DRAFT

MEETING OF THE BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

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

Wednesday May 5, 2010, beginning at 10:00 a.m.

Board Members Present: Kim Blackseth, President; Mike Modugno, Vice President; Gregg Brandow; James Foley; Philip Quartararo; Patrick Tami; Michael Trujillo; and Paul Wilburn.

Board Members absent: David Luzuriaga; Ray Satorre; Jerry Silva.

Board Staff Present: David E. Brown (Executive Officer); Joanne Arnold (Assistant Executive Officer); Linda Brown (Administrative Manager); Paula Brown (Geology & Geophysics Program Manager); Mike Donelson (Staff Electrical Engineer); Nancy Eissler (Enforcement Manager); Ric Moore (Staff Land Surveyor); Larry Kereszt (Geology & Geophysics Program Lead); Jennifer Fyfe (Board Liaison); Cindy Fernandez (Enforcement Analyst); Julie Baker (Enforcement Analyst); Donna Vaum (Enforcement Analyst); Tiffany Criswell (Enforcement Analyst); and Gary Duke (Legal Counsel).

1. **Roll Call to Establish a Quorum**
   Meeting called to order by President Kim Blackseth. Roll call was taken, and a quorum was established.

2. **Public comment**
   Robert DeWitt of ACEC discussed the organization's concern regarding regulations that go into effect July 1 by the Water Quality Control Board which allow engineering by unlicensed engineers; this is despite the fact that the order does include language requested by BPELS stating civil engineering should be performed by Civil Engineers in the state of California. ACEC would like to initiate a conference call with BPELS staff to resolve concerns. Mr. Duke asked where the Water Quality Control Board was in the regulation process. Mr. DeWitt replied the regulation has been adopted. Mr. Duke clarified that the purpose of a conference call would be to discuss amendments to that regulation since the Board did respond to the original

regulation, and the language suggested by the Board was added to the regulation prior to adoption.

Mr. DeWitt discussed a second issue with regards to a letter submitted last year by ACECs legal counsel Jim Corn. Mr. Duke stated he has been unable to complete this task; however, it is in progress.

3. **Director Updates**

Kim Kirchmeyer, DCA Deputy Director for Board/Bureau Relations, stated she was there on behalf of the DCA Director. She thanked David Brown and the BPELS staff for their help with the budget drills. Ms. Kirchmeyer updated the Board on the Consumer Protection Enforcement Initiative (CPEI) created to cut down the time spent on enforcement cases, which currently takes 3 years or more. CPEI has come up with three areas of improvement. She stated that on April 19, DCA started the first enforcement academy, a training module for current enforcement staff. In addition, the Director will be meeting with each board to come up with improvement plans specific to each board. Ms. Kirchmeyer stated that DCA is looking at the same changes in the Budget Change Proposals (BCPs) for the non-healing arts boards.

Ms. Kirchmeyer stated DCA is encouraging the posting of accusations as well as disciplinary actions online. She noted that currently public documentation must be requested; however, it is more consumer-friendly to post public documents on the website. Ms. Kirchmeyer thanked the Board for being proactive and posting the Board agenda online, which is currently not being done by all boards.

Ms. Kirchmeyer addressed the Form 700 required from Board members and reminded the Board to get those forms turned in so fines could be avoided.

Lastly, Ms. Kirchmeyer discussed DCA Board member training which will be held July 27 in Sacramento and is a one-day event. DCA is encouraging all members to attend. This meeting will discuss roles and responsibility, as well as governance, and will be beneficial even to those members who have been on the Board for a long time.

4. **Temporary Authorization Applications (Possible Action)**

Mark Hijazi requested temporary authorization as a Civil Engineer. He gave a brief background of himself as well of an overview of the job description requiring this license in California.

