

**BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

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

Telephone: (916) 263-2222 Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

www.pels.ca.gov

*******AMENDED*************NOTE NEW START TIME ON THURSDAY********OFFICIAL NOTICE****MEETING OF THE BOARD FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS**

**Mission Inn
3649 Mission Inn Avenue
Riverside, California, 92501
(951) 784-0300**

**Wednesday, November 18, 2009, beginning at 10:00 a.m., and
continuing on
Thursday, November 19, 2009, beginning at 9:00 a.m. 11:00 a.m., if necessary**

Wednesday, November 18, 2009

1. Board Meeting 10:00 a.m.
Including the Hearing on the Petition for Reinstatement of Revoked License of Dana W. Hall (OAH No. 2009100550), beginning at 1:00 p.m., or as soon thereafter as the matter may be called

Thursday, November 19, 2009, if necessary

1. Board Meeting 9:00 a.m. 11:00 a.m.

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 no later than five (5) working days before the meeting to the Board by contacting Jennifer Fyfe at (916) 263-2230 or sending a written request to Ms. Fyfe at the Board for Professional Engineers and Land Surveyors, 2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833. For further information regarding this meeting, please contact Jennifer Fyfe at (916) 263-2230. Electronic copies of this notice and agenda are available at <http://www.pels.ca.gov>.

NOTE: All times indicated and the order of business are approximate and subject to change. It is anticipated that the Board will break for lunch from approximately 12:00 p.m. to 1:00 p.m. each day.

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.ca.gov>.

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*******AMENDED*************NOTE NEW START TIME ON THURSDAY********AGENDA****MEETING OF THE BOARD FOR PROFESSIONAL
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**Wednesday, November 18, 2009, beginning at 10:00 a.m., and continuing on
Thursday, November 19, 2009, beginning at ~~9:00 a.m.~~ 11:00 a.m., if necessary**

Board Members: Kim Blackseth, President; Mike Modugno, Vice President; Gregg Brandow; James Foley; David Luzuriaga; Ray Satorre; Jerry Silva; Patrick Tami; Michael Trujillo; and Paul Wilburn.

1. Roll Call to Establish a Quorum
2. Public Comment
3. Hearing on the Petition for Reinstatement of Revoked License of Dana W. Hall (OAH No. 2009100550)
The hearing on this Petition will be held on Wednesday, November 18, 2009, beginning at 1:00 p.m., or as soon thereafter as the matter may be called.
4. Closed Session – Administrative Adjudication [Pursuant to Government Code section 11126(c)(3)] – **This Closed Session will be held immediately following the hearing on the Petition.**
5. Consideration of Rulemaking Proposals, as follows:
 - a. Withdrawal and Re-Notice of Rulemaking Proposals relating to Approved Curricula and Waiver of Fundamentals Examination [Board Rules 404, 424, 425, 428, and 460] (Possible Action)

- b. Approval and Adoption of Rulemaking Proposal relating to Reference Forms [Board Rules 427.10 and 427.30] (Possible Action)
- 6. 2010 Board Meeting Schedule (Possible Action)
- 7. Assumption of Duties and Responsibilities of the Geologists and Geophysicists Act pursuant to Chapter 18 (Assembly Bill 20), 2009-2010 Fourth Extraordinary Session (Possible Action)
- 8. Acceptance of Credential Evaluations by the Center for Professional Engineering Education Services (Possible Action)
- 9. Amendments to Business and Professions Code sections 6755 and 8741 regarding Exemptions from the Engineer-in-Training (EIT) and Land Surveyor-in-Training (LSIT) Examinations [First Division Examinations] (Possible Action)
- 10. On-Line Renewals/Credit Card Renewals (Possible Action)
- 11. NCEES Candidate ID Requirement (Possible Action)
- 12. Approval of Delinquent Reinstatements (Possible Action)
- 13. Comity and Temporary Authorization Applications (Possible Action)
- 14. Administration
 - a. Fund Condition (Possible Action)
 - b. FY 2009-10 Budget (Possible Action)
 - c. FY 2010-11 Budget Change Proposals (Possible Action)
 - d. Land Surveyor Registrar Position (Possible Action)
 - e. Publication Review (Possible Action)
 - f. NCEES Exam Fee Pass Through and Exam Administration (Possible Action)
- 15. Technical Advisory Committee (TAC) Reports
 - a. Board Assignments to TACs (Possible Action)
 - b. Appointment of TAC Members (Possible Action)
- 16. Liaison Reports (Possible Action)
 - a. ABET
 - b. NCEES
 - 1. Report from the Annual Meeting
 - c. Technical and Professional Societies
- 17. President's Report

