 2018.

Mr. Wilson indicated he has seen issues with land surveyors not complying with Section 8771(a) of the Professional Land Surveyors' Act. He inquired whether it was appropriate to direct staff to develop statistics to see how prevalent this issue has become with enforcement. Ms. Eissler advised that would be a workload-intensive project because staff would have to manually review each case since data that specific is not tracked electronically. Mr. Moore explained there are issues with the interpretation of the word "sufficient" as used in that section and that consideration might need to be given to clarifying what it

means. Ms. Eissler advised that the Land Surveyor TAC could be directed to aid in developing language that can be adopted into regulation.

IX. President's Report/Board Member Activities

No report given.

X. Approval of Meeting Minutes

A. Approval of the Minutes of the November 6, 2017, Board Meeting

MOTION:	Mr. King and Ms. Irish moved to approve minutes as amended.
VOTE:	9-0-1, 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				

XI. Discussion Regarding Proposed Agenda Items for Next Board Meeting

A. March 8-9, 2018, Board Meeting will be held at CSU, Fresno

XII. Other Items Not Requiring Board Action

No report given.

XIII. 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. Thomas Lutge v. Richard B. Moore, in his capacity as the Executive Officer of the Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, U.S. District Court, Eastern District, Case No. 2:17-CV-02290-KJM-EFB (Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS)
2. Lawrence Allen Stevens v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Sacramento Superior Court Case No. 34-2016-80002334

XIV. Open Session to Announce the Results of Closed Session

During Closed Session, the Board took action on two stipulations and one petition for reconsideration and discussed litigation as noticed.

XV. Adjourn

The meeting adjourned at 2:42 p.m.

PUBLIC PRESENT

Rob McMillan, CLSA

Bob DeWitt, ACEC

Carl Josephson, SEAOC

Natalia Blackburn, Blackburn Engineering

Steve Hao, Caltrans