

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

2535 Capitol Oaks Drive  
Third Floor Conference Room  
Sacramento, CA 95833

Wednesday, October 16, 2024

<b>Board Members Present:</b>	President Christina Wong; Vice-President Guillermo Martinez; Fel Amistad; Alireza Asgari; Khaesha Brooks; Michael Hartley; Coby King; Betsy Mathieson; Frank Ruffino; Wilfredo Sanchez; Fermin Villegas; and Cliff Waldeck
<b>Board Members Absent:</b>	Rossana D'Antonio
<b>Board Staff Present:</b>	Ric Moore (Executive Officer); Tiffany Criswell (Assistant Executive Officer); Candace Cummins (Licensing Manager); Brook Grabowski (Enforcement Manager); Dawn Hall (Administrative Manager); Larry Kereszt (Examination Manager); Celina Calderone (Board Liaison); and Christopher Pirrone (Legal Counsel)

**I. Roll Call to Establish a Quorum**

President Wong called the meeting to order at 1:00 p.m., and a quorum was established.

**II. Pledge of Allegiance**

Vice-President Martinez led everyone in the recitation of the Pledge of Allegiance.

During this time, Board members and staff introduced themselves.

**III. Public Comment for Items Not on the Agenda**

During Public Comment, an individual by the name of Nick expressed his concern with stamp and signature security.

**IV. Strategic Planning Session**

The Board engaged in a Strategic Planning Session related to Diversity, Equity, and Inclusion (DEI).

The meeting recessed at 4:21 p.m.

# MINUTES OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS (Cont.)

**Thursday, October 17, 2024**

<b>Board Members Present:</b>	President Christina Wong; Vice-President Guillermo Martinez; Fel Amistad; Alireza Asgari; Khaesha Brooks; Michael Hartley; Coby King; Betsy Mathieson; Frank Ruffino; Wilfredo Sanchez; Fermin Villegas; and Cliff Waldeck
<b>Board Members Absent:</b>	Rossana D'Antonio
<b>Board Staff Present:</b>	Ric Moore (Executive Officer); Tiffany Criswell (Assistant Executive Officer); Candace Cummins (Licensing Manager); Brook Grabowski (Enforcement Manager); Dawn Hall (Administrative Manager); Larry Kereszt (Examination Manager); Celina Calderone (Board Liaison); Joshua Goodwin (Senior Registrar Geologist); Natalie King (Senior Registrar Civil Engineer); Dallas Sweeney (Senior Registrar Land Surveyor); Adam White (Senior Registrar Civil Engineer) and Christopher Pirrone (Legal Counsel)

**I. Roll Call to Establish a Quorum**

President Wong 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

**V. Administration**

**A. Fiscal Year 2023/24 Fiscal Month 13 Financial Results**

Ms. Hall, Administrative Services Manager, introduced the Fiscal Month 13 financial report. The revenues for Fiscal Month 13 were just under \$12.8 million, about 2% or \$243,000 higher than Fiscal Month 1 projections. There was approximately \$264,000 in investment income which was well above original projections likely due to higher interest rates. This was also higher than the comparable Fiscal Year 2021/22 period where the revenue was just over \$12.5 million. Expenses were \$11.5 million, including \$118,000 in reimbursements which was under the Fiscal Month 1 projections and the Governor's budget. The Fiscal Month 1 full year expense projections included the full encumbrance for Subject Matter Experts, business modernization, license renewal assessment, and Prometric contracts.

The Board subsidizes initial application and examination development costs with licensee renewal revenues. In Fiscal Year 2023/24, the Board subsidized approximately \$1.8 million which for context, is about \$17 per year, per licensee.

B. Fiscal Year 2024/25 Budget Report

Ms. Hall explained that this is a low renewal volume year, resulting in lower revenue. This is the largest category in the Board's revenue resulting in a sizeable impact on total projections. The current year expenses are projected at \$12.2 million resulting in drawing down the fund reserve and lowering the months in reserve.

**VI. Enforcement**

A. Enforcement Statistical Reports

1. Fiscal Year 2024/25 Update

Brook Grabowski introduced herself as the new Enforcement Manager and Ms. Criswell reviewed the Enforcement statistics.

