

State of Arizona BOARD OF TECHNICAL REGISTRATION

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- Michael Kolejka, Board Chair, Architect ◆ Scott Sayles, Board Vice Chair, Civil Engineer
 - •Bill Nesgood, Board Secretary, Geologist Jack Gilmore, Landscape Architect
 - •Dana Klett, Land Surveyor •Dr. Clinton Campbell, Public Member
 - Jennifer Hobik, Esq, Public Member Kileen Lindgren, Public Member
 - •Stacy Skankey, Esq, Public Member Keith Smith, Public Member
 - Hayley Bohall, Public Member

NOTICE AND AGENDA FOR REGULAR SESSION MEETING

1110 W. Washington Street, Board Room 245, Phoenix, Arizona 85007 **Tuesday, March 26, 2024 –9:00am**

The Arizona Board of Technical Registration will hold a regular meeting, open to the public at the Board's office, located at 1110 W. Washington, Suite 240, Phoenix, AZ 85007.

Please note that the cases on this agenda are categorized with staff recommendations for resolution. The Board has the authority to accept, reject, or modify any recommendation listed on the agenda. These recommendations are merely suggested Board actions; the Board may not adopt them, and may decide cases differently.

The Board may discuss, consider or take action on any item on the agenda, and at the discretion of the Board, agenda items may be taken out of order, except for those items set at a specific time.

The majority or a quorum of the Board may vote to hold an Executive Session to review confidential records exempt by law from public inspection, pursuant to A.R.S. § 38-431.03(A)(2); to obtain legal advice regarding any of the items on the agenda, pursuant to A.R.S. § 38-431.03(A)(3); or to discuss or consult with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation pursuant to A.R.S. § 38-431.03(A)(4). All examination material, transcripts education records, reference forms and applications are confidential pursuant to A.R.S. § 32-129(A), and all investigation files are confidential and not subject to inspection until the matter is final and a hearing notice is issued (A.R.S. § 32-129(B)).

Pursuant to the Americans with Disabilities Act, people with disabilities may request a reasonable accommodation by contacting Kurt Winter at (602) 364-4883. Requests for reasonable accommodations should be made as early as possible to allow time to accommodate the request. The Board may not be able to accommodate requests made less than 36 hours prior to the scheduled meeting.

The public may attend the meeting in person or remotely. The Board utilizes Google Meet for those wishing to attend the meeting remotely.

Google Meet joining info for March 26, 2024 Board Meeting Video call link: https://meet.google.com/ino-rtpo-hum Or dial: (US) +1 980-292-6121 PIN: 174 633 280#

Board staff posts meeting agendas on its website, the AZBTR's lobby (suite 240) and the meeting board located in the main entrance of the ADEQ building (1110 W. Washington St. Phoenix AZ 85007) in accordance with A.R.S. § 38-431.02.

Please note that all meetings are recorded and the recordings posted on the Board's website within three working days after the meeting in accordance with A.R.S. § 38-431.01(E).

1. CALL TO ORDER

2. ROLL CALL

3. CALL TO THE PUBLIC

Members of the public may address the Board during this Call to the Public for no more than **3 minutes.** Pursuant to A.R.S. § 38-431.01(I), the Board members are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, members may ask staff to review a matter or may ask that a matter be placed on a future agenda.

4. ADOPTION OF MINUTES

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 4(A).

A. Approve, modify and/or reject, February 27, 2024 Board meeting minutes.

5. CONSENT AGENDA

Items listed on the Consent Agenda will be considered by the Board as a single action item unless a Board Member wishes to remove a specific item for review, discussion, and action separately from the other Consent Agenda items.

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 5(A).

