

MINUTES  
BOARD MEETING  
CALIFORNIA ARCHITECTS BOARD

June 9, 2016

San Francisco, CA

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

Board President, Jon Alan Baker called the meeting to order at 10:45 a.m. and Board Secretary, Sylvia Kwan called roll.

Board Members Present

Jon Alan Baker, President  
Matthew McGuinness, Vice President  
Sylvia Kwan, Secretary  
Denise Campos  
Tian Feng (arrived at 10:50 a.m.)  
Pasqual Gutierrez (arrived at 1:53 p.m.)  
Robert C. Pearman, Jr.  
Nilza Serrano  
Barry Williams

Board Members Absent

Ebony Lewis

Guests Present

Michael J. Armstrong, Chief Executive Officer, National Council of Architectural Registration Boards (NCARB)  
Kurt Cooknick, Director of Regulation and Practice, The American Institute of Architects, California Council (AIACC)  
Katherine E. Hillegas, Director of Council Relations, NCARB  
Seth Wachtel, Associate Professor, Department of Art + Architecture Chair, University of San Francisco (USF)  
Paul W. Welch Jr., Executive Vice President, AIACC

Staff Present

Doug McCauley, Executive Officer  
Vickie Mayer, Assistant Executive Officer  
Marcus Reinhardt, Program Manager Examination/Licensing  
Trish Rodriguez, Program Manager Landscape Architects Technical Committee (LATC)  
Mel Knox, Administration Analyst  
Kristin Walker, Enforcement Analyst  
Robert Carter, Architect Consultant  
Rebecca Bon, Staff Counsel, Department of Consumer Affairs (DCA)

Six members of the Board present constitute a quorum. There being seven present at the time of roll, a quorum was established.

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

Mr. Baker 1) announced that Board members Ebony Lewis and Tian Feng have excused absences from the day's meeting, and that Pasqual Gutierrez is currently experiencing a flight delay and is expected to arrive sometime before adjournment; 2) recognized the passing of Dean Norman Millar of Woodbury School of Architecture, and announced the Board will adjourn in his honor; 3) recognized USF Associate Professor and Department Chair, Seth Wachtel, thanked him for arranging our meeting site, and announced that he will deliver a presentation under Agenda Item F; 4) recognized the presence of Michael Armstrong and Katherine Hillegas from NCARB; and 5) advised that all motions and seconds shall be repeated for the record, and votes on all motions would be taken by roll-call.

C. PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There were no comments from the public.

D. REVIEW AND APPROVE MARCH 3, 2016 BOARD MEETING MINUTES

Mr. Baker asked for comments concerning the March 3, 2016, Board Meeting Minutes.

- **Nilza Serrano moved to approve the March 3, 2016, Board Meeting Minutes.**

**Denise Campos seconded the motion.**

**Members Campos, Kwan, McGuinness, Pearman, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 7-0.**

E. EXECUTIVE OFFICER'S REPORT

Doug McCauley reminded the Board that its September 29, 2016 meeting will be held in Los Angeles. Mr. McCauley updated the Board on the status of BreEZe, and informed that Justin Sotelo, Program Manager for the Board's Administration/Enforcement Units, will be separating from State service and recruitment efforts are underway to fill his position.

Mr. McCauley also reported that two Special Editions of the Board's newsletter, *California Architects*, have been added to the annual publishing schedule.

Nilza Serrano expressed concern about the pass/fail rates in particular divisions of the Architect Registration Examination (ARE), namely, in the Construction Documents and Services division. Mr. McCauley indicated that Board liaisons will be sharing information about school-specific pass rates for comparison purposes as part of the Liaison Program. Mr. Baker noted that Ms. Serrano has highlighted the gap between education and practice, an area that is not widely emphasized in schools. Barry Williams opined that the Construction Documents and Services division may be somewhat fundamental in the classroom, and stated that internship programs are better positioned to help prepare students in this area. Mr. Baker indicated that the ARE is still rigorous and that examination developers work very hard to maintain the standard for passing.

