

MINUTES
BOARD MEETING
CALIFORNIA ARCHITECTS BOARD

December 15-16, 2016

Sacramento

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

On December 15, 2016, Board President, Jon Alan Baker called the meeting to order at 10:40 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
Pasqual Gutierrez
Ebony Lewis
Robert C. Pearman, Jr. (Arrived at 10:45 a.m.)
Barry Williams

Board Member Absent

Nilza Serrano

Guests Present

Kurt Cooknick, Director of Regulation and Practice, The American Institute of Architects, California Council (AIACC)
Marq Truscott, Member, Landscape Architects Technical Committee (LATC)

Staff Present

Doug McCauley, Executive Officer (EO)
Vickie Mayer, Assistant Executive Officer (AEO)
Marccus Reinhardt, Program Manager Examination/Licensing
Alicia Hegje, Program Manager Administration/Enforcement
Mel Knox, Administration Analyst
Kristin Walker, Enforcement Analyst
Gabrial Nessar, Administration Technician
Bob Carter, Architect Consultant
Rebecca Bon, Staff Counsel, Department of Consumer Affairs (DCA)
Caesar Victoria, Television Specialist, DCA

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

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

Mr. Baker announced that LATC member Marq Truscott, is in attendance and that 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 POSSIBLE ACTION ON SEPTEMBER 29, 2016 BOARD MEETING MINUTES

Mr. Baker asked for comments concerning the minutes of the September 29, 2016, Board meeting.

- **Matthew McGuinness moved to approve the September 29, 2016, Board meeting minutes.**

Ebony Lewis seconded the motion.

There were no comments from the public.

Members Campos, Feng, Gutierrez, Kwan, Lewis, McGuinness, and President Baker voted in favor of the motion. Member Williams abstained. Members Pearman and Serrano were absent. The motion passed 7-0-1.

E. EXECUTIVE OFFICER'S REPORT - UPDATE ON NOVEMBER 2016 MONTHLY REPORT ON BOARD'S ADMINISTRATIVE/MANAGEMENT; AND EXAMINATION, LICENSING AND ENFORCEMENT PROGRAMS

Doug McCauley noted that, with the exception of the Professional Qualifications Committee, all Board committees met in the fourth quarter. Mr. McCauley indicated that a Board meeting date of March 2, 2017, in Los Angeles, has been identified; staff is identifying meeting dates for the remainder of 2017. He also reported that Board staff concluded the process to retain and contract with a new architect consultant per an objective in the Strategic Plan. Mr. McCauley also noted that enforcement metrics continue to meet standards under DCA's Consumer Protection Enforcement Initiative. He announced that Trish Rodriguez, former LATC Program Manager, is no longer with the Board, and recruiting efforts are underway to fill her position.

F. ELECTION OF 2017 BOARD OFFICERS

Mr. Baker advised that as Board President, he appointed members Gutierrez and Serrano to a Nominations Committee charged with making a recommendation for a slate of officers for 2017. Mr. Gutierrez explained the Board's nominating process and proposed the following slate of officers based on the qualifications and interest expressed by the members: Matthew McGuinness, President; Sylvia Kwan, Vice President; and, Tian Feng, Secretary.

- **Denise Campos moved to elect Matthew McGuinness for President, Sylvia Kwan for Vice President, and Tian Feng for Secretary for 2017.**

Barry Williams seconded the motion.

There were no comments from the public.

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

G. REGULATORY AND ENFORCEMENT COMMITTEE (REC) REPORT

Mr. McGuinness, REC Chair, reported that the REC met on November 8, 2016, to continue its work on assigned 2015-2016 Strategic Plan objectives.

Kristin Walker reminded the Board of its objective to identify and pursue needed statutory and regulatory changes so laws and regulations are consistent with current architectural practice to promote public health, safety, and welfare, such as amending the Architects Practice Act (Act) written contract requirement (Business and Professions Code section [BPC] 5536.22). Ms. Walker also reminded the Board that, at its June 12, 2014, meeting, it approved REC's recommendations and proposed language to add a description of the: 1) project and address; and 2) procedure to accommodate contract changes, to the written contract requirements. She reported that, to improve protections afforded to consumers and architects through the written contract requirement, in addition to the amendments to BPC 5536.22 that were previously approved by the Board, the REC also considered requiring 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 and the Board is the licensing entity, in an architect's written contract. Subsequently, at its April 28, 2016, meeting, Ms. Walker advised, the REC recommended that staff develop proposed language to amend BPC 5536.22 with two additional provisions for the REC's consideration at its next meeting. She stated that, at its November 8, 2016, meeting, the REC reviewed and discussed the proposed language to amend BPC 5536.22. Ms. Walker reported that the REC supported adding the two additional provisions to the written contract requirement, but ultimately voted to recommend to the Board that it approve the proposed language to amend BPC 5536.22 with an edit to utilize the words "concerns about" instead of "complaints concerning" in the proposed subsection (a)(9).

