

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

Department of Consumer Affairs
1747 North Market Blvd., Hearing Room #186
Sacramento, CA 95834

Thursday, April 3, 2025

Board Members Present:	President Christina Wong; Vice-President Guillermo Martinez; Fel Amistad; Rossana D'Antonio; Michael Hartley; Coby King; Frank Ruffino; Wilfredo Sanchez; and Fermin Villegas
Board Members Absent:	Alireza Asgari, Khaesha Brooks, Betsy Mathieson; and Cliff Waldeck
Board Staff Present:	Ric Moore (Executive Officer); Tiffany Criswell (Assistant Executive Officer); 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); and Christopher Pirrone (Legal Counsel)

I. Roll Call to Establish a Quorum

President Wong called the meeting to order at 9:03 a.m. and a quorum was established.

II. Pledge of Allegiance

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

III. Public Comment for Items Not on the Agenda

No public comment.

IV. Administration

A. Fiscal Year 2024/25 Budget Report

Administrative Manager Dawn Hall reviewed the budget report. The total revenue is at \$10.2 million ahead of Fiscal Month 8 in Fiscal Year 2022/23. This is a low volume year for renewals resulting in a downturn when compared to Fiscal Month 8 of last year. We are at almost 90% of full year projections and a slight increase in our total full year projections. Staff is monitoring an increase in Office of Administrative Hearing expenses.

The fund condition continues to show a reserve and is holding at 1.6 months in reserve.

Mr. King noted an increase in non-budgeted expenses in IT and in facilities. Ms. Hall does not believe that it is related to the improvements that were made.

Mr. King asked, with anticipated reversions, where do we expect Fiscal Year 2025/26 months in reserve to be? Ms. Hall indicated that budget year 2025/26 in the fund condition are the full appropriations and not our projections. It is between \$1 and \$2 million a year in reversions as demonstrated in expenses in the last Fiscal Year which were under \$11.5 million, and they only jumped to \$12.2 million. Our projections for this fiscal year are well under the appropriations amount that is reflected on the fund condition. Mr. Moore estimates that it would likely be closer to 2.5 to 2.7 months in reserve by the time the current fiscal year closes.

V. Enforcement

A. Enforcement Statistical Reports

1. Fiscal Year 2024/25 Update

Brook Grabowski, Enforcement Manager reviewed the enforcement statistics. Ms. Criswell noted that the 3-4 year category may drop off by the next board meeting and praised staff for their accomplishments.

President Wong inquired about the average days from the investigation phase to when the citation becomes final seems to have doubled in length of time. Ms. Grabowski believes there are a few factors; there are a lot more citations being issued, staffing issues, and some of the citations have gone through a very lengthy appeal process and those will really drive that number up. Ms. Criswell added that when referring to the appeal process, we are referring to the formal appeals which includes opposing counsels, scheduling for hearings, continuances, much that we do not have control over. There were ten individual related cases resulting in 2024/25 not looking favorable. She does not anticipate that future Fiscal Years will be as challenging.

VI. Exams/Licensing

A. Examination/Licensing Updates

Larry Kereszt, Examination Unit Manager reported that the state Geology exam took place on March 4 and the National ASBOG exams took place on March 20-21. The state Land Surveyor exam will be conducted on April 9th, and the NCEES one-day national exam will take place on April 15th, which will conclude this spring's administration not including the continuous testing. Exam results and exam totals will be provided when they become available.

B. Adoption of Test Plan Specifications (**Possible Action**)

1. Professional Geologist – Certified Hydrogeologist (CHG) Examination

MOTION:	Mr. King and Ms. D'Antonio moved to adopt the Certified Hydrogeologist (CHG) Test Plan.
VOTE:	9-0, 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	

During Public Comment, an individual by the name of Michael Parolini representing the Structural Engineers Association of California (SEAOC) and the National Council of Structural Engineers Associations (NCSEA) spoke. He is aware that transition to computer-based testing (CBT) for the structural engineer exam is more complex than the other exams, which explains why it was the last exam to be administered via CBT. He wanted to come before the Board to clarify their position on the exam results. He wanted to explain that SEAOC and NCSEA support any pass rate whether it be 0% or 100%, provided that the passers of that exam are minimally competent engineers. That is the goal. If there are no qualified candidates then no one should get licensed, if everyone is qualified, everyone should get licensed. That is how the exam should work and why psychometricians are utilized. The challenge comes when, based on the history and all the feedback we have for their memberships and beyond, they support staff's further involvement with NCEES to help make changes to the current system to be more of a test of the content of structural engineering and less of the testing environment. The challenge right now is it is not a reflection of people's knowledge, it is a reflection getting through a single screen. That is the issue.