A. LICENSING MATTERS

Review, Consideration and Possible Action on the following:

- 1. Cancel Registrations and Certifications that have been Expired for one Full Renewal Period
- 2. Grant Applications for Registration/Certification
 - a) Professional Exam unknown
 - 1) Mirande, Michael Application for Registration as an Electrical Engineer #240643
 - 2) Cook Jr., Randy Application for Registration as a Civil Engineer #240775
 - 3) Aouf, Linda Application for Registration as a Civil Engineer #240867
 - b) Certificate(s) of Experience from non-Professionals
 - 1) Williams Cruz, Julia Lu Application for Registration as a Civil Engineer #240353
 - c) Council Records experience under non-Professionals
 - 1) Chacon, Joseph Application for Registration as an Electrical Engineer #240031
 - 2) Magalang, Ryan Application for Registration as an Electrical Engineer #240413
 - 3) Batiancila, Ramil Application for Registration as an Electrical Engineer #2310273
 - 4) Faber, Kiev Application for Registration as a Mechanical Engineer #240555
 - 5) Honeycutt, Samuel Application for Registration as a Mechanical Engineer #240553
 - 6) Hoza, Marcel Application for Registration as an Electrical Engineer #240613
 - 7) Maranabasari, Amar Application for Registration as a Mechanical Engineer #240614
 - 8) Gordon, Scott Application for Registration as a Mechanical Engineer #240890
 - d) Background Review
 - 1) Blandi, Thomas Application for Certification as a Home Inspector #240332
 - 2) Laney, Maxwell Application for Certification as a Home Inspector #2310071
 - 3) Onorati, Jeffrey Application for Registration as a Civil Engineer #240582
 - 4) Rowlands, Geoffrey Application for Registration as an Architect #2310327
 - 5) Sieben, Paul Application for Registration as an Architect #240501

- 6) Thingvold, Craig Application for Registration as an Electrical Engineer #240611
- 7) Uribe, Juan Application for Registration as a Mechanical Engineer #240753
- 8) Gambill, Sean Application for Registration as an Electrical Engineer #240595
- 9) Garritani, James Application for Registration as an Architect #240181
- 10) Mordaunt, Theresa Application for Registration as a Structural Engineer #2310068
- 11) Goering, Bradley Application for Certification as a Home Inspector #240646
- 12) Koffke, Kevin Application for Registration as a Mechanical Engineer #240641
- 13) Williams, Joel Application for Registration as a Mechanical Engineer #240856
- e) Disciplinary Action Review
 - 1) Fritts, Walter Application for Registration as an Architect #240325
- f) Multiple Considerations
 - 1) Amadio, Anthony Application for Registration as a Mechanical Engineer #240603
 - i. PE exam unknown
 - ii. Council record experience under non-Professionals
 - 2) Mussman, Paul Application for Registration as an Architect #240467
 - i. Background Review
 - ii. Disciplinary Action
- 3. Grant Universal Applications for Professional Registration/Certification
 - a) Good-man, Charles Application for Registration as an Architect #240587
- 4. Grant Renewal Registration Application(s)
 - a) Background Review
 - Nothing to consider
 - b) Disciplinary Action
 - 1) Pies, Nathan Renewal Application for Mechanical Engineer registration #49142
 - 2) Blew, Buckley Renewal Application for Land Surveyor registration #59542
 - 3) Seckinger, Peter Renewal Application for Mechanical Engineer registration #34709
- 5. Approve Application(s) for Exam Waivers
 - a) Application to waive Fundamental Exam
 - 1) Knuth, Wesley Application to waive FE exam #2310078
 - 2) Tallman Williams, Amelia Application to waive FG exam #240529
 - 3) Conrad, Matthew Application to waive FE exam #2310279
 - b) Application to waive Professional Exam
 - 1) Duvall, Christopher Application to waive SE I exam #2400012
- 6. Approve Application(s) for Exam Authorization
 - a) Certificate(s) of Experience from non-Professionals
 - 1) Kaki, Raaed Application for PE Electrical exam authorization #240624
 - 2) Locey, Jeffery Application for PG exam authorization #239121
 - 3) Farje Sr., Brian Application for PE Civil exam authorization #240637
 - 4) Lucas, Haley Application for FE exam authorization #2310172
 - 5) Begay, Miles Application for PE Civil exam authorization #240761
- 7. Grant Applications for In-Training Designation
 - a) Background Review
 - 1) Brophy, Dana Application for Engineer-in-Training Designation #240337
 - 2) Stewart, Jared Application for Land Surveyor-in-Training Designation #240488

- 8. Extension Requests
 - a) Bhindora, Arjun Application for Registration as a Civil Engineer #240400
 - b) Edgar, Michael Application for Registration as an Environmental Engineer #2310493

6. LICENSING MATTERS

Review, Consideration and Possible Action on the following:

Nothing to consider at this time.