During Public Comment, Carl Josephson representing SEAOC (Structural Engineers Association of California) asked if civil litigation goes all the way through completion and there is a judgment or a settlement and an engineer or design professional is found to be a defendant for a case, does it get referred to Enforcement? Ms. Criswell explained there are reporting requirements in place.

**VII. Exams/Licensing**

A. Examination/Licensing Updates

Larry Kereszt, Examination Manager, reported on examinations that are currently being administered. During the first week of October the Board administered all of the geology examinations, including state specific and ASBOG examinations. The second week of October, NCEES examinations were administered. The state traffic engineer exam, that is administered during a two-week window, begins this week. The state land surveyor exam takes place next week and the geotechnical engineer exam will be administered November 1<sup>st</sup> through the 15<sup>th</sup>.

During Public Comment, Rob McMillan, representing CLSA (California Land Surveyors Association), inquired about the population forecast for the California Professional Land Surveyor examinees. Mr. Kereszt reported there are approximately 120 eligible candidates.

B. Presentation from Prometric, LLC on Occupational Analysis (OA) Process

Colvin Franklin and Julie Morby, representing Prometric and attending virtually, provided a presentation that explained the occupational analysis process and answered questions from the Board and staff.

C. Adoption of Test Plan Specifications

1. Geotechnical Engineer Examination

Mr. Kereszt presented the proposed Geotechnical Engineer examination test plan specifications to the Board.

<b>MOTION:</b>	Ms. Mathieson and Mr. Hartley moved to approve the Geotechnical Engineer examination test plan specifications.
<b>VOTE:</b>	12-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Wong	X				
Vice-President Martinez	X				
Fel Amistad	X				
Alireza Asgari	X				
Khaesha Brooks	X				
Rossana D'Antonio				X	
Michael Hartley	X				
Coby King	X				
Betsy Mathieson	X				
Frank Ruffino	X				
Wilfredo Sanchez	X				
Fermin Villegas	X				
Cliff Waldeck	X				

## VIII. Legislation

### A. 2024 Legislative Calendar

Mr. Moore reviewed the legislative calendar.

### B. Discussion of Legislation for 2024

1. **AB 1862** - Engineering, land surveying, and architecture: limited liability partnerships.

No action taken.

During public comment, Rob McMillan reported that prior to his retirement he worked for Caltrans for over 30 years and explained that early in his career he worked on later phases of Caltrans projects that had been initiated in the 1960s. Sunset date restrictions can be problematic for companies when projects have a 30+ year lifespan. He hopes that when this is introduced in the future that we should seek support without a sunset date.

Robert DeWitt, representing ACEC who sponsored the bill, appreciates the Board's support of the bill. There are only a handful of firms that organize as an LLP due to the sunset date. Many shy away from organizing in that manner due to the Legislature's hesitancy to remove the sunset date.

2. **AB 2862** - Licenses: African American applicants.

No action taken.

3. **AB 3176** - Professional land surveyors: surveying practices: monuments and corner accessories.  
No action taken.
4. **AB 3253** - Board for Professional Engineers, Land Surveyors, and Geologists: licensees  
No action taken.

**IX. Executive Officer's Report**

**A. Rulemaking Status Report**

Mr. Moore reported that the Traffic Engineering rulemaking package was removed from the list as the Board previously rescinded it and staff will continue its work on preparing a report. It will be presented at a future meeting to determine whether the Board believes there is sufficient need to initiate a new rulemaking package.

As for the fee study that the Board had previously approved, staff continues to work on final details prior to being presented at the next Board meeting.

There may be another proposal to authorize staff to initiate some clean-up rulemaking related to legislation which revised the Professional Land Surveyors' Act from 2022.

**B. Update on Board's Business Modernization Project**

Mr. Moore reported that the current priority is to bring the enforcement process into the Connect system, primarily back-office management and monitoring for Board staff.

Staff has been working diligently with the vendor to develop content for the license renewal assessment. There are currently three different assessments in development for the three Practice Acts with the one associated with the Professional Land Surveyors' Act being first. He commended staff for their outstanding work collaborating with the vendor and expressed his excitement about the progress.