- **Robert C. Pearman, Jr. moved to approve proposed language to amend BPC 5536.22, with an edit to utilize the words "concerns about" instead of "complaints concerning" in the proposed subsection (a)(9).**

Pasqual Gutierrez seconded the motion.

Mr. McGuinness reiterated that the REC did not support the phrase "complaints concerning," and determined that "concerns about" is a better alternative. Mr. Baker enquired about the disclosure statement in subsection (a)(9), to which Mr. McCauley explained that other licensing boards have similar provisions, but that REC believes "concerns about" is a better choice of words. He also explained subsection (a)(9) promotes consumer education by making consumers aware that architecture is a regulated licensed profession.

The Board further discussed the proposed (a)(9) provision as it concerns contract requirements. Mr. Baker asked whether contract language per the proposed subsection (a)(9) provision must be present in American Institute of Architects (AIA) documents and other contracts developed by public entities. Mr. McCauley opined it would be incumbent upon the parties of the contract to

ensure that appropriate (required) language is reflected in the contract. Mr. Baker asked whether the architect will be held accountable and disciplined for not having a compliant contract if the proposed (a)(9) language is excluded from the contract even if the architect did not author the contract. Mr. McCauley stated that although action could be taken against an architect for that reason, the Board historically does not issue citations for a single missing element of a contract, citing prosecutorial discretion. He informed that, in the past, the Board granted time for new provisions to become familiar within the profession, giving the Board opportunities to engage in professional and public education before taking enforcement action. Bob Carter explained that contracts are living documents that can be amended, but that an enforcement case would not be opened against an architect for not having the proposed (a)(9) provision in the contract unless there were other compelling issues in the complaint. Mr. Baker noted that some public entities will not allow their contracts to be amended in a “take it or leave it” approach to dealing with potential vendors. Mr. Carter opined that, in an instance when an entity will not allow an architect to amend the contract, the Board would not hold the architect responsible for the absence of the proposed (a)(9) provision (would not be a citable offense). Mr. Baker expressed unease about creating a requirement without an enforcement mechanism. Rebecca Bon clarified that if the proposed (a)(9) provision is in statute, it is law; therefore, subsection (a)(9) must be in every contract. The Board also discussed how the proposed (a)(9) provision makes consumers aware of the Board’s existence, that the Board regulates the profession, and that consumers may contact the Board if they have concerns. Mr. Baker opined that using a contract as a vehicle for public disclosure is not appropriate, and expressed his desire for the REC to consider alternative methods of disclosure.

- **Jon Baker offered an amended motion to approve proposed language to amend BPC 5536.22 (a)(8) as recommended by the REC and return proposed subsection (a)(9) to the REC for further study.**

Matthew McGuinness seconded the amended motion.

Ms. Campos expressed her view that subsection (a)(9) as proposed would enhance the Board’s ability to educate consumers about the Board, and there would be no problem implementing it into code. Mr. McGuinness expressed concern about creating laws that are only designed to address issues in small portions of the population, yet impact all consumers. Mr. Williams agreed that the Board should take additional time to consider alternative ways to implement subsection (a)(9). Board members and members of the public further conveyed their opinions about the appropriateness of the proposed (a)(8) and (a)(9) provisions. Mr. Gutierrez opined it is a regulations issue and needs to be moved to another committee. Ms. Kwan agreed with Mr. Gutierrez and opined that subsection (a)(9) is out of place. Kurt Cooknick expressed concern about proposed subsections (a)(8) and (a)(9), noting that public agencies may be unwilling to add these provisions in a contract. Mr. Cooknick explained that an architect may not have the power to include this language when dealing with an unwavering client.

Members Campos, Feng, Gutierrez, Kwan, Lewis, McGuinness, Williams and President Baker voted in favor of the motion. Member Pearman opposed the motion. Member Serrano was absent. The motion passed 8-1-0.

