



# CONTRACTORS STATE LICENSE BOARD

## BOARD MEETING MINUTES

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February 26, 2013

#### A. CALL TO ORDER

Board Chair Paul Schifino called the meeting of the Contractors State License Board (CSLB) to order at 10:00 a.m. on Tuesday, February 26, 2013, in the John C. Hall Hearing Room at CSLB headquarters, 9821 Business Park Drive, Sacramento, CA 95827. A quorum was established.

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

#### Board Members Present

Paul Schifino, Chair  
Joan Hancock, Vice Chair  
Mark Thurman, Secretary  
David Dias  
Matthew Kelly  
Pastor Herrera Jr.

Frank Schetter  
Bruce Rust  
Ed Lang  
James Miller  
Lisa Miller-Strunk  
John O'Rourke

#### Board Members Excused

Robert Lamb

#### Staff Present

Stephen Sands, Registrar  
Cindi Christenson, Chief Deputy Registrar  
Don Chang, Legal Counsel  
Rick Lopes, Public Affairs Chief  
Larry Parrott, Administrative Chief

Erin Echard, Executive Office  
Karen Robinson, Licensing Chief  
David Fogt, Enforcement Chief  
Heidi Lincer-Hill, Testing Chief  
Raju Sah, IT Chief

#### Public Visitors

Brad Diede  
Derek Noack  
Richard Markuson  
Ken Grossbart  
Daniel Cohen  
Greg Armstrong  
Jose Vaca  
Larry Rohlfs  
Ruben Barba  
Clifford Burg  
David Kala

Joe Upchurch  
Julie Russell  
Steve Kuhlic  
Karen Hughes  
Juan Arbelaez  
Alex Beltran  
Frank Redle  
Mike Ely  
Phil Vermeulen  
Leroy Adams  
Victor Parra



**B. CHAIR’S REMARKS AND BOARD MEMBER COMMENTS**

Board Chair Paul Schifino opened the meeting by describing the upcoming year as hopeful due to an upward trend in construction industry activity. He mentioned that each committee chair will need to present his or her own committee’s motions. Mr. Schifino then asked if there were additional comments to be made by Board members.

Board Member Lisa Miller-Strunk said she was delighted to have attended a graduation for two new CSLB peace officers and congratulated them on their success in training.

Board Member Pastor Herrera Jr. encouraged CSLB to consider where field offices are located compared to population projections reported by the Department of Finance (DOF). He also was pleased to have attended the graduation of a new CSLB peace officer in San Diego.

Board Chair Schifino then recognized CSLB Outreach Coordinator Jane Kriedler for exemplary service. Ms. Kriedler, on staff in the Public Affairs Office, has doubled the number of Senior Scam Stopper<sup>SM</sup> seminars and also is helping to build a Consumer Scam Stopper<sup>SM</sup> program.

**C. PUBLIC COMMENT**

Karen Hughes extended a personal thank you to Enforcement Chief David Fogt and Missy Vickrey for working with her to fix loopholes in Contractors License Law.

Brad Diede thanked CSLB for ongoing efforts to stop unlicensed activity. He provided a copy of the letter his coalition sent to Governor Edmund G. Brown, Jr., for further support.

Davi Rodriguez asked the Board for a change in the length of time that complaints remain public record for a contractor license.

Leroy Adams asked the Board for a change that would “red flag” contractors with civil judgments, and recommended that specialty contractors fulfill a continuing education requirement.

**D. REVIEW AND APPROVAL OF THE DECEMBER 11, 2012, BOARD MEETING MINUTES**

Motion to Approve the December 11, 2012, Board Meeting Minutes

**MOTION: A motion was made by Board Member Matthew Kelly and seconded by Board Member Ed Lang to approve the December 11, 2012, Board Meeting Minutes. The motion carried unanimously, 12-0.**



**E. ENFORCEMENT COMMITTEE REPORT**

Enforcement Committee Chair David Dias thanked the Public Affairs Office for creating the new brochure “Caught for Illegal Contracting – What Happens Now?”

**1. Enforcement Program Update**

Enforcement Chief David Fogt informed the Board about Bay Area staffing challenges, and also pointed out that Intake and Mediation Centers have exceeded the goal of settling 30 percent of cases received. Mr. Fogt also highlighted statistics from the Investigative Centers and SWIFT. He said several new peace officers have completed training and are a welcome addition to CSLB. Enforcement Committee Chair David Dias commended Enforcement staff’s professional demeanor during a recent sting operation.

**2. Review and Approval of Disclosure by CSLB of a Partnering Agency’s Disciplinary Action**

As part of the CSLB Strategic Plan, the Board was asked to approve disclosure of a partnering agency’s administrative action through an electronic link on CSLB’s website. Disclosure of the administrative action will only be made upon verification of the information and with an advisory statement to verify the status of the allegation with the partnering agency.

Motion to Approve the Review and Approval of Disclosure by CSLB of a Partnering Agency’s Disciplinary Action

**MOTION: A motion was made by Board Member Matthew Kelly and seconded by Board Member Joan Hancock to approve the Review and Approval of Disclosure by CSLB of a Partnering Agency’s Disciplinary Action. The motion carried unanimously, 12-0.**

**F. PUBLIC AFFAIRS PROGRAM REPORT**

Public Affairs Committee Chair Pastor Herrera Jr. provided the Public Affairs Committee report. Mr. Herrera asked Board members to keep former Public Affairs student assistant Sarah Martin in their thoughts. Ms. Martin is currently hospitalized with a serious medical condition. Mr. Herrera also noted that two new publications have been completed: the *2013 California Contractors License Law & Reference Book* and CSLB’s “2012 Accomplishments and Activities” report.

