



## MEETING MINUTES CALIFORNIA ARCHITECTS BOARD

May 19, 2023  
Teleconference Meeting

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

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

On May 19, 2023, Board President Sonny Ward called the meeting to order at 10 a.m. and Secretary Brett Gladstone called the roll.

#### **Board Members Present**

Charles "Sonny" Ward, President  
Ronald Jones, Vice President  
Malcolm "Brett" Gladstone, Secretary  
Tian Feng  
Mitra Kanaani  
Sylvia Kwan  
Ebony Lewis (arrived at 10:08 a.m.)  
Leonard Manoukian  
Robert Pearman  
Nilza Serrano

Six members of the Board present constitutes a quorum. Nine members were present at the beginning of the meeting; a quorum was established.

#### **Board Staff Present**

Laura Zuniga, Executive Officer  
Jane Kreidler, Administration Manager  
Alicia Kroeger, Enforcement Manager  
Marccus Reinhardt, Examinations & Licensing Manager  
Idris Ahmed, Enforcement Analyst  
Nicholas Barnhart, LATC Examination Analyst  
Amy Cernicky, Examination Analyst  
Natalia Diaz, Enforcement Technician  
Oscar Diaz, Examination Analyst  
Kourtney Fontes, LATC Special Projects Analyst  
Coleen Galvan, Communications Analyst  
Christina Gober, Examination Technician

Drew Liston, Board Liaison  
Iskra Rodriguez, Examination Technician  
Michael Sganga, Lead Enforcement Analyst  
George Tarifa, Examination Technician  
Stacy Townsend, LATC Enforcement Analyst

**DCA Staff Present**

David Bouilly, SOLID Moderator  
Karen Halbo, Regulations Counsel  
Michael Kanotz, Board Counsel  
Karen Munoz, Budget Office  
Steven Vong, Regulations Counsel  
Matthew Wainwright, Legislative Analyst

**Landscape Architects Technical Committee (LATC) Members Present**

Jon S. Wreschinsky, Chair

**Guests Present**

Cary Bernstein, American Institute of Architects CA (AIA CA)  
Erin Persky, National Organization of Minority Architects San Diego Chapter  
(SDNOMA)  
Kenji Shibuya  
Jennifer Swedell, SDNOMA  
Scott Terrell, AIA CA

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

President Ward opened the meeting by welcoming new Board member, Leonard Manoukian. President Ward stated that all motions and seconds will be repeated for the record and votes on motions will be taken by roll call. Board members thanked Ebony Lewis for her contributions serving on the Board for the past eight years and wished her well in her future endeavors.

**PUBLIC COMMENT:** There were no public comments.

**C. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

There were no public comments.

**E. BUDGET UPDATE FROM DCA BUDGET OFFICE, Karen Munoz, Budget  
Manager**

Ms. Munoz mentioned that expenditure projections include year to date expenditures compared to projected 2022/23 fiscal year expenditures. She stated that costs have increased in personal and operating expenses, partially due to the Board’s Business Modernization efforts. This fiscal year to date the Board has spent approximately \$3.3 million and is projected to spend a total of \$4.62 million; creating a reversion of \$528,000, which is approximately 10.2%.

Ms. Munoz stated the Board ended 2021 with just over \$4.4 million or 10.7 months in reserve and is projected to spend approximately \$4.98 million in authorized expenditures and direct draw (pro rata). This will leave the Board with a fund balance of just over 1.6 months in reserve. The budget office will continue to monitor the Board's revenue and expenditures and report back to the Board with monthly expenditure projections.

Ron Jones asked the reason for the cause for the revenue escalation numbers. Ms. Munoz replied that the increased renewal fees to take effect next fiscal year was a major part of that escalation as well as the high/low renewal income structure. Mr. Jones also asked whether the budget office is looking at other revenue sources to offset those escalating expenses. Ms. Munoz stated that the revenue will be adjusted based on the regulatory increase in fees.

Brett Gladstone noted that the months in reserve fund has typically been approximately 6.1 to 6.6 months, but now is projected to be 1.6 months for FY 24/25. Ms. Munoz replied that Business Modernization efforts have reduced the fund significantly and that the fee increase should more than make up the difference.