Ms. Walker explained that Title 16, California Code of Regulations section (CCR) 152 (Citations) authorizes the Board’s EO to issue citations containing orders of abatement and/or administrative fines pursuant to BPC 125.9 or 148 against an architect or an unlicensed person for violations of

the Act or Board regulations. She conveyed that staff requests that the Board consider amendments to CCR 152.5 which would enable the EO to delegate authority to a designee such as the AEO or the Enforcement Program Manager to conduct informal conferences. Ms. Walker also advised that staff worked with legal counsel to prepare proposed regulatory language to amend CCR 152.5 to include the following revisions:

1. Changing the deadline for requesting an informal conference from 10 days after service of the citation to 30 days of the date of issuance of the citation, for consistency with the deadline for requesting a formal administrative hearing as provided for in BPC 125.9(b)(4);
2. Authorizing the EO or a designee to extend the 60-day period for holding the informal conference for good cause; and
3. Clarifying that the decision to affirm, modify, or dismiss a citation is made following (rather than at the conclusion of) an informal conference, and a copy of the decision will be transmitted to the cited person within 30 days after the conference.

Ms. Walker reported that the REC reviewed and discussed staff's draft proposed regulations to amend CCR 152.5, and voted to recommend to the Board that it approve the regulations to amend CCR 152.5 and authorize staff to proceed with the regulatory change.

- **Denise Campos moved to approve the proposed regulations to amend CCR 152.5, 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.**

Ebony Lewis seconded the motion.

Mr. Gutierrez asked about the clause that specifies the EO delegation would only be utilized in the event the EO knows one of the parties in the investigation or for simple unlicensed cases; he enquired about whether it applied only in cases of potential conflicts of interest. Mr. McCauley explained that it is intended to apply only in cases of potential conflicts of interest. He advised that, should the motion be approved, the Initial Statement of Reasons required in the rulemaking file can be written to include a broader allowance for the delegation.

There were no comments from the public.

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

Ms. Walker reminded the Board that, at its December 10, 2015, meeting, the Board reviewed and approved additional recommended revisions to the Board's *Disciplinary Guidelines* and the proposed regulation to amend CCR 154 (Disciplinary Guidelines). She reported that staff prepared the proposed regulatory package for legal counsel's approval, and that several substantive changes were determined necessary prior to submission to the Office of Administrative Law. Ms. Walker explained that, based on legal counsel's recommendations, staff proposed additional revisions to the Board's *Disciplinary Guidelines*, including:

1. Expanding the content of the “General Considerations” section;
2. Adding recommended maximum and minimum penalties for several violations of BPC;
3. Amending the recommended minimum penalties for violations of the Act, general provisions of the BPC, and Board regulations based upon changes made to the standard and optional conditions of probation;
4. Lowering the minimum recommended penalty for less egregious violations of the Act (i.e., written contract requirement, mailing address and business entity reporting requirements, etc.) to stayed revocation with three years’ probation;
5. Adding model language for disciplinary orders;
6. Adding a severability clause, a license surrender option, and requirements for a probationer to maintain an active and current license and notify the Board of any changes to his or her address, telephone number, and employment, to the standard conditions of probation;
7. Adding an ethics course and the procedures for the notification to clients to the optional conditions of probation;
8. Amending the language of Optional Conditions 9 (California Supplemental Examination) and 10 (Written Examination) to revise the timelines within the “condition subsequent” option as well as within the “condition precedent” option; and
9. Making minor, technical or non-substantive changes throughout the document.

Ms. Walker explained that the Board’s *Disciplinary Guidelines* with additional recommended revisions and the proposed regulatory language to amend CCR 154 were approved by DCA legal counsel on November 1, 2016, as well as by the REC at its November 8, 2016, meeting. She asked the Board to consider the REC’s recommendation and take action on the revisions to the *Disciplinary Guidelines* and proposed regulatory language to amend CCR 154.

- **Ebony Lewis moved to approve the additional revisions to the Board’s *Disciplinary Guidelines* and the proposed regulatory language to amend CCR 154 in order to incorporate the revised *Disciplinary Guidelines* by reference, 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.**

Denise Campos seconded the motion.

There were no comments from the public.

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

H. COMMUNICATIONS COMMITTEE REPORT

Ms. Kwan Chair of the Communications Committee reported that the Committee met on November 10, 2016, to continue work on its assigned Strategic Plan objectives.

