



CALIFORNIA ARCHITECTS BOARD

MEETING MINUTES

September 10, 2021
Teleconference Meeting

A. Call to Order / Roll Call / Establishment of a Quorum

On September 10, 2021, Board President, Tian Feng, called the meeting to order at 10:07 a.m. and Vice President, Nilza Serrano, called roll.

Board Members Present

Tian Feng, President
Nilza Serrano, Vice President
Robert Pearman, Jr., Secretary
Malcolm "Brett" Gladstone
Ronald Jones
Mitra Kanaani
Sylvia Kwan
Ebony Lewis
Charles "Sonny" Ward, III

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

Guests Present

Scarleth Bodan
Patricia Trauth, LATC Member
Jon Wreschinsky, LATC Member

Staff Present

Laura Zuniga, Executive Officer (EO)
Jane Kreidler, Manager, Administration Unit
Alicia Kroeger, Manager Enforcement Unit
Trish Rodriguez, Manager, LATC
Marccus Reinhardt, Manager, Examination/Licensing Unit
Idris Ahmed, Enforcement Analyst
Jesse Bruinsma Continuing Education Analyst
Blake Clark, LATC Examination Coordinator

Darren Dumas, Examination/Licensing Analyst
Coleen Galvan, Communications Analyst
Drew Liston, Board Liaison
Kim McDaniel, Administration Analyst
Kourtney Nation, LATC Special Projects Analyst
Michael Sganga, Enforcement Analyst
Stacy Townsend, LATC Enforcement Analyst

DCA Staff Present

Karen Halbo, Regulatory Counsel, Attorney III
Carrie Holmes, Deputy Director, Board and Bureau Relations
Michael Kanotz, Board Counsel, Attorney III
Tracy Montez, Chief, Division of Programs and Policy Review

B. President's Procedural Remarks and Board Member Introductory Comments

Mr. Feng announced that 1) the meeting is being webcast and pursuant to the provisions of Governor Gavin Newsom's Executive N-08-21, dated June 11, 2021, a physical meeting location is not being provided, and 2) Jon Wreschinsky and Patricia Trauth, LATC members, are in attendance.

Mr. Feng introduced new Board member Mitra Kanaani, appointed by Governor Newsom. Ms. Kanaani briefly shared her background.

There were no comments from the public.

C. Update on the Department of Consumer Affairs (DCA) – Carrie Holmes, Deputy Director, Board and Bureau Relations, DCA

Carrie Holmes, DCA's Deputy Director for Board and Bureau Relations, welcomed Ms. Kanaani on her appointment to the Board. Ms. Holmes provided the following DCA update:

- As the law and executive orders stand today, after September 30, 2021, in-person meetings will be required; however, due to changes in the ongoing COVID-19 pandemic, there is legislation pending that would extend the ability to meet remotely until at least January 31, 2022.
- To combat the spread of COVID-19 and to protect vulnerable communities, California is implementing enhanced safety measures for state employees and workers in health care settings. State employees must show proof of vaccination or be tested regularly. Board members are considered employees and must follow health and safety protocols if they plan to visit a DCA location or attend an in-person meeting.

- DCA's COVID-19 testing program is expected to begin rolling out the week of September 20.
- Statewide guidance on the use of face coverings from the California Department of Public Health remains in place unless a local order is used for that community. Visit DCA's COVID-19 web page for updates and resources.
- 2021 is a mandatory sexual harassment training year and all employees and Board members are required to complete the training. The training is accessed through the learning management system, also referred to as LMS, on DCA's training portal.
- Newly appointed and reappointed members are required to attend Board member orientation training within a year of appointment or reappointment. The final training of 2021 will be held on WebEx on October 13.

In response to an inquiry about whether the Board could meet in-person before January 2022, Ms. Holmes indicated that Boards and committees do have the ability to meet in person and that they need to adhere to public health guidance and testing/vaccine protocol.

There were no comments from the public.

D. Public Comment on Items Not on the Agenda

There were no comments from the public.

E. Review and Possible Action on June 11, 2021, Board Meeting Minutes

Nilza Serrano moved to approve the June 11, 2021, Board Meeting Minutes.

Ebony Lewis seconded the motion.

There were no comments from the public.

Members Gladstone, Jones, Kwan, Lewis, Pearman, Serrano, Ward and President Feng voted in favor of the motion. Ms. Kanaani abstained.