Dr. Brandow explained the purpose of meeting with the Board is to verify temporary authorization applicants have an understanding of the seismic issues in California. Dr. Brandow questioned if there are faults that effect the project Mr. Hizaji will be working on. Mr. Hijazi explained there is a fault near the dam; the project is meant to produce more flow into the streams, and studies are being done with regard to the faults near the dam and they are awaiting results.

President Blackseth noted there are a good amount of licensed engineers on the project and asked what purpose Mr. Hijazi would serve with the temporary authorization. Mr. Hijazi explained the company, Pacific Gas and Electric (PG&E), requested an engineer with a structural background to be held responsible.

Mr. Tami asked who signed the contract, specifically if it was an engineer. Mr. Hijazi stated that Kevin Snyder, an engineer and the project manager, signed the contract. Mr. Tami asked if project staking will be part of the contract. Mr. Hijazi stated he does not know specifics about the staking, but he is under the impression that the location is a turnkey and already staked. Mr. Hijazi does not believe he will have to sign anything; however, this is a precaution required by PG&E.

Mr. Duke asked about changing the dates of authorization to 180 days as opposed to 183 days because the temporary authorization can only be issued for 180 consecutive days. Mr. Brown asked if an extension could be granted at a later date. Mr. Duke stated the law has changed and currently an extension can be granted if necessary.

Mr. Modugno asked if plans that Mr. Hijazi did not design have been signed. Mr. Hijazi stated they have all been signed by California licensed engineers. He stated he is signing a letter to confirm intent and if he does have to sign plans a note would be included stating to say he is confirming the plans.

MOTION: Dr. Brandow/Mr. Modugno moved to approve the temporary authorization as a Civil Engineer to Mark Hijazi.

VOTE: 7-0, motion carried.

5. Executive Officers Report

I. Legislation

a. Discussion of Proposed Legislation for 2010: AB 1431, AB 1659, AB 2038, AB 2130, SB 275, SB 1111, and SB 1171 (Possible Action)

Ms. Arnold discussed AB 1431. The Board agreed at the last meeting to support the bill if amended to remove "Geophysicists" from the proposed name of the Board. The bill was amended to the recommended name and added two additional members to the Board. The Board decided not to address the issue of the number of members of the Board but to leave that decision to the Legislature and the Governor. Ms. Arnold recommended that the Board change its position to "Support" since the bill has been amended as suggested by the Board.

MOTION: Mr. Tami/Dr. Brandow moved to support AB 1431.

VOTE: 7-0, motion carried.

Ms. Arnold discussed AB 1659 which is a companion bill to AB 2130. These bills would create a Sunset Review committee. AB 1659 and AB 2130 are the same as SB 1171. Ms. Arnold recommends watching AB 1659 and AB 2130.

MOTION: Mr. Tami/Mr. Foley moved to watch AB 1659 and AB 2130.

VOTE: 7-0, motion carried.

Ms. Arnold discussed AB 2038, which would give Franchise Tax Board (FTB) authorization to suspend a license if taxes are not paid. The Board currently experiences many issues with FTB placing liens on property when the licensee does not live in California. She does not think FTB should be given authorization to suspend any license, and DCA does not have a position yet. Mr. Duke stated the only other time a license can be suspended other than by the licensing agency is related to family support issues, and even then the suspension is only temporary; this bill infringes upon the Board's authority. Ms. Arnold explained this bill creates potential for many errors and problems with licensees and suspending licenses that had no reason to be suspended.

MOTION: Mr. Foley/Mr. Tami moved to oppose AB 2038.

VOTE: 7-0, motion carried.

Ms. Arnold noted that SB 275 was left on the agenda to watch. This bill failed passage in January. This will be discussed and addressed in the fall during interim hearings. Senator Negrete-Mcleod wants to do something with the title acts.

Ms. Arnold discussed SB 1111, which was a huge bill dealing with enforcement issues. It was sponsored by DCA as part of the CPEI and dealt mostly with the healing arts boards. The bill did not pass in committee; therefore, the Board does not need to take a position. Mr. Brown asked if the failure of this bill impacts the BCPs. Ms. Kirchmeyer explained they are separate.

