



CONTRACTORS STATE LICENSE BOARD

BOARD MEETING MINUTES

Thursday, June 18, 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 1:30 p.m. on Thursday, June 18, 2015, in the Assembly Hall at the Sheet Metal Workers' Local 104 Training Facility, 4350 Central Place, Suite A, Fairfield, CA 94534. Roll call was taken and a quorum 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

David De La Torre

Marlo Richardson

Frank Schetter

Kevin J. Albanese

Pastor Herrera Jr.

Linda Clifford

Susan Granzella

Nancy Springer

Bob Lamb

CSLB Staff Present

Cindi Christenson, Registrar

Cindy Kanemoto, Chief Deputy Registrar

Karen Robinson, Chief of Licensing

Laura Zuniga, Chief of Legislation

Rick Lopes, Chief of Public Affairs

David Fogt, Chief of Enforcement

Christina Delp, Chief Deputy of Enforcement

Erin Echard, Executive Assistant

Ashley Caldwell, Public Affairs Staff

Kristy Schieldge, Legal Counsel

B. CHAIR'S INTRODUCTORY REMARKS AND BOARD MEMBER COMMENTS

Board Chair David Dias welcomed new board members David De La Torre and Marlo Richardson. Mr. Dias also announced the reappointments of Board Members Joan Hancock and Frank Schetter.

C. PUBLIC COMMENT SESSION – ITEMS NOT ON THE AGENDA

There was no public comment.

D. REGISTRAR'S REPORT

1. Procedures Regarding CSLB Personnel's Interaction with Immigration and Customs Enforcement (ICE) Update

Registrar Cindi Christenson reported on the completion of an updated procedural memo to address the Board's mission of consumer protection and noted that CSLB will not use ICE officers in stings.



2. Update on Sunset Review Process

Ms. Christenson updated the Board on the Sunset Review process, whereby the Legislature reviews the Board’s functions every four years.

3. Proposal for a Board Meeting Regarding Presentation of CSLB Operations

Staff will prepare and present a CSLB operations workshop for all Board Members at a future board meeting.

E. ENFORCEMENT

1. Review and Possible Approval of April 27, 2015 Enforcement Committee Meeting Summary Report

MOTION: Approve the April 27, 2015 Enforcement Committee Meeting Summary Report. Bob Lamb moved; Linda Clifford seconded. The motion carried unanimously, 15-0.

NAME	Aye	Nay	Abstain	Recusal	Absent
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David De La Torre	X				
David Dias	X				
Susan Granzella	X				
Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb	X				
Ed Lang	X				
Marlo Richardson	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 Centers, Investigative Centers, Case Management, Statewide Investigative Fraud Team, Public Works Unit, as well as general complaint-handling statistics. Mr. Fogt also provided an update on electrician certification enforcement training provided to investigators employed by the International Brotherhood of Electrical Workers and Western Electrical Contractors Association. Chief Deputy of Enforcement Christina Delp presented a status update on the 2015-16 strategic plan goals and objectives.



3. Discussion and Possible Action Regarding Proposed Changes to Minimum Peace Officer Training Standards

David Fogt presented the Enforcement Committee’s recommendation to eliminate the current 17-week SIBC course requirement and allow for appointment of Peace Officers with the statutory minimum of the 60-hour Penal Code 832 course. The recommendation complies with the Governor’s directive to reduce unnecessary training expenses and will aid CSLB in recruiting and retaining Peace Officers.

MOTION: Approve the Proposed Changes to Minimum Peace Officer Training Requirements. Bob Lamb moved; Linda Clifford seconded. The motion carried unanimously, 15-0.

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

F. PUBLIC AFFAIRS

1. Review and Possible Approval of April 27, 2015 Public Affairs Committee Meeting Summary Report

MOTION: Approve the April 27, 2015 Public Affairs Committee Meeting Summary Report. Augie Beltran moved; Bob Lamb seconded. The motion carried unanimously, 15-0.

