



CONTRACTORS STATE LICENSE BOARD

BOARD MEETING MINUTES

Monday, March 16, 2015

A. CALL TO ORDER – ESTABLISHMENT OF QUORUM

Board Chair David Dias called the meeting of the Contractors State License Board (CSLB) to order at 9:00 a.m. on Monday, March 16, 2015, in the Salon 1–3 Room at the Hilton Hotel, 100 West Glenoaks Blvd., Glendale, CA 91202. A quorum was established.

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

Board Members Present

David Dias, Chair

Ed Lang, Vice Chair

Augie Beltran, Secretary

Paul Schifino

Joan Hancock

Johnny Simpson

Frank Schetter

Kevin J. Albanese

Pastor Herrera Jr.

Linda Clifford

Susan Granzella

Nancy Springer

Board Members Excused

Bob Lamb

CSLB Staff Present

Cindi Christenson, Registrar

Rick Lopes, Chief of Public Affairs

Karen Robinson, Chief of Licensing

Laura Zuniga, Chief of Legislation

Cindy Kanemoto, Chief of IT

Keith Kun, IT Staff

David Fogt, Chief of Enforcement

Cesar Victoria, DCA Staff

Erin Echard, Executive Assistant

Kurt Heppler, Legal Counsel

Kristy Schieldge, Legal Counsel

Public Visitors

Rick Pires

Phil Vermeulen

Javeed Amirie

Minda Hoffman

Ayilon Gilade

Matt Shields

Ken Grossbart

Eric Crandall

Karl F. Schmidt

B. CHAIR'S INTRODUCTORY REMARKS AND BOARD MEMBER COMMENTS

Board Chair David Dias welcomed new Board member Johnny Simpson and new attorney Kristy Schieldge. Mr. Dias also congratulated Cindi Christenson on her appointment as Registrar.

C. PUBLIC COMMENT SESSION – ITEMS NOT ON THE AGENDA

Contractor applicant Javeed Amirie addressed the Board about his frustration with CSLB's work experience verification process. Given the nature of his public comment,



Mr. Amirie was asked to speak to Chief of Licensing Karen Robinson outside of the meeting room. A conversation followed among Board members and legal counsel about what can and cannot be discussed during the public comment session regarding administrative action.

D. REVIEW AND APPROVAL OF DECEMBER 11, 2014 AND DECEMBER 16, 2014 BOARD MEETING MINUTES

Motion to Approve the December 11, 2014 Board Meeting Minutes

MOTION: A motion was made by Board Member Augie Beltran and seconded by Board Member Paul Schifino to approve the December 11, 2014, Board Meeting Minutes. The motion carried unanimously, 12-0.

NAME	Aye	Nay	Abstain	Absent	Recusal
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David Dias	X				
Susan Granzella	X				
Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb				X	
Ed Lang	X				
Frank Schetter	X				
Paul Schifino	X				
Johnny Simpson	X				
Nancy Springer	X				

Motion to Approve the December 16, 2014, Board Meeting Minutes

MOTION: A motion was made by Board Member Augie Beltran and seconded by Board Member Paul Schifino to approve the December 16, 2014, Board Meeting Minutes. The motion carried unanimously, 12-0.

NAME	Aye	Nay	Abstain	Absent	Recusal
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David Dias	X				
Susan Granzella	X				
Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb				X	
Ed Lang	X				
Frank Schetter	X				



Paul Schifino	X				
Johnny Simpson	X				
Nancy Springer	X				

E. APPOINTMENT OF NOMINATIONS COMMITTEE

Board Chair David Dias informed the Board that Joan Hancock and Bob Lamb will present the slate of officers for the upcoming year at the June 2015 Board meeting.

F. ENFORCEMENT

1. Review and Approval of February 20, 2015 Enforcement Committee Meeting Summary Report

Motion to Approve the February 20, 2015 Enforcement Committee Meeting Summary Report

MOTION: A motion was made by Board Member Joan Hancock and seconded by Board Member Pastor Herrera Jr. to approve the February 20, 2015 Enforcement Committee Meeting Summary Report. The motion carried unanimously, 12-0.

NAME	Aye	Nay	Abstain	Absent	Recusal
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David Dias	X				
Susan Granzella	X				
Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb				X	
Ed Lang	X				
Frank Schetter	X				
Paul Schifino	X				
Johnny Simpson	X				
Nancy Springer	X				

2. Enforcement Program Update

Chief of Enforcement 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 an update on training for peace officers.

