

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

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

Thursday, February 6, 2025

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

I. Roll Call to Establish a Quorum

President Wong called the meeting to order at 9:12 a.m. and a quorum was established.

II. Pledge of Allegiance

Mr. Waldeck led everyone in the recitation of the Pledge of Allegiance.

President Wong paused for a moment of silence to remember those affected by the wildfires in Southern California.

III. Public Comment for Items Not on the Agenda

During Public Comment, an individual by the name of Sarbjit Grewal representing Caltrans discussed the critical role of materials engineering and testing in civil engineering and the need for recognition by the Board. Some of the key points Mr. Grewal noted was that material engineering ensures infrastructure, safety, durability, and performance; develops and updates clear specification for construction projects; conducts testing and quality control for concrete, asphalt, steel, and other materials. Some of the challenges they face is Title 16, California Code of Regulations §461 which defines qualifying civil engineering experience but does not explicitly recognize materials engineering and testing and quality assurance as part of civil engineering and the lack of clarity affects career

recognition for professionals in materials engineering and testing. He urges the Board to clarify and affirm that materials engineering and testing are an integral part of civil engineering.

An individual by the name of Phillip Mooney, a member of the geology department at Sonoma State University (SSU) received an e-mail from the university president informing him that he, along with his geology colleagues, will be laid off as part of a cost cutting measure. This means the complete removal of geology education at SSU. The decision was a complete shock. He explained they are a thriving department with a healthy and growing enrollment. The graduates have made significant contributions in water resource management, construction, environmental consulting, and hazard mitigation throughout the region. Their success is evident in their consistently strong performance on the Professional Geologist licensing exam. When the president explained the cuts, he claimed they were made to minimize community impacts and focus on strategic importance and future growth. Mr. Mooney believes this decision reflects a misunderstanding of the critical value of geology. He expressed the importance to the community and the essential work that geologists do. The closure of this program threatens to create a severe gap in the training pipeline for future geoscientists at a time when California urgently needs them to address climate change, infrastructure development, housing challenges, and environmental threats. He respectfully urges the Board, as trusted allies who understand the vital role of geology, to help advocate for their program. He recommends that a letter be written on behalf of the Board to elected officials and university leadership urging them to reconsider this decision.

Matthew “Matty” Mookerjee, geology professor at Sonoma State University, explained that he has been teaching at Sonoma State for 19 years and learned about the elimination of the geology department through a mass e-mail sent on January 21st, the second day of the semester. This decision is deeply concerning not only for colleagues and students, but for the broader community that relies on the graduates. Just like Phil Mooney, he urges the Board to write a letter calling for the administration to reverse its decision. SSU has long been a vital source of professional geologists in California, with many of the graduates going on to careers in environmental consulting, water resource management, geological hazard mitigation, and general public service. Historically, SSU majors have performed exceptionally well on both the Geologist-in-Training exam and the Professional Geologist exam, demonstrating the strength of their program, and preparing qualified professionals for licensure. The loss of this program would have a significant impact to the profession and the State’s ability to meet its geological and environmental challenges. He urges the board to advocate for the preservation and is willing to meet with the Board to provide additional information that may aid in preparing this letter.

Walter Okitsu, former member of the Traffic Technical Advisory Committee (TAC) commented on item VI. C Staff Report on Traffic Engineering on the need for

rulemaking to revise the definition of traffic engineering, which the TAC came up with back in 2019, however, the recommended changes were not reflected in regulations. The item was taken out of order for further discussion.

VI. Exams/Licensing

C. Staff Report on Traffic Engineering (Possible Action)

Natalie King, Senior Registrar Civil Engineer, presented the staff report on traffic engineering and reported that staff was tasked with researching the concerns related to the overlap of traffic and civil engineering definitions. There was a Traffic Engineer Technical Advisory Committee (TAC) that met once in 2015 and again in 2018 to discuss whether changes to the traffic engineering definition were warranted. Through research, it was recommended that no changes needed to be made to the definition of traffic engineering as it currently reads in the law. The main reason for this recommendation is that the Board has had multiple occupational analyses performed for the state traffic engineer exam since 2014 when these concerns were first expressed. It is the purpose of the occupational analysis to ask what is relevant to the practice and what, if anything, that is currently tested on the Board's state exam is no longer relevant or if we need to add anything or change anything based on the practice of traffic engineering. Over the last few studies, The Board has not seen any significant changes reported by licensed traffic engineers in California which would substantiate a change to the definition as proposed in 2018 by the Traffic TAC. Mr. Moore added that the language that was presented to the Board in 2018 was the language that the TAC finalized. Ms. King has worked diligently and has made every attempt to find anything to help support this change but has found quite the opposite.

Traffic engineers and those wanting to be licensed as traffic engineers are very clear on the definition of traffic engineering as evidenced by the very low number of work experience deficiencies related to applications for this license type. The confusion is those who are seeking to be licensed as civil engineers and do not understand what civil engineering is and what is not. There appears to be confusion in the industry. Civil engineers are doing both civil and traffic because they can. She believes outreach may help ease the confusion.

During Public Comment, Walter Okitsu clarified that the definition of traffic engineering does not reflect what is happening in the occupational analysis or the test plan. He stated that the definition in the middle of page 37 in the meeting materials is not the TACs recommendation and believes that possibly an intern missed some of the key points of what was discussed. Mr. Okitsu said that several TAC members are willing to reconvene to reestablish the definition and to coordinate with the test plan.

The board consensus was to take no action.