F. Communications Committee Report

1. Update from September 1, 2021, Communications Committee Meeting

Jane Kreidler, Administration Manager, provided background information sharing that during the June 2021 Board meeting President Feng asked the Committee to

meet to develop objectives for the outreach program and strategic plan items. Ms. Kreidler provided the following Committee update:

The Committee formed a subcommittee that will contact schools with architectural programs--one community college, and one California State University each year to educate them about CAB and to answer licensure questions. Another suggestion was to email directors of schools twice a year to solicit information.

Strategic plan ideas discussed included: (1) enhance social media regarding licensure, payment methods, consumer resources, (2) work with DCA on an earned media campaign to educate the public about resources and the role of architects, (3) use ethnic media to share stories, and (4) refresh and renew communication with firms, licensees, and the public on the core mission of CAB in protecting the health, welfare, and life safety of the public through regulation of the practice.

Chair Campos inquired about staffing and current communications efforts. One analyst is dedicated to communications and works in the Administration Unit. Current outreach includes social media, the newsletter, industry bulletins, the Annual Practice Brief, and ongoing publications. Plans include video production, website overhaul, and new publications.

The Committee Chair requested that staff send monthly updates to committee members on outreach efforts. This reporting will begin in September.

Mr. Feng summarized that some of these topics will be part of the strategic planning session in October.

There were no comments from the public.

G. Executive Officer's Report – Update on Board's Administration / Management, Examination, Licensing, and Enforcement Programs

1. Review and Discussion of California Supplemental Exam – Tracy Montez, Chief of Divisions of Programs and Policy Review

Ms. Zuniga introduced Ms. Montez and shared that this presentation is a follow up to the June 2021 Board meeting presentation by OPES on the California Supplemental Examination (CSE) development process where there were questions about the role of Board members in the exam development process.

The presentation covered the following topics: (1) definition of licensure, (2) licensure guidelines and mandates, (3) legal basis, (4) key concepts, (5) examination validation cycle, and (6) description of practice/CSE.

Mr. Pearman asked how the goal of consistency is measured. Ms. Montez shared that overall exam performance and item-level statistics are assessed for large fluctuations in pass rates with the introduction of a new testing module.

Mr. Pearman asked about available examinee demographic data. Ms. Montez indicated in California there is a code that prevents mandatory collection; however, she shared that some Boards are exploring collecting the information voluntarily.

A member inquired about how redundancy with NCARB test items is addressed. Ms. Montez shared that the process includes assessing the practice in terms of what is performed, and the knowledge necessary to perform those tasks. This blueprint is used for item writers and item reviewers so that every item in the CSE is linked. She indicated that each item is checked to see if it is included in the NCARB exam.

Ms. Kanaani shared that the term *minimum degree of competency* used in the test development process was unclear. Ms. Montez explained that OPES has a working document that is used in workshops that contains examples of competency levels.

Ms. Montez highlighted the difference between state and national exams. She shared that for a national exam, a test can only ask items that are applicable to all states; therefore, the exam is less specific. She noted it is so important to have a CSE when it's needed and when its defensible.

Ms. Zuniga shared that in reviewing the strategic plan survey results, respondents wanted to know why the CSE can't go back to being an oral exam. Ms. Montez shared problems with oral exams include that they are difficult to standardize, they have a lot of error, reliability is a challenge, and they are expensive and time consuming to administer. Non-oral exams are more valid, reliable and standardized. She shared they can write robust, higher-order, cognitive-processing questions that require test-takers to know the material and to apply it. Ms. Montez shared that empirical evidence from studies conducted with the Psychology Board showed that some individuals who would have passed should have failed and vice versa.

Ms. Kwan stated that she plans to work with NCARB on the issue of practitioners who have extensive knowledge and experience but who have not passed the architect licensing exam. Ms. Montez explained that sometimes practitioners on an experience pathway struggle with a national exam because their experience is deep and targeted in contrast to the exam which is broad.

Mr. Ward shared that bias is a problem with oral exams since the field is not very diverse and the exam is subjective. Mr. Ward shared there is a disconnect between architectural education and licensure. He suggested the Board conduct outreach to inquire about efforts to ensure NCARB testing and CSE are part of professional practices courses and to encourage those efforts.

Mr. Feng asked about the Board's role in achieving the scope and content of the CSE at a policy level. Ms. Montez suggested that the Board may find it helpful to review the Examination Plan in the validation report that details what is measured in each content area. She presented that a diverse group of subject matter experts from across the state who are currently working in the field, use the Examination Plan to write test items and this is part of what makes the test defensible.

