



MEETING MINUTES CALIFORNIA ARCHITECTS BOARD

September 8, 2023

1747 N. Market Blvd. Sacramento, CA 95834

Some of the Agenda Items were taken out of order and are reported in the order they were presented during the meeting.

A. CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF A QUORUM

On September 8, 2023, Board President Sonny Ward called the meeting to order at 10:10 a.m. and Secretary Brett Gladstone called the roll.

Board Members Present

Charles "Sonny" Ward, President
Ronald A. Jones, Vice President
Malcolm "Brett" Gladstone, Secretary
Tian Feng (arrived at 12:15 p.m.)
Mitra Kanaani
Leonard Manoukian
Nilza Serrano

Six members of the Board present constitutes a quorum; a quorum was established.

Board Staff Present

Laura Zuniga, Executive Officer
Jesse Laxton, Assistant Executive Officer,
Alicia Kroeger, Enforcement Manager
Kim McDaniel, LATC Program Manager
Marccus Reinhardt, Examinations & Licensing Manager
Tim Rodda, Regulations Manager
Nicholas Barnhart, LATC Examination Analyst
Natalia Diaz, Enforcement Technician
Kourtney Fontes, LATC Special Projects Analyst
Drew Liston, Board Liaison

DCA Staff Present

David Bouilly, SOLID Moderator
Karen Halbo, Regulations Counsel
Michael Kanotz, Board Counsel
Harmony DeFilippo, Budget Office
Yvonne Dorantes, Assistant Deputy Director of Board and Bureau Relations
Matt Woodcheke, Office of Public Affairs

Landscape Architects Technical Committee (LATC) Members Present

Jon S. Wreschinsky, LATC Committee Chair

Guests Present

Scott Terrell, AIA CA

Stephanie Landregan, UCLA Extension School, Director of the Landscape Architecture Program

Cheryl Buckwalter, Association of Professional Landscape Designers

B. PRESIDENT'S PROCEDURAL REMARKS AND BOARD MEMBER INTRODUCTORY COMMENTS

President Ward opened the meeting by welcoming LATC Chair, Jon Wreschinsky, for attending virtually. President Ward stated that all motions and seconds will be repeated for the record and votes on motions will be taken by roll call.

PUBLIC COMMENT: There were no public comments.

C. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

There were no public comments.

D. UPDATE ON THE DEPARTMENT OF CONSUMER AFFAIRS – Yvonne Dorantes, Assistant Deputy Director of Board and Bureau Relations

Ms. Dorantes reviewed DCA's Diversity, Equity and Inclusion (DEI) efforts and said the steering committee will be holding its quarterly meeting on September 29 to discuss employee engagement, cultural events and services, training, etc. The steering committee is also happy to announce that an outside consultant, Dr Bernard Gibson will provide in-person DEI training to managers and supervisors in October. In addition, Dr Gibson will also be providing a virtual training to board members. Ms. Dorantes stated that the steering committee will highlight the Board of Barbering and Cosmetology's collaboration with the Los Angeles County Probation Department to launch the first youth and county level barbering program.

Ms. Dorantes mentioned that DCA will request that boards and bureaus translate press releases into Spanish.

Ms. Dorantes said Senate Bill 143 would allow for remote public meetings without noticing locations accessible to the public until December 31, 2023. This budget trailer bill will be effective immediately once signed by the governor. Senate Bill 544, which allows for some meetings to be held without noticing the locations of board members and allows for remote meetings, is going through the legislative process.

The Enlighten Enforcement Project being piloted by the California Dental Board aims to improve and standardize procedures and create a template for enforcement policies and procedures for all boards and bureaus. Additionally, the Data Governance Project is ongoing to improve reports regarding licensing and enforcement activities.

