

MINUTES  
BOARD OF ARCHITECTURE AND INTERIOR DESIGN

TELEPHONE CONFERENCE CALL  
September 8, 2003  
10:00 A.M.

(850) 410-0960 or Suncom 210-0960

Call to Order

Ms. Del Bianco called the meeting to order at 10:00 a.m.

Board Members Present:

Ellis Bullock, Vice-Chair  
Neil Hall  
Stephen Schreiber  
Mary Jane Reeves  
Sharon Del Bianco, Chair  
Joyce Shore  
Kenneth Horstmyer  
Roymi Membiela  
Miguel Rodriguez

Board Members Absent:

Garrick Gustafson  
Rick Gonzalez

Others Present:

Paul Martin, Board Counsel  
Mary Ellen Clark, Board Counsel  
David Minacci, Prosecuting Attorney  
Les Smith, Investigator  
Juanita Chastain, Executive Director  
Terri Estes, Government Analyst  
Scott Shalley, AIA Florida  
Noe Guerra, NXG Architect, Inc.  
Samuel Sheets, Samuel G. Sheets and Associates, P.A.  
G. W. Harrell, DBPR Counsel  
Leon Biegalski, DBPR Special Counsel  
Ken Oliver, Bureau Chief, DBPR Finance and Accounting  
Bill York, Applied Research Associates  
Ila Jones, Dept. of Community Affairs  
Flavia Cardoso  
Demi Ustes, Interplan

Raul Garnil  
Jack Scott, Stebbins and Scott, Architects, P.A.  
Jerry Hicks, Board Consultant  
Venus Williams

## **Application Review**

### **Architecture Certificate of Authorization**

#### **NXG Architect, Inc.**

#### **NXG Architect, Inc. (dual interior design coa)**

Mr. Guerra was present. Ms. Del Bianco presented the file, commenting that Mr. Hicks had reviewed the file, recommended approval, and referred to the board for review due to the fact the company appeared to have been incorporated and practicing since 1999. Mr. Smith commented that he had an open case against this company and stated that Mr. Guerra has been extremely cooperative. He stated that a notice of cease and desist was issued May 16, 2003. Mr. Guerra commented that he incorporated in 1999 but did not solicit business, it was referrals and he used the company for accounting purposes. Mr. Smith commented that he had a proposal for services in the company name dated March 8, 2002. Mr. Martin commented that soliciting is not the issue, it was the fact that he had an open company account and was utilizing the company name through that account without a certificate of authorization.

MOTION: Mr. Hall moved to approve the certificate of authorization with a \$3,000 fine.

SECOND: Mr. Bullock seconded the motion and it passed unanimously.

MOTION: Mr. Hall moved to approve the dual application.

SECOND: Ms. Reeves seconded the motion and it passed unanimously.

#### **Samuel G. Sheets and Associates, PA**

Mr. Sheets was present. Ms. Del Bianco presented the file, commenting that Mr. Hicks reviewed, recommended approval, and referred to the board because the corporation was created June 27, 2002 with application being made in May 14, 2003.

MOTION: Mr. Rodriguez moved to approve the certificate of authorization with \$1,000 fine.

SECOND: Ms. Reeves seconded the motion and it passed unanimously.

### **Architecture Certificate of Authorization Business Name Change**

#### **Stebbins and Scott, Architects, PA**

Mr. Scott was present. Ms. Del Bianco presented the file, commenting that Mr. Hicks reviewed, recommended approval, and referred to the board because the applicant listed projects performed. Ms. Del Bianco commented that an application should have been made to our department at the time the business name was filed with the Department of State.

MOTION: Mr. Rodriguez moved to approve the business name change with \$1,000 fine.

SECOND: Mr. Hall seconded the motion and it passed unanimously.

### **Interior Design Certificate of Authorization**

#### **D. Carmichael Interiors, Inc.**

Ms. Del Bianco presented the file and referred the board to an e-mail that Ms. Carmichael addressed to the board.

MOTION: Ms. Reeves moved to approve the certificate of authorization with \$1,000 fine.

SECOND: Mr. Rodriguez seconded the motion and it passed unanimously.

