



Board Meeting Minutes

DATE: Tuesday, April 30, 2019

LOCATION: **Sacramento** – Department of Consumer Affairs,
Headquarters, 1625 North Market Street, Hearing Room –
South, Room 102, Sacramento, CA 95834

South El Monte – Bureau of Automotive Repair
1180 Durfee Avenue, Suite 120
South El Monte, CA 91733

San Diego – Bureau of Automotive Repair
16855 West Bernardo Drive, Suite 112,
San Diego, CA 92127

Redding – Department of Transportation
1657 Riverside Drive, Basement Conference Room,
Redding, CA 96001

**BOARD MEMBERS
PRESENT:**

Tammy Endozo, LVN Member, Board President (San Diego)
Aleta Carpenter, Public Member (Redding)
John Dierking, Public Member (Sacramento)
Kenneth Maxey, Public Member (Sacramento)
Dr. Carel Mountain, Education Member (Sacramento)
Cheryl Turner, Public Member (South El Monte)

**BOARD MEMBERS
NOT PRESENT:**

Dr. Bernice Bass de Martinez, Public Member,
Vice-President
Paula Amezola de Herrera, Public Member
Donna Norton, LVN Member
Paul Sellers, PT Member

STAFF PRESENT:

Elaine Yamaguchi, Executive Officer
Kenneth Swenson, DCA Senior Staff Counsel Attorney III
Patrick Le, DCA Assistant Deputy Director
Tim Matsumoto, Associate Governmental Program Analyst
Jenny Penales, Board Analyst

Agenda Item 1 Call to Order, Roll Call, and Establishment of Quorum.

The meeting was called to order by Board President, Tammy Endozo at 11:35 a.m., Tuesday, April 30, 2019. Board Members introduced themselves by announcing their name, location, and noting if public participants were present. Establishment of quorum was confirmed by a roll call vote.

Agenda Item 2 Pledge of Allegiance.

Ms. Endozo led the pledge of allegiance.

Agenda Item 3 Introduction of Board Members and Board Staff/Chair's Remarks.

Elaine Yamaguchi, Executive Officer, introduced herself and staff present. Kenneth L. Swenson, DCA Senior Staff Counsel Attorney III, introduced himself.

Agenda Item 4 Review and Possible Action on Draft Regulatory Language for Implementation of AB 2138 (Chiu 2018).

Ms. Yamaguchi gave background of the agenda item. AB 2138 was approved last year and BVNPT must modify regulatory language to implement the bill. The bill pertains to licensees with a criminal history.

The Board members received a copy of the proposed regulatory language with revisions made by the Legislative and Regulations Committee on March 25, 2019.

Timothy Matsumoto presented the revised regulatory language necessary to implement AB2138. Department of Consumer Affairs recommends its Boards and Bureaus have regulatory language necessary to implement AB 2138 in place prior to July 1, 2020. He explained what the regulatory package must include to be submitted to the Office of Administrative Law. DCA's various Boards and Bureaus must develop criteria for determining whether a crime is substantially related to the qualifications, functions, or duties of the business or profession.

Public Comment:

None

Board Discussion:

- Ms. Turner asked if the substantial relationship applies to all licensing decisions or only decisions regarding the crime.
- Ms. Yamaguchi confirmed it applies to all licensing decisions.

Motion: To approve the version of the proposed regulations, as amended, included in the agenda materials for today's meeting and to proceed with the formal rulemaking process.

Moved by John Dierking and seconded by Kenneth Maxey.

Tammy Endozo, Aleta Carpenter, John Dierking, Kenneth Maxey, Carel Mountain, and Cheryl Turner voted in favor of motion. Bernice Bass de Martinez, Paula de Herrera, Donna Norton and Paul Sellers were absent. Vote is unanimous and motion carries.

Agenda Item 5 Public Comment on Items Not on the Agenda.

Public Comment:

None

Board Discussion:

None

Agenda Item 6 Suggestions for Future Agenda Items.

Public Comment:

None

Board Discussion:

None

Agenda Item 7 Adjournment.

Ms. Endozo adjourned the meeting at 12:03 pm.

Prepared by: Signature on File
Elaine Yamaguchi
Executive Officer

Date: 5/23/2019

Approved by: Signature on File
Tammy Endozo, LVN
Board President

Date: 5/17/2019