



MEETING MINUTES CALIFORNIA ARCHITECTS BOARD

December 1, 2023
TELECONFERENCE

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 December 1, 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 (arrived 10:06 a.m.)
Malcolm "Brett" Gladstone, Secretary
Tian Feng (arrived at 10:47 a.m.)
Mitra Kanaani
Sylvia Kwan
Leonard Manoukian
Nilza Serrano
Robert Pearman
Fuad Sweiss

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
Coleen Galvan, CAB Communications Analyst

DCA Staff Present

David Bouilly, SOLID Moderator
Karen Halbo, Regulations Counsel

Korinna Moreno, DCA CIC Manager
Harmony DeFilippo, DCA Budget Analyst
Veronica Hernandez, DCA Budget Analyst
Judi Buccairelli, Manager of Board and Bureau Relations
Alex Cristescu, DCA Webcaster
Helen Geoffroy, DCA Legal Affairs Attorney III

Landscape Architects Technical Committee (LATC) Members Present
Pamela Brief, LATC Committee Chair

Guests Present

Scott Terrell, AIA CA
Glenn Gall, AIA
Cary Bernstein, AIA
Alejandra Lamarque, Full Moon Strategies

**B. PRESIDENT’S PROCEDURAL REMARKS AND BOARD MEMBER
INTRODUCTORY COMMENTS**

President Ward opened the meeting by welcoming LATC Chair, Pamela Brief, for attending. President Ward also welcomed new Board Counsel Helen Geoffroy to her first meeting as our new Counsel. President Ward stated that all motions and seconds will be repeated for the record and votes on motions will be taken by roll call.

President Ward continued by announcing that the meeting is being held via WebEx events, and state, “Pursuant to the provisions of Government Code section 11133, a physical meeting location is not being provided. Anyone interested in participating in the meeting must join the WebEx meeting. Information and instructions to join are attached to the agenda, posted on our website. Due to resource limitations, DCA is unable to webcast this meeting.”

PUBLIC COMMENT: There were no public comments.

C. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

There were no public comments.

**E. UPDATE ON THE DEPARTMENT OF CONSUMER AFFAIRS – Judi Buccairelli,
Manager of Board and Bureau Relations**

Ms. Buccairelli reviewed DCA’s Diversity, Equity and Inclusion (DEI) efforts and said the steering committee will be holding its quarterly meeting on December 15, 2023, to discuss employee engagement, cultural events and services, training, etc. The Committee will review a draft DEI intranet webpage that is currently being developed, elect a 2024 Chairperson and Vice Chairperson, and discuss DEI training as it remains a committee priority. Once operational, the DEI intranet page will provide all DCA employees information and resources, including DEI hiring principles, which will serve as a guide for those involved in the hiring process.

Ms. Buccairelli mentioned that DCA continues to support DCA boards and bureaus in expanding culturally competent communications and promote the importance of meeting the needs of all California consumers, licensees, and applicants.

Ms. Buccairelli said On November 29, the Department successfully launched a new process and portal in support of servicemembers and their families, following new federal and state laws passed this year. Known as the Federal Professional License Portability and State Registration portal, this new DCA online portal will allow Boards and Bureaus to accept online requests from military servicemembers and their spouses who currently hold a valid license in good standing in another state, district, or territory to register their practice in California within the same profession or vocation, if they relocate to California because of military orders.

Commencing on January 1, 2024, four meeting options will be available pursuant to the Bagley-Keene Open Meeting Act:

Option #1 -- Traditional single-location option

- This is a meeting where the majority of members are gathered at one publicly noticed and accessible location;
- No members are participating remotely; and
- There is no requirement to allow for remote public participation.

Option #2 -- Traditional teleconference option

- Board Members are located at different, publicly noticed and accessible locations, and they are connected via phone or Webex.
- There is no requirement to allow for remote public participation.

Option #3 -- New teleconference option

- A majority of Board Members are gathered at one publicly noticed and accessible location;
- The extra Board Members above a majority can participate remotely from private, non-public sites; and
- The meeting must allow for remote public participation.

