

**MINUTES OF THE MEETING OF THE
STRUCTURAL PEST CONTROL BOARD**

July 26, 2018

The meeting was held at the Doubletree by Hilton Claremont, Sycamore Room,
555 W. Foothill Boulevard, Claremont, California

Board Members Present:

Dave Tamayo, Vice President
Mike Duran
Curtis Good
Servando Ornelas

Board Members Absent:

Darren Van Steenwyk, President
Ronna Brand

Board Staff Present:

Susan Saylor, Executive Officer
David Skelton, Administrative Analyst

Departmental Staff Present:

Sabina Knight, Legal Counsel

ROLL CALL / ESTABLISHMENT OF QUORUM

Mr. Tamayo called the meeting to order at 9:02 A.M. and Ms. Saylor called roll.

Board members Tamayo, Duran, Good, and Ornelas were present.

Board members Van Steenwyk, and Brand were absent.

A quorum of the Board was established.

FLAG SALUTE / PLEDGE OF ALLEGIANCE

Mr. Tamayo lead everyone in a flag salute and recitation of the Pledge of Allegiance.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Chris Reardon, Pest Control Operators of California (PCOC), stated that the passing rate for the Applicator examination is a great concern for PCOC's membership and they are looking forward to greater participation in the examination development workshops and to discussing the issue with the Office of Professional Examination Services (OPES) at the October Board meeting. Mr. Reardon further stated that the length of the licensing process has become an issue and that PCOC would like to do what it can to help identify and alleviate the causes of the delays.

John Burnard, Compass Pest Management, stated that due to the difficulty of the Applicator examination it is very difficult for small businesses to cultivate and train entry level employees. Mr. Burnard encouraged the Board to help candidates be better prepared for the Applicator examination through the facilitation of vocational training or the production of a study guide.

Cliff Utley, Cliff's Pest Control, stated that the Applicator examination has become too difficult and that as an exam for an entry level license its focus should be narrowed. Mr. Utley stated that he believed the passing rate for the Applicator examination should be in the 75% range.

Siavash Taravati, University of California Integrated Pest Management (UCIPM), stated that UCIPM is ready and willing to assist in the creation of a study guide for California structural pest control licensing examinations.

Brian McQueen, Target Specialty Products, stated that companies are having difficulty hiring quality, entry level people because of the difficulty of the Applicator examination.

Ms. Saylor stated that the Applicator examination is on the agenda for the October 2018 meeting and that OPES will be present to discuss the topic in both open, and closed sessions.

PETITION FOR REINSTATEMENT

IRINI AGAPITOS BERZINSKI – FR 38887 – BRANCH 2

Administrative Law Judge David B. Rosenman sat with the Board to hear the Petition for Reinstatement for Irimi Agapitos Berzinski, Field Representative License Number 38887. Ms. Berzinski was informed that she would be notified by mail of the Board's decision.

PETITION FOR MODIFICATION / TERMINATION OF PROBATION

JAMES BERND MARTY AGPALASIN – FR 51616 BRANCH 2 – RA 58223 BRANCH 3

Administrative Law Judge David B. Rosenman sat with the Board to hear the Petition for Modification / Termination of Probation for James Bernd Marty Agpalasin, Field Representative License Number 51616, Applicator License Number 58223. Mr. Agpalasin was informed that he would be notified by mail of the Board's decision.

CLOSED SESSION

Pursuant to subdivision (c) (3) of section 11126 of the Government Code, the Board met in closed session to consider reinstatements, modifications, proposed disciplinary actions, and stipulated settlements.

Return to Open Session

REVIEW AND APPROVAL OF THE APRIL 18 & 19, 2018 BOARD MEETING MINUTES AND THE MAY 22, 2018 TELECONFERENCE BOARD MEETING MINUTES

Mr. Duran moved and Mr. Good seconded to approve the Minutes of the April 18 & 19, 2018 Board Meeting and the May 22, 2018 Teleconference Board Meeting.

Passed unanimously. (AYES: Tamayo, Duran, Good, Ornelas. NOES: None. ABSTENTIONS: None.)

DEPARTMENT OF CONSUMER AFFAIRS UPDATE

Mr. Tamayo stated that the Department of Consumer Affairs (DCA) submitted an update in the form of a letter (included in meeting materials) and asked that the letter be included in the formal record of the meeting.

PRESENTATION AND POSSIBLE APPROVAL OF RESEARCH PROPOSALS RECOMMENDED BY THE RESEARCH ADVISORY PANEL

Ms. Knight stated that the meeting materials included a summary of all the research proposals ranked in the order the Research Advisory Panel scored them at their June 19, 2018 meeting. Ms. Knight further stated that it is up to the Board's discretion which proposals are funded.

Mr. Good thanked the researchers for their submissions and stated that the proposals have the potential to greatly benefit consumers in California. Mr. Good also thanked the industry for funding the research.

Ms. Saylor stated that the Research Fund was projected to contain \$1,035,000 as of June 30, 2018 and that if the Board chose to fund the 5 highest ranking proposals the fund would be almost entirely depleted.

Mr. Good stated that the ranking of the research proposals represented the consensus of the Research Advisory Panel.

Mr. Good moved and Mr. Duran seconded to award funding to the 5 highest ranking research proposals, as scored by the Research Advisory Panel, and for the Executive Officer to move forward with the process of creating contracts.

Passed unanimously. (AYES: Tamayo, Duran, Good, Ornelas. NOES: None. ABSTENTIONS: None.)

Bob Gordon, Gordon Termite Control, stated that yellowjacket research proposal seemed to have more of an agricultural focus than a structural one.

