

**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833-2944

Telephone: (916) 999-3600 – Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

www.bpelsg.ca.gov

**OFFICIAL NOTICE AND AGENDA****MEETING OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

Thursday, September 16, 2021, beginning at 9:00 a.m., and continuing
Friday, September 17, 2021, beginning at 9:00 a.m., if necessary

The Board for Professional Engineers, Land Surveyors, and Geologists will hold a public meeting via a teleconference platform. Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-08-21 dated June 11, 2021, a physical meeting location is not being provided.

INSTRUCTIONS FOR PARTICIPATION: For all those who wish to participate or observe the meeting on Thursday, September 16, 2021, please log on to this website: <https://dca-meetings.webex.com/dca-meetings/j.php?MTID=meb4ae2362f1613e72d9dd9abbc1eb2a2>

If the meeting continues on Friday, September 17, 2021, please log on to this website: <https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m4eb464a9e54d1348685aa73c37eec734>

Please see the attached instructions for how to observe and participate in the meeting using the WebEx platform.

Members of the public may, but are not obligated to, provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment. Participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

Public comments will be limited to 5 minutes per person unless, in the discretion of the Board, circumstances require a shorter period. Members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

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The meeting is open, and the public is invited to attend. The meeting facilities are barrier-free in accordance with the Americans with Disabilities Act. A person who needs disability-related accommodations or modifications in order to participate in the meeting shall make a request by contacting Celina Calderone at (916) 999-3600 or celina.calderone@dca.ca.gov or by sending a written request to Ms. Calderone at the Board for Professional Engineers, Land Surveyors, and Geologists, 2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodations.

For further information regarding this meeting, please contact Celina Calderone at (916) 999-3600. Electronic copies of this Official Notice and Agenda are available at <http://www.bpelsg.ca.gov>.

NOTE: All times indicated and the orders of business are approximate and subject to change. Items may be taken out of order. Regardless of the position of Closed Session shown on the agenda, the Board typically conducts Closed Session at the end of the meeting; however, this can change based on the Board's schedule. This meeting may be cancelled without prior notice.

Copies of the bills may be obtained by the public through the Bill Room at the State Capitol. You may also access all California statutes, regulations, and pending bills through the Legislative Counsel's Internet website at <http://www.leginfo.legislature.ca.gov/>.

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Board Members: President Betsy Mathieson; Vice-President Rossana D'Antonio; Fel Amistad; Alireza Asgari; Duane Friel; Michael Hartley; Kathy Jones Irish; Eric Johnson; Coby King; Paul Novak; Mohammad Qureshi; Frank Ruffino; and Wilfredo Sanchez

- I. Roll Call to Establish a Quorum**
- II. Pledge of Allegiance**
- III. Public Comment for Items Not on the Agenda**

NOTE: The Board cannot take action on items not on the agenda. The Board will also allow for Public Comment during the discussion of each item on the agenda. Please see the last page of this Official Notice and Agenda for additional information regarding Public Comment.
- IV. Hearing on the Petition for Early Termination of Probation of Ron Barto**

This hearing will be held on Thursday, September 16, 2021, beginning at 9:00 a.m., or as soon thereafter as the matter may be heard.
- V. Hearing on the Petition for Reinstatement of Revoked Certificate of Masih Tukhi**

This hearing will be held on Thursday, September 16, 2021, immediately following Hearing on Petition for Early Termination of Probation of Ron Barto, or as soon thereafter as the matter may be heard.
- VI. Closed Session – Administrative Adjudication [Pursuant to Government Code section 11126(c)(3)]**

NOTE: The Board will meet in Closed Session immediately following the Hearing on the Petition for Early Termination of Probation and the Hearing for Petition for Reinstatement of Revoked Certificate to decide those matters.
- VII. Administration**
 - A. Fiscal Year 2020/21 Year-End Summary
 - B. Fiscal Year 2021/22 Budget Report

VIII. Legislation

- A. 2021 Legislative Calendar
- B. Discussion of Legislation for 2021 (**Possible Action**)
 - 1. AB 107 Licensure: veterans and military spouses.
 - 2. AB 1273 Interagency Advisory Committee on Apprenticeship: the Director of Consumer Affairs and the State Public Health Officer.
 - 3. SB 607 Professions and vocations.
 - 4. SB 826 Business and professions.

IX. Enforcement

- A. Enforcement Statistical Reports
 - 1. Fiscal Year 2020/21 Update

X. Exams/Licensing

- A. 2021 Examination Update

XI. Executive Officer's Report

- A. Rulemaking Status Report
- B. Update on Board's Business Modernization Project
 - 1. Connect Presentation
- C. Personnel
- D. ABET
- E. Association of State Boards of Geology (ASBOG)
 - 1. 2021 Annual Meeting – October 25-30, 2021 (**Possible Action**)
- F. National Council of Examiners for Engineering and Surveying (NCEES)
 - 1. 2021 Annual Meeting – Report from September 15, 2021 (Virtual) Meeting
- G. Update on Outreach Efforts
- H. Strategic Plan 2021-22 Update

XII. Discussion for an Increase in the Exempt Salary Level of the Executive Officer (Possible Action)

XIII. President's Report/Board Member Activities

XIV. Approval of Meeting Minutes (Possible Action)

- A. Approval of the Minutes of the July 23, 2021, Board Meeting

XV. Discussion Regarding Proposed Agenda Items for Next Board Meeting

XVI. Closed Session – The Board will meet 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. Matt Aston, Freddy Espinal, Jesse Moorhouse, Ground Penetrating Radar Systems, LLC v. Board for Professional Engineers, Land Surveyors, and Geologists, Sacramento Superior Court Case No. 34-2020-80003553

XVII. Adjournment

Due to technological limitations, adjournment will not be broadcast. Adjournment will immediately follow Closed Session, and there will be no other items of business discussed.

PUBLIC COMMENT

Time is allotted during the meeting to provide members of the public with an opportunity to address the Board. The time allotted for each member of the public to address the Board may be limited by the Board based on the number of individuals wishing to speak.



It is requested that the speakers stand or come forward as they are recognized to speak. It is also requested, but not required, that the speakers give their names and any organizations they represent.



The public may speak on items on the agenda during the Public Comment item or when the specific item comes up for discussion by the Board. If the Board does not notice a person's request to speak during discussion of an item, it is not a deliberate attempt to limit comment. It is sometimes difficult to notice a raised hand in a meeting room. If the Board does not notice you at first, please stand so that you may be recognized to speak.



The public may speak on items not on the agenda; however, the Board may not discuss or take action on such items at this meeting. Board members cannot engage in dialogue, other than to request clarification from the speaker, regarding items not on the agenda due to constraints imposed by law. The Board may direct staff to follow up on the item with the speaker or may direct that the item be placed on the agenda of a future meeting for discussion.



The Board asks that you not discuss a pending application or a disciplinary complaint matter because the Board members will be the "judges" who ultimately decide the matter, and, by law, they are not permitted to receive information that is not part of the official administrative record in the matter. Any issues relating to such matters should be addressed in writing to the Board's Executive Officer. If a person attempts to speak on such a matter, the person will be instructed to refrain from making further comments.



If a person becomes disruptive, the person will be requested to cease the disruptive behavior. If the person fails to do so, the Board is allowed by law to request that the person leave the meeting and may even have the person removed if he or she fails to leave.