18. Executive Officer's Report
 - I. Legislation
 - a. Discussion of Proposed Legislation for 2009: AB 484, AB 645, SB 275, SB 284, SB 389, SB 502, SB 599, SB 638, SB 819, SB 820, and SB 821 (Possible Action)
 - b. Regulation Status Report
 - II. Personnel
 - a. New Hires
 - b. Vacancies
 - III. Enforcement
 - IV. Exams/Licensing
 - V. Marketing/Publications/Website
 - a. College Outreach
 - b. Newsletter
 - c. Website Activity
 - VI. Other
 - a. DCA Update
19. Other Items Not Requiring Board Action
20. 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. Michael William Foster v. Board for Professional Engineers and Land Surveyors, Court of Appeal Third Appellate District Case No. C050630 (El Dorado Superior Court Case No. PC 20030492)
 - b. Discrimination Complaint (Authority for Closed Session Discussion pursuant to Government Code section 11126(e)(2)(B)(i))
21. Open Session to Announce the Results of Closed Session
22. 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.)
 - a. Approval of the Minutes of the July 23, 2009, Board Meeting
 - b. Approval of Candidates for Certification/Licensure (Based on Examination Results, Including Successful Appeals, Adopted in Closed Session)
23. Adjourn

PUBLIC COMMENT

Time is allotted during the meeting to provide members of the public with an opportunity to address the Board.

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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.

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The public may speak on items not on the agenda; however, the Board may not take action on such items at this time.

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The time allotted for each member of the public to address the Board may be limited by the Board President based on the number of individuals wishing to speak.

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The Board may deny a person the right to address the Board and have the person removed if the person becomes disruptive.

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Due to the need for the Board to maintain fairness and neutrality when performing its adjudicative function, the Board shall not receive any substantive information from a member of the public regarding matters that are currently under or subject to investigation or that involve a pending administrative or criminal action.

If a person attempts to provide the Board with substantive information regarding matters that are currently under or subject to investigation or that involve a pending administrative or criminal action, the person shall be advised that the Board cannot properly consider or hear such substantive information, and the person shall be instructed to refrain from making such comments.

If a person addresses the Board concerning alleged errors of procedure involving matters that are currently under or subject to investigation or involve a pending administrative or criminal action, the Board may direct the Executive Officer to review whether the proper procedure was followed and report back to the Board.



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******* AMENDED *******

******* NOTE NEW DATE AND TIME *******

OFFICIAL NOTICE

Informational Meeting Regarding the Implementation of Chapter 18 (ABX4 20), 4th Extraordinary Session of the 2009 Legislature and the Practices of Geology and Geophysics

**Mission Inn
3649 Mission Inn Avenue
Riverside, California, 92501
(951) 784-0300**

**Tuesday, November 17, 2009, 3:00 p.m.
THURSDAY, NOVEMBER 19, 2009, 9:00 a.m.**

This is an informational meeting to allow input from the public, licensees, and other interested parties regarding the implementation of Chapter 18 (ABX4 20), 4th Extraordinary Session of the 2009 Legislature, which eliminated the Board for Geologists and Geophysicists and transferred all of the duties, powers, purposes, responsibilities, and jurisdiction to regulate the practices of geology and geophysics to the Board for Professional Engineers and Land Surveyors, and regarding the practices of geology and geophysics. The meeting will end at ~~5:00 p.m.~~ 10:45 a.m. or at the end of all public comment, whichever occurs first. It is anticipated that a second informational meeting will be held in Sacramento in December 2009; official notice will be given at least 10 days prior to that meeting.

Interested parties are also invited to send written comments to the Executive Officer of the Board at the address listed above. A summary of all of the comments, written or oral, will be prepared and presented to the Board at a future meeting.

This is an informational meeting only; the Board will not be taking action at this meeting.

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 no later than five (5) working days before the meeting to the Board by contacting Jennifer Fyfe at (916) 263-2230 or sending a written request to Ms. Fyfe at the Board for Professional Engineers and Land Surveyors, 2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833. For further information regarding this meeting, please contact Jennifer Fyfe at (916) 263-2230. Electronic copies of this notice are available at <http://www.pels.ca.gov>.