**Public Affairs Program Update**

Public Affairs Chief Rick Lopes informed the Board that the Public Affairs Office (PAO) is now fully staffed. Mr. Lopes also told the Board that the winter edition of *California Licensed Contractor* newsletter is available online, and the spring edition is being developed. With the increasing need for representatives to speak on behalf of CSLB, PAO staff members Melanie Bedwell and Jane Kreidler have developed and conducted Speakers Bureau training for about 50 staff members in Sacramento and Norwalk.



Staff also is working with Licensing to determine if the new instructional video about how to properly complete a license application will reduce the number of applications being rejected. Finally, Mr. Lopes updated Board members on the contractors outreach campaign and the Senior Scam Stopper<sup>SM</sup> program.

**G. LEGISLATIVE COMMITTEE REPORT**

Legislative Committee Chair Lisa Miller-Strunk gave the Legislative Committee Report. Ms. Miller-Strunk thanked Retired Annuitant Mike Brown for all of his help and noted that Legislative Chief Laura Zuniga soon will return from maternity leave.

**1. Status of Legislative Proposals to Amend the Business and Professions Code**

**a. Section 7027.3 (Illegal Use of License Information)**

Currently in Committee

**b. Section 7031 and Others (Definition of Unlicensed Activity)**

Senate Bill 263 will be further amended

**c. Section 7068.1 (License Qualifiers)**

SB 262

**d. Section 7085.5 (Arbitration)**

AB 993 (Linder) will be further amended

**e. Section 7114 (Aiding and Abetting Unlicensed Activity)**

SB 261

**f. Section 7141 (Delinquency Renewal Fee)**

Currently in Committee

**H. LICENSING COMMITTEE REPORT**

Licensing Committee Chair Ed Lang provided the Licensing Committee report:

**1. Licensing Program Update**

Licensing Chief Karen Robinson provided an update on the Criminal Background and Judgments Units. Call volumes and wait times in the call center are down from last year, and the center is nearly at full staff. New license applications received continue to decline, but Ms. Robinson noted this is not a peak time of the year. Ms. Robinson also mentioned the success of the LLC program, which has been in place for more than a year. She noted that workers' compensation insurance recertification is now required annually.



**2. Testing Division Update**

Testing Chief Heidi Lincer-Hill informed the Board that CSLB’s testing centers also will be used for other projects involving the Department of Consumer Affairs (DCA), as well as to give the Enforcement Representative (ER) exam. The Oakland testing center will soon move to Berkeley. Employees in the Examination Development unit are assisting with occupational analysis since DCA is short-staffed.

**3. Consideration of an Asbestos Abatement Specialty Classification**

Mike Ely, of the Association of Environmental Contractors (ACE), requested establishment of a new specialty license classification for hazardous material abatement and asbestos. Mr. Ely believes the kind of work that his group handles in hazardous materials suppression and mitigation does not seem to fit the criteria for any current license classification.

Motion to Approve a Consideration of an Asbestos Abatement Specialty Classification

**MOTION: A motion was made by Board Member Lisa Miller-Strunk and seconded by Board Member David Dias to approve the Board Policy on Asbestos. The motion carried unanimously, 12-0.**

**I. EXECUTIVE COMMITTEE REPORT**

**1. Administration and Information Technology Update**

Administrative Chief Larry Parrott gave the Administration report. He provided updates on vacancies and the Business Services unit, which included relocation of Fresno SWIFT staff, and the purging of more than 100,000 files from the file room.

Information Technology Chief Raju Sah gave the IT report. The BreEZe project “go live” date has been further delayed, and is now estimated to be complete in 2014. The Help Desk staff currently manages about 367 help tickets each month. IT is reducing CSLB’s carbon footprint by consolidating single-function equipment into multifunction equipment.

**2. Budget Update**

Chief Deputy Registrar Cindi Christenson provided information about revenue and CMEA funds. The final budget has been adjusted to account for furloughs, IT changes, and retirements.

**3. 2012-2013 Strategic Plan Update**

Registrar Steve Sands gave an update on the status of each objective the Board has established. Most already have been completed or are on track.



**4. Discussion Regarding Strategic Planning Process**

DCA's SOLID Solutions Unit will be facilitating CSLB's strategic planning session in April. An email already has been distributed to stakeholders. Board Member interviews will begin after a focus group with CSLB senior staff.

**J. REVIEW OF TENTATIVE SCHEDULE**

Registrar Sands pointed out that the next Board Meeting will be held Tuesday, April 23, 2013, and Wednesday, April 24, 2013, in San Diego. This will be combined with CSLB's annual strategic planning meeting. Day one will begin in the afternoon.

**K. ADJOURNMENT**

Board Chair Paul Schifino adjourned the meeting at 12:38 p.m.

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Paul Schifino, Chair

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Date

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Stephen P. Sands, Registrar

\_\_\_\_\_  
Date