Mr. Moore added that since the last board meeting there was an informal online call between him and the boards that license structural engineers, NCEES Exams Chief, Board member Alireza Asgari, and Staff Civil Engineer Natalie King. NCEES is continuing to say that they will continue to do whatever they can to improve the exam, and we expect that we will hear more reporting on this at the upcoming Zone and Annual Meeting. President Wong expressed an appreciation that California is not the only one experiencing this issue.

C. Elimination of the Sonoma State Geology Program (**Possible Action**)

Mr. Moore reported that at the February board meeting, several individuals came before the Board to note that the Geology program at Sonoma State was eliminated. Since that meeting, Joshua Goodwin, Senior Registrar Geologist had a prearranged outreach event at Sonoma State and Mr. Moore attended the outreach as well. The concerns were how this may impact the number of applicants coming in and lessening the number of geology licensees and how this may surge across multiple campuses. During that outreach event, it was learned that a deadline for providing comment to the university would occur prior to the next board meeting. As a result, staff worked with President Wong to compose and submit a letter to advocate the impact this will have on licensure and consumers having the availability of licensed geologists.

Ms. D'Antonio asked if other professional agencies are involved. Mr. Goodwin reported that the California Geological Survey is trying to use their leverage, the Association of Engineering Geologists is aware and have had discussions with their lobbyists, and the Geological Society of America is holding a lunchtime roundtable today to discuss this subject.

Mr. King recommended sending the letter to the legislature, copy the local member of the assembly and local state senator, and the appropriate person in the Governor's office that oversees Cal State.

During Public Comment Michael Parolini added that engineering and geology classes are very expensive to execute and when compared to other courses such as liberal arts or sociology where you just have a class with one professor, it gets easy to look at the data and see where this program falls. There is a definite need. With declining birth rates and people retiring, there will be a big problem going forward. He believes outreach is important.

Alan Escarda, representing Professional Engineers in California Government (PECG) appreciates the letter the Board assembled. They will have a quarterly meeting with their organization the first week of June and he will present this to their attention to see if they can do something similar to advocate. He found it ironic that in working for Caltrans, Sonoma is one of the most geologically unstable areas in California. He may suggest assembling a letter more of the viewpoint of public safety and the need for the profession.

Matty Mookerjee, chair of the Geology Department at Sonoma State University and a Structural Geologist. He is currently at the GSA (Geological Society of America) Conference in Sacramento. He expressed his appreciation for the letter and the Board's support. He provided an update on somewhat of a reprieve in that their layoff date was extended by a year so that they can teach out the majors that they have. While he has not checked on every department, he is aware that they eliminated six. While they have been allowed to maintain all of their faculty, he does not believe that any other departments were allowed to do so, which may place them in a strategic position. The fact that none of the

professors are leaving next year means that they can continue to advocate for the saving of their department and reversing the decision will be easy because they will be there the entirety of next year. He is still asking the Board to continue their advocacy. He reiterated what Mr. Escarda said, the safety aspect is huge. They held a rally, and he had to remind them that the building only exists because their majors made sure it was safe to build. Sonoma State is a major producer of geologists. We need roads, we need buildings, we need bridges. No other department hits field work like they do and as a result, it is the reason students are so successful in the Fundamentals of Geology exam. Their enrollment has grown over the last two years due to recruitment, but the Sonoma State enrollment overall is going down, and that success is not being acknowledged. He believes that even at their height they would have done away with the program because we will always be small.

Christopher Keane, Director of Geoscience Profession and Higher Education at American Geosciences Institute. Part of their portfolio is tracking workforce issues across geosciences on a national basis. They are seeing very healthy employment in the geosciences and are not seeing any negative hits at a national level, but what they are seeing is the shift on who and where those are employed. They are seeing a substantial growth shift of that employment over the professional services and independent consulting to the tune of almost at 50% of the US employment of the geosciences. We all recognize that there is a very large public debate about the value of degrees and career pathways. Currently, professional geologists are contributing to the economy and providing a good livelihood for the individuals and the high impact on society. Just some words of encouragement as we move forward.