Mr. McCauley reported that the Board is applying 25 percent of its resources toward continuing education (CE) enforcement cases. He also reported that the trend in the Board's number of complaints received, closed, and pending, as well as case-aging outcomes, are quite positive. Mr. McCauley explained the nature of the Board's budget and its distinction versus corporate and non-profit state budgets. He also explained the Board's Budget Report, Fund Condition, and Budget, Expenditures and Revenue documentation provided to the Board in the meeting packet. Denise Campos enquired about why the Architect Consultant Contract line item in the Board's budget reflects zero dollars for fiscal year (FY) 2014-15. Mr. McCauley explained that the expense is budgeted via a different line-item, and explained the architect consultant contract procurement process. Mr. McGuinness asked if the Board's positive trend in actual expenditures beginning in FY 2012-13 is expected to continue, to which Mr. McCauley stated that indicators suggest the trend will continue. Mr. McCauley explained that the trend in actual expenditures from 2009 to 2012 is relatively flat due to control factors that kept expenditures in check (i.e., mandated furloughs, prohibitions on external contracting).

F. PRESENTATION ON UNIVERSITY OF SAN FRANCISCO'S ARCHITECTURE AND COMMUNITY DESIGN PROGRAM AND DEPARTMENT OF ART + ARCHITECTURE BY SETH WACHTEL, DEPARTMENT CHAIR, ASSOCIATE PROFESSOR

Mr. Wachtel gave a presentation on the Department of Art and Architecture at the USF. His presentation covered:

1. The history of the Architecture and Community Design Program;
2. Where graduates are employed and where they have gone to pursue higher education;
3. Majors and Minors;
4. General education requirements of the program;
5. Program elements and sequence of major courses; and
6. The several coursework opportunities in architecture design studios.

Ms. Kwan asked if there are plans to create graduate programs in architecture at USF.

Mr. Wachtel stated that there are no immediate plans for graduate programs in architecture, but that he is an advocate for such programs, as well as for National Architectural Accrediting Board accreditation at USF. Mr. Baker asked if USF has plans to expand architecture students' exposure to more technical aspects of practice management (e.g., building systems, technology, and construction types) and to integrate them into design courses. Mr. Wachtel stated that those integration efforts are underway in USF's architecture design studios.

G. UPDATE AND POSSIBLE ACTION ON LEGISLATION REGARDING ASSEMBLY BILL (AB) 507 (OLSEN) [BREEZE], SENATE BILL (SB) 1479 (BUSINESS, PROFESSIONS, & ECONOMIC DEVELOPMENT) [EXAM ELIGIBILITY – INTEGRATED DEGREE PROGRAM], AND SB 1195 (HILL) [BOARD ACTIONS: COMPETITIVE IMPACT]

Mr. McCauley updated the Board on three legislative items; none of which, he informed, require action from the Board. He reported that AB 507 (Olsen) is proposed legislation that would require annual submission of a report to the Legislature and the Department of Finance regarding the BreZE system. Mr. McCauley also reported that the bill's author has concluded it is premature in the BreZE life-cycle to require the kind of comprehensive reporting reflected in AB 507. He advised that the author has opted not to move the bill forward.

Mr. McCauley reported that SB 1479 (Business, Professions, & Economic Development) contains the Board-sponsored amendment which clarifies language regarding integrated degree programs that was added to the Architects Practice Act (Act) via the Sunset Review bill last year. He explained that the bill updates Business and Professions Code (BPC) section 5550.2, which would permit the Board to grant early eligibility to take the ARE for students enrolled in an NCARB-accepted integrated degree program. Mr. McCauley reported that SB 1479 is now in the Assembly.

Mr. McCauley explained that SB 1195 (Hill), the Legislature's response to the United States Supreme Court's North Carolina Dental Board v. Federal Trade Commission case, would grant the DCA Director authority to review any board decision or other action to determine whether it unreasonably restrains trade. He further explained that this case concerns antitrust immunity for boards, and that a key component in the Court's opinion is whether there is sufficient "active state supervision" of board actions. Mr. McCauley reported that the SB 1195 was referred to the Senate's inactive file in anticipation of amendments.

#### H. NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

Mr. Armstrong and Ms. Hillegas provided the Board with a presentation regarding ARE 5.0, the Architectural Experience Program (AXP), the first cohort of Integrated Path to Architectural Licensure (IPAL) schools, Model Law, new benefits to the NCARB Certificate, and the 2016 Annual Business Meeting resolutions and presentations.

Mr. Feng asked if the time allotted to take ARE 5.0 is similar to that of ARE 4.0. Ms. Hillegas informed that the total seat time for ARE 5.0 is reduced by approximately eight hours.

Mr. Armstrong explained that the elimination of ARE 4.0's graphic vignettes has reduced the examination time. Ms. Kwan asked about the difference between case studies and vignettes.