Ms. Arnold discussed SB 1171, which is a Senate Business and Professions Committee bill to re-enact a Sunset Review Committee; the Senate Business and Professions Committee would conduct the sunset reviews. Ms. Arnold explained if the committee is unhappy with how a board is performing they will just remove all members and reappoint new members. Ms. Arnold recommended supporting this bill.

MOTION: Dr. Brandow/Mr. Foley moved to support SB 1171.

VOTE: 7-0, motion carried.

b. Legislative Proposals for 2010 (Possible Action)

i. Amendments to Business and Professions Code Section 6751 Regarding the Qualifications for the Engineer-In-Training Certificate (Possible Action)

Ms. Eissler addressed the agenda item on Pages 63 and 64 of the agenda packet. Staff realized that the language in Section 6751 regarding qualifications to obtain an EIT certificate is preventing many from obtaining a certificate in a timely manner and, thus, delaying the licensing process. Currently, the law does not take into account a combination of curriculum and experience totaling three years and does not recognize non-ABET accredited schooling as counting toward qualifying experience. Ms. Eissler explained the Board staff recommends changing the language to reflect these issues. The changed language is shown in the agenda packet. She noted the LSIT language had already been changed to reflect these issues, and staff recommends the Board move forward with this legislation. Dr. Brandow asked who is having issues with this legislation. Ms. Eissler replied new engineering schools who are not yet ABET accredited are having problems with getting their students signed up for the EIT exam because they do not qualify to take it. Dr. Brandow stated the three-year requirement excludes those students who are encouraged to take it in their junior year of school, and if we want to encourage this, we should change the requirement to two years.

Mr. Wilburn discussed the Board approved curricula versus non-approved curricula. Ms. Eissler explained the requirement. Mr. Wilburn noted that EIT applicants would be given equal weight for schooling whether ABET or non-ABET schooling, whereas for Professional Engineer (PE) they are not weighted equally.

MOTION: Mr. Tami/Mr. Modugno moved to seek legislation to change the EIT qualifications to two years of education and/or experience and mirror the language of the LSIT qualifications.

VOTE: 7-0, motion carried.

c. Regulation Status Report

Ms. Eissler discussed the brief update listed on Page 67 of the agenda packet regarding regulations. She explained the item regarding curricula and Board Rules 404, 424, 425, 438 and 480 is a separate item which will be discussed later in the agenda.

Ms. Eissler discussed Sections 427.10 and 427.30 regarding references. No comments were received during the 15-day review on modifications submitted, and the Board had previously delegated the authority to the Executive Officer to move forward with the rulemaking process if no comments were received. The staff is currently finalizing the rulemaking file to submit to DCA and the Office of Administrative Law for final review and approval.

II. SUNSET REVIEW 2010: Business and Professions Code 101.1 (Possible Action)

Mr. Brown explained the handouts in the agenda regarding the Sunset Review. The Board has received a letter from the Senate Committee, and the staff is working on tasks and duties. Mr. Brown would like to have a Board liaison to work with staff to ensure this is done. Mr. Foley volunteered to be the liaison.

III. Personnel/Enforcement/Exams/Licensing/Publications/Website

Mr. Brown discussed three fun things that have been initiated in the office: monthly potlucks, personal/life-issue seminars, and professional licensing presentations. He explained Thom Barry gave a wonderful PowerPoint presentation on geologists and geophysicists, and Mr. Tami gave a hands-on presentation on land surveyors. The next presentation will be with Mr. Foley who is going to discuss the geotechnical aspect of engineering.

Ms. Eissler discussed the enforcement statistics. The Enforcement Unit is getting on track with sending cases to the Attorney General's Office. She noted the unit held informal conferences for citations. Ms. Eissler stated that the unit is working hard to get citations back on track; they became backlogged when the unit was focusing on dealing with the backlog of complaint cases.