And finally, Option #4 – The new advisory body teleconference option

- All members of an advisory body can participate remotely from private, non-public meeting sites.
- The meeting must have at least one publicly noticed and accessible location where at least one board/bureau staff member is present, and where the public can participate in the meeting.
- Additionally, the meeting must allow for remote public access.

DCA encourages boards to work closely with their board counsels to ensure compliance with the Open Meeting Act. Should you have any concerns or questions, please let us know.

Ms. Buccairelli mentioned that the restricted states travel list has been eliminated and replaced with a new public awareness project that will consult with community leaders to promote California's values of acceptance and inclusion of the LGBTQ+ community across the country.

Over the past years, several out of state trips requested by boards were not authorized because the travel was to a state on the restricted travel list. Now, out of state travel to all states is permitted -- if the trip is critical to the functions and needs of the board. Out of state travel requests must still follow the established process for review and approval by DCA, Agency and the Governor's Office. For questions, please reach out to your Executive Officer or Board and Bureau Relations.

Ms. Buccairelli closed by stating that The BBR Team would like to thank the CA Architects Board and the staff for their hard work and partnership over the past year.

PUBLIC COMMENT: There were no public comments.

F. BUDGET UPDATE FROM DCA BUDGET OFFICE, Veronica Hernandez, DCA Budget Analyst

Ms. Hernandez started by saying that expenditures for fiscal year 22/23, the Board had a beginning budget of \$4.966 million and is projected to spend a total of \$4.55 million, creating a reversion of \$414,000, which is approximately 8.33%.

Ms. Hernandez then reviewed the Board's revenue projections that include receipts through September and projected revenue to years end. and stated the Board began 22/23 with the beginning balance just over \$4.4 million. The Board collected \$3.075 million in revenue, with \$382,000 from initial licensees, just over \$2.5 million from license renewals, and \$138,000 was collected from citations, fines, delinquent fees and other revenue. The Board spent approximately \$4.48 million which includes \$362,000 for statewide pro rata and pension payments. The Board is estimated to close 22/23 with just over \$3.04 million in the reserve balance or 7.3 months in reserve.

For current year (23/24), the Board projects revenue of \$5.820 million with approximately \$482,000 from the initial license fee, \$5.146 million from renewal fees and \$146,000 for citations, fines, delinquent fees and other revenue. The Board will have a fund balance of just over \$3.87 million or 8.5 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.

Board Member Fuad Sweiss asked about the fluctuating nature of the fees and asked if there was any way to make the fee income more stable. Executive Officer

Laura Zuniga answered and discussed the fee procedure and mentioned that a request to do just was included in the Sunset Report.

Secretary Gladstone inquired about the term “revision”. Ms. Hernandez explained the term could be considered a cost savings between projected and actual expenditures.

PUBLIC COMMENT: There were no public comments.

G. REVIEW AND POSSIBLE ACTION ON SEPTEMBER 8, 2023, BOARD MEETING MINUTES.

Nilza Serrano moved to approve the September 8, 2023, minutes.

Ron Jones seconded the motion.

PUBLIC COMMENT: There were no public comments.

Members Gladstone, Jones, Manoukian, Serrano, and Ward voted in favor of the motion. Pearman and Sweiss Abstained and Feng, Kwan and Kanaani was absent. Motion passed 5-0-2.

D. ELECTION OF 2024 BOARD OFFICERS

Mr. Ward invited the Nominating Committee of Nilza Serrano and Mitra Kanaani to present this item. Ms. Serrano stated that the proposed slate is Charles Ward, President; Ron Jones, Vice President; and Brett Gladstone, Secretary.

Member Serrano made the motion to elect the Nominations Committees recommended slate as listed, Charles Ward, President; Ron Jones, Vice President; and Brett Gladstone, Secretary.

Tian Feng seconded the motion.

PUBLIC COMMENT

There was no public comment.