Kerry Cato, Professor of Geology at Cal State San Bernardino. He has been with San Bernardino for 9 years; 25 years prior he served as a practicing engineering geologist from industry on the East Coast, and then in California since 1995. More recently, he served on the oversight board for the repair of the Oroville spillway. He felt a need to bring his experience to the university because he did not see it being taught. He is very alarmed and concerned what is happening in the universities. He thanked the Board for this letter as it was necessary. He is very saddened to see what happened at Sonoma State, but it is happening everywhere. He believes that the letter, or the least the message for the letter, needs to be distributed widely to the CSU Chancellor and the members of the CSU Board. They have started their own outreach in high schools and have received a lot of interest. There is a problem in keeping their department alive due to its small size. They have difficulty meeting minimum class sizes, which is about 15 students. They are very concerned about their master's program, which requires 10 students to make those classes. He does not believe that consolidation of a few schools is going to be effective. There are first generations, that do not have anyone except themselves to learn about the fields. There is difficulty getting them into the field of geology because they are not sure it is a viable profession. He thanked the Board for their support.

VII. Legislation

A. 2025 Legislative Calendar

Mr. Moore reviewed the legislative calendar. Committees are currently meeting before spring recess which is expected to result in a lot of legislative activity.

B. Discussion of Legislation for 2025 (**Possible Action**)

1. Assembly Bill (AB) 667 – Professions and vocations: license examinations; interpreters

MOTION:	Mr. Ruffino and Mr. King moved to take an <u>oppose unless amended</u> position on AB 667 as revised April 1, 2025, and further authorized staff to communicate the Board's concerns to the Author's office along with a request to exempt the Board from this language.
VOTE:	9-0, 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	

2. AB 742 – Department of Consumer Affairs: licensing: applicants who are descendants of slaves

MOTION:	Mr. King and Dr. Amistad moved to take a position of <u>watch</u> on AB 742.
VOTE:	9-0, 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	

4. Senate Bill (SB) 518 – Descendants of enslaved persons; reparations

MOTION:	Ms. D'Antonio and Dr. Amistad moved to take a position of <u>watch</u> on SB 518.
VOTE:	7-1-1, 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	

3. AB 1341 – California Public Records Act: record withholding

MOTION:	Mr. King and Mr. Ruffino moved to take a position of <u>support</u> on the concept of AB 1341 as amended March 24, 2025, with the idea that when our board discovers violations of the building laws of the state by our regulated licensees, we report those violations to the CSLB and work with the author of AB 1341 on language that is satisfactory to staff.
VOTE:	7-2, 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	

5. SB 470 – Bagley-Keene Open Meeting Act: teleconferencing

During Public Comment, Alan Escarda representing Professional Engineers in California Government (PECG) pointed out that he represents a committee that monitors Board activities. There are five members in their committee, and he is retired, resulting in the only one that can take the time to attend the Board meetings. In rare cases, if he cannot attend, he will solicit other members, but they are still employed and may not have the flexibility to do so. The goal is to always attend Board functions. He believes virtual meetings open up a range of opportunities for the public to attend without having to travel.

MOTION:	Mr. King and Mr. Ruffino moved to take a position of <u>support</u> on SB 470 as introduced February 19, 2025
VOTE:	8-1, 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	

6. SB 606 – Shelter crisis: emergency housing: immunity from liability
No action taken.

7. SB 641 – Department of Consumer Affairs and Department of Real Estate: states of emergency: waivers and exemptions

MOTION:	Mr. Hartley and Ms. D'Antonio moved to take a position of <u>watch</u> on SB 641 as introduced February 19, 2025
VOTE:	9-0, 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. Executive Officer's Report

A. Rulemaking Status Report

Mr. Moore reviewed the Rulemaking Status report and noted a change in the fee regs. Staff continues to work with DCA Budgets and the rulemaking advisors. This rulemaking will be returning to the Board at the May meeting as staff is updating rationale to support the fees already approved for retirement license.