Mel Knox reminded the Board of its objective assigned to the Communications Committee to collaborate with professional organizations and universities to raise awareness at community colleges and high schools about the profession and the paths to licensure. Mr. Knox stated that, at its December 10, 2015, meeting, the Board approved the Committee's recommendation for continued collaboration with organizations and universities to raise awareness at community colleges and high schools, and to connect to entities with local AIA components in these efforts, and continue production of a career poster targeted toward community college students. He reported that Board staff designed a mock-up poster, and presented it to the Communications Committee at its November 10, 2016, meeting. Mr. Knox informed that the Committee approved the poster's written content, but requested that staff further enhance its design elements. He indicated that Communications Committee Vice Chair, Nilza Serrano, volunteered to work with staff to enhance the poster's design elements.

The Board and staff discussed the career poster's messages, the appropriate volume of text for the poster's target audience, and suggested technical edits and modifications. The Board agreed to implement the following edits to the poster without sending it back to the Communications Committee:

1. Strike the "Your associate degree counts toward the requirements to become an architect" sentence in the text box;
 2. Replace the word "Join" with the phrase "Learn about" with reference to the American Institute of Architecture Students;
 3. Correct a typographical error; and
 4. Add a Quick Response Code (QRC).
- **Jon Baker moved to approve the draft career poster for community colleges with recommended edits and modifications.**

Robert C. Pearman, Jr. seconded the motion.

There were no comments from the public.

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

Mr. Knox reminded the Board of its 2015-2016 Strategic Plan objective to survey recipients of the Board's educational materials to determine the effectiveness of outreach efforts. He explained that, to support its strategic priorities, the Board has historically provided outreach and education to six main audiences: consumers (clients of architects); candidates and pre-candidates (interns and students); professionals (architects); building officials; allied professionals (other design and

construction sector associations and licensing boards); and the architectural education community. Mr. Knox also reminded the Board that, at its December 10, 2015, meeting, the Board approved the Communications Committee's recommendation to develop a printed survey that could be inserted in the *Consumer's Guide to Hiring an Architect* publication and an additional survey for distribution to California building officials as part of the Building Official Contact Program. He noted that staff created a draft of the two surveys and presented them to the Communications Committee at its November 10, 2016, meeting for consideration. Mr. Knox reported that the Committee approved the draft surveys for the Board's consideration, with a minor edit to the *Consumer's Guide to Hiring an Architect* Survey.

The Board discussed the two surveys and how they may be disseminated. Vickie Mayer explained that the *Consumer's Guide to Hiring an Architect* survey would be inserted into the printed publication as a postcard. Ms. Mayer conveyed that respondents would also have the option of completing the survey electronically via QRC. She noted that consumers receive the publication via mail, via building and planning departments, and have access to it on the Board's website. Ms. Lewis suggested following up with recipients who receive the *Consumer's Guide to Hiring an Architect* electronically, to which Ms. Mayer stated that staff is exploring the possibility of utilizing a pop-up survey when one accesses the publication online. Mr. Williams recommended moving *Consumer's Guide to Hiring an Architect* survey questions 9 and 10 to the beginning of the survey. Ms. Mayer explained that the Building Official Contact Program evaluation survey is designed for first-hand distribution following a Board presentation at a Building Official meeting.

- **Denise Campos moved to approve the draft Building Official Presentation Evaluation and draft Consumer's Guide to Hiring an Architect Survey with minor edits.**

Robert C. Pearman, Jr. seconded the motion.

There were no comments from the public.

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

Mr. Knox reminded the Board of its 2015-2016 Strategic Plan objective assigned to the Communications Committee to partner with the Contractors State License Board (CSLB) to identify and implement best practices for educating consumers about the Board in order to improve consumer education efforts. In addition, he also reminded the Board of the Strategic Plan objective, initially assigned to the Executive Committee, to collaborate with the DCA Office of Public Affairs (OPA) to improve outreach and communication. Mr. Knox informed that this objective was reassigned to the Communications Committee due to the similar nature of the two objectives. Mr. Knox outlined the responsibilities of the OPA and CSLB's Public Affairs Office, and identified the following ways to potentially collaborate:

1. Develop a joint consumer-oriented website that explains the entire design and construction process, common issues, etc.; the Board of Registration for Professional Engineers, Land Surveyors, and Geologists; LATC; and the Bureau of Real Estate could also participate;

2. Create a joint “messaging calendar” to facilitate a coordinated information campaign centered around specific events (Building Safety Week, Great Shake Out, energy conservation tips, etc.); and
3. Seek “earned media” via opinion pieces on key topics [importance of a written contract, verifying licensure, value of permits (plan review and inspection services), etc.].