Nilza Serrano asked what CAB is doing to collect delinquent fees. Executive Officer Laura Zuniga stated there is a fine associated with delinquent fees and there is no problem collecting them.

**PUBLIC COMMENT:** There were no public comments.

**F. PRESENTATION FROM SAN DIEGO CHAPTER OF NATIONAL ORGANIZATION OF MINORITY ARCHITECTS (NOMA) – Jennifer Swedell and Erin Persky**

Jennifer Swedell and Erin Persky from the San Diego Chapter of NOMA provided an informational presentation. NOMA was started 50 years ago by 12 African American architects who had been part of the 1971 convention and wanted to have a voice and an organization to serve minority and African American architects.

The San Diego chapter was formed in 2020. A scholarship is available for minority students attending school in San Diego, and the first scholarship of \$7500 was awarded. Additionally, San Diego NOMA's signature program, Project Pipeline, is a summer camp for middle and high school students to provide a summer architecture experience in their community.

A general discussion about minorities in architecture and the implementation of diversity, inclusion and equity ensued.

**PUBLIC COMMENT:** There were no public comments.

**D. UPDATE ON THE DEPARTMENT OF CONSUMER AFFAIRS - Matthew Wainwright, Legislative Analyst**

Mr. Wainwright congratulated Ebony Lewis for her years of service on the Board and wished her good luck in the future.

Mr. Wainwright mentioned that DCA's printing contractor has reported a problem printing renewals, certificates, and licenses since April, and the problem ongoing. DCA's Diversity, Equity and Inclusion (DEI) Steering Committee is comprised of 12 executive leaders from boards, bureaus and DCA. They are currently working on a department strategic planning process for training and development and for an informational fact sheet.

Sexual Harassment Prevention and Information and Security Awareness training are mandatory this year and all employees and appointees, including board and advisory council members, must complete them. The Board Member Orientation Training will be held June 20 and October 20.

After June 30, all Board meetings will be held in person. New legislation regarding virtual meeting authority has been introduced but will not take effect until January 1, 2024.

A new federal law took effect on January 5, 2023 enabling service members and their spouses who hold professional licenses in a different state to practice in California if required to relocate to California due to military orders. Contact DCA Legal Affairs Division if there is an inquiry.

**PUBLIC COMMENT:** There were no public comments.

**G. REVIEW AND POSSIBLE ACTION ON FEBRUARY 24, 2023, BOARD MEETING MINUTES.**

**Nilza Serrano moved to approve the February 24, 2023 minutes.**

**Ron Jones seconded the motion.**

**PUBLIC COMMENT:** There were no public comments.

**Members Feng, Gladstone, Jones, Kanaani, Kwan, Lewis, Pearman, Serrano and Ward voted in favor of the motion. Member Manoukian abstained; motion passed 9-0-1.**

**H. LEGISLATION UPDATE – Laura Zuniga, Executive Officer**

**Assembly Bill (AB) 342 (Valencia)**

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

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

Board members discussed AB 342 and the importance of collecting diverse licensee data, including that ethnicity should include the actual word "Latino". Additionally, it is important to track a person's sexual orientation.

**Nilza Serrano moved that the California Architects Board is in support of AB 342 with friendly amendments to include a box that will identify sexual orientation and ensure that Latino is a category for data collection.**

**Brett Gladstone seconded the motion.**

Discussion continued with President Ward stating that all races, ethnicities, genders, gender identities and sexual orientation should be collected. The Board will implement this as a result of the legislation. Ms. Serrano emphasized that Latinos need to be counted.

Mr. Kanotz reiterated the Board will be writing the regulations if the bill passes. Ms. Zuniga added that we can get into details when we write the regulations, and can also address the information in the letter we send.

President Ward raised a concern that we are singling out an ethnicity. Ms. Serrano agreed there is confusion between Latino and Hispanic, but stated it is a teachable moment that Latinos have been invisible.

Mr. Kanotz said we are debating the original motion made by Member Serrano. We do not have a formal amendment yet.