Reminders for board members: newly appointed or reappointed members must take the oath of office prior to participating in board meeting. Board members must complete the documents on HR-5 to OHR within 30 days. The appointments cannot be processed until the documents are received. Sexual Harassment Prevention and Information and Security Awareness training are mandatory this year and all employees and appointees, including board and advisory council members, must complete them. Board members must take the two-hour supervisory training every odd-numbered year which is on DCA's Learning Management System. The Board Member Orientation Training (BMOT) will be held virtually on October 10.

Ms. Dorantes stated that Wyoming and Missouri are added to the list of banned states for travel, and Nebraska will be restricted effective November 1.

PUBLIC COMMENT: There were no public comments.

I. BUDGET UPDATE FROM DCA BUDGET OFFICE, Harmony DeFilippo, DCA Acting Budget Manager

Ms. DeFilippo mentioned that over the past two years, costs have increased in personnel and operating expenses, partially due to the Board's Business Modernization efforts. The 21/22 data is actual expenditures compared to 22/23 budgeted and projected expenditures. For fiscal year 22/23, the Board had a base budget of \$5.17 million and is projected to spend a total of \$4.13 million, creating a reversion of \$1 million, which is approximately 20.39%.

Ms. DeFilippo reviewed the Board's fund condition and stated the Board began 22/23 with just over \$4.4 million. The Board collected \$3.076 million in revenue, with \$382,000 from initial licensees, just over \$2.5 million from license renewals, and \$139,000 was collected from citations, fines, delinquent fees and other revenue. The Board spent approximately \$4.5 million which includes \$362,000 for statewide pro rata and pension payments. The Board is estimated to close 22/23 with just over \$3 million in the reserve balance or 6.7 months in reserve.

For current year (23/24), the Board projects revenue of \$5.713 million with approximately \$428,000 from the initial license fee, \$5.146 million from renewal fees and \$139,000 for citations, fines, delinquent fees and other revenue. The Board will have a fund balance of just over \$3.3 million or 7.3 months in reserve. The budget office will continue to monitor the Board's revenue and expenditures and report back to the Board with monthly expenditure projections.

PUBLIC COMMENT: There were no public comments.

E. REVIEW AND POSSIBLE ACTION ON MAY 19, 2023, BOARD MEETING MINUTES.

Nilza Serrano moved to approve the May 19, 2023, minutes.

Leonard Manoukian seconded the motion.

PUBLIC COMMENT: There were no public comments.

Members Gladstone, Jones, Kanaani, Manoukian, Serrano and Ward voted in favor of the motion. Motion passed 6-0-0.

F. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE BOARD'S 2023 SUNSET REVIEW REPORT – Laura Zuniga, Executive Officer

Ms. Zuniga reviewed the major points in the report and said a motion would be needed to approve the report.

- Change to the applicant's initial license date. Currently, renewal is based on the licensee's birth date. Renewal would now be based on two-year time periods and not based on the birth month.
- Renewal notices are currently sent by U.S. Postal Service certified mail. This report recommends that other methods such as email be used.
- Applications that are not completed within 12 months shall be considered abandoned. Also, if applicants do not respond to information requests, their applications would be considered abandoned.
- Testing Eligibility. Currently, a candidate can take the ARE exam after demonstrating five years of experience and can't sit for the California Supplemental Exam until they complete the ARE and have eight years of experience. This new procedure would allow the candidate to test when they are ready and would take away the time experience restriction.
- Email Requirement. This would require licensees to maintain an email address with the Board.
- Emergency Waivers for Testing. If testing centers are impacted by another pandemic, that waivers or exemptions may be issued based on the emergency.
- Business Entity Report Form. This item allows CAB to obtain information from the form and place it online so consumers can see where an architect is working.
- Continuing Education is now 10 hours--five for disability access and five for zero net carbon design. This could add another five hours of continuing education that licensees could choose.
- Renewals and Audits. The Board randomly audits 3% of our licensees for continuing education compliance. This would require licensees to upload their continuing education documentation upon renewal.