Mr. Feng presented that AB 1010, currently moving through the legislative process, addresses zero net carbon design. He asked how the Board can ensure that the CSE prepares candidates in this specific subject area. Ms. Montez shared that the Board should not do this because that would override the Occupational Analysis process. She indicated that Board staff and OPES ensure that all important legislation that is passed is included in the exam under the appropriate content area. Ms. Montez shared that it is preferred that the Board not direct staff because the OA process should guide the exam.

Mr. Jones shared that as a member of the Regulatory and Enforcement Committee, he has observed most of the cases that come before the Board have less to do with technical aspects and more to do with issues relating to professional practice. He asked whether there was a correlation between areas of exam failure and where practitioners fail to perform. Ms. Montez shared that to her knowledge, this type of correlational analysis between enforcement actions and the exam has not been conducted but could be explored. Ms. Montez reiterated that items are included on the exam based on importance and frequency.

2. Budget Update

Ms. Zuniga shared during the prior Board meeting there were questions about the Board's fund condition and loan repayment. She said that an updated fund condition has been requested from the Budget Office and upon receipt, she will share that information with Board members as a follow -up.

3. Quarterly Report

Ms. Zuniga presented the Quarterly Report as follows:

- The Board will conduct an in-person strategic planning session. Once the Board adopts a new strategic plan, committee meetings will be scheduled. LATC will meet later this year and adopt their strategic plan.
- Majority of staff continue to telework and DCA plans to begin testing unvaccinated staff at the end of this month.
- Ms. Zuniga thanked the Board's regulations counsel, Karen Halbo, for her efforts working with staff to move regulations through the process. The highest priority regulation packages are the retired license fee and regulations to further define the existing disability access Continuing Education (CE) requirement.
- NCARB recently released their report, "By the Numbers" that has demographic data for their examinees and this information can be used for the Board's strategic planning session.
- Ms. Zuniga shared that in reviewing the strategic plan survey results, several respondents questioned how not all enforcement items make it to the Board in Closed Session. Ms. Zuniga clarified that most complaints received do not go before the Board because they are addressed administratively at a lower level and are not considered formal discipline. She indicated that the Board could issue a citation (her role as the EO) and if the licensee/non-licensee pays the citation, it does not go to the Board. The matter only goes to the Board if there is a formal appeal of the citation or if the Board is seeking to suspend or revoke a license.

There were no comments from the public.

H. Discuss and Possible Action on Modified Proposed Regulatory Text for California Code of Regulations (CCR), Title 16, Division 2, Article 5, Section 135 (Architectural Advertising)

Idris Ahmed, Enforcement Analyst, shared that the Board has been working on a regulation for architectural advertising that would require architects to include their name and license number on advertising. For firms with two or more architects, the requirement can be fulfilled by having one person who is in management control include their license number. Mr. Ahmed shared that the Board approved regulatory text at the December 2020 meeting. Staff worked with the Legislative Affairs Division's (LAD) Regulations Unit and added the definition of *management control* to the text. LAD requires the Board to approve this change.

Robert Pearman summarized that the term *management control* was already in the regulatory text the Board previously approved, and the modification is just that of cross referencing the definition.

Sylvia Kwan made a motion to adopt the proposed Modified Text for Section 135, direct the EO to take all steps necessary of the rulemaking process, authorize the Executive Officer to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day public comment period and, if no adverse comments are received during the 45-day comment period and no hearing is requested, adopt the proposed regulatory changes, as modified.

Robert Pearman seconded the motion.

A member sought clarification about what is meant by the term architectural advertising and Mr. Ahmed summarized the phrase as “any presentments to the public”.

In response to a question about those who misrepresent themselves as architects, Mr. Ahmed offered the intent of the regulation is to increase consumer awareness of licensed architects. Mr. Pearman summarized that the genesis of the regulation was because while the Board is unable to control websites, it could require a license number on advertisements; and consumers would know that the individual is a licensed architect.

Sonny Ward asked if the term *Internet Web site* is sufficient to cover social media such as Instagram and Facebook. Discussion ensued.

Mr. Ward expressed that while the intent is to ensure unlicensed people are not advertising themselves as architects, he was concerned about the adherence to the intent in the future, and it does not become a “parking ticket” situation for licensed architects. Ms. Halbo shared that is about more than non-architects claiming to be architects and that many DCA Boards are including this license number requirement so that the public sees there is a license number, understands that they are licensed with the Board, and can look up the licensee on the Board’s website.