NAME	Aye	Nay	Abstain	Recusal	Absent
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David De La Torre	X				
David Dias	X				



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

2. Public Affairs Program Update

Chief of Public Affairs Rick Lopes provided highlights on video/digital services, publication/graphic design projects, and employee relations; updated the Board on social media statistics; and reviewed media relations highlights. He also reported that Senior Scam Stopper Seminars continue to be held throughout the state and that Public Affairs hired a new information officer who is now responsible for producing live meeting webcasts.

G. LICENSING

1. Review and Possible Approval of April 27, 2015 Licensing Committee Meeting Summary Report

MOTION: Approve the April 27, 2015 Licensing Committee Meeting Summary Report. Bob Lamb moved; Linda Clifford seconded. The motion carried 14-0, with one abstention.

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



Nancy Springer	X				
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2. Licensing Program Update

Chief of Licensing Karen Robinson provided updates on the application workload, workers' compensation, criminal background, licensing information center, and judgment units.

Public Comment:

Phil Vermeulen requested that CSLB implement a system that would flag workers' compensation violations by classification.

3. Testing Program Update

Ms. Robinson provided highlights from both the examination administration and examination development units and reported that the eight test centers administer 46 different exams and that new exams are in development.

4. Discussion and Possible Action Regarding Proposals for Satisfactory or Acceptable Forms of Supporting Documentation for Experience Pursuant to Title 16, California Code of Regulations Section 824.

Ms. Robinson informed the Board that the Experience Verification Unit is required by law to investigate at least 3 percent of applications received.

Applicants for licensure must have a minimum of four years work experience as a journeyman, foreman, supervising employee, or contractor in the classification for which the applicant is applying within the last 10 years. All claimed experience reported on a Certification of Work Experience must be supportable by documentation satisfactory to CSLB, as contained in the following table.

(See Attachment A)

MOTION: Approve Table of Acceptable Supporting Experience Documentation. Bob Lamb moved; Nancy Springer seconded. The motion carried unanimously, 15-0.

NAME	Aye	Nay	Abstain	Recusal	Absent
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David De La Torre	X				
David Dias	X				
Susan Granzella	X				
Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb	X				



Ed Lang	X				
Marlo Richardson	X				
Frank Schetter	X				
Paul Schifino	X				
Johnny Simpson	X				
Nancy Springer	X				

H. LEGISLATIVE

1. Review and Possible Approval of April 27, 2015 Legislative Committee Meeting Summary Report

MOTION: Approve April 27, 2015 Legislative Committee Meeting Summary Report. Bob Lamb moved; Augie Beltran seconded. The motion carried unanimously, 15-0.

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

2. Legislative Program Update

No report given.

3. Review, Discussion and Possible Action Regarding Positions on AB 507 (Olsen), AB 750 (Low), AB 1060 (Bonilla), SB 119 (Hill), SB 465 (Hill), SB 560 (Monning), SB 561 (Monning), SB 799 (Committee on Business, Professions and Economic Development)

- AB 507 – BreEZe System: Annual Report – “Watch”



- AB 750 – Business and Professions: Licenses – “Support”

MOTION: Table AB 750 (Low). Augie Beltran moved; Kevin J. Albanese seconded. The motion carried unanimously, 15-0.

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

- AB 1060 – Professions and Vocations – “Watch”
- SB 119 – Protection of Subsurface Installations – “Watch”

Public Comment:

Jose Mejia urged CSLB to move forward with a “Watch” position on SB 119, since, following a meeting with industry experts that concluded the day before, additional amendments are being made.

MOTION: Approve “Watch” position on SB 119 (Hill). Linda Clifford moved; Augie Beltran seconded. The motion carried unanimously, 15-0.