Ms. Eissler noted a meeting has been scheduled with Rita Lane, the Board's Liaison Deputy Attorney General, in June to go over procedures and discuss where cases are. Mr. Brown explained this is very similar to an end of the year close out. A member of the public asked if there were enforcement statistics from the Geology & Geophysics (G&G) program. Ms. Eissler stated the Board staff is currently working on those statistics and expects to be able to start reporting once the end of year reports are released. She noted the G&G enforcement program has not been integrated into the PELS Enforcement Unit and will remain separate due to funding. The Board is continuing to receive new G&G cases, and there were about 100 cases that were taken over during the transition and are still ongoing. Mr. Brown noted the staff looks at the cases from the perspective of the processing and gathering information; independent Technical Experts who are appropriately licensed professionals are used to review the technical aspects of the cases.

Mr. Brown explained the exam statistics in the agenda are from last October. Mr. Moore gave a brief overview of the April exam statistics, noting exams were down across the board by approximately 17%, and ranged from 5% to 38%. The "no-show" rate was consistent at 20%. There were 11,101 examinees at the April 2010 examination, which is down from over 13,000 last April.

Mr. Moore discussed a change that was put into effect at the April exams, in which late arrivals were tracked. The staff found an overall total of 18 people turned away. In addition, the staff removed less than 18 people at all exam sites for various infractions. Mr. Duke noted the exam notices have been improved and suspects that is how the message is getting out. Mr. Moore explained another change that was implemented with regards to shipping. NCEES usually ships exams directly to the Board office; the exams are then organized and distributed out to the appropriate sites. This April, the staff worked with NCEES to have exams shipped directly to the exam sites, where the head proctors inventoried the shipments in secure locations. After the exams, the materials were shipped directly back to NCEES. The proctors liked the new process; it cut down on preparation time, lowered cost, increased security, and removed some liability. Mr. Duke asked if NCEES was okay with these changes. Mr. Moore explained that NCEES was hesitant at the beginning because exams could not be shipped more than two days prior to the exam. Mr. Modugno requested the Board staff personally check the security of each location; he does not think the Board should rely on non-Board staff. Mr. Foley asked when NCEES will be taking over administration of the exams. Mr. Brown noted they will be ready when the Board is; however, details are still being worked out.

Mr. Moore stated the Board staff is going to send thank you letters to proctors for their assistance. He also mentioned that the CSLA, Sacramento Chapter, was at the Cal Expo site to give free lunches to land surveyor examinees.

Paula Brown apologized for the missing exam statistics for the G&G program. Ms. Brown gave a brief update. The geology exams were given on a much smaller scale in Sacramento. She explained the National Association of State Boards of Geology (ASBOG) exam was given on Friday, March 5, and the California Supplemental Component (CSC) on Saturday, March 6. The CSC was developed earlier in the year. Ms. Brown mentioned the G&G program copies the exams in house. One head proctor was needed for the exam held in Sacramento. She noted the Board will be holding specialty exams for this October in both Southern California and Northern California since they were cancelled in March. Normally there is only one site location per testing cycle.

Mr. Brown discussed the Board publications, noting the Board newsletter came out this month and is posted on the Board website. Due to budget constraints, the Board is unable to do newsletter mailings. Ms. Eissler discussed the Local Official's Guide which has been completed. A digital version of this guide will

be posted on the Board website. Mr. Brown stated suggestions or comments for the newsletter should be sent to him. A member of the public asked about the enforcement action section of the newsletter, which seemed to be missing. Mr. Brown explained there have been so many cases since 2007 the staff has decided to create a separate issue.

Ms. Eissler discussed the Board website statistics. The G&G and PELS website information is kept separate. She noted that an email subscription list has been added on both websites which can be accessed on the Quick Hits sidebar menu. She advised that it is a single mailing list for both G&G and PELS issues.

