



CONTRACTORS STATE LICENSE BOARD

BOARD MEETING MINUTES

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Thursday, December 11, 2014

A. CALL TO ORDER

Board Chair David Dias called the meeting of the Contractors State License Board (CSLB) to order at 1:00 p.m. on Thursday, December 11, 2014, in the California Room of the Doubletree by Hilton Hotel, 200 Marina Blvd., Berkeley, CA 94710. A quorum was established.

Board Member Augie Beltran led the Board in the Pledge of Allegiance.

Board Members Present

David Dias, Chair	Frank Schetter
Ed Lang, Vice Chair	Kevin J. Albanese
Augie Beltran, Secretary	Pastor Herrera Jr.
Paul Schifino	Linda Clifford
Joan Hancock	Susan Granzella
Bob Lamb	Nancy Springer

Board Members Excused

Bruce Rust	John O'Rourke
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CSLB/DCA Staff Present

Stephen Sands, Registrar	David Fogt, Enforcement Chief
Cindi Christenson, Chief Deputy Registrar	Rick Lopes, Public Affairs Chief
Karen Robinson, Licensing Chief	Erin Echard, Executive Staff
Laura Zuniga, Legislation Chief	Kurt Heppler, DCA Legal Counsel
Larry Parrott, Administration Chief	Raju Sah, IT Manager
Cynthia Kanemoto, IT Chief	Nicole Le, Personnel Manager
Betty Saeturn, DCA Personnel Manager	Tamara Colson, DCA Legal

Public Visitors

Rick Pires	Beverly Carr
Phil Vermeulen	Ken Grossbart

B. CHAIR'S REMARKS AND BOARD MEMBER COMMENTS

Board Chair David Dias welcomed the audience and congratulated Registrar Steve Sands on his impending retirement. Mr. Dias asked for Board member comments; several Board Members expressed their well wishes for Mr. Sands.

C. PUBLIC COMMENT SESSION

There were no public comments.



D. CLOSED SESSION

Pursuant to subdivision (a) (1) of section 11126 of the Government Code, the Board shall meet in closed session to conduct interviews, discuss, and consider the appointment of a Registrar.

E. REVIEW AND APPROVAL OF SEPTEMBER 23, 2014, BOARD MEETING MINUTES

Motion to Approve the September 23, 2014, Board Meeting Minutes

MOTION: A motion was made by Board Member Augie Beltran and seconded by Board Member Paul Schifino to approve the September 23, 2014, Board Meeting Minutes. The motion carried unanimously, 12-0.

F. ENFORCEMENT COMMITTEE REPORT

1. Enforcement Program Update

Enforcement Chief David Fogt presented highlights from the Intake and Mediation Center, Investigative Centers, Case Management, Statewide Investigative Fraud Team, as well as general complaint-handling statistics. Mr. Fogt also provided updates on plumbing scams and peace officer accomplishments.

Attorney General Opinion Letter No. 13-802 was distributed, which responded to the Board's request for an opinion on the following question:

Does the Court of Appeal's opinion in Alameda County Joint Apprenticeship and Training Committee v. Roadway Electric Works, Inc. (2010) 186 Cal.App. 4th 185, expand the definition of "electrician" as used in Labor Code section 108 et seq. to require certification for employees of licensed electrical contractors that are involved in the construction orientation of electrical conduit or raceways?

Supervising Deputy Attorney General Susan Duncan Lee provided the following summary response:

The short answer to your question is No; the opinion does not expand the definition of "electrician" as used in the Labor Code, or as interpreted by the Board in enforcing electrician certification.

Board Member Frank Schetter expressed concern that the interpretation compromised consumer protection and requested that the Enforcement Committee discuss the matter further.



2. Review and Discussion Regarding Permit Enforcement

Board Member Nancy Springer and Enforcement Chief David Fogt informed the Board that more than 400 administrative actions were taken against contractors for permit violations in 2014; however, not all building departments are receptive to working with CSLB. Establishing operational agreements with building departments, a pilot program with Compton, and developing permit goals and objectives will be discussed at the next Enforcement Committee meeting.

G. PUBLIC AFFAIRS COMMITTEE REPORT

1. Public Affairs Program Update

Public Affairs Chief Rick Lopes provided social media statistics and highlights on media relations and publications, and reported that visits to the CSLB website have doubled since the new site was launched in September 2014. Also, since the September Board meeting, ten news releases were issued as well as three new industry bulletins.

H. LEGISLATIVE COMMITTEE REPORT

1. Legislative Program Update

There was no Legislative Program update.

(Board Member Bob Lamb was excused from the remainder of the meeting.)

2. Review and Approval of November 6, 2014, Legislative Committee Summary Report

Motion to Approve the November 6, 2014, Legislative Committee Summary Report
MOTION: A motion was made by Board Member Linda Clifford and seconded by Board Member Augie Beltran to approve the November 6, 2014, Legislative Committee Summary Report. The motion carried unanimously, 11-0.