NAME	Aye	Nay	Abstain	Recusal	Absent
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				
David De La Torre	X				
David Dias	X				
Susan Granzella	X				
Joan Hancock	X				
Pastor Herrera Jr.	X				



Robert Lamb	X				
Ed Lang	X				
Marlo Richardson	X				
Frank Schetter	X				
Paul Schifino	X				
Johnny Simpson	X				
Nancy Springer	X				

- SB 465 – Contractors State License Board – “Support”
- SB 560 – Notice to Appear Authority – “Sponsor/Support”

MOTION: Approve “Sponsor/Support” position on SB 560 (Monning). Linda Clifford moved; Augie Beltran seconded. The motion carried unanimously, 15-0.

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

- SB 561 – Home Improvement Salesperson Registration – “Sponsor/Support”

Public Comment:

Phil Vermeulen expressed his support for a one-time only HIS registration. He also noted that contractors should be responsible for reporting to CSLB when they no longer contract with an individual Home Improvement Salesperson.

Richard Markuson commented that this bill could present a conflict of interest if Home Improvement Salespersons represent multiple contractors. Mr. Markuson suggested the enactment of a minimum qualification.



MOTION: Approve “Sponsor/Support” position on SB 561 (Monning). Bob Lamb moved; Kevin J. Albanese seconded. The motion carried unanimously, 15-0.

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

- SB 799 – Business and Professions – “Support”

MOTION: Approve Support position on SB 799. Bob Lamb moved; David Dias seconded. The motion carried unanimously, 15-0.

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



I. REVIEW AND DISCUSSION REGARDING BUSINESS AND PROFESSIONS CODE SECTION 7031

The Board discussed the role it should take, if any, in modifying B&P code section 7031 to address disgorgement when a contractor experiences a lapse in licensure. Registrar Christenson advised the Board that its primary mission is consumer protection and that recognition of this mission stopped a bill on this same issue that the Board sponsored previously from moving forward. Instead, it was recommended that staff work with industry to resolve problems related to disgorgement. The Board discussed the need to address the issue sooner as opposed to later since courts are interpreting brief gaps in licensure as constituting unlicensed practice, leading to substantial financial losses for contractors who lose payment not only for the work performed during the brief lapse but for the entire contract. Staff counsel, Kristy Shieldge, also advised the Board, in particular the licensees, that supporting legislation to modify B&P §7031 could lead to possible conflicts of interest. After thorough deliberation, the Board concurred that industry should lead the effort to fix section 7031.

The Board then discussed the appropriate level of participation for the Registrar and staff in working with industry. Concern was raised that Registrar and staff led discussions could lead to perceptions that the Board was directing the efforts.

Public Comment:

Ken Grossbart stated that B&P code section 7031 as currently written acts as an egregious and harsh law that extends the possibility of undue enrichment to consumers and punishes some contractors.

Richard Markuson, representing Pacific Advocates, volunteered to bring together the key members of industry to consider needed changes to B&P Code section 7031, and would also invite the CSLB Registrar and staff to participate in the discussion.

David Kalb, of Riverview Consulting, said that he would like to see strong CSLB involvement in any proposed meeting on the issue of disgorgement.

Former CSLB Registrar Steve Sands noted his agreement that industry should carry any legislative bill on the issue.

MOTION: Direct the Registrar to participate in an industry-facilitated meeting on disgorgement and report factual information back to the Board. David De La Torre moved; Bob Lamb seconded. The motion carried, 14-1.

NAME	Aye	Nay	Abstain	Recusal	Absent
Kevin J. Albanese	X				
Agustin Beltran	X				
Linda Clifford	X				



David De La Torre	X				
David Dias	X				
Susan Granzella	X				
Joan Hancock	X				
Pastor Herrera Jr.	X				
Robert Lamb	X				
Ed Lang	X				
Marlo Richardson	X				
Frank Schetter	X				
Paul Schifino		X			
Johnny Simpson	X				
Nancy Springer	X				

J. EXECUTIVE

1. Review and Possible Approval of March 16, 2015 Board Meeting Minutes

MOTION: Approve March 16, 2015 Board Meeting Minutes. Augie Beltran moved; Kevin J. Albanese seconded. The motion carried unanimously, 15-0.