6. **Geology & Geophysics Technical Advisory Committee (G&G TAC) (Possible Action)**

Mr. Kereszt explained that at the last meeting the Board directed staff to work on recommendations for appointments to the G&G TAC. The staff recommended five members who represent both the northern and southern areas of California. The appointment terms were mixed between one- and two-year terms in an effort to stagger the expirations of appointments. Mr. Kereszt stated that Mr. Foley and Chuck Kull have both reviewed the applications that were received by the Board. He explained it is anticipated the TAC will have its first meeting next month in which they will discuss a work plan.

MOTION: Mr. Foley/Dr. Brandow moved to appoint all candidates recommended by Board staff to the G&G TAC.

VOTE: 7-0, motion carried.

MOTION: Mr. Tami/Mr. Wilburn moved to appoint Mr. Silva as the public member TAC liaison and Mr. Foley as the professional member TAC liaison with the understanding that if a Professional Geologist is appointed to the Board, that person would take over from Mr. Foley as the professional member TAC liaison.

VOTE: 7-0, motion carried.

7. **Consideration of Rulemaking Proposals, as follows:**

   a. **Approval and Adoption of Rulemaking Proposals relating to Approved Curricula and Waiver of Fundamentals Examination [Board Rules 404, 424, 425, 438, and 460] (Possible Action)**

   Ms. Eissler discussed the rulemaking proposal that the Board approved for notice at the November meeting. The proposal addressed clarification with regards to approved curricula as defined in all sections. This proposal also allows for a waiver of the EIT exam for Ph.D.s. She noted this proposal was recommended to be combined into one rulemaking proposal. During the 45-day notice the Board received one comment with regard to the definition

of land surveying approved curricula. The staff attempted to include titles of various degree programs; however, some were left out. Ms. Eissler discussed this issue with Mr. Tami, who recommended that the current proposed language be changed to the following language:

"approved land surveying curriculum refers to any curriculum under any ABET accredited program leading to a baccalaureate degree."

Mr. Tami noted the purpose of this language change is to encompass all programs and include any that might change in the future. Ms. Eissler stated the Board staff recommends the Board approve the modified language and direct staff to send out a 15-day notice for public comment on the proposal. She further recommended that the Board delegate to the Executive Officer the authority to approve the regulatory proposal if no adverse comments are received.

MOTION: Mr. Foley/Dr. Brandow moved to direct staff to make the modification to the proposed language of Board Rule 404(oo) as recommended by Mr. Tami and Board staff and to notice this modification for a 15-day public comment period.

VOTE: 7-0, motion carried.

MOTION: Mr. Foley/Mr. Trujillo moved to delegate to the Executive Officer the authority to adopt the proposed amendments to Board Rules 404, 424, 425, 438, and 460 following the close of the 15-day comment period as long as there are no adverse or substantive comments received.

VOTE: 7-0, motion carried.

17. Closed Session - Personnel Matters, Examination Procedures and Results, Administrative Adjudication, and Pending Litigation (As Needed) [Pursuant to Government Code sections 11126(a) and (b), 11126(c)(1), 11126(c)(3), 11126 (e)(1), and 11126(e)(2)(B)(i)]

a. Discrimination Complaint (Authority for Closed Session Discussion pursuant to Government Code section 11126(e)(2)(B)(i))

18. Open Session to Announce the Results of Closed Session

Ms. Eissler reported the Board adopted the Stipulations regarding Scott Stanmore Bennett; David Alan Crane; Allan Jay Fahri; Dennis Craig Finn; Andrew W. Grechuta; Ronald Coburn Greenwell; Jibran Joseph Hannaney; Darrel Wayne Harris; David J. MacArthur; Thomas Steven Podesta; David Seagal; and Richard Siegmund; the Proposed Decision regarding Jose Luis Garcia, Jr.; and the Default Decision regarding Paul Exley.