After a short discussion among Board members, the following motion was made:

Nilza Serrano moved to approve the Board's 2023 Sunset Review Report for submission to the Legislature, and delegate authority to the EO to make any necessary minor and technical changes to the report prior to submittal.

Ron Jones seconded the motion.

PUBLIC COMMENT: There were no public comments.

Members Gladstone, Jones, Kanaani, Manoukian, Serrano and Ward voted in favor of the motion. Motion passed 6-0-0.

N. REGULATIONS UPDATE – Tim Rodda, Regulations Manager

1. DISCUSS AND POSSIBLE ACTION ON PROPOSED REGULATORY TEXT AMENDMENTS FOR CCR, TITLE 16, DIVISION 2, ARTICLE 2, SECTIONS 109 (FILING OF APPLICATIONS)

Mr. Rodda explained that the proposal to amend CCR section 109 (Filing of Applications) is required due to recent legislative changes. The proposed language removes incorporation of documents, which will expedite certain types of applications and help in using the online system, Connect. There was one point of clarification on acronyms and Mr. Rodda explained their meaning.

Brett Gladstone moved to approve the proposed regulatory text for 16 CCR section 109, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at 16 CCR section 109 as noticed.

Nilza Serrano seconded the motion.

PUBLIC COMMENT: There were no public comments.

Members Gladstone, Jones, Kanaani, Serrano, Manoukian, and Ward voted in favor of the motion. Motion passed 6-0.

2. DISCUSS AND POSSIBLE ACTION ON PROPOSED REGULATORY TEXT AMENDMENTS FOR CCR, TITLE 16, DIVISION 2, ARTICLE 8, SECTION 154 (DISCIPLINARY GUIDELINES),

The Board's Disciplinary Guidelines (*Guidelines*) were initially adopted into regulation under CCR, title 16, section 154 on February 4, 1997. 16 CCR section

154 requires the Board, in reaching a decision on a disciplinary action under the Administrative Procedure Act, to consider the *Guidelines*. The *Guidelines* are incorporated by reference because of the length of the document. 16 CCR section 154 and the *Guidelines* were subsequently amended in 2000.

The current *Guidelines* contain many outdated terms and conditions of probation and, in many instances, do not reflect recent updates to statutory law and other changes that have occurred in the probationary environment since the last update in 2000. The Board and Landscape Architects Technical Committee (LATC) worked jointly on updating their respective *Guidelines* until 2021, when it was decided LATC would complete their *Guidelines*, and the Board would submit revised, amended *Guidelines* after LATC's were approved. The LATC *Guidelines* were filed with the Secretary of State on May 5, 2023. Since that time, Board staff has worked with the Department of Consumer Affairs' Legal Affairs Division (LAD) to incorporate all issues raised by public comments and the Office of Administrative Law (OAL) and amend the attached *Guidelines* for the Board's review. If the proposed *Guidelines* are amended, the corresponding regulation, CCR section 154, must also be amended to incorporate by reference the revised *Guidelines*. Board staff have highlighted in yellow the new text changes since the last time the Board reviewed and approved changes to the *Guidelines*. Changes include adding and modifying language based on LAD and OAL clarifications, language addressing new laws added since the last review, making cost reimbursement part of the standard conditions of probation instead of an optional condition of probation, subsequent renumbering, and removal of the Quarterly Report of Compliance form.

Nilza Serrano moved to approve the proposed regulatory text for 16 CCR section 154, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at 16 CCR section 154 as noticed.

Mitra Kanaani seconded the motion.

PUBLIC COMMENT: There were no public comments.

Members Gladstone, Jones, Kanaani, Manoukian, Serrano, and Ward voted in favor of the motion. Motion passed 6-0.

