



# CONTRACTORS STATE LICENSE BOARD

## BOARD MEETING

### MEETING MINUTES September 11, 2012

#### A. CALL TO ORDER

Board Chair Paul Schifino called the meeting of the Contractors State License Board (CSLB) to order at 1:30 p.m. on Tuesday, September 11, 2012, in the John C. Hall Hearing Room at 9821 Business Park Drive, Sacramento, CA 95827. A quorum was established.

Board Secretary Mark Thurman led the Board in the Pledge of Allegiance.

A moment of silence was held in honor of the anniversary of 9/11/01.

#### Board Members Present

Paul Schifino, Chair  
Joan Hancock, Vice Chair  
Mark Thurman, Secretary  
David Dias  
Matthew Kelly  
Bruce Rust

Frank Schetter  
John O'Rourke  
Ed Lang  
James Miller  
Lisa Miller-Strunk  
Robert Lamb

#### Board Members Excused

Pastor Herrera

#### Staff Present

Stephen Sands, Registrar  
Cindi Christenson, Chief Deputy Registrar  
Don Chang, Legal Counsel  
Michael Franklin, Deputy Attorney General  
David Fogt, Enforcement Chief

Erin Echard, Executive Office  
Karen Ollinger, Licensing Chief  
Laura Zuniga, Legislative Chief  
Rick Lopes, Public Affairs Chief

#### Public Visitors

Clifford Burg  
Shauna Krause  
David Kalb  
Karen Hughes  
Larry Rohlfes

Karen Graham  
Derek Noack  
Jerry Desmond  
Rick Pires  
Ken Grossbart

#### B. CHAIR'S REMARKS AND BOARD MEMBER COMMENTS

Board Chair Paul Schifino opened the meeting by recapping a visit from a Chinese delegation that visited CSLB headquarters on September 7, 2012. Mr. Schifino asked if there were additional comments to be made by any Board members. There were none.



**C. PUBLIC COMMENT**

Karen Hughes spoke to the Board about her experience with the CSLB Arbitration program, and the activities that she and her husband, Brian, are developing to improve the arbitration experience for others.

**D. REVIEW AND APPROVAL OF THE JUNE 5 AND JULY 25, 2012 BOARD MEETING MINUTES**

Motion to Approve June 5 and July 25, 2012, Board Meeting Minutes

**MOTION: A motion was made by Board Member Robert Lamb and seconded by Board Member Frank Schetter to approve the June 5 and July 25, 2012, Board Meeting Minutes. The motion carried unanimously, 12-0.**

**E. ENFORCEMENT COMMITTEE REPORT**

Enforcement Committee Chair David Dias provided the Enforcement Committee Report.

**1. Enforcement Program Update**

Enforcement Chief David Fogt reported on Enforcement staffing, and the welcomed addition of four new peace officers. Mr. Fogt noted the success of “Operation Underground” as well as craigslist.org undercover sting operations. He also detailed activity in the Intake/Mediation Centers, Investigative Centers, Case Management, and SWIFT. The telephone disconnect program and training opportunities also were highlighted.

**2. Review and Approval of Recommended Position on Duties Required by Individuals Qualifying an Additional Individual or Firm**

Deputy Attorney General Michael Franklin presented three potential actions to mitigate the concern that qualifier responsibilities are not widely known, and many qualifying individuals are not complying with existing duty and responsibility mandates. Recommendations included: 1. Distribute information on CSLB’s website and in the *California Licensed Contractor* newsletter; 2. Pursue legislation to amend Business and Professions Code section 7068.1(d) to provide for disciplinary action when a licensee or qualifier fails to comply with the duties and responsibilities the qualifying individual certified he/she would perform; and 3. Establish a task force to identify the scope of the problem, investigate suspect individuals who attempt to qualify multiple licenses to ensure compliance with the qualifier duties and responsibility requirements, and explore legislative and/or administrative remedies.

Motion to Approve the Recommended Position on Duties Required by Individuals Qualifying an Additional Individual or Firm

**MOTION: A motion was made by Board Member Matthew Kelly and seconded by Board Member Robert Lamb to approve the Recommended**



**Position on Duties Required by Individuals Qualifying an Additional Individual or Firm. The motion carried unanimously, 12-0.**

**3. Review of the 2011 Customer Satisfaction Survey**

Chief of Testing Heidi Lincer-Hill reviewed results for the 2011 Consumer Satisfaction Survey and compared results over the past four years. Ms. Lincer-Hill noted that the levels of overall satisfaction have been the highest reported in the last 10 years. Board Member Matt Kelly commented on the reduction in consumers who reported using CSLB's website to check a contractor's license status before hiring.

**F. PUBLIC AFFAIRS PROGRAM UPDATE**

Public Affairs Chief Rick Lopes provided the Public Affairs Committee Report.

**1. Public Affairs Program Update**

Mr. Lopes told the Board that the Public Affairs Office (PAO) is developing a contractor outreach program. An online survey has been made available to gain feedback about educational materials that would be helpful for licensees to have when they make presentations to prospective clients. He also noted that, due to the departure of a PAO Information Officer and Student Assistant, other staff members have been trained to assist the Information Technology Division by coding items for CSLB's website. Mr. Lopes also informed the Board that the Employee Wellness program has been suspended due to the elimination of a Retired Annuitant position. The Board received updates on social media efforts, CSLB's Email Alert feature, and media outreach, including a press event held at the State Capitol on June 20, 2012, to warn consumers about rampant illegal and deceptive ads placed on Internet bulletin boards. Finally, Mr. Lopes updated Board members on CSLB publications and the Senior Scam Stopper<sup>SM</sup> program.