3. Predatory Service and Repair Task Force Update

Chief of Enforcement David Fogt confirmed, per the Board's recommendation to identify predatory service and repair contractors, the formation of a task force that



actively works with industry partners and local prosecutors to investigate and prosecute persons committing criminal violations.

The Enforcement division launched the HVAC (Heating, Ventilation and Air Conditioning) Ambassador program on March 2, 2015. Concerns were raised regarding use of the CSLB logo on the introductory letter designed so that participating contractors can customize it when presenting the Ambassador Program to their customers. It was agreed to revise the proposed letter and remove the CSLB logo. It was further recommended that the letter include additional language clarifying that CSLB is not endorsing the contractor, but providing consumer protection tips.

4. Review, Discussion and Possible Action Regarding Recommendation to Establish Operational Agreements with Building Departments

Chief of Enforcement David Fogt informed the Board that in 2014 more than 400 administrative actions were taken against contractors for building permit violations, approximately 200 of which resulted from standalone complaints filed using the CSLB “Building Permit Complaint” form. This form allows consumers, government agencies, and law-abiding contractors to file a complaint against any contractor who has performed work without the required permit. Staff has found that some building departments are reluctant to provide CSLB with information about the code ordinances specific to a given jurisdiction and/or to provide an inspector to testify that the contractor failed to obtain the appropriate permit, inhibiting prosecutions. To facilitate CSLB cooperation with local building departments to pursue permit violators Mr. Fogt recommended that the Board consider authorizing CSLB to enter into operational agreements with participating building departments. Board Member Nancy Springer shared feedback from building officials who recommended that local city councils or board of supervisor adopt such operational agreements by resolution.

Motion to Approve Operational Agreements with Partnering Building Departments

MOTION: A motion was made by Board Member Augie Beltran and seconded by Board Member Kevin J. Albanese to approve in concept that staff pursue Operational Agreements with Partnering Building Departments by resolution rather than by a signed memorandum of understanding. The motion carried unanimously, 12-0.

NAME	Aye	Nay	Abstain	Absent	Recusal
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David Dias	X				
Susan Granzella	X				



Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb				X	
Ed Lang	X				
Frank Schetter	X				
Paul Schifino	X				
Johnny Simpson	X				
Nancy Springer	X				

G. LICENSING

1. Licensing Program Update

Chief of Licensing Karen Robinson provided updates on the application workload, workers' compensation, criminal background, licensing information center, renewal, bond, and judgment units. Ms. Robinson shared statistics on the experience verification unit, which was transferred from the Enforcement division to the Licensing division in 2014. Ms. Robinson also noted that on January 10, 2015, CSLB issued license number 1,000,000 to a tree service company in Norwalk.

2. Testing Program Update

Ms. Robinson provided highlights from both the examination administration and examination development units.

H. PUBLIC AFFAIRS

1. Public Affairs Program Update

Chief of Public Affairs Rick Lopes provided an analytical breakdown of the location of CSLB website viewers and the type of device utilized to view the site; updated the Board on social media statistics; and reviewed media relations highlights. The *2014 Accomplishments & Activities Report* and *2015 California Contractors License Law & Reference Books* are complete. Also, Public Affairs is recruiting a new information officer and, on March 10, 2015, the 400th Senior Scam StopperSM seminar took place in San Diego.

I. LEGISLATIVE

1. Review, Discussion and Possible Action Regarding New Legislative Proposal to Authorize Sharing of Licensee Information with the Employment Development Department

Motion to Approve Proposal Authorizing Sharing of Licensee Information with the Employment Development Department



MOTION: A motion was made by Board Member Ed Lang and seconded by Board Member Paul Schifino to approve the Proposal Authorizing Sharing of Licensee Information with the Employment Development Department. The motion carried unanimously, 12-0.

NAME	Aye	Nay	Abstain	Absent	Recusal
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David Dias	X				
Susan Granzella	X				
Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb				X	
Ed Lang	X				
Frank Schetter	X				
Paul Schifino	X				
Johnny Simpson	X				
Nancy Springer	X				

2. Review and Approval of the February 20, 2015 Legislative Committee Summary Report

Motion to Approve the February 20, 2015 Legislative Committee Summary Report

MOTION: A motion was made by Board Member Augie Beltran and seconded by Board Member Pastor Herrera Jr. to approve the February 20, 2015 Legislative Committee Summary Report. The motion carried unanimously, 12-0.