### **Interior Design Examination**

#### **Flavia Cardoso**

Ms. Cardoso was present. Ms. Reeves commented that Mr. Butler reviewed this application and he recommended denial of the education equivalency. Therefore, she recommended denial of the application. Ms. Cardoso asked exactly why the education was denied. Ms. Del Bianco replied that the rule requires specific types of courses and number of hours for an interior design degree. Ms. Cardoso commented that Brazil does not issue degrees in interior design the curriculum is incorporated in the architecture degree. Ms. Del Bianco reviewed the requirements to be licensed in this state. She stated that Ms. Cardoso could do residential work as a design consultant but not commercial. Mr. Schreiber recommended licensure through architecture licensing.

Ms. Cardoso requested to withdraw her application. The board approved.

#### **Raul E. Garnil**

Mr. Garnil was present. Ms. Del Bianco presented the file and commented that this applicant originally applied in 1996 for examination. She stated that he was notified in July 25, 1996 that he was approved to begin sitting for the NCIDQ examination and must complete all parts within 5 consecutive years. She commented that would require completion by October 2001 when in fact he completed the examination in October 2002. She stated that during that time frame the board instituted a policy requiring specific criteria for education. Ms. Reeves commented that looking at his architecture degree there did not appear to be enough interior design courses to meet the equivalency.

Mr. Rodriguez commented that at the time of approval he met the criteria based on his architectural degree. Ms. Reeves commented that he did not pass all parts. Ms. Del Bianco commented that since he did not pass all parts within the time frame it would null the application. Mr. Schreiber commented the 5-year time frame was a condition set by the board. Mr. Rodriguez commented that he was trying to understand the purpose of the condition.

Mr. Garnil commented that he was not able to complete the examination process due to hardships. Ms. Del Bianco asked if he was licensed as an architect. Mr. Garnil replied in the

negative. Mr. Garnil stated that he felt he should have received notification that his time was running out to take the examination. Mr. Martin stated the letter informed him of the time frame and it was his responsibility to take the exam in that time frame.

Ms. Del Bianco asked Mr. Garnil if he practiced residential interior design. He replied in the positive. Ms. Del Bianco asked Mr. Garnil if he practiced commercial interior design. He replied in the negative. Mr. Garnil commented that his reason for licensure was for credentials.

Mr. Rodriguez asked Mr. Martin if the letter from 1996 states that if the application process was not complete within 5-years that the application is null and a new application would have to be filed. Mr. Martin stated that his interpretation of the letter is if the applicant failed to pass all parts of the examination within the 5-year time frame then the approval for the application granted in 1996 would no longer be in effect. He continued by stating that the applicant would have to seek licensure and meet current requirements.

MOTION: Ms. Reeves moved to deny the application.

SECOND: Ms. Shore seconded.

Ms. Del Bianco asked Mr. Garnil if he would like to withdraw the application to avoid a denial on record. Mr. Garnil requested to withdraw his application.

Ms. Reeves rescinded her motion.

### **Continuing Education recommended for denial Computer Aided Drafting**

MOTION: Mr. Rodriguez moved to deny.

SECOND: Ms. Reeves seconded the motion and it passed unanimously.

### **AutoCad Training Session**

Ms. Del Bianco commented that this appears to be more of an intermediate course. The board discussed.

MOTION: Mr. Rodriguez moved to reverse denial and approve the application.

SECOND: Mr. Schreiber seconded the motion and it passed unanimously.

### **Computer Application in Architecture**

MOTION: Mr. Rodriguez moved to deny.

SECOND: Ms. Reeves seconded the motion and it passed unanimously.

### **Ratification List – (faxed/e-mailed)**

### **Architect Certificate of Authorization**

Mr. Minacci requested to have item #6 CVC & Associates, Inc. removed from the list due to an opened disciplinary case.

MOTION: Mr. Rodriguez moved to items 1-5 and items 7-18.

SECOND: Mr. Hall seconded the motion and it passed unanimously.

### **Architecture Exam Passed**

MOTION: Mr. Rodriguez moved to approve items 1-9.

SECOND: Mr. Bullock seconded the motion and it passed unanimously.

### **Architecture Endorsement**

MOTION: Ms. Reeves moved to approve items 1-51.

SECOND: Mr. Hall seconded the motion and it passed unanimously.