Mr. Baker explained that case studies, which are a new component to ARE 5.0, allow NCARB to test a candidate's ability to understand the integrated nature of architecture. He asked

Mr. Armstrong if NCARB believes the five-year Rolling Clock policy to still be relevant.

Mr. Armstrong explained NCARB's study on *The Pace of Change in the Architectural Profession and its Impact on Examination Practices*, which evaluated its Rolling Clock policy. He reported that the study was inconclusive and did not provide clarity on how the examination should match the pace of change in the profession; therefore, the Board of Directors decided to keep the Rolling Clock policy at five years.

Mr. Armstrong explained the elements of the new AXP. Ms. Kwan shared her experience of having two unlicensed principals at her firm with vast experience, and asked about the major requirements to submit an E-portfolio as part of the AXP. Mr. Armstrong stated that details are still being finalized, but that program experts will discuss the E-portfolio at the upcoming Annual Meeting in Seattle. Ms. Hillegas noted that the AXP is for people with experience greater than five years. Mr. Armstrong opined that the new AXP will also be viewed as a positive step for diversity and gender equity in the profession.

Mr. Armstrong announced that an additional three schools have been accepted by NCARB to join the original cohort of 14 IPAL schools, including a second Woodbury University program.

Mr. Armstrong reviewed the agenda of the upcoming Annual Business Meeting in Seattle, and explained the substance of each 2016 NCARB Resolutions that will be acted upon. Mr. Baker

asked for clarity about the Mutual Recognition Arrangement with Australia and New Zealand, to which Mr. Armstrong confirmed that, if Resolution 2016-01 passes, Australians and New Zealanders will not need to complete the Broadly Experienced Foreign Architect (BEFA) program in the same way that Canadians currently do not need to complete the BEFA program. Ms. Kwan asked how many jurisdictions currently require an architect to complete CE as a condition of maintaining one's license, to which Ms. Hillegas replied 46. Ms. Hillegas informed that regulatory and statutory information about all 54 jurisdictions have been compiled by her office and is accessible to the Board if it wishes to study how various issues are managed in other jurisdictions. Ms. Campos asked if NCARB will consider increasing ARE fees at the Annual Business Meeting, to which Mr. Armstrong informed that NCARB has committed to not increase ARE fees for another three years. Mr. Armstrong stated that the E-portfolio review will not have as large of a fee associated with it. Mr. Williams asked if there is a minimum duration requirement for employment experience to count toward AXP, to which Mr. Armstrong explained that minimum duration requirements were removed in order to give candidates credit for experience in any way they are able to obtain it.

- **Tian Feng moved to support NCARB Resolutions 2016-01, 2016-02, 2016-03, 2016-04, 2016-05, 2016-06, 2016-07, 2016-08, 2016-09, and 2016-10.**

**Matthew McGuinness seconded the motion.**

**Members Campos, Feng, Gutierrez, Kwan, McGuinness, Pearman, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

I. REVIEW AND POSSIBLE ACTION ON 2016/17 INTRA-DEPARTMENTAL CONTRACT WITH OFFICE OF PROFESSIONAL EXAMINATION SERVICES (OPES) FOR CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE) DEVELOPMENT

Marcus Reinhardt informed the Board that its current Intra-Departmental Contract with the DCA's OPES for development of the CSE will expire on June 30, 2016, and advised that a new contract is needed. He directed the Board's attention to the new contract with OPES in the meeting packet for continued examination development for FY 2016/17 and asked the Board to review and take action.

- **Nilza Serrano moved to approve the Intra-Departmental Contract with OPES for examination development for FY 2016/17.**

**Pasqual Gutierrez seconded the motion.**

**Members Campos, Feng, Gutierrez, Kwan, McGuinness, Pearman, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

J. REGULATORY AND ENFORCEMENT COMMITTEE (REC) REPORT

Mr. McGuinness updated the Board on the activities of the REC at its April 28, 2016 meeting. He reported that the REC discussed SB 1132 (Galgiani) and, subsequently, recommended a position to "oppose" AIACC's Architect-in-Training (AIT) title proposal. He also reported that the REC discussed the Strategic Plan objective to identify and pursue needed statutory and regulatory changes so that laws and regulations are in alignment with current architectural

