

MINUTES OF THE  
BOARD MEETING OF THE  
STRUCTURAL PEST CONTROL BOARD  
January 23 & 24, 2014

The meeting was held on January 23 & 24, 2014 in the Hearing Room located at 2005 Evergreen Street, Sacramento commencing at 1:01 P.M. on January 23, 2014 with the following members constituting a quorum.

David Tamayo, President  
Curtis Good, Vice President  
Cliff Utley  
Marisa Quiroz  
Naresh Duggal  
Mike Duran

Board Staff Present:

Susan Saylor, Executive Officer  
Robert Lucas, Consumer Services Manager  
Ronni O'Flaherty, Administrative Analyst  
David Skelton, Administrative Analyst

Departmental Staff Present:

Kyle Muteff, Legal Counsel  
Kurt Heppler, Legal Counsel  
Ryan Arnold, DCA Legislative Analyst

Deputy Attorney General Langston Edwards was also in attendance.

**ROLL CALL/ESTABLISHMENT OF QUORUM**

Ms. Saylor read roll call, quorum established.

**FLAG SALUTE/PLEDGE OF ALLEGIANCE**

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

1:17 P.M. Board Member Mike Duran arrived.

## **PETITION FOR MODIFICATION/TERMINATION OF PROBATION**

Administrative Law Judge Linda A. Cabatic sat with the Board to hear the Petition for Modification/Termination of Probation for William Villarino, Field Representative License Number 44780. The petitioner was informed that he would be notified by mail of the Board's decision.

## **PETITION FOR REINSTATEMENT**

Administrative Law Judge Linda A. Cabatic sat with the Board to hear the Petition for Reinstatement for Angel Suarez, Applicator License Number 49913. The petitioner was informed that he would be notified by mail of the Board's decision.

## **CLOSED SESSION**

The Board entered closed session to deliberate on decisions in accordance with subdivision (c)(3) of section 11126 of the Government Code.

The open meeting resumed at 4:30 P.M. on January 23, 2014.

## **PRESENTATION BY DEPARTMENT OF CONSUMER AFFAIRS LEGAL AFFAIRS REGARDING THE ADJUDICATION PROCESS WITH AN EMPHASIS ON BOARD MEMBER RESPONSIBILITIES**

Mr. Muteff gave a presentation regarding the disciplinary process and the responsibilities of the Board Members in its execution.

## **ADJOURNMENT**

The meeting adjourned for the day at 5:20 P.M. January 23, 2014.

The meeting resumed at 9:01 A.M. January 24, 2014.

## **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

There were no public comments on items not on the agenda.

**PRESENTATION BY DEPARTMENT OF CONSUMER AFFAIRS SOLID TRAINING SERVICES REGARDING PLANNING SERVICES AVAILABLE TO THE BOARD.**

Tom Roy and Elisa Chohan from Department of Consumer Affairs Strategic Planning Unit gave a presentation outlining the process for the development and implementation of a strategic plan for the Structural Pest Control Board.

Mr. Tamayo asked if the action items that are identified within the strategic plan are also subject to Board approval.

Mr. Roy stated that the action items can be included in the strategic plan that requires Board approval or it can be a separate internal document that does not require Board approval. That distinction is left to the Board's discretion.

Mr. Tamayo asked if there are performance measures related to the strategic plan that are reported on.

Mr. Roy stated that there are not formal performance measures but within the action plan there are milestones for each goal that allow for measurement of progress.

Mr. Utey asked if within a 5 year plan there could be goals set at the 1, and 3 year mark.

Ms. Chohan stated there could be 1 and 3 year goals written into a 5 years strategic plan.

Mr. Duran asked how similar the strategic plan would be to the one the Board currently has in place.

Ms. Chohan stated that the structure of the strategic plan would be similar to the one currently in place and she would work with Ms. Saylor on identifying new areas of emphasis or concern.

**PRESENTATION BY BRANDON KITAGAWA OF REGIONAL ASTHMA MANAGEMENT AND PREVENTION ON INTEGRATED PEST MANAGEMENT BENEFITS RELATED TO ASTHMA CONDITIONS.**

Mr. Kitagawa gave a presentation to the Board on the impact of pests and pest control on asthma rates and the role of Integrated Pest Management in lessening those impacts.

Mr. Duggal stated that Integrated Pest Management has a big role to play in many areas beyond asthma mitigation and in order to move forward many departments should be brought in to the effort to expand its use.

Mr. Good asked if there was any distinction contained in the data between licensed and unlicensed pest control work.

Mr. Kitagawa stated that there is no such distinction in the data due to the difficulty in identifying unlicensed work.

Mr. Tamayo stated that the Board plans to form a Committee to look at Integrated Pest Management as a whole once it receives feedback from staff from the Integrated Pest Management Workshop which was held January 23, 2014.

### **APPROVAL OF MINUTES FROM THE OCTOBER 16 & 17, 2013 BOARD MEETING**

Ms. Saylor stated that there was a correction to the October 16 & 17, 2013 minutes, on page 9, changing the wording from "Ms. Quiroz moved" to "Ms. Quiroz seconded".