3. Review and Consideration of Recommended Legislative Proposals for the upcoming Legislative Session;

- a. Amendment to Business and Professions Code section 7011.4 – Notice to Appear Authority**



Motion to Approve the Amendment to Business and Professions Code section 7011.4 – Notice to Appear Authority

MOTION: A motion was made by Board Member Augie Beltran and seconded by Board Member Ed Lang to approve, as amended, the Amendment to Business and Professions Code section 7011.4 – Notice to Appear Authority. The motion carried unanimously, 11-0.

b. Amendment to Business and Professions Code section 7028.6 – Authority to Issue Citations – Collection of Additional Information

Motion to Approve the Amendment to Business and Professions Code section 7028.6 – Authority to Issue Citations – Collection of Additional Information

MOTION: A motion was made by Board Member Augie Beltran and seconded by Board Member David Dias to approve the Amendment to Business and Professions Code Section 7028.6 – Authority to Issue Citations – Collection of Additional Information. Board Members Pastor Herrera Jr and Kevin J. Albanese abstained. The motion carried, 9-0.

c. Amendment to Business and Professions Code section 7083 – Notification by Licensees of Change in Recorded Information

Motion to Approve the Amendment to Business and Professions Code section 7083 – Notification by Licensees of Change in Recorded Information from 30 days to 90 days

MOTION: A motion was made by Board Member Linda Clifford and seconded by Board Member Kevin J. Albanese to approve the Amendment to Business and Professions Code section 7083 – Notification by Licensees of Change in Recorded Information from 30 days to 90 days. The motion carried unanimously, 11-0.

d. Amendment to Add Business and Professions Code section 7103.5 – Effect of Disciplinary Action by Division of Labor Standards Enforcement

No motion was made. Board Member Joan Hancock suggested creating an advisory subcommittee consisting of Board Members Kevin J. Albanese and Agustin Beltran to assist CSLB staff in revising the proposed language and defining “egregious” before returning this item to the Legislative Committee for further consideration.

(Board Member Paul Schifino was excused from the remainder of the meeting.)



e. Amendment to Business and Professions Code section 7137 – Fee Schedule

Motion to Approve the Amendment to Business and Professions Code section 7137 – Fee Schedule

MOTION: A motion was made by Board Member Kevin J. Albanese and seconded by Board Member Linda Clifford to approve the Amendment to Business and Professions Code section 7137 – Fee Schedule. The motion carried unanimously, 10-0.

f. Amendment to Business and Professions Code section 7152 – Home Improvement Salesperson Registration

Motion to Approve the Amendment to Business and Professions Code section 7152 – Home Improvement Salesperson Registration

MOTION: A motion was made by Board Member Kevin J. Albanese and seconded by Board Member Linda Clifford to approve the concept for the proposal. The motion carried unanimously, 10-0.

I. LICENSING PROGRAM COMMITTEE REPORT

1. Licensing Program Update

Licensing Chief Karen Robinson provided updates on the Workers' Compensation, Criminal Background, Licensing Information Center, Experience Verification, Renewal, Bond, and Judgment units. Ms. Robinson noted that applications are up 2 percent from last year. The Licensing Division continues to work toward reducing the reject rate.

2. Testing Division Update

Ms. Robinson informed the Board that the Berkeley office is fully functional and provided highlights from both the examination administration and examination development units. New exams were released for C-28 Lock and Security and C-35 Lathing and Plastering classifications. The C-22 Asbestos Abatement Exam is under development, and should be ready by January 1, 2015.

J. EXECUTIVE PROGRAM COMMITTEE REPORT

1. Administration Division Update

Administration Chief Larry Parrott presented highlights from Business Services, which includes facilities, contracts, and procurement. Mr. Parrott announced that CSLB currently has the fewest staff vacancies in its history.

2. Information Technology Division Update



Information Technology Manager Raju Sah updated the Board on the status of BreEZe, as well as the newly launched CSLB website, which is more user and mobile friendly.

3. Budget Update

Chief Deputy Registrar Christenson provided an update on budget revenue and expenditures, and detailed the condition of the Construction Management Education Account fund, which is very low.

4. Strategic Plan Update

Registrar Steve Sands informed the Board that the achievement of some Public Affairs strategic plan goals are delayed, but that all others are being completed in a timely manner.

Mr. Sands offered some last words of advice: Support the existing board committee structure, increase discussion time during board meetings, and continue to work as a team.

K. TENTATIVE BOARD MEETING SCHEDULE

- June 18 & 19 2015 – Fairfield (Joint meeting with Nevada Contractors Board)
- Early September 2015 – San Diego
- December 2015

L. ADJOURNMENT

Board Chair David Dias adjourned the Board meeting at 6:12 p.m.

David Dias, Chair

Date

Cindi Christenson, Registrar

Date