3. DISCUSS AND POSSIBLE ACTION ON PROPOSED REGULATORY TEXT AMENDMENTS FOR CCR TITLE 16, DIVISION 2, ARTICLE 10, SECTION 166 (ZERO NET CARBON DESIGN CONTINUING EDUCATION)

Mr. Rodda gave the background of this item: At its June 8, 2022 meeting, the Board approved language to amend 16 CCR section 166 (Zero Net Carbon Design Continuing Education) and directed the Executive Officer to take all steps necessary to initiate the rulemaking process. Board staff worked with LAD to draft a notice, initial statement of reasons, and fiscal impact document. On June 9, 2023, Agency approved the initial rulemaking file for submittal to OAL. LAD submitted the documents to OAL on behalf of the Board and the 45-day comment period began on June 23, 2023. The comment period ended on August 8, 2023. Of the seven comments the Board received, two were non-substantive – one asked for clarification if the regulation was in addition to, or a replacement for, the current disability access continuing education (CE) requirements; and the other expressed support for the regulation and voiced a personal worry there would not be enough courses or programs available to meet the requirement for zero net carbon design CE before their own license renewal. Staff responded to both comments clarifying for the first individual that the requirement is in addition to existing disability access CE requirements and suggesting to the second individual that they conduct an internet search for zero net carbon design CE courses and/or reach out to the American Institute of Architects (AIA) for information on courses. The Board received substantive comments from: 1) the AIA with recommendations related to three concerns that were raised in the written comment; 2) the Division of the State Architect (DSA) related to qualifications of educators; 3) the California Building Standards Commission related to qualifications of educators; 4) Martin Siwy related to the qualifications for trainers; and 5) Lisa Conway related to qualifications for and recommending adding additional trainers.

In addition to the comments received, Board staff and LAD reviewed the language and identified a potential clarity issue with proposed 16 CCR 166 subsection (f) reference to “demonstrable direct experience.” The clarity issue can be resolved by adding a subdivision (4) to subparagraph (f) that defines demonstrable direct experience as “experience, established by documentary evidence such as signed plans, work contracts, or other documents that establish the individual’s direct involvement in the design process.”

Upon the Board adopting the proposed Modified Text and the proposed responses to the comments set out below, Board staff will circulate the Modified Text for a 15-day public comment period, and if no adverse comments are received, will prepare the Final Statement of Reasons (FSR) to be included in the final rulemaking package documents to be filed with OAL.

Summary of Concerns and Proposed Board Responses

In accordance with Government Code section 11346.9, subdivision (a)(3), the Board, in its final statement of reasons supporting the rulemaking, must

summarize each objection or recommendation made regarding the specific adoption, amendment, or repeal proposed, together with an explanation of how the proposed action has been changed to accommodate each objection or recommendation, or the reasons for making no change.

Comment from William Leddy, FAIA, Vice President of Climate Action, American Institute of Architects California

Mr. Leddy, on behalf of AIACA, made three different recommendations to the proposed language within his written comment. The first recommendation is to modify proposed 16 CCR section 166(c) to add the phrases “adaptive reuse” and “energy modeling” to the list of examples of acceptable CE course topics.

Proposed Response: The Board accepts this modification and will modify the language accordingly.

The second recommendation was to modify proposed 16 CCR section 166(f)(1) to include the job titles of “energy remodeler” and “high-performance building design professional” to the list of approved trainers or educators.

Proposed Response: The Board finds that there is no regulating body that issues a license to or registers energy modelers or high-performance building design professionals. The proposed language in 16 CCR section 166(f)(1) specifies that the trainer must hold a license or registration issued by a United States jurisdiction. The Board requires qualified, credentialed trainers with the specialized knowledge required to teach these required CE courses. Consequently, the Board chooses not to make any changes to the proposed language at 16 CCR section 166(f)(1).

The third recommendation is to strike proposed 16 CCR section 166(f)(3), removing the International Code Council (“ICC”) California Certification Program certificate holders with demonstrable direct experience in carbon neutral and/or high-performance buildings who are also either a CALGreen Inspector/Plans Examiner, California Commercial Building Inspector, or California Building Plans Inspector.