Mr. Good stated that the Research Advisory Panel felt the yellowjacket research proposal could potentially yield results that will be very beneficial to the public.

Ms. Saylor stated that approximately \$120,000 is deposited into the research fund annually.

DISCUSSION AND POSSIBLE ACTION ON SPCB RESEARCH FUND DISBURSEMENT SCHEDULE

Mr. Tamayo stated that the Board received a letter from researchers asking for the Board to consider implementing a more predictable schedule for the disbursement of research funds.

Ms. Saylor stated that the plan going forward is to review the research fund balance annually at the October Board meeting.

Mr. Tamayo asked that staff develop procedures to maintain readiness to accomplish the necessary tasks associated with the Research Advisory Panel and the disbursement of research funds. Mr. Tamayo asked staff to report back at the October 2018 Board Meeting.

EXECUTIVE OFFICER'S REPORT

Ms. Saylor reported to the Board on licensing, enforcement, examination, and wood destroying organism statistics, survey results, and examination development.

Ms. Saylor stated that there are approximately 200 licensees left in the 2018 renewal cycle who must complete Livescan to comply with the provisions of California Code of Regulations (CCR), Title 16, section 1960.

Ms. Saylor stated that Board specialists Fred Bartley and Ed Ackerman have retired and the plan to fill their positions is to hire and train two specialists simultaneously.

Mr. Good stated that he received a phone call from James Ogle of Lloyd Pest Control praising Ms. Saylor and her staff for processing applications in a timely manner.

REGULATIONS UPDATE AND POSSIBLE ACTION

Ms. Saylor updated the Board on the proposed regulatory amendment to CCR, Title 16, section 1997 to increase the Wood Destroying Organism (WDO) inspection reporting fee from \$2.50 to \$3.00 per property address reported. Ms. Saylor stated that the proposal is currently undergoing review at DCA with a goal of holding the public hearing at the January 2019 Board meeting.

LEGISLATION UPDATE AND POSSIBLE ACTION

Assembly Bill 2138 (Chiu)(Low)

Ms. Saylor stated that this bill has been amended since the Board voted to oppose it and that the amendments improved the Board's ability to protect consumers.

Senate Bill 721 (Hill)

Mr. Reardon stated that as an organization PCOC did not want Board licensees to be included in this bill because they are not qualified to ascertain the structural integrity of decks and balconies. Mr. Reardon stated that Board licensees are licensed to identify pest infestations but Senate Bill 721 does not include language that provides for them to act within the scope of their license.

Senate Bill 984 (Skinner)

Ms. Saylor stated that Senate Bill 984 would require state boards, beginning on January 1, 2024, to have a minimum of 40% of its members be individuals who self-identify as women.

Senate Bill 1481 (Hill)

Ms. Saylor stated that Senate Bill 1481 is the Board's sunset bill and that she expected it to be signed into law by the Governor. Ms. Saylor further stated that Senate Bill 1481 includes the last of the Act Review Committee's recommended amendments.

Mr. Reardon congratulated everyone involved in Senate Bill 1481 and commented on its importance to the industry.

Ms. Saylor thanked the members of the Act Review Committee for all their hard work and dedication.

Mr. Tamayo thanked all the members of the Act Review Committee for their hard work and commitment in modernizing the Structural Pest Control Act.

SPCB STRATEGIC PLANNING UPDATE

Ms. Saylor stated that the Board's last strategic plan covered 2015-2018 and she would be reaching out to both DCA and the Board members to schedule the creation of a new strategic plan in 2019.

UPDATE ON IMPLEMENTATION OF DEPARTMENT OF CONSUMER AFFAIRS CAS CREDIT CARD PAYMENT

Ms. Saylor stated that the Board declined to participate in the CAS credit card payment pilot program when it became clear that it only applied to license renewals and individuals renewing their license would still need to mail hard copies of their renewal in to verify their continuing

education hours. Ms. Saylor further stated that credit card payment will be an option when the Board has a new information technology platform in place.

DISCUSSION AND POSSIBLE ACTION ON SPCB RENEWAL PROCESS

Ms. Saylor stated that some consideration has been given to changing the Board's license renewal form so individuals can list the courses they have taken rather than certify the number of hours under penalty of perjury. Ms. Saylor stated that rather than changing the renewal form now, the change will be incorporated into the information technology platform that is implemented.

FUTURE AGENDA ITEMS

The following was identified as a future agenda item –

Applicator examination development and passing rate.

BOARD CALENDAR

The next four meetings of the Board were scheduled for –

October 16 & 17, 2018 in Sacramento

January 15 & 16, 2019 in Claremont

April 17 & 18, 2019 in Sacramento

July 23 & 24, 2019 in Claremont

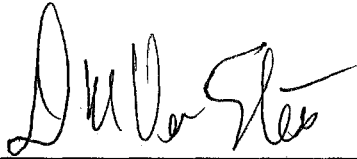
PRESENTATION AND POSSIBLE APPROVAL OF RESEARCH PROPOSALS RECOMMENDED BY THE RESEARCH ADVISORY PANEL (CONT)

Mr. Choe stated that based on research fund budget projections for 2018 / 2019 there was a \$6,000 shortfall to fund the top 6 proposals rather than the top 5. Mr. Choe offered to lower the budget for the 6th proposal by \$6,000 so it would fit within the budget.

Ms. Knight advised the Board not to allow changes to be made to the research proposal budgets outside of the formal request for proposal (RFP) process. Ms. Knight stated that once the contracts are in place for the proposals that were selected there will be an opportunity for the Board to see the balance of the research fund and decide if another proposal can be selected for funding.

ADJOURNMENT

The meeting was adjourned at 12:59 P.M.



Darren Van Steenwyk, President

10-17-18

Date