

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

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

Thursday, May 3, 2018, beginning at 9:00 a.m.

Thursday, May 3, 2018

Board Members Present:	Eric Johnson, President; Betsy Mathieson, Vice President; Natalie Alavi; Fel Amistad; Andrew Hamilton; Coby King; Asha Lang; Mohammad Qureshi; and Steve Wilson
Board Members Absent:	Kathy Jones Irish; Karen Roberts; Jerry Silva; Robert Stockton
Board Staff Present:	Ric Moore (Executive Officer); Nancy Eissler (Assistant Executive Officer); Tiffany Criswell (Enforcement Manager); Celina Calderone (Board Liaison); Jeff Alameida (Administrative Manager); Candace Cummins (Licensing Manager); Larry Kereszt (Examinations Manager); Laurie Racca (Senior Registrar); Dallas Sweeney (Senior Registrar); and Michael Santiago (Legal Counsel)

I. Roll Call to Establish a Quorum

President Johnson introduced new Board member Andrew Hamilton and called the meeting to order at 9:00 a.m., and a quorum was established.

II. Public Comment for Items Not on the Agenda

Former Board Member, Carl Josephson wanted to provide an update on the issue of significant structures that the Structural Engineers Association of California (SEAOC) has been following. A joint meeting took place between the Structural TAC and Civil TAC a couple of years ago to discuss whether there are certain types of buildings that should be designed by Structural Engineers rather than Civil Engineers. Currently, it is just schools and hospitals that are required to be designed by Structural Engineers. This dialog has continued and is now a national conversation. Mr. Josephson attended a meeting in Dallas, Texas, with the Structural Engineering Institute and the Professional Activities Committee. The focus of the meeting was the definition of the type of structures that should be designed by Structural Engineers. This issue is still very active, and SEAOC would like to introduce legislation to define the type of structures that are required to be designed by Structural Engineers.

III. Consideration of Rulemaking Proposals

- A. Requirements for Licensure – Geologists and Geophysicists, Title 16, California Code of Regulations section 3031 et. seq., section 3041 and section 3042.

MOTION:	Dr. Qureshi and Ms. Lang moved to approve the revised text as shown and direct staff to continue with the rulemaking process to amend Title 16, California Code of Regulations section 3031, et. seq.
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After discussion, the motion was withdrawn. Vice President Mathieson suggested the following amendments: Page 16 (ix) Amend “modeling of groundwater or other processes” to “Computer modeling of ground water flow or other geologic processes”; any of the sections that pertain to education and experience requirements be placed in “Article 2. Applications”; any sections that pertain to examinations be placed in “Article 3. Examinations,”; and other continuity revisions.

MOTION:	Dr. Qureshi and Ms. Alavi moved to approve the revised text as amended.
VOTE:	9-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson	X				
Natalie Alavi	X				
Fel Amistad	X				
Andrew Hamilton	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				

IV. Administration

- A. Fiscal Year 2017/18 Budget Review

Mr. Moore reported that a budget meeting with Mr. Stockton and Mr. King has been scheduled for June 13. Mr. Alameida reviewed the Board’s Financial Statement.

Mr. King would like to add a note to explain what “other” is. He also requested a narrative with statistics understanding the difference between Fi\$Cal and the

real numbers. Mr. Alameida explained that the Fi\$Cal reports and in-house projections are combined within the staff report for the meeting. Any staff concerns related to in-house analysis and inconsistencies between in-house tracking and what DCA has provided from Fi\$Cal are sent to the Board's DCA Budget Analyst for verification and resolution.

He suggested the Board focus on three main areas that can be tracked:

- Personal Services (Benefits, salaries, and wages)
- Contracts (interdepartmental and external services). These contracts consist of ASBOG, NCEES, Prometric, and Subject Matter Experts
- Enforcement.

These items account for 85% of the Board's budget.

V. Legislation

A. Legislative Calendar

Ms. Eissler noted important dates on the legislative calendar.

B. Discussion of Legislation for 2018 :

AB 2138 Licensing boards: denial of application: revocation or suspension of licensure: criminal conviction.