Proposed Response: The Board believes the specific ICC credential listed in this subsection, coupled with the requirement to have experience in carbon neutral and/or high-performance buildings, means that such an instructor will have sufficient expertise to effectively teach appropriate CE courses. Additionally, the Board is concerned that removal of this subparagraph will create a lack of qualified credentialed trainers. The requirement of this subsection is that the trainers hold an unexpired ICC certification, which the Board will be able to verify once appropriate documentation is submitted to the Board if needed for an audit as defined in Business and Professions Code section 5600.05. Consequently, the Board chooses not to remove proposed 16 CCR section 166(f)(3).

Comments from Ida Clair, AIA, LEED AP BD+C, CASp, State Architect, and Kevin Day, Acting Executive Director, California Building Standards Commission

Ms. Clair and Mr. Day both recommended including additional state regulatory entities within California as acceptable educators or trainers for the CE requirement by adding “or the qualified personnel of a regulatory authority responsible for promulgation of building standards in Title 24, Part 6, California Energy Code, or Title 24, Part 11, California Green Building Standards Code (CALGreen)” to 16 CCR section 166 subdivision (a) subparagraph (1). Ms. Clair and Mr. Day both noted their respective entities promulgate regulations and standards within Cal Green, which is mentioned as a zero net carbon CE coursework topic in the proposed text at 16 CCR section 166 subdivision (c).

Proposed Response: The Board accepts this modification but chooses to clarify the phrase “the qualified personnel” by replacing it with the phrase “an architect or engineer” and will modify the language accordingly.

Comment from Martin Siwy, President, CEU Events, and Lisa Conway, VP Global Sustainability, Interface

Mr. Siwy and Ms. Conway both expressed concerns about the high standards required for trainers and the potential for a lack of a sufficient number of individuals who qualify as trainers or educators. Ms. Conway specifically requested that the category “Worked in the Sustainability department for a building material/product manufacturer for (3) years” be added to the regulatory text as another source of acceptable trainers and educators.

Proposed Response: The Board set the requirements of qualified trainers and educators to ensure material presented is pertinent to the practice of architecture and the provision of an architect’s professional services related to zero net carbon design. The coursework is best provided by individuals who possess the required expertise and background in the area with demonstrable direct experiences in the field or direct responsibility for teaching these requirements in an educational setting. Consequently, the Board chooses to not modify the standards to include individuals who have worked for a manufacturer as trainers or educators.

Nilza Serrano moved to approve the modified regulatory text and proposed responses, and if no adverse comments are received during the 15-day comment period, direct staff to take all steps necessary to complete the rulemaking process, delegate to the Executive Officer the authority to make any technical or non-substantive changes to the modified regulations that may be required to complete the rulemaking file and adopt the proposed regulatory changes as noticed.

Brett Gladstone seconded the motion.

PUBLIC COMMENT: Mandy, from CEU Events wanted to reiterate Martin Siwy's response. The purpose of the comment was to get the Board to re-examine the type of credit, to open it up so that more experts can give presentations.

Scott Terrell from AIACA thanked the Board for the improvements to section C with the additions of adaptive reuse and with the addition of energy modelers or other high related, high performance, building design professionals and section F.1. He stated that net carbon architecture is a highly integrated process that includes architects and engineers as well as other related design professionals, such as energy modelers and they are highly qualified part of the team, so they think it's appropriate to include them while maintaining the requirements that they have a minimum of three years of demonstratable, direct experience, and the design of carbon neutral and or high-performance buildings. He stated that AIACA has concerns with the inclusion of section F.3 and the language, because unlike California accessibility codes, where a clear set of codified regulations are provided, no such codes of regulations related to zero net carbon design currently exist in the California building code. Therefore, there is not yet a code or regulatory framework for building inspectors and plan examiners to apply to submit a design.