Mr. Utley moved and Mr. Duggal seconded to approve the October 16 & 17, 2013 Board Meeting Minutes with the correction indicated by Ms. Saylor. Passed unanimously.

### **EXECUTIVE OFFICER'S REPORT**

Ms. Saylor reported on Licensing and Enforcement survey results and statistics, staffing changes, WDO statistics and examination passing rates.

Mr. Good asked if Ms. Saylor anticipated an increase in examination passing rates after the transition to computer based testing.

Ms. Saylor stated that in addition to the introduction of computer based testing we are conducting examination writing workshops with industry people with the goal of increasing examination passing rates.

Mr. Duggal asked if in the construction of new examination questions there was a focus on Integrated Pest Management questions that would coincide with any new Integrated Pest Management continuing education requirements.

Mr. Muteff stated that such discussion would be off agenda but the topic could be added as a future agenda item.

Mr. Utley asked if Ms. Saylor thought the low examination passing rates were attributable to the test being re-written after it was compromised last year.

Ms. Saylor stated that a number of factors have contributed to the low passing rate and reiterated the goal of achieving better passing rates through examination re-writes and computer based testing.

Ms. Saylor introduced Mr. Skelton as a new Administrative Analyst and announced that a job offer had been made to fill the vacancy left in the Licensing Unit by Mr. Skelton's departure.

Ms. Saylor stated that until July, 2014 staff is accepting new insurance and bond information without the requirement of a Change of Bond and/or Insurance Form or fee associated with the change to ease the burden of transition on industry.

Mr. Utley asked Ms. Saylor if a letter would be sent to industry concerning the form and fee requirement being waived.

Ms. Saylor stated that no letter to industry would be sent but that Naomi Sanchez in the Licensing Unit is disseminating the information through her contacts with bond and insurance companies.

Mr. Good congratulated the Board on the implementation of computer based testing for Field Representatives and Operators and listed the numerous ways this development is beneficial to the pest control industry.

Ms. Saylor stated that the Board's informational brochures have been redesigned and will be available for distribution to the public and industry in the coming weeks.

Mr. Duggal suggested that these brochures should be provided to industry for distribution to consumers who are in need of pest control services.

Ms. Quiroz asked if the brochures are available in languages other than English.

Ms. Saylor stated that currently they are not but the ability to create them does exist.

Mr. Tamayo asked Ms. Saylor to report back to the Board on which languages are available.

**CONSIDERATION OF ESTABLISHING A PRE-TREATMENT COMMITTEE TO REVIEW PRIOR RECOMMENDATIONS AND LEGISLATION**

Mr. Good summarized the issues and goals surrounding the practice of pre-treatment and discussed the work done by the previous pre-treatment committee highlighting the prevalence of consumer fraud associated with the practice.

Mr. Tamayo asked Mr. Muteff for some guidance as the Board considers the re-establishment of a pre-treatment committee.

Mr. Muteff stated that the focus of the previous pre-treatment committee's work was prevention of consumer fraud and that their work set a good foundation for a re-established pre-treatment committee to build on.

Mr. Tamayo asked if there were comments from industry or the public on the establishment of a pre-treatment committee.

Vernard Lewis, UC Berkeley stated that the issue of pre-treatment is being dealt with at the federal level as well and perhaps any action taken by the Board could dovetail with that.

Harvey Logan, Western Exterminator Company stated that the industry badly needs action taken on the issue of pre-treatment and urged the Board to create a pre-treatment committee.

Mr. Tamayo in his capacity as Board President indicated that he would form a pre-treatment committee and stated that staff will be notified of the members who are chosen.

**BOARD MEETING CALENDER**

The next two meetings were previously scheduled for March 26 and 27, 2014 in Sacramento and July 9 and 10, 2014 in San Diego.

The next meeting was scheduled for October 15, 16, and 17, 2014 in Sacramento with the intent that one day would be for strategic planning.

The following meeting was scheduled for January 14 and 15, 2015 in San Diego.

**FUTURE AGENDA ITEMS**

Mr. Utley stated that a review and discussion of computer based testing should occur at the next meeting and that Ms. Saylor could determine the scope of the discussion.

Mr. Good stated that a discussion on the progress of the pre-treatment committee could occur at the next meeting.

Mr. Duggal stated that a presentation on urban pest control and the health and environmental impacts could occur at next meeting and he would take the lead in finding speakers.

Mr. Tamayo stated that he would like to add an agenda item for the next meeting for a broad discussion of the results from the IPM workshop as well as a separate agenda item with a focus on what actions the Board can take in order to move forward with IPM.

Mr. Good asked if PCOC would be available at the next Board Meeting to answer questions about training methods used in the practice of IPM.

Joshua Adams, PCOC stated that PCOC would be available to answer those questions.

Mr. Muteff stated that future agenda items may also be requested through staff and those requests would be presented to the Board President to decide if the matter is placed on the agenda.

**ADJOURNMENT**

Mr. Duran moved and Ms. Quiroz seconded to adjourn the meeting. Passed unanimously.

The meeting adjourned at 10:45 A.M.

  
Board President

  
Susan Saylor, Registrar

  
Date