**Brett Gladstone made an amendment to the original motion that adds sexual orientation and where the legislation mentions ethnicity, add (including but not limited to Hispanic/Latino).**

**Ron Jones seconded the motion.**

**PUBLIC COMMENT:** Scott Terrell, AIACA thanked the Board for the conversation. He will speak with committee consultants and the author's office regarding the Board's suggestions and try to improve the bill.

**Members Feng, Gladstone, Jones, Kwan, Lewis, Manoukian, Pearman, Serrano and Ward voted in favor of the motion. Motion passed 9-0. Member Kanaani was absent for the vote.**

**The Board returned to vote on the original motion: The California Architects Board is in support of AB 342 with friendly amendments to include a box that will identify sexual orientation and ensure that Latino is a category.**

**PUBLIC COMMENT:** There were no public comments.

**Members Feng, Gladstone, Jones, Serrano, Kwan, Lewis, Manoukian, Pearman, and Ward voted in favor of the motion. The motion as amended passed 9-0. Member Kanaani was absent for the vote.**

**The amended motion: The California Board of Architects is in support of AB 342 with a friendly amendment that sexual orientation be part of the information collected as part of this legislation. Also, where the legislation mentions the word ethnicity, add an area that includes the wording (“including, but not limited to Hispanic and/or Latino”).**

**Members Feng, Gladstone, Jones, Serrano, Kwan, Lewis, Manoukian, Pearman, and Ward voted in favor of the motion. The motion as amended passed 9-0. Member Kanaani was absent for the vote.**

#### **Senate Bill (SB) 372 (Menjivar)**

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

#### **SB 544 (Laird)**

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

including, if available, access equivalent to the access for a member of the state body participating remotely.

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

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

Ms. Zuniga answered a few questions explaining that we will be meeting in person until January 1, 2024, at which time hybrid meetings may be possible with the passage of this bill.

## **I. UPDATE AND DISCUSSION OF NCARB – Laura Zuniga**

Ms. Zuniga reported the annual NCARB Business Meeting will be held in June and elections will take place during the meeting. Sylvia Kwan is running for Secretary.

Ms. Zuniga discussed NCARB resolutions and mentioned that Mississippi has introduced a resolution regarding the model regulations. Mississippi feels the term *responsible control* is too vague to use for enforcement purposes and would like it to be further defined. The NCARB board opposes this resolution.

There are two resolutions that would sunset policies that are ineffective or conflict with current policies. There's nothing of concern. The next resolution about model rules of conduct which add ethics language. California doesn't have ethics language, and it's up to each state to determine implementation.

The last resolution deals with NCARB's bylaws and governance and would have the Board of Directors stay at 14 members and would retain the 6 regional positions. It would also restructure the officer positions and eliminate the second vice president. It also expands the pool who would be eligible for service.

**President Ward moved that, "We, as a Board support the adoption of the amendment and restatement of the bylaws in the Governance Package."**

**Tian Feng seconded the motion.**

**PUBLIC COMMENT:** There were no public comments.

**Members Feng, Gladstone, Jones, Kanaani, Lewis, Pearman, Serrano and Ward voted in favor of the motion; motion passed 9-0.**

## **J. UPDATE ON COMMITTEES - Laura Zuniga**

LATC met on April 21, 2023. The subject of whether LATC should merge with CAB was discussed, with the Committee deciding that the Board should consider the matter at the next meeting. The discussion is about having a merged Board or a multidisciplinary Board with architects and landscape architects. The goal is to provide better representation to increase efficiency.

President Ward expressed that he personally thinks that there's the possibility of some alignment and can see some positives in this, but he thinks it's way too early to weigh in on any specifics. LATC President Jon S. Wreschinsky answered some questions. A consensus was reached that they needed more information from LATC and the Board showed support for moving forward with the preliminary process.