### **Architecture Business Name Change**

MOTION: Mr. Rodriguez moved to approve items 1-2.

SECOND: Ms. Reeves seconded the motion and it passed unanimously.

### **Interior Design Endorsement**

MOTION: Ms. Reeves moved to approve items 1-11.

SECOND: Mr. Rodriguez seconded the motion and it passed unanimously.

### **Interior Design Exam**

MOTION: Ms. Reeves moved to approve items 1-3.

SECOND: Mr. Rodriguez seconded the motion and it passed unanimously.

### **Interior Design Certificate of Authorization**

MOTION: Mr. Rodriguez moved to approve items 1-8, with the exception of CVC & Associates and Gloria Ellinwood, ASID Interior Designer, LLC which were pulled from the list.

SECOND: Mr. Bullock seconded the motion and it passed unanimously.

## **Discussion**

### **Privatization**

Mr. Oliver, Bureau Chief of Finance and Accounting was present to answer questions regarding budgetary questions. Mr. Rodriguez commented that he had prepared a trial budget and forwarded to Mr. Oliver for comments. Mr. Rodriguez continuing by stating that the department has year-end numbers and Mr. Oliver has reviewed the trial budget twice. Mr. Rodriguez commented that he called this a trial budget. It was basically a study of the budgetary affects of privatization using known expenses from the immediate prior two years. He stated that this was not the budget that would be imposed on someone responding to an Invitation to Negotiate.

Mr. Rodriguez stated that this was a reflection of monies they should be expected spend in the future based on what has been spent in the past. Mr. Oliver commented that he would adjust the revenue investment earnings and administrative refund based on his recent comments. He stated that would lower the amount by approximately \$50,000. Mr. Oliver stated that if you had revenue at a round number of \$920,000 and the expenses based on the prior two years at \$1.55 million, which would reflect a deficit of \$135,000 per year. Mr. Rodriguez commented that would be in 2005 based on the average per year expenditures and revenues. Mr. Oliver stated that since they were basing this on an average they would need to look at over two years. Mr. Oliver commented that operating in that capacity they would have a deficit of \$270,000 just on an operating scale.

Mr. Oliver stated that the cash sweep has not taken place and the 2003-2004 is a non-renewal year, which would place the board in a deficit. He continued by stating based on the Harris Study they may benefit by beginning with a zero-based budget. He stated that they should look at the \$542,000 to determine if that would be enough to staff an office, handle telephone calls, testing, utilities, insurance, etc. Mr. Oliver stated that when they look at that cost then they could move to the level of service either to maintain or increase.

Mr. Rodriguez stated that there were numerous ways to look at this. He continued by commenting that \$10,000 for information technology may or may not be enough. He continued by stating that information technology was initially defined as .41 cents per record that would be paid to Accenture for License Ease. He stated by pulling that out you couldn't leave a zero dollar line for information technology whether it be training or maintenance. He stated that this was an educated guess.

Mr. Rodriguez commented that the board could look at this a couple of ways. The first would be that they know what the deficiency would be and they could take that amount and divide by the number of licenses in order to figure the licensure fee increase. Mr. Biegalski commented that the .41 cents is per month. Mr. Rodriguez concurred. Mr. Rodriguez commented that when you discuss privatization as a way to save money because private industry can perform the services cheaper, you look at the current amount of \$540,000. If we believe that private industry can perform the services for say \$450,000 you must determine how much would be assessed to the licensee.

Mr. Rodriguez commented that they would need to look at implementation of the privatization effort and they are entering a non-renewal year. He continued that the deficit may be even greater in the first year of operation and it is not realistic to ask the private entity to absorb that the first year. Ms. Del Bianco commented that the board voted on the August 29, 2003 telephone conference call to proceed with privatization. Ms. Reeves commented that the increase would come to approximately \$19 per licensee for a \$275,000 deficit. Mr. Rodriguez commented that the \$25 extra would cover the anticipated deficit and if within the first year of operation they determine that there in fact is not that much of a deficit then they can adjust licensing fees. Mr. Rodriguez commented that the danger with this exercise is that they have now told everyone that may bid on the contract exactly what the board is expecting to pay.