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

2. Administration Update Regarding Personnel and Facilities

No report given.

3. Information Technology Update

No report given.

**4. Budget Update**

No report given.

5. Strategic Plan Update**a. 2014-15 Update****b. 2015-16 Review**

MOTION: Approve 2015-16 Strategic Plan Objectives. Ed Lang moved; Susan Granzella seconded. The motion carried unanimously, 15-0.

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

6. Election of Board Officers

Nomination Committee members Joan Hancock and Bob Lamb provided the recommended slate of officers for Board consideration:

- Ed Lang, Chair
- Undecided, Vice Chair
- Linda Clifford, Secretary

Open nominations:

- Kevin J. Albanese, Secretary
- Augie Beltran, Vice Chair



- Kevin J Albanese, Vice Chair
- Kevin J. Albanese, Chair

MOTION: Elect Kevin J. Albanese for Secretary. Augie Beltran moved; David De La Torre seconded. The motion failed, 5–10.

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

MOTION: Elect Linda Clifford for Secretary. Bob Lamb moved; Joan Hancock seconded. The motion carried unanimously, 15–0.

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



MOTION: Elect Kevin J. Albanese for Vice Chair. Joan Hancock moved; Linda Clifford seconded. The motion failed, 6–8, with one recusal.

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

MOTION: Elect Augie Beltran for Vice Chair. Bob Lamb moved; Nancy Springer seconded. The motion carried, 9–5, with one recusal.

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



MOTION: Elect Kevin J. Albanese for Chair. Susan Granzella moved; Pastor Herrera Jr. seconded. The motion failed, 6–8, with one recusal.

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

MOTION: Elect Ed Lang for Chair. Joan Hancock moved; Bob Lamb seconded. The motion carried unanimously, 15–0.

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

7. Tentative Board Meeting Schedule

- September 3, 2015 – San Diego



- December 2015 – Sacramento (includes CSLB overview workshop)
- March 2016 – San Jose (includes strategic planning session)
- June 2016 – Southern California (includes joint meeting with NSCB)

K. FUTURE AGENDA ITEMS

Kevin J. Albanese requested discussion of workers' compensation violations at the next Licensing/Enforcement Committee Meetings.

L. ADJOURNMENT

The Board recessed at 6:07 p.m.

Public Visitors

Eileen Scrodin
Phil Vermeulen
Richard Markuson
Marcus McCarther
Marvin Hemfield
Steve Sands
Geno Cuccia

Jose Mejia
Ken Grossbart
David Kalb
Jeanette Benz
Benny Yee
Jan Sands
Tracy Thurfall

Friday, June 19, 2015**A. CALL TO ORDER – ESTABLISHMENT OF QUORUM**

Board Chair Dave Dias opened the meeting at 9:00 am. Mr. Dias welcomed Nevada State Contractors Board Members and staff. Roll Call was taken and a quorum established. Nevada Board President Guy Wells offered opening remarks and thanked CSLB for hosting the annual joint meeting.

B. PUBLIC COMMENT SESSION – ITEMS NOT ON THE AGENDA

Former CSLB Board Member Benny Yee spoke about obtaining experience for workers employed under a licensee.

C. DISCUSSION WITH NEVADA STATE CONTRACTORS BOARD

An open discussion followed among CSLB and NSCB Board Members regarding:

- Economic Forecasts for Construction
- Solar Construction and Related Enforcement Trends
- Tiered General Contractors



- Multi-State Partnering Accomplishments
- Public Affairs, Enforcement, and Licensing Goals and Objectives

D. ADJOURNMENT

Board Chair David Dias adjourned the Board meeting at 11:44 a.m.

David Dias, Chair

Date

Cindi Christenson, Registrar

Date