NAME	Aye	Nay	Abstain	Absent	Recusal
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David Dias	X				
Susan Granzella	X				
Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb				X	
Ed Lang	X				
Frank Schetter	X				
Paul Schifino	X				
Johnny Simpson	X				
Nancy Springer	X				



3. Review, Discussion and Possible Action of Recommended Position on AB 750, AB 1060, SB 119, SB 465, SB 560, SB 561

- AB 750 (Low) – “Watch”
- AB 1060 (Bonilla) – “Watch”
- SB 119 (Hill) – Referred back to the Legislative Committee for further discussion
- SB 465 (Hill) – “Support”
- SB 560 (Monning) – “Support”
- SB 561 (Monning) – “Support,” with amended language

4. Legislative Program Update

There was no Legislative program update.

5. Review, Discussion and Possible Action Regarding 2015 Legislative Proposals:

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

The bill language was discussed and is included in SB 560 (Monning).

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

No further action, as the proposal was dropped.

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

Motion to Approve the Amendment to Add Business and Professions Code section 7103.5 – Effect of Disciplinary Action by Division of Labor Standards Enforcement

MOTION: A motion was made by Board Member Augie Beltran and seconded by Board Member Linda Clifford to approve staff recommendation for alternative action. The motion carried unanimously, 12-0.

NAME	Aye	Nay	Abstain	Absent	Recusal
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David Dias	X				
Susan Granzella	X				



Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb				X	
Ed Lang	X				
Frank Schetter	X				
Paul Schifino	X				
Johnny Simpson	X				
Nancy Springer	X				

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

No further action, as no author to sponsor the bill.

e. Amendment to Business and Professions Code sections 7152, 7153, 7153.2, 7153.3, 7154, 7155.5, 7156 and 7156.5 – Home Improvement Salesperson Registration

The Board discussed the bill language, which is included in SB 561 (Monning).

J. EXECUTIVE

1. Review and Approval of Registrar Duty Statement

Motion to Approve Registrar Duty Statement

MOTION: A motion was made by Board Member Kevin J. Albanese and seconded by Board Member Linda Clifford to approve the Registrar Duty Statement. The motion carried unanimously, 12-0.

NAME	Aye	Nay	Abstain	Absent	Recusal
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David Dias	X				
Susan Granzella	X				
Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb				X	
Ed Lang	X				
Frank Schetter	X				
Paul Schifino	X				
Johnny Simpson	X				
Nancy Springer	X				

**2. Administration Update Regarding Personnel and Facilities**

Registrar Cindi Christenson presented highlights from Business Services, which includes facilities, contracts, and procurement. Ms. Christenson announced that CSLB currently has the fewest staff vacancies in its history and is presently in the process of hiring a Chief Deputy Registrar.

3. Information Technology Update

Chief of Information Technology Cindy Kanemoto updated the Board on the status of BreEZe, which is currently on hold pending the authorization of additional funding. Ms. Kanemoto also informed the Board a CAPTCHA would be added to the license-lookup feature on the CSLB website. IT staff member Keith Kun demonstrated for the Board the new e-payment kiosks.

4. Budget Update

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

5. Strategic Plan Update**a. 2014-15 Update**

Registrar Cindi Christenson 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.

b. 2015-16 Review

Registrar Cindi Christenson notified the Board that CSLB will now have full strategic planning sessions every other year, and briefly reviewed the objectives for the upcoming fiscal year.

6. Tentative 2015 Board Meeting Schedule

- June 18 & 19, 2015 – Fairfield (joint meeting with Nevada Contractors Board)
- September 3, 2015 – San Diego
- December 2015

K. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING POTENTIAL REVISIONS TO PROPOSED SUNSET REVIEW REPORT

Registrar Cindi Christenson and Board Chair David Dias will testify at the Sunset Review hearing on March 18, 2015. The report will be updated to include staff recommendations on how to address:

1. Lack of staffing



2. BreEZe
3. Pro-rata
4. Inconsistent budget numbers
5. Home improvement contract law
6. Proof of licensure
7. Fingerprinting
8. Evidence of financial solvency
9. Surety bond
10. Use of peace officers in enforcement efforts
11. Licensee identification
12. Employee misclassification
13. Enforcement priorities
14. Concerns about underground infrastructure
15. Arbitration
16. Continued regulation by CSLB

L. ADJOURNMENT

Board Chair David Dias adjourned the Board meeting at 12:38 p.m.

David Dias, Chair

Date

Cindi Christenson, Registrar

Date