practice to promote the public health, safety, and welfare. Mr. McGuinness indicated that the REC accepted staff's recommendation to add a: 1) statement identifying the ownership and/or reuse of documents prepared by the architect, and 2) notification to the client that the architect is licensed by the Board, to the proposed language to amend the written contract requirement. He noted that staff is currently developing proposed language for BPC 5536.22 to include these two additional elements, which will be presented to the REC for consideration at its next meeting in the fall. Mr. McGuinness also informed that the REC received updates regarding its Strategic Plan objectives to 1) pursue methods to obtain multiple collection mechanisms to secure unpaid citation penalties, 2) pursue recruitment of an additional architect consultant to ensure continuity and effectiveness in the Board's Enforcement Program, and 3) monitor AIACC legislation requiring architect of record to perform mandatory construction observation to promote consumer protection.

Kristin Walker informed the Board that one of its current architect consultant contracts expires on June 30, 2016. Ms. Walker reported that a Request for Proposal (RFP) for architect consultant services for the next three FYs (2016/17 through 2018/19) was released on March 9, 2016, and advertised on the Department of General Services' (DGS) website. She announced that, following the evaluation process, Robert L. Carter was selected as the awardee of the contract. Ms. Walker reported that the DCA Contracts Unit prepared a contract which was forwarded to the DGS for approval, and asked the Board to review and take action on the architect consultant contract which was approved by DGS.

Mr. Feng asked if there are reserve architect consultant contracts in place, to which Ms. Walker explained that the Board currently contracts with two architect consultants; the other architect consultant contract expires on January 31, 2017.

- **Nilza Serrano moved to ratify the Architect Consultant Contract with Robert L. Carter for architect consultant services for FYs 2016/17 through 2018/19.**

**Matthew McGuinness seconded the motion.**

**Members Campos, Feng, Gutierrez, Kwan, McGuinness, Pearman, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

Paul Welch and Kurt Cooknick addressed the Board in support of SB 1132 and AIACC's AIT title proposal. Mr. Welch expressed disappointment about the REC's recommendation to oppose the AIT title proposal, and summarized the issue of titling candidates in California from the perspective of AIA. Mr. Welch noted the long history of healthy relations between the Board and AIACC, and noted this a rare occasion when there is not mutual support of a bill. He stated that AIACC attempted to resolve some of the Board's concerns about costs and enforcement through the simplicity of SB 1132. Mr. Welch explained that the first prerequisite for a candidate to use the AIT title is to be authorized by the Board to begin testing for the ARE. The second prerequisite, he stated, is that a candidate must be under the direct supervision of an architect. Mr. Welch noted that the current form of the bill gives the decision to use AIT to the candidate, but that an amendment will soon be offered to transfer the decision to use AIT to the firm; the firm may, if it wishes, use AIT for its employees who qualify. He opined that this amendment would help resolve the Board's questions about who can authorize use of AIT. Mr. Welch indicated that more amendments can be included in the future if needed. He also

offered to defend the importance of having the AIT title in California to the Legislature during the next Sunset Review. Mr. Welch asked the Board to support SB 1132.

Mr. Feng asked if AIACC has data available about which title unlicensed professionals desire most. Mr. Cooknick stated that a survey was indeed conducted and the title “intern” was the least liked title, while the AIT title was the most liked. He said the data can be provided to the Board.

Robert Pearman asked for clarity about one of the proposed amendments to SB 1132, to which Mr. McCauley explained that the amendment was introduced by AIACC as an attempt to minimize any potential financial impact. Mr. McCauley advised that the amendment will not be inserted into the bill. Mr. Pearman observed that the Board must be able to track because if there is a violation, the Board must assess whether it is a misdemeanor. He opined there could be confusion about what the Board must do. Mr. Welch stated that the Board already has provisions around unlicensed practice, and that if an individual violates the requisites for using AIT then they are in violation of the Act.

Mr. McGuinness commented on the speed at which AIACC is advancing this proposed legislation. He explained that the Board directed the REC to reconsider AIACC’s proposal after REC recommended opposing it; the Board asked AIACC to provide the REC with information to help it better understand and consider AIACC’s proposal. Instead, AIACC introduced legislation and misrepresented the Board’s position to the Legislature. He expressed disappointment that the REC and Board had not yet received fundamental information it needs to identify an actual reason for creating an AIT titling program.

Mr. Welch indicated that documentation was indeed provided to staff for the recent March and April 2016 Board and REC meetings. He opined that correspondence from the Board to the Legislature which stated that the Board had not been provided with documentation from AIACC about the AIT proposal was an unfair characterization.