Mr. Oliver commented that they might want to build in a 10-20% percent contingency for the unforeseen issues. Ms. Reeves commented that the extra \$5 would give the board an extra \$72,000. Mr. Oliver commented that there is more up costs in the first year for purchasing phone systems, computer systems, furniture, etc. Mr. Rodriguez commented that is start up cost and they did not want to pay a company up front to start a company.

Mr. Hall asked Mr. Rodriguez if the board decided to utilize or not utilize the Customer Contact Center. Mr. Rodriguez replied that the board would be privatizing all aspects of the administrative functions. He continued whether the board utilized them or not there was some cost related to their use. Mr. Rodriguez commented that the numbers were based on the state's expenses and if you agree that company X would utilize an individual to take telephone calls and other administrative duties then that would reflect a savings. He continued by stating he did not believe that the private company would have 5 people taking telephone calls.

Ms. Del Bianco commented that they discussed the board counsel costs. Mr. Rodriguez stated that this exercise was not to create a working budget for a theoretical entity. He continued by stating this exercise was to see how much the board was spending and how they could afford to spend on a privatization effort. He stated that if it was costing the state x dollars then they could reasonably determine that it would cost a private entity x dollars or possibly less/more. Mr. Rodriguez commented that because they would not have a focused call center then it may not cost \$60,000 to answer the calls.

Mr. Oliver commented that they would want to get an idea of how many calls were processed in a year and the volume. Mr. Hall commented that he thought he had asked for that at the previous meeting. He continued by stating in order to make the assessment in terms of real costs based on what they perceive to be the volume that would be coming into the office. Ms. Del Bianco stated that she did not agree and they need to decide if they were going to follow the route they took when they privatized the legal aspect of the board. She continued by stating instead of saying this is how much money we have to spend and we want you to perform certain services or should they say we want you to perform all of these services and how much are you going to charge for those services. Mr. Oliver commented that if you were going to ask a vendor to perform those services they would need an idea of the volume of calls and applications.

Mr. Rodriguez stated he would not want to write the Invitation to Negotiation to say you will have to operate a call center but instead the scope of services you will be requested to take and answer telephone calls from the public regarding the profession. Mr. Bullock asked if there was a historical record of the number of calls the call center is taking and the form of that data. Ms. Chastain replied that the numbers were provided at the July meeting. Mr. Rodriguez stated that the numbers provided in July did not reflect the duplicative calls; i.e. abandoned calls.

Mr. Rodriguez and Mr. Ellis commented that they felt they have enough information to issue an Invitation to Negotiate. Mr. Shalley commented that FEMC's telephone rings a lot but feels it may be a place to retrieve data and since that was the format the board was looking at. He continued by stating the difficulty with the Call Center data is that there may be repeat callers and in a specialized environment there would not be as many repeat calls, therefore, the volume would be lower. Mr. Minacci commented that the board might want to look at how FEMC is set up and how they are able to answer the number of calls and how they disperse the calls within their organization.

Mr. Shalley commented that he thought the agency would want to do a comparison to determine what aspect works best. He continued by stating the vendor that is awarded the contract may also benefit by visiting the Call Center. By looking at it objectively they may pull formats that would be helpful. Ms. Membiela commented that as a new board member she would like to visit the department and call center to be more familiar with the process with the discussion regarding privatization.

Mr. Harrell commented that he had prepared and presented a privatization overview to the Board of Veterinary Medicine and would like to forward a copy to this board for their information. He continued by stating that there are four privatization models available through Chapter 455, Florida Statutes. He asked the board if it was their intent to utilize the Privatization Management Act through Chapter 455.32, F.S., to privatize the administrative functions. Mr. Rodriguez replied in the positive. Mr. Harrell stated that there was a concern about whether or not there is a statutory impediment that allows this board's use of that statute. He continued by stating there is a concern that the statute requires at a minimum any contract for privatization under that Act include all the services i.e. investigation, prosecuting, licensure administration, etc. Mr. Harrell commented that the intent of the Privatization Management Act was to house all functions in one place and that is why it was structured that way.