7. CONSIDERATION OF CASES REFERRED FOR FORMAL HEARING

Review, Consideration and Possible Action on the following:

Nothing to consider at this time.

8. ENFORCEMENT MATTERS

Review, Consideration and Possible Action on the following:

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda items 8(A-F).

- A. Complaints Proposed for Resolution by Dismissal:
 - 1. HI24-039, Brian Pemble, C.H.I. #45238
 - 2. P24-032, Robert Nangia, P.E. (Structural) #48411 and P.E. (Civil) #48474
 - 3. P24-007, Roberto Hernandez, Non-Registrant
 - 4. HI24-017, Thomas McDonald, C.H.I. #46793
 - 5. HI24-024, Fernando Badilla, Non-Registrant (*Related Case HI24-025*)
 - 6. HI24-025, Zachary Shawd, Non-Registrant (*Related Case HI24-024*)
 - 7. AL24-006, Gregg Heyn, C.P. #74490 and ADT LLC of Delaware (FN), #18105
 - 8. AL24-003, Richard Bertocchi, C.P. #66668 and AAA Smart Home DBA Smart Home LP, #18658
- B. Complaints Proposed for Resolution with Letter of Concern:
 - 1. HI24-005, Bruce Scott Hubbard, C.H.I. #38582
- C. Complaints Proposed for Resolution with Signed Consent Agreements:
 - 1. HI23-026, Mark Ashby, C.H.I. #40904
 - 2. HI23-038, Michael Grijalva, C.H.I. #65591
- D. Complaints Proposed for Offer Consent Agreement:
 - 1. HI24-037, Joseph Eriquez, C.H.I. #75411
- E. Complaints Requiring Board Guidance:
 - 1. P23-092, Jason Lemley, Non-Registrant and Erickson Framing AZ LLC, Non-Registrant Firm
- F. Review and Consideration for EAC Membership:
 - 1. Bruce Small, R.L.S. #12122
 - 2. James B. Richards, R.L.S. #40916

9. POLICY MATTERS

Review, Consideration, and Possible Action on the following:

The Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(2) (to discuss confidential information), A.R.S. § 38-431.03(A)(3) (to receive legal advice) on agenda item 9(A)-(G). Additionally, the Board may vote to enter executive session pursuant to A.R.S. § 38-431.03(A)(4) (discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation) on agenda item 9(A).

- A. Arizona Supreme Court Docket No. CV-21-0203-PR, 1 CA-CV 20-0510 & CV 2019-013509 Mills v. Arizona State Board of Technical Registration
- B. Legislation: HB2100, HB2243, HB2253, HB2308, HB2593, HB2632, HB2812, HB2855, HCR2052, SB1343, SB1365, SB1634.
- C. File Board rule package with Secretary of State
- D. Arizona Land Surveyors Week Proclamation from the Governor's Office
- E. U.S. House Concurrent Resolution for the licensure of design professionals
- F. Home Inspector Report Checklist Supplement
- G. Substantive Policy Statement 11
- H. Agency Investigation Guidance Policy

10. DIRECTOR'S REPORT

- A. Budget Update
- B. Previous Meeting Follow-Up
 - a. Online Transition
 - b. Board Staff Updates
 - c. Board Composition
- C. Licensing Numbers
- D. Enforcement Numbers
- E. List of Newly Granted Applicants

11. ASSISTANT ATTORNEY GENERAL'S REPORT –

12. STANDING COMMITTEE REPORTS

- A. Legislation and Rules Committee No future meeting date at this time
- B. Home Inspector Rules and Standards Committee -March 19, 2024 meeting date

13. BOARD MEMBER REPORTS/DISCUSSION ON STATE AND NATIONAL COUNCIL ACTIVITIES, NEWS AND MEETINGS

- A. National Association of State Boards of Geology (ASBOG)
- B. Council of Landscape Architectural Registration Boards (CLARB)
- C. National Council of Architectural Registration Boards (NCARB)
- D. National Council of Examiners for Engineering and Surveying (NCEES)
- E. International Council on Regulation (ICOR)

- 14. **FUTURE BOARD MEETINGS** April 23, 2024
- 15. SUGGESTED TOPICS FOR FUTURE MEETING AGENDAS.
- 16. **MEETING ADJOURNMENT**