MOTION:	Mr. King and Dr. Qureshi moved to strongly oppose AB 2138, as amended April 2, 2018, and to send a copy of the Board's opposition letter to Governor Brown.
VOTE:	9-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson	X				
Natalie Alavi	X				
Fel Amistad	X				
Andrew Hamilton	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				

AB 2264 Professions and vocations: fees
No action needed.

AB 2409 Professions and vocations: occupational regulations.
No action needed.

SB 984 State boards and commissions: representation: women.
No action needed.

AB 2483 Indemnification of public officers and employees: antitrust awards.

MOTION:	Ms. Mathieson and Ms. Lang moved to support AB 2483, as amended April 9, 2018.
VOTE:	8-0-1, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson	X				
Natalie Alavi	X				
Fel Amistad	X				
Andrew Hamilton	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				

AB 767 Master Business License Act.

MOTION:	Dr. Qureshi and Ms. Alavi moved to continue to watch AB 767, as amended April 5, 2018.
VOTE:	9-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson	X				
Natalie Alavi	X				
Fel Amistad	X				
Andrew Hamilton	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				

AB 3126 Contractors' State License Law: cash deposit in lieu of a bond.
No action needed.

AB 3134 Professional engineers.
No action needed.

SB 920 Engineering, land surveying, and architecture: limited liability partnerships.

MOTION:	Mr. Wilson and Dr. Amistad moved to support SB 920, as amended April 2, 2018.
VOTE:	9-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson	X				
Natalie Alavi	X				
Fel Amistad	X				
Andrew Hamilton	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				

SB 1098 Geologists and geophysicists: fees.

MOTION:	Ms. Land and Dr. Qureshi moved to support SB 1098, as amended April 12, 2018.
VOTE:	9-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson	X				
Natalie Alavi	X				
Fel Amistad	X				

Andrew Hamilton	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				

VI. Enforcement

C. Enforcement Statistical Reports

1. Fiscal Year 2017/18 Update

Mr. King questioned the increase in cases over the last few months. Ms. Criswell explained there were groups of related cases and that it is likely an anomaly and not a trend.

VII. Exams/Licensing

A. Update on Spring 2018 Examinations

Mr. Kereszt explained that occupational analyses are taking place for each examination, some have been completed and others are scheduled for later in 2018-2019. In an effort to continue to improve examination availability, approved civil engineer candidates are able to take either one or both California Civil examinations once per quarter for possibly four times per year, which began April 1, 2018.

Mr. Kereszt provided examination result statistics from 2013-2017 and the Professional Geologist examination statistics for the Spring 2018 administration.

Mr. Kereszt reported that the Geotechnical examination had been offered as a continuous examination with the ability to take it once per year. Because the application numbers were declining, it was decided to introduce two windows to take the exam. One is from May 1 to May 15, and the other is November 1 to November 15. Historically, there has been a steady applicant pool, but when the examination started to be offered on a continuous basis, the numbers decreased. Mr. Moore added that if a deadline was introduced, it might motivate applicants. Mr. Kereszt reported that there is an upturn in applicants already.

B. Update on Application Numbers

Mr. Moore introduced Candace Cummins, Licensing Manager, and reviewed the application numbers for the time period of December 2017 through March 2018.

C. Adoption of Test Plan Specifications for the California Professional Land Surveyor Examination

D. Adoption of Test Plan Specifications for California Geotechnical Engineer Examination

MOTION:	Dr. Qureshi and Mr. Amistad moved to adopt both test plans.
VOTE:	9-0 , motion carried

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson	X				
Natalie Alavi	X				
Fel Amistad	X				
Andrew Hamilton	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				

VIII. Executive Officer's Report

A. Rulemaking Status Report

No report given.

B. SB 2 (2017 Ch. 364) Effect on Filing a Record of Survey

Mr. Moore reported that staff has been working with Senator Canella's staff regarding concerns relating to the effect SB 2 might have on filing a record of survey. They asked the Legislative Counsel and the Attorney General's Office for opinions. The Attorney General's Office sent an email seeking input from various interested parties. The Board is waiting for the Attorney General's response as a result of this email. The Board recommended communicating with the Attorney General's Office.