Ms. Serrano asked for clarification about proposed time limits associated with the use of AIT. Mr. Cooknick explained that a time limit was proposed in alignment with the Board’s Rolling Clock policy, but was removed after further consideration. He further explained that once authorization from the Board to begin testing for the ARE has occurred, candidates are partially eligible to use AIT; the other eligibility factor is the candidate’s employer must consent. Mr. Cooknick also stated that: 1) use of AIT is only valid so long as the candidate is working under the supervision of a licensed architect in a firm; and 2) candidates are prohibited from using the AIT title outside of that firm.

Mr. Baker clarified that AIACC’s amended proposal does not authorize candidates as individuals to use the AIT title; instead, a candidate’s employer may use it in marketing materials. He reiterated the Board’s primary concern about AIACC’s proposal, which is lack of information about how to implement the proposed AIT program. Mr. Baker stated that the Board, for instance, still does not know who will report to the Board that an employer has bestowed the AIT title on an employee. He stressed the Board’s duty to protect consumers and to enforce regulations that are in the Act. If a candidate’s employer has decided the candidate may use the AIT title, Mr. Baker explained, at some point, since the Board would be responsible for the enforcement component, someone must tell the Board that the employer has authorized the candidate to use the title. He stated that if AIACC considers these kinds of implementation logistics, it will tell the Board: 1) how to make the proposed AIT program work successfully,

2) the impact the program will have on staff workload, and 3) how the Executive Officer (EO) will defend the program to the DCA and the Legislature when the Board requests additional funding or staff for program implementation.

Mr. Welch again reminded the Board of its long history of working with the AIACC, and that, in the past, the Board had identified ways to help AIACC implement proposals. He stated that this occasion is different because the Board is asking for AIACC to consider enforcement procedures, which it does not have access to. Mr. Welch agreed that, if the program is to be successful, the Board's concerns must be resolved. Mr. Baker stated that the CE program is a good example of the need to resolve the Board's concerns because the CE program is an unfunded mandate that has siphoned 25% of the Board's enforcement activities away from other enforcement efforts. He opined that areas more important to consumer protection are not getting the same level of attention. To mitigate this risk, Mr. Baker proposed that AIACC develop comprehensive proposed AIT program details. For instance, he asked, if there is a violation of the use of AIT, would the Board fine the firm or would the Board fine the individual? Mr. Baker asked, if the firm bestows the title on the individual, is the firm now responsible for that individual complying with the Act? He indicated that, after one year of conversation with AIACC about this particular issue, the Board still does not know basic answers to basic questions from what AIACC has presented. Mr. Baker suggested that AIACC develop answers to these questions before creating a program, imposing it on the State, and expecting the Board to enforce it. He spoke about his contact with a Board member from another jurisdiction that does allow "intern architect." Mr. Baker reported that the jurisdiction does nothing to implement its intern title program; it does not enforce anything.

Ms. Kwan asked Mr. Armstrong for NCARB's perspective about intern titling at the State and national level. Mr. Armstrong explained that NCARB has decided that the issue of intern titling is strictly jurisdictional. Ms. Hillegas stated that approximately 30 jurisdictions regulate some form of a title for an intern (i.e., AIT, intern architect) in statute. Mr. Armstrong clarified that there are 24 jurisdictions that use NCARB's model law (intern architect or architect intern). He reported that six jurisdictions use another title; of those, two jurisdictions use "intern," and four jurisdictions use "AIT." Mr. Armstrong reported that another 24 jurisdictions use no title at all. Officially, he stated, NCARB is indifferent to California's decision on the matter; it is strictly a jurisdictional issue.

Mr. Feng asked how AIACC would propose for the Board to regulate the AIT program if enacted. Mr. Cooknick stated that the Board will not regulate the title. Instead, he explained, AITs will only come to the Board's attention when they engage in prohibited behavior. For instance, Mr. Cooknick noted, misusing the AIT title would be the same as misusing the title Architect; "Architect," in every variation, is a misuse. Mr. Feng reminded Mr. Cooknick that an AIT is not an architect, and that the Board is only mandated to regulate architects. Mr. Welch indicated that AIACC is seeking to change statute in that regard.