Mr. Knox reported that, at its November 10, 2016, meeting, the Communications Committee approved staff’s three above-mentioned recommendations to potentially collaborate with DCA’s OPA and CSLB for the Board’s consideration.

The Board discussed its available resources for managing and implementing “earned media.” Mr. McCauley explained that Board staff would leverage resources at larger organizations to collaborate on projects.

- **Robert C. Pearman, Jr. moved to approve the Communications Committee’s three recommendations for potential collaboration with DCA’s OPA and CSLB.**

Barry Williams seconded the motion.

There were no comments from the public.

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

K.* CLOSED SESSION

The Board went into closed session to:

1. Consider action on the September 29, 2016, Closed Session Minutes; and
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.

There were no disciplinary matters discussed at this meeting.

L. RECONVENE OPEN SESSION

The Board reconvened open session.

I. EXECUTIVE COMMITTEE REPORT

Mr. Baker informed the Board that the Executive Committee met on December 1, 2016, to continue work on its assigned Strategic Plan objectives, and to identify candidates for the Octavius Morgan Distinguished Service Award for 2016.

Mr. McCauley explained the history of the Octavius Morgan Distinguished Service Award and reported that the Executive Committee voted to recommend two recipients for the Board’s approval: Donald Hodges and Connie Christensen. He also conveyed the Committee’s desire to

expand the pool of individuals considered for the award each year to non-traditional candidates (e.g., LATC-affiliated, national participants).

- **Barry Williams moved to approve that Donald Hodges and Connie Christensen be awarded the Octavius Morgan Distinguished Service Award for 2016.**

Denise Campos seconded the motion.

There were no comments from the public.

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

Mr. Knox reminded the Board of its 2015-2016 Strategic Plan objective to review, leverage, and evaluate the effectiveness of the Board's liaison program to build stronger relationships with organizations. He reviewed several program enhancements that were implemented since 2014, and reported that the Executive Committee determined the liaison program to be valuable and voted to recommend that the Board continue with current program implementation efforts.

- **Tian Feng moved to continue with the liaison program as currently implemented.**

Ebony Lewis seconded the motion.

There were no comments from the public.

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

Mr. Knox reminded the Board of its 2015-2016 Strategic Plan objective to annually present consumer satisfaction survey data to measure performance and identify areas for improvement. He indicated that the Board currently utilizes two surveys: 1) general customer survey for candidates, licensees, and consumers who have filed complaints against architects/unlicensed individuals; and 2) DCA consumer complaint-specific survey, which is provided to complainants when an enforcement case is closed. Mr. Knox reported that the general customer survey results indicate an overall customer satisfaction rating of 82 percent. He also noted that staff is identifying potential improvements and modifications to the general survey so that it is better tailored to the Board's various constituents, and so that it allows the Board to collect more reliable data while enabling the Board to better assess its performance and identify potential areas for improvement. Mr. Knox shared that the Executive Committee reviewed the results from both surveys, and suggested that, in the future, staff provide a list of changes made to the Board's practices and operations based on survey results and commentary. He also advised that the Committee made a recommendation for the Board to continue with current efforts to develop enhanced surveys.

The Board discussed the DCA consumer complaint-specific survey low response rate. Ms. Walker reported that the Board closes between 30 and 40 enforcement cases per month, but had only received four survey responses since January 1, 2015.

- **Tian Feng moved to continue with current efforts to refine the consumer satisfaction surveys, and for staff to report back to the Board changes made to its practices and operations in response to survey results and commentary.**

Barry Williams seconded the motion.

There were no comments from the public.

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

Ms. Mayer informed the Board of its objective to analyze fees to determine whether they are appropriate. She reminded the Board that the objective was last considered at its December 10, 2015, meeting, when it approved an Executive Committee recommendation not to modify its budget or fees. Ms. Mayer indicated that, per DCA Budget Office staff's guidance, the Board's fees were determined to be at appropriate levels. In addition, she explained, due to the 2011 increase of the Board's renewal fee from \$200 to \$300 and a recent \$300,000 voluntary reduction in its spending authority, staff was directed to monitor the Board's fund condition for an additional year and reassess it after the conclusion of fiscal year 2015/16. Ms. Mayer noted that BPC 128.5 requires the Board to take action if the fund condition meets or exceeds 24 months in reserve. She reported that, as instructed, staff again met with Budget Office personnel to review the Board's fund condition (which shows a slight downward trend in Months in Reserve as shown in report entitled Analysis of Fund Condition). Ms. Mayer explained that the Budget Office's assessment remains the same; it recommends monitoring the fund condition for an additional year.