C. Update on Board's Business Modernization Report

Mr. Moore provided some history for new Board Member Hamilton. He noted that the technical system requirements have been completed to meet California Department of Technology (CDT) mid-level solutions for the Project Approval Lifecycle (PAL) process. and staff has met with CDT personnel and are strategizing how to complete the submittal for the Stage II document.

D. Personnel

Mr. Moore reported that the Board is currently recruiting for the Civil Engineer position and is hopeful to commence the interviewing process soon. Jacqueline

Lowe, Enforcement Analyst, who has been with the Board since 1995, is retiring May 30, 2018. Janice Fowlks was hired as one of the Board's receptionists. The Licensing Unit is recruiting for an Applications Evaluator.

Mr. Moore recognized staff members that helped support the front desk with phone coverage and assisting the public until the new receptionist was hired and for those who continue to assist in training Ms. Fowlks during the transition process.

E. ABET

No report given.

F. Association of State Boards of Geology (ASBOG)

Ms. Racca reported that the ASBOG Council of Examiners met in April which involved grading examinations and setting up for the upcoming fall examinations. ASBOG is in the process of studying their transition to Computer Based Testing (CBT). She anticipates that it will take place after 2022. California is the host state for the Annual Meeting in Monterey, which will take place the same week as the Board meeting at the end of October/beginning of November 2018.

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

1. Report of Western Zone Interim Meeting

Mr. Moore reported on the Western Zone interim meeting. Brian Robertson from Colorado was elected as the new Zone Vice-President, and Scott Bishop from Utah was elected as the new Assistant Zone Vice-President.

2. Selection of Funded Delegates to Attend Annual Meeting – August 15-18, 2018

Dr. Qureshi and Ms. Mathieson recommended Mr. Wilson and Ms. Lang as Funded Delegates to attend the Annual Meeting.

3. Recommend Dallas Sweeney as Associate Member to NCEES

Mr. Moore recommended that the Board nominate Mr. Sweeney to be an Associate Member and, after further discussion, also recommended that the Board nominate Ms. Criswell and Mr. Kereszt to be Associate Members of NCEES.

MOTION:	Mr. Wilson and Ms. Alavi moved to nominate Mr. Sweeney, Ms. Criswell, and Mr. Kereszt to be Associate Members of NCEES.
VOTE:	9-0 , motion carried

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson	X				

Natalie Alavi	X				
Fel Amistad	X				
Andrew Hamilton	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				

H. Update on Outreach Effort
Mr. Moore reviewed the 2018 Outreach Report.

IX. 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.

X. President’s Report/Board Member Activities

President Johnson announced that he had appointed Ms. Mathieson and Mr. King to serve as the Board’s Nominating Committee. They will provide their recommendations for President and Vice President at the next meeting.

President Johnson also discussed the Executive Officer salary band research and noted Dr. Qureshi and Mr. Wilson will work to gather supporting documentation to bring to a future Board meeting.

Ms. Lang reported that she attended the California Women’s League that recognized appointed women in State Government.

XI. Approval of Meeting Minutes

- A. Approval of the Minutes of the March 8, 2018, Board Meeting

MOTION:	Dr. Qureshi and Mr. King moved to approve meeting minutes as amended.
VOTE:	6-0-3, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson	X				

Natalie Alavi			X		
Fel Amistad	X				
Andrew Hamilton			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. Other Items Not Requiring Board Action

Mr. Moore reported that he received information from the Senate Rules Committee that a new Board member was appointed May 2, 2018, but he had received no further information at this time.

XIV. 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)]

XV. Open Session to Announce the Results of Closed Session

During Closed Session, the Board took action on six proposed decisions, two default decisions, and a petition for reconsideration.

XII. Discussion Regarding Proposed Agenda Items for Next Board Meeting

- A. June 28-29, 2018, Board Meeting will be held in San Diego at CalTrans District 11, 4050 Taylor Street, Wallace Room #134 San Diego, CA 92110-2737

XVI. Adjourn

The meeting adjourned at 2:20 p.m.

PUBLIC PRESENT

- Carl Josephson, SEAOC
- Bob DeWitt, ACEC - CA
- Alan Escarda, PECG
- Rob McMillan, CLSA
- John Snee, CalTrans Office of Land Surveys
- Denny L. Kennedy, Collins Electrical