**PUBLIC COMMENT:** There were no public comments.

## **K. EXECUTIVE OFFICER'S REPORT**

Ms. Zuniga summarized the report and highlighted the following:

- Business Modernization is going to go live next week with the first release for LATC. CAB will go live on June 1. This first phase will include automation of the Eligibility Verification application, California Supplemental Exam application, and the Initial License application.
- Personnel Update: We have hired a new Regulations Manager to replace Kim McDaniel. Tim Rodda will begin employment on June 12.
- The fee increase takes effect July 1.
- Ms. Zuniga mentioned the exam statistics on page 8 of the report and pointed out that the pass rate for all candidates using the practice exams is 62% versus a 49% pass rate for candidates not using them.
- Ms. Zuniga then turned the EO Report to Michael Sganga, Enforcement Analyst, who gave a brief presentation based on a Strategic Plan objective. The goal was to provide more detail on the enforcement process and provide more detail to some of the cases mentioned in the EO report. Mr. Sganga ended his presentation by taking questions from the Board.

**PUBLIC COMMENT:** There were no public comments.



## **L. REGULATIONS UPDATE**

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

Laura Zuniga explained that the proposal to amend CCR section 109 (Filing of Applications) is required due to recent legislative changes. It would expedite certain types of applications. It would also change how we consider criminal convictions and some other technical changes.

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

**Sylvia Kwan seconded the motion.**

**PUBLIC COMMENT:** There were no public comments.

**Members Feng, Gladstone, Jones, Kanaani, Kwan, Lewis, Manoukian, Pearman, and Ward voted in favor of the motion. Motion passed 9-0. Member Serrano was absent for the vote.**

### **2. DISCUSS AND POSSIBLE ACTION ON PROPOSED REGULATORY TEXT AMENDMENTS FOR CCR, TITLE 16, DIVISION 2, ARTICLE 2, SECTIONS 120 (RE-EXAMINATION)**

Laura Zuniga explained that the proposal to amend CCR section 120 (Re-examinations) is due to recent NCARB national exam change in the policy regarding the length that exam scores are valid. The new policy was effective May 1, and CAB has the same policy. And, that exam scores are valid in the current version of the ARE, the 5.0 and 4.0, which goes back, to 2008. We need to modify our regulations to adopt or be able to implement the anchor policy. So that's what this regulation would do. We are also trying a statutory amendment that, if signed, would take effect January 1, 2024.

**Tian Feng made a motion to approve the proposed regulatory text for 16 CCR section 120, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, authorize the EO to take all steps**

necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the EO to take all steps necessary to complete the rulemaking and adopt the proposed regulations at 16 CCR section 120 as noticed.

Sylvia Kwan seconded the motion.

**PUBLIC COMMENT:** There were no public comments.

Members Feng, Gladstone, Jones, Kanaani, Kwan, Lewis, Manoukian, Pearman, and Ward voted in favor of the motion. Motion passed 9-0. Member Serrano was absent for the vote.

**3. LATC - DISCUSS AND POSSIBLE ACTION ON PROPOSED REGULATORY TEXT AMENDMENTS FOR CCR TITLE 16, DIVISION 26, ARTICLE 1, SECTION 2614 (EXAMINATION TRANSITION PLAN)**

Laura Zuniga explained that the proposal to amend CCR section 2614 (Examination Transition Plan) would extend the Landscape Architect Registration Examination (LARE) transition date to allow for an additional administration of the current LARE version.

**Brett Gladstone made a motion that the Board approve the Proposed Regulatory Language to amend 16 CCR section 2614 regarding Examination Transition Plan, direct staff to submit the text to the Director of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and direct the EO to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the rulemaking package, and set the matter for hearing if requested. If no adverse comments are received during the 45-day 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 16 CCR section 2614 as noticed.**

Robert Pearman seconded the motion.

**PUBLIC COMMENT:** There were no public comments.

Members Feng, Gladstone, Jones, Kanaani, Kwan, Lewis, Manoukian, Pearman, and Ward voted in favor of the motion. Motion passed 9-0. Member Serrano was absent for the vote.

**M. REVIEW OF FUTURE MEETING DATES**

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

<u>Date</u>	<u>Event</u>	<u>Location</u>
August 11	LATC Meeting	Sacramento
September 8	Board Meeting	Sacramento
November 3	LATC Meeting	TBD
December 1	Board Meeting	TBD

**N. MEETING ADJOURNMENT**

The meeting adjourned at 2:36 p.m.