Members Serrano, Gladstone, Jones, Kanaani, Manoukian, and Ward voted in favor of the motion. Motion passed 6-0.

4. DISCUSS AND POSSIBLE ACTION ON PROPOSED REGULATORY MODIFIED TEXT AMENDMENTS FOR CCR, TITLE 16, DIVISION 26, ARTICLE 1, SECTION 2615 (LATC FORM OF EXAMINATIONS)

On August 25, 2022, the Council of Landscape Architectural Registration Board (CLARB) announced that the Landscape Architect Registration Examination (LARE) will transition to a new examination format in December 2023.

On February 24, 2023, the Board approved a regulatory proposal to amend 16 CCR section 2615 to align the regulation text with the new LARE format by removing references to LARE Sections 1, 2, 3, and 4, which will no longer be administered after December 2023, and allow California candidates with four years of education credit to take any section of the LARE.

After the related Notice of Proposed Regulatory Action was issued, staff found that additional amendments to subdivision (b) are necessary to clarify that candidates must continue to document a combination of six years of education and training experience as specified in 16 CCR section 2620 (Education and Training Credits) prior to taking the California Supplemental Examination.

On June 23, 2023, the Notice of Availability of Modified Text was issued, and the related 15-day public comment period ended on July 10, 2023. The Board did not receive any comments on the proposed modifications.

Nilza Serrano moved to approve the modified text to amend 16 CCR section 2615 and authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at 16 CCR section 2615 as noticed.

Brett Gladstone seconded the motion.

PUBLIC COMMENT: Stephanie Landregan, Director of Landscape Architecture Program at UCLA Extension, stated the concern she has is the requirement that was removed that allowed their students who have three years of Extension direct education will not be allowed to sit for the exam until after their experience; however, everyone else will be able to sit.

Members Serrano, Gladstone, Jones, Kanaani, Manoukian, and Ward voted in favor of the motion. Motion passed 6-0.

G. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE THE LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE, (LATC) 2023 SUNSET REVIEW REPORT - Laura Zuniga, Executive Officer

Ms. Zuniga started that during LATC's August meeting, several changes were made to the report, and it wasn't voted on. Ms. Zuniga would like the Board to approve it today with the ability to make technical changes and revisions if necessary to address the issue of local approval of plans. The new issues are:

- Local Approval of Plans Prepared by a Landscape Architect. Staff would like to add language that local building departments approve plans submitted by landscape architects.
- Clarifying Licensing Renewals. When a licensee has been expired more than five years, obtaining a license is no longer a renewal—it becomes a new application. Additionally, all licensees must keep an updated email on file.

Jon Wreschinsky joined the conversation and said that there were a few issues he wanted to address. The first issue is that the Council of Landscape Architecture Registration Boards (CLARB) has pushed through a uniform standard that is counter to LATC's licensing statute and regulations. The uniform standard is more restrictive regarding the amount of education and experience a candidate needs in order to sit for the exam. Mr. Wreschinsky also mentioned experience and stated it is not clear who will be responsible for examining each candidate's experience and whether it meets the current criteria. The new uniform standard allows candidates to sit for the exams directly out of school without gaining any experience. If California chooses to adopt the experience standard, it would add another two years for our candidates to gain experience.

He also mentioned that LATC had to recently increase their fees but believes that LATC is an example of smaller Boards within DCA that do not have the licensee pool to generate enough revenue to cover the operating costs without increasing

fees substantially. He suggests that smaller boards collectively bring this to the attention of the Legislature.

Mr. Wreschinsky added that with regard to candidates gaining experience, which is driven by the economy, and stressed the importance of addressing those opportunities for California candidates.

President Ward thanked Mr. Wreschinsky for his comments. Brett Gladstone inquired about the difference between a licensed landscape architect and a landscaper, and who are typical clients of landscape architects. Mr. Wreschinsky referred Mr. Gladstone to the LATC Practice Act and stated that typical clients involve public works or commercial work projects or large residential projects.