IV. Administration

A. Fiscal Year 2024/25 Budget Report

Dawn Hall, Administrative Manager, reported that revenue is up \$1.2 million from Fiscal Month 4 as reported at the last Board meeting and up \$278,000 over the comparable prior period. There have been no changes in the full year revenue or expense projections.

The Governor's Fiscal Year 2025/26 Budget has been released; however, it has not been updated to reflect the potential savings which are outlined in Budget Letter 24-20 (Vacancy Savings and Position Elimination) and Budget Letter 24-24 (Government Efficiencies Reductions). Net Appropriation is \$13,882 and is expected to be reduced to \$13,424 in the May budget revise. The Fund Condition in board materials reflects the January 2025 published budget.

On January 29, 2025, Governor Gavin Newsom issued Executive Order N-15-25, which defers for one year the license renewal fees for licenses that expire between January 1, 2025, and June 30, 2025, and whose residential or business address is within the DCA-determined fire impacted zip codes. This affects fewer than 250 licenses and we do not anticipate a significant impact to revenues. Licenses still need to be renewed on time, just the fee is deferred for one year.

Mr. Wilfredo Sanchez arrived at 10:14 a.m.

During Public Comment, Alan Escarda representing Professional Engineers in California Government (PECG) noticed \$0.00 is allocated for training within the administration materials and he is aware that this is a fee-based department and believes it is a mistake to have this type of financial environment where your greatest resource is your staff and training always gets cut. He believes training is valuable and would like to see it funded in the future as part of the fee increase. He would like the organization to invest in their employees, and consumers would benefit from an enhanced experience.

B. Status Update to Fee Change Rulemaking Proposal, Title 16, California Code of Regulations sections 407 and 3005 (**Possible Action**)

As the Board is preparing to submit the regulations package for the fee increase, Ms. Hall is asking the Board to consider the Fiscal Impact workload costs presented in the meeting materials and approve the prior proposed regulatory text in accordance with the revised Fee Study Fiscal Impacts.

MOTION:	Mr. Ruffino and Ms. Mathieson moved to approve the prior proposed regulatory text for Title 16, CCR section 407 and 3005 in accordance with the revised Fee Study Fiscal Impacts (workload costs), direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if no
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	adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 407 and 3005 as noticed.
VOTE:	11-0, 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				

V. Enforcement

A. Enforcement Statistical Reports

1. Fiscal Year 2024/25 Update

Brook Grabowski, Enforcement Manager reviewed the statistics.

During Public Comment, Michael Parolini explained that there has been an increase of growth of the engineering profession over the last 15 years, the biggest cycle he has seen in his 27 years in the field, resulting in more enforcement cases.

VI. Exams/Licensing

A. Examination/Licensing Updates

Mr. Moore reported that we are currently in the spring cycle (year-round).

B. 2024 Examination Results

Mr. Moore reviewed the examination statistics.

Ms. Mathieson would like to see a bar chart outlining the fields of engineering and pass rate percentages similar to that of enforcement stats.

Mr. King recommended having a discussion in reference to public comment regarding the elimination of the geology department at Sonoma State.

Mr. Moore introduced Julie Morby and Amanda Jewell representing Prometric. They discussed their roles and responsibilities and were able to answer some of the Board's questions.

During Public Comment, Michael Parolini expressed that he would prefer to see California structural pass rates broken down by all 6 categories, not 4 because bridges is separate and stated that the NCEES reported data can be confusing.

VII. Legislation

A. 2025 Legislative Calendar

Mr. Moore reviewed the legislative calendar. He noted that February 21, 2025, is the last day to introduce bills and while there are currently none in bill form that might affect the Board, staff will continue to monitor.

VIII. Discussion and Approval of Amended Strategic Plan (Possible Action)

MOTION:	Mr. King and Mr. Ruffino moved to approve the amended Strategic Plan
VOTE:	11-0, 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				

IX. Executive Officer's Report

A. Rulemaking Status Report

Mr. Moore reported that the fee study will be added to the next report.

B. Update on Board's Business Modernization Project

Staff continues back-office management and monitoring for Enforcement.

C. Personnel

Two positions continue to remain open.

D. ABET

No report given.

E. Association of State Boards of Geology (ASBOG)

Mr. Moore still waiting for Out-of-State (OST) travel approval for the Council of Examiners meeting. Ms. Mathieson expressed her eagerness to work on exam development.

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

An addendum was distributed to nominate Perry Valdez for the position of Western Zone Secretary for 2025-27 at the Combined Central/Western Zone Interim Meeting in Albuquerque, NM.

MOTION:	Dr. Asgari and Dr. Amistad moved to approve the nomination letter for Perry Valdez as amended.
VOTE:	10-1-0, 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				

G. Update on Outreach Efforts

Mr. Moore presented the Board's outreach efforts.

X. President's Report/Board Member Activities

President Wong reported that she is part of the NCEES Western Zone nominating committee. Nominations will close by February 15, 2025. She is also a member of the NCEES Finance Committee and is preparing for a March meeting.

XI. Approval of Meeting Minutes (Possible Action)

A. Approval of December 19, 2024, Board Meeting Minutes

MOTION:	Mr. Hartley and Mr. King moved to approve the minutes of the December 19, 2024, Board meeting.
VOTE:	11-0, 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				

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. Crownholm et al. v. Moore, et al. No. 24-276, cert. pending (filed Sep. 9, 2024), Supreme Court of the United States, Crownholm, et al. v. Moore, et al. (No. 23-15138) (9th Cir. April 16, 2024)
 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 2:27 p.m.

PUBLIC PRESENT

Phillip Mooney, Sonoma State University
Matthew “Matty” Mookerjee, Sonoma State University
Walter Okitsu
Alan Escarda