Brett Gladstone suggested modifying the text to “you shall not hold yourself out to the public without putting your number on whatever media” which includes internet media, print, or social media. Mr. Gladstone suggested that the text could say that there is no intent to discipline or fine existing websites. Mr. Pearman offered that this had been discussed previously and that there would be sufficient lead time to educate clientele and a grace period before it goes into effect for people to change business cards, etc.

Ms. Kanaani shared that through teaching ethics, she has observed that many people create websites that are very intriguing and affect the minds of the public. She shared that the issue is how public media is supporting unethical approaches and that we need to raise awareness.

Ms. Zuniga said the Board would address this requirement through applying existing disciplinary guidelines. After an investigation of a complaint in which the public is not harmed, the discipline could result in a letter of advisement and not necessarily a citation.

Mr. Ward stated that he did not want this regulation to lead to a harmful record for architects.

Mr. Jones said that this is not an issue for architects properly representing themselves--it's for the public. He wanted to know the penalty for the unlicensed individual. Ms. Zuniga shared that the Board follows the same process for licensees and that the Board can cite those individuals and acknowledged that while it is harder to collect, the matter can be turned over to a collection agency.

Nilza Serrano stated that the regulation is a great service to the consumer and suggested the language needs to be changed to "all social media platforms that reside in the World Wide Web".

Mr. Pearman asked members about changing the text in subpart and adding the term *social media* platforms after *internet website*. Mr. Ahmed shared that a social media platform is considered a form of a website.

Mr. Jones shared that anything in the public domain should be monitored, but questioned whose responsibility is it to monitor.

Mr. Ward commented that the Board regulates architects and this requirement is an effort to educate the public about unlicensed architects but then there is no way to legalize the unlicensed person. He shared that requiring architects to list their license number is a great idea but expressed regarding unintended outcomes for good architects. If the language is changed, he'd like to see something saying that it is not on a permanent record.

Mr. Jones expressed concern about what is expected of architects. He stated that an issue like this is not part of CE and asked how information is communicated. He said that if there is no professional practices education, architects are forced to learn what is required of them; and the absence of that leaves to chance that architects will stumble upon the requirement. Mr. Jones stressed that finding a way to educate architects through training and required CE is important.

Ms. Zuniga said that the Board is responsible for informing licensees about new requirements and will educate and conduct outreach before issuing citations.

Ms. Zuniga shared there are policies regarding how long citations remain publicly accessible and applies to all citations.

In response to the suggestion that this matter was not urgent, the Board was reminded that it had already approved the language and was being asked to approve a modification.

Ms. Kanaani shared that there should be more than just a citation; include a public announcement.

In response to a Board member asking to hear about the options and timing of the regulation, Ms. Halbo shared that as a rulemaking Board, they are not in a rush to do a regulation if it feels it hasn't been considered or isn't timely. She shared that many other DCA Boards are adopting these requirements. Ms. Halbo acknowledged that the issue of unlicensed people is harder to control. She shared that this has been urged by DCA as a policy that licensees provide their number so that there is a better way for the public to research their standing with that Board and eventually for the public to look for license numbers.

There were no comments for the public.

During the vote, Ms. Serrano wanted to change the language to include "social media platforms that reside in the World Wide Web". Mr. Kanotz clarified that the motion cannot be modified in the middle of a vote. Mr. Feng clarified that Board staff indicated the term *website* is inclusive of social media and Ms. Serrano disagreed and wanted the record to include that this motion was approved by all architect members and one public member.

Members Gladstone, Jones, Kanaani, Kwan, Pearman, Ward, and President Feng voted in favor of the motion. Ms. Serrano voted no. Ms. Lewis abstained.

I. Discuss and Possible Action on Modified Proposed Regulatory Text for CCR Title 16, Division 2, Article 10, Section 165 (Disability Access Continuing Education)

Marccus Reinhardt, Manager Exam/Licensing Unit, presented that during the June 2020 Board meeting the Board adopted CCR section 165. During the regulatory process, LAD recommended the proposed text be modified to specify the amount of required CE--five hours. He shared that the modification is non-substantive, reiterating what is already in statute but would relieve the need for architects to research the regulations and statute to completely understand the requirement.

Nilza Serrano made a motion is to adopt the proposed Modified Text for Section 165, direct the EO to take all steps necessary of the rulemaking process, authorize the EO to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day public comment period and, if no adverse comments are received during the 45-day comment period and no hearing is requested, adopt the proposed regulatory changes, as modified.