Ron Jones moved to approve the LATC’s 2023 Sunset Review Report for submission to the Legislature, and delegate authority to the EO to make any necessary minor and technical changes to the report prior to submittal.

Nilza Serrano seconded the motion.

PUBLIC COMMENT: Stephanie Landregan commented the huge swings in fees is extreme and will dissuade licensing. She supported Mr. Wreschinsky’s comments about financial support for smaller boards. Cheryl Buckwalter from the Association of Professional Landscape Designers California Chapter spoke to the question between licensed landscape architects versus unlicensed landscapers.

Members Gladstone, Jones, Kanaani, Manoukian, Serrano and Ward voted in favor of the motion. Motion passed 6-0-0.

H. REVIEW AND POSSIBLE ACTION TO APPROVE THE REVISED BOARD MEMBER ADMINISTRATIVE MANUAL – Laura Zuniga, Executive Officer

Ron Jones moved to approve the revised administrative manual as amended.

Leonard Manoukian seconded the motion.

Members Gladstone, Feng, Jones, Kanaani, Manoukian, Serrano and Ward voted in favor of the motion. Motion passed 7-0-0.

J. UPDATE AND DISCUSSION OF NCARB – Laura Zuniga
No update or discussion.

K. LEGISLATION UPDATE – Laura Zuniga, Executive Officer

Assembly Bill (AB) 342 (Valencia)

This bill would authorize the California Architects Board and the Bureau of Real Estate Appraisers to request that a licensee identify their race, ethnicity, sexual orientation, gender, or gender identity when an initial license is issued or at the time

of license renewal. The bill would require the Board and Bureau to maintain the confidentiality of the information and would prohibit the Board and Bureau from requiring a licensee to provide the information as a condition of licensure or license renewal. The bill would authorize the Board and Bureau to publish the aggregate demographic data they collect on their websites. The bill, beginning January 1, 2025, would require the Board and the Bureau to submit the aggregate demographic data they collect to the DCA and would require posting on DCA's website. This bill is on the Assembly floor for a final vote.

Senate Bill (SB) 372 (Menjivar)

SB 372 would require a board to update a licensee's or registrant's records, including records contained within an online license verification system, to include the licensee's or registrant's updated legal name or gender if the Board receives government-issued documentation, as described, from the licensee or registrant demonstrating that the licensee or registrant's legal name or gender has been changed. The bill would require the Board to remove the licensee's or registrant's former name or gender from its online license verification system and treat this information as confidential. The Board would be required to establish a process to allow a person to request and obtain a licensee's or registrant's current name or enforcement action record linked to a former name, as prescribed. The bill would require the Board, if requested by a licensee or registrant, to reissue specified documents conferred upon, or issued to, the licensee or registrant with their updated legal name or gender. The bill would prohibit a board from charging a higher fee for reissuing a document with a corrected or updated legal name or gender than the fee it charges for reissuing a document with other corrected or updated information. This bill is on the Governor's desk for signature.

SB 544 (Laird)

SB 544 removes certain teleconference requirements of the Bagley-Keene Open Meeting Act, including that each teleconference location be identified in a meeting notice and agenda and that each teleconference location be accessible to the public. This bill requires state bodies to provide a means by which the public may remotely hear audio of the meeting, remotely observe the meeting, or attend the meeting by providing on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for at least one site, including, if available, access equivalent to the access for a member of the state body participating remotely.

This bill deletes the requirement that an agenda provide an opportunity for members of the public to address the state body directly at each teleconference location and requires that at least one member of the state body be physically present at the location specified in the notice of the meeting. This bill requires a procedure for receiving and swiftly resolving requests from members of the public with disabilities, consistent with the federal Americans with Disabilities Act of 1990.

This bill requires a member of a state body who attends a meeting by teleconference from a remote location to disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member and the general nature of the member's relationship with any such individuals. This bill is pending on the Senate floor.