Mr. Baker recognized that AIACC's constituency may feel strongly about this topic. He opined that Board members probably do not oppose the concept of AIACC's AIT proposal, but are struggling with how the proposal will actually work. Mr. Baker expressed his desire for AIACC to delay SB 1132 and work with the Board to make the implementation of the proposed AIT proposal rational, logical, and effective. Mr. Cooknick explained that AIACC's proposal, which was provided to the REC, is deemed incomplete because it is not yet comprehensive. He stated that, in his 20 years of working with the Board, he has never presented a fully comprehensive

proposal to advance an idea. Mr. Cooknick cited AB 1144 (Chapter 313, Statutes of 2002) [Business Entity Reporting] as an example of when the Board staff and AIACC worked together successfully to write and develop legislation.

Mr. Welch indicated that AIACC will submit its amendments and will need to consider immediate next steps since SB 1132 is due to be heard next in the Assembly. He expressed concern that the AIT proposal may be delayed by two years before it can again be reintroduced to the Legislature. Ms. Serrano expressed disappointment that AIACC, in her opinion, is strong-arming the Board by having introduced legislation without first addressing the Board's concerns about the AIT proposal. She suspected that SB 1132 may be a covert attempt to enhance firms' abilities to charge consumers higher rates for services. Mr. Welch assured the Board that SB 1132 is not about charging higher rates for services. He explained that AIACC was told by Senate Appropriations Committee staff that it concluded there would be no substantial cost to the bill, and that it would be more appropriate for policy committees to make the determination about cost.

Mr. McCauley explained that the Board has seemingly not been convinced that AIACC's AIT title proposal will actually solve a problem. He further explained the Board's view that its request for a "comprehensive" proposal was not met by AIACC's half-page description of the issue without accompanying data. Mr. McCauley stated that AIACC's proposal would not need to be presented to the REC four times and to the Board three times if the proposal was indeed comprehensive. He also noted that, yes, the Board and AIACC's impact is greater when both organizations work well together, but both organization's missions are different and distinct (protecting the public vs. promoting the profession); it would be a serious problem if AIACC and the Board agreed 100 percent on every issue. Mr. McCauley opined that the AIT title proposal appears to be an issue where, perhaps, the Board and AIACC do not agree. He stated that disagreements are appropriate and do not mean the relationship between AIACC and the Board is unhealthy.

Mr. Gutierrez recalled that the AIACC, when it proposed the concept years ago, did not want to create a title that could be used forever. He stated that, if the Board is to create regulation in the Act, the value of this title is missing. Mr. Gutierrez further stated that controls and mechanisms must be clear when considering something this important. He expressed his desire for the Board and AIACC to have a special meeting to address each other's concerns with SB 1132.

Mr. Gutierrez voiced his desire for amendments to SB 1132 that address all concerns so that emerging professionals may operate in a supportive practice environment.

Mr. Williams shared the view of his students at California Polytechnic State University, San Luis Obispo about intern titling. Mr. Williams reported that the AIT title was not widely supported (approximately two supporters out of a class of 40) when compared to other titles (e.g., project manager, designer). He expressed the importance of creating an effective proposal; one where potential needs and benefits outweigh potential problems and costs.

Mr. Baker asked if AIACC is willing to delay SB 1132 long enough to work through the logistics of implementing an AIT proposal and to develop a comprehensive proposal. He opined there may be support for the proposal if the Board knows how it works. Mr. Welch stated that many great intentions are delayed, and, therefore, although he would like to be respectful of the Board's conversation, he could not guarantee it. He also stated that he would have no problem with meeting with the Board again at a special meeting. Ms. Kwan expressed support for a special meeting to develop a comprehensive AIT title proposal with NCARB.

- **Matthew McGuinness moved to oppose SB 1132 (Galgiani).**

**Nilza Serrano seconded the motion.**

Mr. McGuinness stated that his opposition to the current legislation is rooted in the hope that it will be delayed long enough to give the Board an opportunity to have positive effect on AIACC's proposal.

**Jon Baker moved to amend the motion to oppose SB 1132 (Galgiani) unless amended to the satisfaction of the REC after having worked with AIACC on expanding the scope of the AIT title proposal's implementation.**

**Matthew McGuinness accepted the amendment to the motion.**

**Nilza Serrano seconded the amendment to the motion.**

**Members Campos, Feng, Gutierrez, Kwan, McGuinness, Pearman, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

Mr. Baker reiterated his hope for the REC and AIACC to work together to resolve this issue, and for the Board to consider REC's recommendation at a special Board meeting before September 2016.