Sonny Ward seconded the motion.

There were no public comments.

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

- J. Discuss and Possible Action on Proposed Adoption of new CCR, Title 16, Division 2, Article 2, Section 109.1 (Retired License Application)

Mr. Reinhardt stated that during the December 2019 meeting the Board approved a regulatory proposal to reduce the retired architect license fee.

Mr. Reinhardt shared that during the regulatory process, LAD recommended a corresponding regulation to codify the application. The new CCR section 109.1 establishes and defines the application for a retired license and specifies the requirements for a retired architect to restore their license to active status.

Mr. Reinhardt shared that the Board is asked to approve the text which is a companion to CCR section 144 the Board approved in December 2019.

Ms. Serrano asked about the meaning of: “if the original license can no longer be restored” in the text. Mr. Reinhardt explained that once a license is retired it is only capable of being restored five years from the expiration date and that within those five years someone may return to practice. He added that after five years, the individual must apply for and meet the requirements for a new license.

Mr. Gladstone commented that in subdivision G, “...whether the applicant is engaged in any activity for which an architect’s license is required”, it should state what that activity or activities are. Ms. Halbo shared that someone must not be working as an architect.

Mr. Pearman shared that fact that this regulation lays out everything contained in an application seems like micromanagement and does not allow flexibility. He suggested that in the future the Board may want to determine if this is the best way to handle this type of situation. Mr. Reinhard shared that this would allow the Board to make non-substantive changes to the application without having to go through the regulatory process. Ms. Halbo stated that this way will make it easier for minor changes in the electronic format of the future.

Tian Feng made a motion is to adopt the proposed text for Section 109.1, direct the EO to take all steps necessary to initiate the rulemaking process, authorize the EO to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day comment period and, if no adverse comments are received during the 45-day public comment period and no hearing is requested, adopt the proposed regulatory changes, as modified.

Sonny Ward seconded the motion.

There were no public comments.

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

K. Update and Possible Action on Legislation

Ms. Zuniga shared that the Legislature wraps up its business today and that the governor has about 30-days to act on legislation. She provided the following update on three bills:

1. AB 107 (Salas) Licensure: Veterans and Military Spouses

Requires all Boards within DCA to issue temporary licenses to spouses of active members of the military. Previously there were questions if these candidates will be required to take the CSE and the author's office has not provided greater clarification. This will need to be monitored if the governor signs the bill. There is a high financial consideration for DCA.

2. AB 1010 (Berman) Architects: Continuing Education

This bill will propose five hours of CE on zero net carbon design. If the governor signs this bill the Board will need to adopt regulations.

3. SB 607 (Roth) Professions and Vocations

This bill contains fingerprint implementation requirement information for LATC and requires all Boards within DCA to waive the application and initial license fee for applicants who are spouses of active-duty military members.

4. AB 830 (Flora), addresses architectural corporations. If the legislature approves, the bill will go to the governor.

Ms. Zuniga will update the Board on the status of everything once the bill signing period is over.

Ms. Kanaani inquired about the number of candidates seeking a fee waiver.

Ms. Zuniga shared that there are not many that ask for the expedited licensure.

There were no public comments.

L. Update and Discussion of National Council of Architectural Registration Boards (NCARB):

1. Update and Discussion of Committee Meetings

Ms. Zuniga summarized that the purpose of this agenda item is for members to share about their NCARB committee meetings.

Ms. Zuniga is on the member board executive committee, and they met and don't have new issues for the year.

Ms. Kwan shared that NCARB regional directors now get a memo that presents issues that are forthcoming so that they may be shared with the Board and discussed in advance to improve dialogue.

Ms. Kwan said members of the Council for Interior Design Qualifications (CIDQ) will attend the September Board meeting to discuss the possibility of having a national qualifications exam for interior designers. Ms. Kwan asked members for items to bring to the September NCARB meeting. Mr. Feng directed members to email suggestions and contributions to the EO and Board members. Ms. Kwan presented that the two major subjects for the September meeting are equity, diversity, and inclusion and the CIDQ issue.

Mr. Jones shared about his experience attending the Los Angeles meeting and there was great high-level discussion around diversity, equity, and inclusion. Mr. Jones thanked Ms. Serrano for her hospitality during the Los Angeles meeting.

2. Diversity, Equity, Inclusion Discussion

Ms. Zuniga shared that NCARB is doing a series of listening sessions with stakeholders and that she participated in one. She shared that the executives also did small group discussions and a survey.