SB 816 (Roth)

The bill makes the following changes to the Landscape Architects Technical Committee: Sets the application fee for reviewing an applicant's eligibility to take any section of the examination at \$100. Sets the fee for the California Supplemental Examination at \$350. Authorizes the California Architects Board to adopt regulations to set the fee at a higher amount, up to a maximum of \$400. Sets the fee for an original license at \$700 and authorizes the California Architects Board to adopt regulations to set the fee at a higher amount, up to a maximum of \$800. Sets the fee for a duplicate license at \$300. Sets the renewal fee at \$700 and authorizes the California Architects Board to adopt regulations to set the fee at a higher amount, up to a maximum of \$800. This bill is on the Governor's desk.

SB 877 (Committee on Business Professions and Economic Development)

SB 887, as it pertains the California Architects Board (Board), modifies the Board's existing regulation on exam score validity for divisions of the Architect Registration Examination (ARE), to reflect NCARB's recently updated exam validity policy.

Background: As of May 1 of this year, NCARB eliminated its prior rolling clock policy, which placed a five-year expiration date on passed divisions of the ARE. Under the new policy, passed divisions will expire after two versions of the exam. For example, passed ARE 4.0 divisions will remain valid throughout the delivery of ARE 5.0 and will be retired after the next version of the exam is introduced. SB 887's proposed change will allow the Board to implement the new test validity policy. This bill is on the Governor's desk to sign.

PUBLIC COMMENT: There were no public comments.

L. REVIEW, DISCUSSION AND POSSIBLE ACTION ON MATTERS RELATED TO THE LATC- Laura Zuniga

Ms. Zuniga gave a brief update on the August 11 LATC meeting.

Nilza Serrano moved to approve the LATC Member Administrative Manual as amended.

Tian Feng seconded the motion.

PUBLIC COMMENT: Jon Wreschinsky commented that during LATC's August 11 meeting the discussion regarding the potential for a joint Architect Board and Landscape Committee continued. The Committee made the decision to table the idea for the present.

Members Feng, Serrano, Gladstone, Kanaani, Ward, Jones and Manoukian voted in favor. Motion passed 7-0-0.

M. EXECUTIVE OFFICER’S REPORT

Ms. Zuniga summarized the report and highlighted the following:

- She welcomed the Board’s new Assistant EO, Jesse Laxton, and welcomed back Kim McDaniel, who was the Regulations Manager, and has returned as the LATC’s Manager. The Board also welcomed back Rey Castro to the Enforcement Unit.
- Business Modernization Plan Update: The Business Modernization Cohort 2 Project consisting of CAB/LATC, Structural Pest Control Board, Cemetery and Funeral Bureau, and the Bureau of Household Goods and Services began on May 16, 2022. The 18-month project’s first release occurred on May 23 for LATC and June 1 for CAB, and included automation of the Eligibility Application, California Supplemental Exam Application, and Initial License Application. The second release is scheduled for fall 2023 and will include automation of the Certification of Experience and Reciprocity Applications. The online license renewal will also be incorporated into Connect.
- Enforcement Update: The most common violations have stayed consistent over the past four years, and are as follows:
Misuse of the term “Architect”
Practice without a License/Device
Continuing Education Audit Incompliance
Written Contract Violations
Signature/Stamp on plans and unauthorized practice
Negligence or Willful Misconduct

There was a short conversation about raising pass rates for first time candidates taking the standard professional examinations. The consensus was that progress is being made.

PUBLIC COMMENT: There were no public comments.

O. CLOSED SESSION

No closed session

P. REVIEW OF FUTURE MEETING DATES

A schedule of planned meetings for 2023 was presented to the Board.

November 3	LATC Meeting	TBD
December 1	Board Meeting	Virtual

Q. MEETING ADJOURNMENT

The meeting adjourned at 2:36 p.m.