#### **K. LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT**

Trish Rodriguez provided the Board with an update on the activities at the May 24, 2016 LATC meeting. Ms. Rodriguez reported that representatives from the American Society of Landscape Architects (ASLA) attended the meeting and provided a presentation on the Sustainable Sites Initiative.

Ms. Rodriguez informed that LATC's Strategic Plan contains an objective to "assess whether any revisions are needed to the regulations, procedures, and instructions for expired license requirements." She explained the LATC's relicensure process, and advised that under LATC's current provisions, an individual who has let their landscape architect license lapse for more than three years but fewer than five years may submit a request for re-licensure without retaking the Landscape Architect Registration Examination (LARE). The review process, Ms. Rodriguez explained, requires an applicant for re-licensure to submit a portfolio for the LATC's review that demonstrates their knowledge and skills in landscape architecture; the review will then determine whether the applicant must take and pass any required sections of the LARE in addition to the CSE prior to becoming eligible to renew their license. She advised that LATC staff assessed the Board's relicensure process and 16 other boards' processes. Subsequently, Ms. Rodriguez reported, the Committee directed staff to draft proposed language to amend the LATC's relicensure procedures, to require an individual whose license has expired for fewer than five years to pay any accrued fees, and to require the holder of a license that has expired for more than five years to reapply for licensure and retake the CSE. She reported that the Committee recommended amending BPC 5680.1 and 5680.2, and repealing California Code of Regulations (CCR) 2624 and 2624.1 in a way that would bring the LATC relicensure procedures into alignment with the Board's relicensure procedures. Ms. Rodriguez asked the Board to review

and take action on the proposed language to amend BPC 5680.1 and 5680.2, and to repeal CCR 2624 and 2624.1.

Mr. Feng asked if the LATC is concerned about ethical or disciplinary reasons for why a landscape architect license has lapsed. Ms. Rodriguez advised that the LATC has no such concern as disciplinary issues are considered separately.

- **Matthew McGuinness moved to approve the proposed language to amend BPC sections 5680.1 and 5680.2, and proposed regulations to repeal CCR sections 2624 and 2624.1, and delegate authority to the EO to adopt the proposed changes provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.**

**Tian Feng seconded the motion.**

**Members Campos, Feng, Gutierrez, Kwan, McGuinness, Pearman, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

Ms. Rodriguez reported that, in 2013, the LATC's budgetary fund condition reflected a balance of 19.5 months of unencumbered funds. To address the fund balance, she explained that the LATC implemented a permanent \$200,000 reduction in expenditure authority beginning with FY 2015/16 and temporarily reduced license renewal fees from \$400 to \$220 for the period July 1, 2015 to June 30, 2017. Ms. Rodriguez advised that in order to reduce the license renewal fees for another cycle, a regulatory change to amend CCR section 2649(f) would be needed. She informed that, at the May 24, 2016 LATC meeting, the Committee approved a recommendation to temporarily reduce license renewal fees from \$400 to \$220 for the period July 1, 2017 through June 30, 2019. Ms. Rodriguez asked the Board to review and take action on the Committee's recommendation.

Ms. Kwan enquired about why the LATC Analysis of Fund Condition with Fee Reduction document shows Months in Reserve for FY 2019/20 at a low 0.1. Ms. Rodriguez explained that the 2019/20 balance is a worst-case scenario projection, not actual. She indicated that the Committee will again discuss fees at its next Strategic Planning session.

- **Nilza Serrano moved to approve the proposed regulations to amend CCR section 2649(f), and delegate authority to the EO to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.**

**Barry Williams seconded the motion.**

**Members Campos, Feng, Gutierrez, Kwan, McGuinness, Pearman, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

#### L. CLOSED SESSION

The Board went into closed session to:

- 1) Consider action on the Closed Session Minutes of the March 3, 2015 Board meeting;

- 2) Confer with legal counsel on litigation regarding *Marie Lundin vs. California Architects Board, et al.*, Department of Fair Employment and Housing, Case No. 585824-164724;
- 3) Consider action on three Proposed Decisions;
- 4) Consider action on one Default Decision and Order;
- 5) Consider action on one Proposed Stipulated Settlement; and
- 6) Conduct the annual evaluation of its Executive Officer.

M. RECONVENE OPEN SESSION

The Board reconvened open session.

N. ADJOURNMENT

The meeting adjourned at 4:52 p.m.