During Public Comment, Mr. McMillan asked also if this be will it be the first to be released or will all assessments be released simultaneously? Mr. Moore explained that the manner in which it will launch has yet to be determined.

**C. 2025 Board Meeting Schedule (Possible Action)**

The Board suggested amending the proposed 2025 Board meeting dates from July 24-25 to July 17-18 or July 31-August 1 and the April 3-4 meeting to April 10-11.

**D. Personnel**

Mr. Moore reported that Brook Grabowski is the new Enforcement Manager and Adam White is the Board's new Senior Civil Engineer Registrar. Mr. White

introduced himself and provided some career background. He looks forward to working with the Board.

E. ABET

Mr. Moore reported that ABET has not reached out for potential visits.

F. Association of State Boards of Geology (ASBOG)

Mr. Moore reported that ASBOG's Annual Meeting will take place next week however, the Board continues to wait for approval. ASBOG has been notified that the California Board may not be in attendance.

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

Mr. Moore received a request from other NCEES members for support of an additional standalone exam related to land surveying and expects to present this to the Board at a future meeting as more information becomes available.

During Public Comment, Mr. Josephson reported that since he is an emeritus member of the Board, he was contacted by NCEES to see if he would be willing to participate in a work group regarding significant structures and expressed that it is a great opportunity to bring this topic to a national level. He also added that

SEAOC recently held a webinar to prepare examinees for the national structural exam on what to expect in terms of practical aspects of taking the exam. There were approximately 180 participants and SEAOC will open it up to a national audience.

**X. President's Report/Board Member Activities**

Mr. Ruffino reported that NCEES reached out to him to participate in the Fresh Prospective Roundtable. however he had a conflict and could not attend.

Mr. King was reappointed to the Advisory Committee on Council Activities (ACCA) with meetings held virtually and in-person in January, which unfortunately, he will be unable to attend.

President Wong attended the Board leadership meeting with DCA and also met with the NCEES Finance Committee.

An organizer of Fresno State's annual Geomatics Engineering Conference Committee reached out to Mr. Hartley to provide a presentation. He and Mr. Sweeney have made plans to jointly provide a presentation on the importance of licensure at this conference.

Mr. Hartley expressed his appreciation to the public members of the Board for their continued interest in the professions.

Ms. Mathieson reported that she updated her photo on the Board's website.

Ms. Brooks and Mr. Waldeck will be attending the mandatory DCA Board Member Orientation Training.

**XI. Approval of Meeting Minutes (Possible Action)**

A. Approval of August 22, 2024, Board Meeting Minutes

<b>MOTION:</b>	Mr. Hartley and Mr. Ruffino moved to approve the August 22, 2024 Board meeting minutes.
<b>VOTE:</b>	11-0-1, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Wong	X				
Vice-President Martinez	X				
Fel Amistad	X				
Alireza Asgari	X				
Khaesha Brooks	X				
Rossana D'Antonio				X	
Michael Hartley	X				
Coby King	X				
Betsy Mathieson			X		
Frank Ruffino	X				
Wilfredo Sanchez	X				
Fermin Villegas	X				
Cliff Waldeck	X				

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

A. Deliberate on a Decision(s) to be Reached in a Proceeding(s) Required to be Conducted Pursuant to Chapter 5 (commencing with Section 11500), as Authorized by Government Code Section 11126(c)(3).

B. Confer with, or Receive Advice from, Its Legal Counsel Regarding Pending Litigation Pursuant to Government Code Section 11126(e)(1) and (2)(A), on the following matters:

1. Ryan Crownholm, et al. vs. Richard B. Moore, et al., United States District Court, Eastern District of California, Case No. 2:22-cv-01720-DAD-CKD
2. Victor Rodriguez-Fernandez vs. California Board for Professional Engineers, Land Surveyors, and Geologists, San Diego County Superior Court, Case No. 37-2023-00053465-CU-WM-CTL

**XIII. Adjourn**

The meeting adjourned at 12:40 p.m.

**PUBLIC PRESENT**

Carl Josephson, SEAOC  
Jeanne Marie Tokunaga, NSPE-CA  
Rob McMillan, CLSA