Staff continues to work on the experience requirements for land surveyors and the application references and definitions of negligence and incompetence. We may potentially see another related to the geology applications if it is something that does not require legislation.

B. Update on Board's Business Modernization Project

Mr. Moore reported that over the first quarter of this year, staff and developers have dedicated much of their time on fixes related to examination results and diagnostics. Not only has it been frustrating for staff, but applicants as well. Currently, the enforcement functionality is not being prioritized due to these fixes.

Also, the license renewal assessment content is progressing well and is being worked on separately with other developers. The assessment related to land surveyor licensure and professional engineer licensure are complete. He noted

that Board members Ms. D'Antonio and Vice-President Martinez assisted during the beta test and provided feedback that aided in refinements. Staff is currently working on the Geologist and Geophysicist Act and associated regulations. When the time comes to integrate it into Connect, we will have the content ready.

Resources have been operating at full capacity within DCA project management and the vendor. Not only are they working for our Board, but they have other clients. The Board is currently working on assembling a separate contract directly with the developer so that we can minimize the impact this has on available resources.

C. Personnel

There are three vacancies with two slated for elimination per the Governor's reduction plan and a Senior Registrar vacancy.

D. ABET

No report given.

E. Association of State Boards of Geology (ASBOG)

The Board received out-of-state travel approval to attend the Council of Examiners workshop. Ms. Mathieson and Mr. Goodwin will be attending.

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

1. May 15-17, 2025, Joint Central/Western Zone Interim Meeting, Albuquerque, NM – Update on Meeting

The out-of-state travel request has been approved by DCA however is continuing through Agency and Governor's Office to complete the approval process.

2. August 19-22, 2025, Annual Meeting, New Orleans, LA – Funded Delegates (Possible Action)

Mr. Moore reported that we need to advise NCEES of the funded delegates by May 1st. Staff is currently working on the out-of-state travel request. There can be up to 3 funded delegates and 3 first time attendees. If you have been appointed to the Board within the last 24 months of the date of the Annual Meeting and you have never attended an Annual Meeting, you can go as a first-time attendee. There is also a law enforcement portion which a staff member will attend. According to the roster, Mr. Waldeck, Ms. Brooks, and Mr. Villegas, are eligible as first time attendees. Ms. D'Antonio, Mr. Ruffino, and Mr. Hartley expressed interest. President Wong will be an alternate to Mr. Hartley if he is unable. In addition, Mr. King is available to attend as an emeritus member. Mr. Hartley confirmed later that he would not be available.

G. Update on Outreach Efforts

The new winter edition of the Board Bulletin was released today, and the spring edition will be released later this season.

IX. President's Report/Board Member Activities

President Wong reported that she attended several NCEES events including the Finance Committee meeting, Western Zone nominating committee meeting, and the State of the Council meeting. She also attended the quarterly DCA leadership meeting.

Mr. King announced that May will be his last meeting and expressed that the experience has been truly remarkable, emphasizing the professionalism of the staff and an honor to collaborate with such a dedicated team. He just wanted to express his appreciation for those who will not be in attendance at the May meeting.

Mr. Hartley expressed his concern with the ability to purchase land surveying tags with anyone's license number for a monument. He was made aware of someone that set a monument in Southern California with his license number having never worked south of Kern County. He expressed the need for a law to where an individual must prove licensure prior to purchasing tags. Ms. Criswell recommended discussing this further directly with him as it has been addressed multiple times before at the Board.

Vice-President Martinez also attended the NCEES State of the Council meeting and the DCA Leadership meeting.

X. Nomination Committee for 2025-26 Board President and Vice President

President Wong selected Mr. King and Ms. D'Antonio to serve as the nominating committee and to provide a nomination slate at the May 29-30, 2025, Board meeting for discussion and possible action.

XI. Approval of Meeting Minutes (Possible Action)

A. Approval of February 6, 2025, Board Meeting Minutes

MOTION:	Mr. Hartley and Dr. Amistad move to approve the February 6, 2025 Board meeting minutes.
VOTE:	7-0-2, 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 3:12 p.m.

PUBLIC PRESENT

Alan Escarda, PEGG

Matty Mookerjee, Sonoma State University

Christopher Keane, American Geosciences Institute