Board Members Feng, Kanaani, Kwan, Jones, Pearman, Sweiss, Manoukian, Gladstone and Serrano voted in favor. President Ward abstained. The motion passed 9-0-1.

H. UPDATE AND DISCUSSION OF NCARB – Laura Zuniga

EO Laura Zuniga indicated that most NCARB Committees will be meeting late in December and early next year and at this time doesn't have anything to report.

Vice President Jones who sits on NCARBs DEI Committee mentioned that he takes great pride in representing California as California sets the example for the rest in

the country when it comes to Diversity, Equity, and Inclusion. California's part in the DEI movement makes it more robust and successful.

Member Kwan took a poll of the Board to see who participates in NCARB Committees and encouraged all Board Member to join an NCARB committee meeting to help increase California's influence on the national architectural stage.

I. 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 was signed by the Governor.

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. This bill was signed by the Governor.

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 will be take effect January 1, 2024.

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. The bill passed and was signed by the Governor.

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. The Governor signed this bill.

PUBLIC COMMENT: There were no public comments.

J. UPDATE ON COMMITTEES- Ron Jones and LATC Manager Kim McDaniel.

Vice President Ron Jones discussed the October 26, 2023 Regulations and Enforcement Committee meeting. Mr. Jones began by praising the Staff for their work on reaching the Strategic Planning goals set forth by this Body. The work that they have done thus far is exemplary and he commends them for that hard work.

Kim McDaniel, LATC Program Manager provided an overview the of the November 17, 2023, meeting. She shared that LATC and CAB meetings cover similar items such as the DCA Update, Legislative Update, EO Report, and Budget Report. Ms. McDaniel shared that Veronica Hernandez, new DCA budget analyst, presented an LATC Budget update. The Committee discussed Agenda Item, I.2 2022-2024 Strategic Plan - Research the Economic and Consumer Protection Impact of Re-Establishing the Landscape Architects Board or Establishing a Merged Board with the California Architects Board to Provide Better Representation, Strengthen the Distinction Between the Two Entities, and Increase Efficiency. After discussion, the Chair determined that a special sub-committee is warranted – the Structure and Operations Subcommittee to assess and make recommendations. Specifically, the subcommittee's charge will be to review the legislative and administrative history and make recommendations on how in the future LATC could be structured to best meet the committee's mission within budget constraints.

Ms. McDaniel thanked Kourtney Fontes and Nicholas Barnhardt for their flexibility and patience as LATC transitions roles and responsibilities due to recent staff

vacancy and strives to achieve greater coordination with CAB and operational efficiency.

Ms. McDaniel shared that Pamela Brief was elected as the new Chair and Patricia Trauth as the Vice Chair and she looks forward to working them. She thanked Jon Wreschinsky for serving as the LATC Chair and supporting the leadership transition.

Ms. McDaniel highlighted that there were a few modifications made to the LATC Sunset Report which is Agenda Item M on today's agenda. The Board is asked to approve the LATC Sunset report. Future LATC meeting dates are to be determined.

PUBLIC COMMENT: There were no public comments.

K. EXECUTIVE OFFICER'S REPORT

Ms. Zuniga summarized the report and highlighted the following:

- The Business Modernization Plan has been extended a year.
- She 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.
- Outreach has had 3 informational Webinars this year.
- Then Ms. Zuniga mentioned examination pass rates and referred to page 6 of the EO Report.

President Ward asked how well the Webinars were attended. Ms. Zuniga 30 to 50 people per Webinar.

Vice President Jones asked Ms. Zuniga asked about the re-certification process and the auditing of continuing education. In the near future, the applicants would be allowed to upon audit it's just to provide this certification digitally. Has it been an analysis as to whether the cost benefit analysis of requiring all renewals to just include those documentation from the inception of renewal? Ms. Zuniga replied that it's digital, and they can submit electronically, that is something that is included in the sunset report recommendation.

PUBLIC COMMENT: There were no public comments.