8. **Approval of Delinquent Reinstatements (Possible Action)**

MOTION: Dr. Brandow/Mr. Foley moved to approve the Delinquent Reinstatements in the agenda as follows:

CIVIL

DAVID GULINO

Reinstate applicant's civil license once he/she takes and passes the seismic principles examination, the engineering surveying examination, and the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

KATHERINE SWEYN HAYDEN

Reinstate applicant's civil license, having met all requirements for reinstatement, including passing the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

SIMO HOITE

Reinstate applicant's civil license, having met all requirements for reinstatement, including passing the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

GREG D HUFFMAN

Reinstate applicant's civil license, having met all requirements for reinstatement, including passing the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

J. KELLY TURNER

Reinstate applicant's civil license once he/she takes and passes the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

ELECTRICAL

MOHAMMAD J. MOSTAJABI

Reinstate applicant's electrical license once he/she takes and passes the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

JON P. BUSACK

Reinstate applicant's electrical license once he/she takes and passes the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

QUALITY

VINOD K. RAI

Reinstate applicant's quality license, having met all requirements for reinstatement, including passing the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

Mr. Modugno asked about information with regard to licensees that were practicing prior to the reinstatement of the license. Ms. Eissler explained that licensees have to demonstrate to the Board that they are competent to practice, which is all that is required for reinstatement, and is a separate issue from whether the person practiced while delinquent. The Board staff reviews all delinquent application files to determine if further investigation is necessary regarding practice during the period of delinquency; however, the investigations, and any action that may be taken based on those investigations, are separate from the issue of whether the person is qualified to practice and thus meets the legal requirements for reinstatement.

VOTE: 7-0, motion carried.

10. Administration (Possible Action)

a. Fund Condition (Possible Action)

Ms. Thompson discussed the Board fund conditions for PELS and the G&G program. These funds will continue to remain separate. She explained PELS has increased application revenue to date compared to previous years, while the G&G program has decreased application revenue. Ms. Thompson further explained the G&G program has also dropped in license renewal and application fees. She noted that although revenue has decreased, the G&G program fund reserve is high and is possibly due to the decrease in staffing and operating expenses that occurred as of last fall. Mr. Brown questioned what triggers the reserve to be looked at when it is too high. Ms. Thompson noted that when the reserve is at nine to ten months, the fund is questioned and verification is required to show that the fees charged are not too high. Mr. Duke noted that when a maximum reserve of 24 months is reached, the Board is required to reduce fees.

Mr. Duke stated Board revenue is put into a special fund, in which PELS and G&G should be kept separate. Dr. Brandow asked how funds are kept separate and if the separation will remain. Mr. Duke stated unless there is new legislation everything will remain separate. Ms. Thompson noted that other boards have separate funds, and there is a savings in terms of operating expenses. The funds are kept separate in terms of billing and staff.

Mr. Brown asked if there is a projected dip in funds for next year. Ms. Thompson stated that the projected decrease was expected and accounted for. She noted the fund fluctuates every other year due to the renewal cycles.

b. FY 2009-10 Budget (Possible Action)

Ms. Thompson explained the good news regarding the budget, $82,000 in savings from the exams and resulted in surplus. The reimbursement to PELS from the G&G program is currently $85,000 for management and executive staff and is a projected cost. The G&G program had a salary savings of $220,000 due to the positions cut as of last fall.

c. **FY 2010-11 Budget Change Proposals (Possible Action)**
Ms. Thompson stated that Mr. Brown attended the hearing yesterday. At the hearing, the Legislature requested supplemental reporting language for the G&G Spring Finance Letter to keep track of what we are spending. The Legislature wants to be sure what we ask for is what we spend. Mr. Brown noted the Governor's revised budget is due in mid-May.