**G. LEGISLATIVE COMMITTEE REPORT**

Legislative Committee Chair Lisa Miller-Strunk deferred to Legislative Chief Laura Zuniga to provide the Legislative Committee Report.

**1. Status of 2012 Legislation**

Ms. Zuniga gave an update on the status of bills that CSLB is watching.

*Signed by Governor Edmund G. Brown Jr.*

- AB 2554 Contractors

*Deadline to be signed by Governor is 9/30/12*

- AB 1588 Professions and Vocations: Reservist Licensees
- AB 1750 Rainwater Capture Act of 2012
- AB 1794 Unemployment Insurance: Employer Reporting
- AB 1904 Professions and Vocations: Military Spouses



- AB 2219 Contractors' Workers' Compensation Insurance Coverage
- AB 2237 Contractors: Definition
- AB 2570 Licensees: Settlement Agreements
- SB 691 Unemployment Insurance: Compensation

*Not passed by the Legislature*

- AB 1655 Public Employees: Rights
- AB 1920 Contractors: Compensation
- AB 2482 Registered Interior Designers
- SB 1185 Centralized Intelligence Partnership Act: Pilot Program

*Amended, now off the "Watch" list*

- SB 975 Professions and Vocations: Regulatory Authority

**H. LICENSING COMMITTEE REPORT**

Licensing Committee Chair Ed Lang provided the Licensing Committee Report.

**1. Review and Approval of the August 28, 2012, Licensing Committee Summary Report**

Motion to Approve the August 28, 2012, Licensing Committee Summary Report

**MOTION: A motion was made by Board Member Joan Hancock and seconded by Board Member David Dias to approve the August 28, 2012, Licensing Committee Summary Report. The motion carried unanimously, 12-0.**

**2. Licensing Program Update**

Licensing Chief Karen Ollinger informed the Board that due to staff reductions, call center wait times have increased. There has been a decline in total applications received. Ms. Ollinger also provided updates on the Criminal Background Unit (CBU), LLC processing, and the Judgments Unit.

**3. Testing Division Update**

Chief of Testing Heidi Lincer-Hill provided updates on staff vacancies and the one-hour increase (from 2.5 hours to 3.5 hours) in the time allowed to take an examination.

**4. Review and Approval of Committee Recommendations Regarding:**

- a. Translation of CSLB Licensing Exams

Motion to Approve the Recommended Position on Translation of CSLB Licensing Exams



**MOTION: A motion was made by Board Member Ed Lang and seconded by Board Member Matthew Kelly to approve the recommended position on Translation of CSLB Licensing Exams. The motion carried unanimously, 12-0.**

- b. Retroactive Fingerprinting of Licensed Contractors

Motion to Approve the Recommended Position on Retroactive Fingerprinting of Licensed Contractors

**MOTION: A motion was made by Board Member Joan Hancock and seconded by Board Member Bruce Rust to approve the recommended position on Retroactive Fingerprinting of Licensed Contractors. The motion carried unanimously, 12-0.**

- c. Continuing Education

Motion to Approve the Recommended Position on Continuing Education

**MOTION: A motion was made by Board Member Ed Lang and seconded by Board Member Bruce Rust to approve the recommended position on Continuing Education. The motion carried unanimously, 12-0.**

**5. Review and Approval of Committee Recommendation Regarding License Renewal Delinquency Fees**

Motion to Approve the Recommended Position on License Renewal Delinquency Fees

**MOTION: A motion was made by Board Member Ed Lang and seconded by Board Member Robert Lamb to approve the recommended position on License Renewal Delinquency Fees. The motion carried unanimously, 12-0.**

**I. EXECUTIVE COMMITTEE REPORT**

Chief Deputy Registrar Cindi Christenson presented the Executive Committee Report. She informed the Board that Retired Annuitant Mike Brown will fill in for Laura Zuniga while she is on maternity leave.

**1. Administration and Information Technology Update**

Ms. Christenson introduced two new managers, Business Services Manager Mike Melliza and Personnel Manager Nicole Le.

**2. Loss of Resources**

Ms. Christenson informed the Board that, due to Executive Orders, CSLB has lost all student assistants and many retired annuitants, as well as personal services contracts, vehicles, equipment, and cell phones. She also explained that



current employees are being asked to increase their responsibilities while enduring a cut in pay and work hours.

Registrar Steve Sands provided an update on the status of the 2012-2013 Strategic Plan objectives. He also introduced Shelly Menzel and Tom Roy from the Department of Consumer Affairs' (DCA) SOLID unit, who will be CSLB's new strategic plan facilitators.

**3. Budget Update**

Ms. Christenson informed the Board of the final expenditures for the 2011-2012 fiscal year.

**4. Update on BreEZe**

DCA's Office of Information Services Chief Amy Cox-O'Farrell advised that the multi-million dollar data conversion project is progressing, but is about three months behind schedule.

**J. REVIEW OF TENTATIVE SCHEDULE**

Registrar Steve Sands advised the Board of the changes to the proposed meeting schedule for the remainder of the fiscal year. The next Board meeting will be held Tuesday, December 11, 2012, in Norwalk. The time has not yet been determined.

**K. ADJOURNMENT**

Board Chair Paul Schifino adjourned the meeting at 3:54 p.m.

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Paul Schifino, Chair

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Date

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Stephen P. Sands, Registrar

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Date