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

Ms. Zuniga stated that during LATC's August meeting, several changes were made to the report. The changes are non-substantive and have more to do with reference citations required by law.

N. REGULATIONS UPDATE – Tim Rodda, Regulations Manager

1. DISCUSS AND POSSIBLE ACTION ON PROPOSED REGULATORY TEXT AMENDMENTS FOR CCR, TITLE 16, DIVISION 2, ARTICLE 3, SECTIONS 117 (EXPERIENCE EVALUATION)

Mr. Rodda explained that the proposal to amend CCR Section 117 (Experience Evaluation) This regulatory package is related to experience evaluation, which is how the board determines when a candidate is ready for examination and licensure Most of the changes are structural and elimination of duplicative language.

Mr. Feng asked if all CAB's licensing files were digitized. Mr. Rodda replied no, that was being done as part of the Business Modernization project. Mr. Feng requested a timeline when the files would be digitized. Laura Zuniga replied that she will report on the timeline at the next Board Meeting.

Ms. Zuniga then read the proposed motion.

Tian Feng moved that “The Board approve the proposed regulatory text for 16 CCR section 117, 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 117 as noticed.”

Board Member Leonard Manoukian seconded the motion.

PUBLIC COMMENT: There was no public comments.

Members Gladstone, Jones, Kanaani, Serrano, Pearman, Manoukian, Ward, Kwan, Feng, and Swiss voted in favor of the motion.

Motion passed 10-0.

2. DISCUSS AND POSSIBLE ACTION ON PROPOSED REGULATORY TEXT AMENDMENTS FOR CCR, TITLE 16, DIVISION 2, ARTICLE 3, SECTION 121 (FORMS OF EXAMINATIONS:RECIPROCITY) AND 124 (CALIFORNIA SUPPLIEMTAL EXAMINATION),

During a review of the Board's regulations, staff identified CCR title 16, division 2, article 3, section 121 (Form of Examinations; Reciprocity) as requiring updating. As currently written, the title of the regulation does not accurately represent the content, the content requires clarification to more concisely state what is required, and references to obsolete programs must be removed.

The proposed change to the title of 16 CCR section 121 strikes "Form of Examinations;" and adds "California" and "Licensure Requirements" to clearly identify that this section pertains to obtaining a California license through reciprocal licensure. Additionally, subparagraph (a)(2) is being clarified to list the documentation and California Supplemental Examination (CSE) requirements. An additional requirement has been added, specifically requiring a license verification from jurisdictions where the architect has held a license.

As part of the modification to 16 CCR section 121, a cross-reference is made to 16 CCR section 124 (California Supplemental Examination). Because OAL will review that section when reviewing this rulemaking, Board staff reviewed that regulation and found it lacks a clear definition of what the CSE application requires. Therefore, language was added to clearly identify the fee and the information required for candidates to apply to take the CSE.

Brett Gladstone moved "To approve the proposed regulatory text for 16 CCR sections 121 and 124, as amended, 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 sections 121 and 124 as noticed."

Mitra Kanaani seconded the motion.

PUBLIC COMMENT: There were no public comments.

Members Gladstone, Sweiss, Feng, Kwan, Pearman, Jones, Kanaani, Manoukian, Serrano, and Ward voted in favor of the motion.

Motion passed 10-0.

3. UPDATE ON CCR TITLE 16, DIVISION 2, ARTICLE 10, SECTION 166 (ZERO NET CARBON DESIGN CONTINUING EDUCATION)

Mr. Rodda indicated that this is still under review at the Office of Legal Affairs and that the review will end December 28, 2023.

PUBLIC COMMENT: There were no public comments.

P. REVIEW OF FUTURE MEETING DATES

- February 22, 2024- Board Meeting-Los Angeles

The rest of the 2024 meeting schedule has yet to be determined.

PUBLIC COMMENT: There were no public comments.

O. CLOSED SESSION

Q. MEETING ADJOURNMENT

The meeting adjourned at 2:36 p.m.