9. **Information Technology Updates (Possible Action)**

a. **On-Line Renewals/Credit Card Renewals (Possible Action)**
Mr. Donelson discussed the pilot program credit card renewals, which went live for a few boards and bureaus at the end of April. DCA's Cashiering Unit anticipates our Board to be active in the next six months. He explained this payment system would only be for renewals at this point and expects a better status report in July. Mr. Tami clarified this is expected to go live January 2011 for this Board. Mr. Brown noted there is a 2.5% fee that the Board will have to absorb and cannot be passed onto the licensee. Mr. Modugno stated there is a hope for some administrative savings once this is implemented and is in full force. Mr. Donelson clarified that they anticipate only 50 to 60% of the licensees to utilize this service in the beginning but expect more once the news is spread.

b. **NCEES Candidate ID Requirement (Possible Action)**
Mr. Donelson gave a brief overview of the NCEES National ID, which generates a unique ID for engineers across the country. He explained this is meant to be a uniform place for states to do business. Currently, the Board is having biweekly meetings with NCEES to formulate how things will be administered. Mr. Donelson stated the Board already has National ID fields implemented into the Applicant Tracking System (ATS). He explained the Board already implemented the changed timeframes that are expected for the October examination during the past April exams by hiring subject matter experts to speed up work and get admission notices out sooner. Mr. Brown explained this is important because with the new implementation of National ID there is a set cutoff date for test location and there is no flexibility like there was before to make our own changes. Mr. Donelson stated the Board has provided an electronic EIT/LSIT application form to NCEES to allow the candidate to print, sign, and send in the form after they have registered for their ID.

Mr. Tami asked if this would be done for PE and LS applicants as well. Mr. Donelson stated that this process will only be done for the EIT/LSIT applicants for the October 2010 examination; however, they expect to do this for the PE and LS applicants as well at a later exam date. Mr. Donelson also hopes to have the take-home exam become electronic as well. Mr. Duke asked if they keep this information on their computers. Mr. Donelson replied that NCEES does. Mr. Duke requested that NCEES send a security agreement to the Board.

Mr. Tami asked if EIT and LSIT candidates are able to still turn in forms prior to the July opening of the NCEES registration website. Mr. Donelson stated the Board is still taking paper forms, but effective July 6, the form on our website will be removed and candidates will be referred to NCEES. Mr. Tami asked if those that sent a paper application prior to registration will be instructed to go back the NCEES website or if BPELS will do that for them. Mr. Donelson stated applicants will be instructed to go back to NCEES. Mr. Trujillo asked if digital signatures will ever be implemented once the Board goes digital. Mr. Donelson explained that digital signatures might happen in the future, noting the BreEZe project is in place but still a few years down the road. Mr. Foley stated he is getting the questions about credit cards all the time.

Mr. Moore stated that, beginning in January 2010, all correspondence sent by the evaluators contained a reminder statement about registering with NCEES for a National ID. Posters were also posted at exams sites and in the front lobby of the Board with information about the National ID. He explained that all applicants who have already submitted applications to the Board are being sent postcards with hot pink stickers stating they need to apply for the National ID. Mr. Moore stated the Board is being very proactive. FAQs are being worked out to post on the website, and they hope to post these on university and association websites as well. He will provide a script for the Board members to announce at award ceremonies or any events. Ms. Eissler noted the Board waited until after the April exam to post information on the website about the National ID to avoid confusion.

c. **Upgrade to Microsoft Outlook (Possible Action)**
Mr. Donelson discussed the Board's software upgrade to Microsoft Outlook, which will occur the first week in June.

11. Technical Advisory Committee (TAC) Reports (Possible Action)
Mr. Moore explained a number of Land Surveying TAC (LSTAC) member terms are coming to an end in June 2010. The Board is being asked to reappoint three members. Dr. Brandow asked about the one-year term to allow for rotation, and asked if the members can be reappointed. Mr. Moore noted he expects more appointments by next meeting.

MOTION: Mr. Tami/Mr. Foley moved to appoint all candidates recommended by Board staff to the LSTAC.

VOTE: 7-0, motion carried.