Ms. Kwan said she was interviewed as part of NCARB's efforts to interview every national board member. She shared that she recently received a draft report and will work with the EO on how to provide it to the Board.

There were no public comments.

M. Landscape Architects Technical Committee (LATC) Report

1. Update on August 4, 2021, and May 25, 2021, LATC Meetings

Trish Rodriguez announced the LATC held a webcast meeting on August 4, 2021. Ms. Rodriguez shared an update provided by the Office of Information Services on the business modernization project. CAB and LATC are among the five programs included in cohort 2 of this project. Cohort 2 is in stage 3 of 4 of the Department of Technology's 4-stage approval process and that upon approval of stage 3, vendor selection begins. Ms. Rodriguez indicated the project completion date is fall 2023. She added that LATC has been approved for a temporary position to assist with the project.

Ms. Rodriguez shared that OPES provided a presentation to LATC and that the Council of Landscape Architectural Registration Boards (CLARB) annual meeting will be held September 21-24, 2021. Ms. Zuniga shared the direction CLARB is going with uniform standards is not necessarily a direction LATC supports as it is not clear how it will benefit California candidates. Ms. Zuniga, Ms. Rodriguez, and LATC Chair Jon Wreschinsky will attend CLARB's annual meeting and hope that more discussion and feedback will occur.

There were no public comments.

2. Review and Possible Action on Modified Proposed Regulatory Text for CCR Title 16, Division 26, Article 1, Section 2620 Education and Training Credit

Robert Pearman motioned to adopt the proposed Modified Text for Section 2620, direct staff to prepare and submit the final rulemaking documents to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments were received during the public comment period, authorize the EO to make any technical or non-substantive changes that may be required in completing the rulemaking file.

Tian Feng seconded the motion.

There were no public comments.

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

3. Review, Discussion, and Possible Action Regarding Legal Affairs Staff Request to Reconsider Previously Approved Text to Amend CCR, Title 16, Division 26, Article 1, Section 2680 (Disciplinary Guidelines) and Authorization to Initiate a New Rulemaking

Ms. Halbo highlighted the nine-page memo included in the meeting packet that summarizes each change that LAD recommends and offered to answer questions.

In response to a member inquiry about the relationship of this LATC regulation to the Board's, Ms. Zuniga indicated that CAB will be working on their disciplinary guidelines to align with LAD's recommended changes for LATC.

Mr. Feng indicated that he would like to see greater alignment between LATC and CAB and requested Board support in inviting a member(s) of LATC to participate in the CAB strategic planning session.

Ms. Serrano asked about how the hourly rate is determined in reference to page 24, number 11. Ms. Halbo shared that in each case, staff calculate the actual costs and that it will change depending on the case. Ms. Zuniga clarified the difference between these investigate costs and a citation amount.

Nilza Serrano motioned to adopt the proposed Modified Text to revise the previously approved amendments to 16 CCR Section 2680, Disciplinary Guidelines, 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, and if no adverse comments are received, and no hearing is requested, authorize the EO to take all steps necessary to complete the rulemaking process. If no adverse comments are received during the 45-day public comment period and no hearing is requested, authorize the EO to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 2680 as noticed.

Ronald Jones seconded the motion.

There were no public comments.

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

N. Review of Future Board Meeting Dates

Ms. Zuniga stated the next Board meeting is scheduled for October 29, 2021, in Sacramento for strategic planning. She indicated that the next meeting after that would be December 10, 2021, in the San Francisco Bay Area and will send an email with the location. Ms. Zuniga added that on November 5, 2021, LATC will meet for their strategic planning session.

Mr. Feng asked members to share if they have concerns about meeting in-person and directed the EO to confirm that a hybrid meeting in October is allowed.

The Open Session recessed at 2:15 p.m.

O. Closed Session - Pursuant to Government Code Sections 11126(a)(1) and (c)(3), the Board Will Meet in Closed Session to:

1. Deliberate and Vote on Disciplinary Matters

P. Reconvene Open Session

The Board reconvened in Open Session at 3:05 p.m. with the following members present:

Tian Feng, President
Nilza Serrano, Vice President
Robert Pearman, Jr., Secretary
Malcolm "Brett" Gladstone
Ronald Jones
Mitra Kanaani
Sylvia Kwan
Ebony Lewis
Charles "Sonny" Ward, III

Q. Adjournment

The meeting adjourned at 3:06.