The Board and staff discussed the cyclical nature of its fund balance due to license renewal system.

- **Robert C. Pearman, Jr. moved to maintain fees at their current levels and continue to monitor the Board's fund condition with DCA Budget Office personnel until such time their determination changes.**

Sylvia Kwan seconded the motion.

There were no comments from the public.

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

Mr. McCauley reminded the Board of its 2015-2016 Strategic Plan objective to complete the Sunset Review process and implement recommendation(s) to comply with the Legislature's directives. He also explained that staff will begin to focus much of its time on Sunset Review in the months ahead. Mr. McCauley explained the upcoming Sunset Review process, timeline, and how the Board should view it as an opportunity to engage in a healthy self-examination.

Mr. McCauley identified seven issues raised by the Legislature from its 2014 Sunset Review Report related to 1) travel restrictions, 2) pro-rata, 3) BreZE implementation, 4) streamlining licensure, 5) continuing education audit failure rate, 6) information sharing with national disciplinary database, and 7) collection of fines. He reported that there were no directives made by the Legislature during or after the March 18, 2015, hearing; however, within the seven issues addressed, there are several actionable items the Board should monitor or implement. Mr. McCauley then outlined Legislative committee staff recommendations, as well as recommended Board responses and actions for each of the seven issues. He advised that the Executive Committee considered the background and status on the Sunset Review issues, and approved the recommended actions at its December 1, 2016, meeting.

The Board agreed to use the Executive Committee-approved recommendations to guide action for the 2018 Sunset Review Report. No formal action was taken on this agenda item.

J. UPDATE ON LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE NOVEMBER 4, 2016 MEETING

Mr. McCauley updated the Board on the activities of the LATC at its November 4, 2016, meeting. He explained that LATC focused much of its time on proposed regulations designed to expand the reciprocity licensure requirements. Mr. McCauley conveyed that LATC, much like the Board, supports flexible pathways to licensure in California and seeks to expand in the area of reciprocity. He suspected that the proposed regulations will become more flexible and advised that they will be considered by the Board after LATC fully considers them in 2017.

Ms. Kwan expressed concern that LATC's travel restrictions may limit its ability to influence professional policy on the national stage. Mr. McCauley reported that, in fact, the Board (and LATC) has had recent success in obtaining approval for travel. He explained that the Brown Administration recognizes the importance of national participation.

M. RECESS

The meeting recessed at 1:45 p.m.

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

On December 16, 2016, Mr. Baker called the meeting to order at 9:13 a.m. and Ms. Kwan called roll.

Board Members Present

Jon Alan Baker, President
Matthew McGuinness, Vice President
Sylvia Kwan, Secretary
Denise Campos
Tian Feng
Pasqual Gutierrez
Ebony Lewis
Robert C. Pearman, Jr.
Nilza Serrano (Arrived at 9:15 a.m.)
Barry Williams

Guests Present

Kurt Cooknick, Director of Regulation & Practice, AIACC

Julie Kolaszewski, Strategic Planner & Facilitator, DCA Strategic Organization, Leadership, and Individual Development (SOLID)

Marq Truscott, Member, LATC

Dennis Zanchi, Organizational Development Manager, DCA SOLID

Staff Present

Doug McCauley, Executive Officer

Vickie Mayer, Assistant Executive Officer

Marcus Reinhardt, Program Manager Examination/Licensing

Alicia Hegje, Program Manager Administration/Enforcement

Mel Knox, Administration Analyst

Kristin Walker, Enforcement Analyst

Gabrial Nessar, Administration Technician

Bob Carter, Architect Consultant

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

O. PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There were no comments from the public.

P. STRATEGIC PLANNING SESSION

Julie Kolaszewski and Dennis Zanchi from SOLID facilitated the Board's strategic planning session and lead the Board through its review of accomplishments for 2015-2016, its mission, values, and strategic goals, which assisted members in developing objectives for 2017-2018.

SOLID will update the Strategic Plan with changes made during this session, and the Board will review and finalize the plan at its next meeting.

Q. REVIEW OF FUTURE BOARD MEETING DATES

Mr. McCauley indicated that Board members will be surveyed for availability for meeting dates in 2017.

R. ADJOURNMENT

The meeting adjourned at 3:45 p.m.

**Agenda items for this meeting were taken out of order to accommodate presenters of items. The order of business conducted herein follows the transaction of business.*