Mr. Moore gave a brief overview of the LSTAC meeting that was held on April 22. The LSTAC discussed working on a draft white paper in conjunction with CSLB regarding GPS and what intrudes between the two licenses. He explained there was some discussion on the word "established" as used in the Professional Land Surveyors' Act. The LSTAC voted to recommend to the Board that the word be

defined in the Board Rules. This recommendation will be presented at the next Board meeting. Mr. Moore stated the LSTAC discussed an encroachment maintenance agreement that San Diego has; the LSTAC is continuing to research this matter. Mr. Foley stated that any city that allows restaurants to have outside patios have the same agreement. Mr. Moore stated there was also discussion regarding orphaned subdivisions/developments that are being sold and causing issues because the original monumentation as shown on the subdivision maps was not set since the improvements were never completed. Mr. Moore advised that he has been working with surveyors and local agencies regarding how to address this issue to best serve the public interests.

Dr. Brandow discussed the SETAC meeting. A discussion was held regarding the new 16-hour NCEES structural exam. Dr. Brandow noted a few discussions are still on-going and they hope to make some recommendations at the next meeting. Mr. Foley asked about what happened to legislation to adopt the NCEES 16-hour and get rid of the state specific exam. Mr. Tami noted the legislation was dropped, and the Board is still required to give a state specific exam.

Mr. Tami discussed the G&GTAC. He indicated that members were appointed earlier in the meeting, and they expect to hold their first meeting sometime next month.

MOTION: Mr. Foley/Mr. Tami moved to nominate Dr. Brandow to the SETAC, effective July 1, 2010.

VOTE: 7-0, motion carried.

12. Liaison Reports (Possible Action)

a. ASBOG (Possible Action)

Mr. Kereszt stated the ASBOG exam results have been received, and they expect to get exam results out by next week.

b. ABET (Possible Action)

Mr. Brown noted there was nothing to report.

c. NCEES (Possible Action)

Mr. Tami noted there were some bylaw changes discussed at the NCEES Board of Directors meeting, which he can distribute to anyone who is interested.

d. Technical and Professional Societies (Possible Action)

Mr. Brown noted there was nothing to report.

13. President's Report/Board Member Activities

Mr. Blackseth introduced new Board member Philip Quartararo and welcomed him to the Board.

Mr. Tami presented Dr. Brandow with a Senate Resolution honoring his years of service to the Board . Dr. Brandow was presented with a shadow box as well to memorialize his service to the Board.

14. Nomination for and Selection of President and Vice President of the Board for Fiscal Year 2010/2011 (Possible Action)

MOTION: Mr. Foley/Mr. Trujillo move to nominate and elect Mr. Silva for Board Vice President.

VOTE: 7-0, motion carried.

MOTION: Mr. Foley/Mr. Tami move to nominate and elect Mr. Modugno for Board President.

VOTE: 7-0, motion carried.

15. Other Items Not Requiring Board Action

Date of Next Board Meeting: August 11 & 12, 2010, Los Angeles, California.

Mr. Brown asked if there was a preference for strategic planning in July or September. Mr. Modugno suggested having strategic planning at the same time as the July 27 meeting for training.

16. Approval of Consent Items (Possible Action)

(These items are before the Board for consent and will be approved with a single motion following the completion of Closed Session. Any item that a Board member wishes to discuss will be removed from the consent items and considered separately.)

MOTION: Mr. Tami/Dr. Brandow moved to approve the minutes of the January 27, 2010, Board Meeting.

VOTE: 7-0, motion carried.

19. Adjourn

The meeting was adjourned at 3:45 p.m.

PUBLIC PRESENT
Tom Barry, AEG San Francisco
Roger Hanlin, CLSA
John Pfeiffer, AEG and CAPG
Bob DeWitt, ACEC
Jared Pratt, AEG San Francisco
Joan Al-Kazily, ASCE
Mark Hijazi
Craig Copelan, PECG
Steve Ho