Mr. Harrell commented that after the comprehensive contract is executed then the private entity could subcontract functions with departmental approval. He continued by stating he discussed this with the Secretary and she wanted him to make the board aware of this issue. He stated that the department had not taken a position on this issue. Mr. Shalley commented that he felt the department was correct regarding the statute, however, if there was a spirit of agreement from the department to move forward that it would be a logistical issue. He continued by stating it was incumbent on the board to sit down with the Secretary, G.W. Harrell, and other appropriate personnel and say are we doing this in concert or is there an adversarial element to this effort? He stated that if there is an adversarial element then given the nuances of the statute, the department is the actual contracting entity. The board may

need to regroup and pursue legislation to overcome bureaucratic barriers or if they are comfortable that the board and department are working in an amicable effort to move forward.

Mr. Rodriguez asked Mr. Harrell if an option to overcome this obstacle would be that the Invitation to Negotiate requires respondents absorb the current prosecutorial contract for the remaining term. Mr. Harrell replied that he was not prepared to respond to that question. He continued by stating that he had been studying this in a different content based on the Board of Veterinary Medicine's issues. Mr. Harrell commented that the board has to be real circumspect about any comments about possible vendors that they may favor because this is a formal ITN process and will be subject to bid protests. He continued by stating that he, Leon Biegalski, and the Secretary are currently working on the Privatization Management Act so it is more user friendly. He stated that they were looking at utilizing some language from the FEMC model, however, some of the language in the beginning was problematic due to the amount of oversight the department had to exercise. Mr. Harrell stated that through legislation they have alleviated some of those issues.

Mr. Biegalski commented that he was not an expert in the Invitation to Negotiate procurement. He stated that issuing an Invitation to Negotiate with the language that the vendor would have to absorb the current contract poses some problems. Mr. Biegalski stated that the contract with the current vendor is with the board not the department, this Invitation to Negotiate would be the vendor and the department. He stated that the department would be forcing the board's contract on this vendor. Mr. Biegalski commented that the board itself is to request legislative funding for the current contract rather than the department doing that. He stated he was not sure what interplay would be in terms of the appropriation they would secure when the department is also asking for appropriations for another contract.

Mr. Rodriguez commented that Mr. Biegalski made valid points. He stated that as an architect they are asked to absorb existing contracts and problems arise when there are problems that are not identified or quantified. He stated that since this was a known issue in costs and terms it appears this can be worked out contractually.

Mr. Hall asked that the original Invitation to Negotiate for the prosecutorial services could or may be in violation of the Privatization Management Act. Mr. Rodriguez replied in the negative. Mr. Hall commented that privatization is not something new to this board and this is the first time he has heard the interpretation of this statute or language is not what he understood or accepted based on Mr. Harrell's comments.

Mr. Shalley commented that privatization set up is solid but by virtue of moving forward with the enforcement contract in a legislative fashion it has created some legal wrinkles. He continued by stating that this was probably the tip of the iceberg of the legal and or logistical aspects that will need to be resolved to make this happen. Mr. Shalley stated that the key is what Mr. Harrell said, that the department has not taken a position on the privatization of this board. Mr. Hall stated that the board made the decision to privatize based on what, personal ideas or facts. Mr. Shalley responded that either way the board has made a decision and is committed to that decision. He continued by stating that what is built into the Privatization Management Act is a dependency of the spirit of cooperation and mutual vision between the

board and the department. Mr. Shalley stated that beyond logistical discussions at the board level a basic discussion with the Secretary and key staff to say this is what we envision and want to do and that affects your strategy. He stated if the department does not embrace the boards moving forward they board will not get what they want from the Privatization Management Act.

Mr. Hall commented that the attitude is there because they made a strong case for the board to seriously look at the department's operation. He continued by stating that with five new board members he did not feel they have a handle on how and why there is a need to privatize.

Mr. Biegalski commented that this was not to sound that the department is trying to be obstructionists or to say no. He continued by stating that they want the boards to be informed before they make the decision and during the decision process. He continued by stating that he and Mr. Harrell were working to pull information from the Privatization Management Act and the FEMC model to get the best workable model for the boards to utilize. Mr. Harrell commented that this was obstructionist information and he was merely pointing out a statutory impediment. He continued by stating that the department's position is the same as the July 10, 2003 meeting with the Secretary. Mr. Harrell stated that they were there to assist the board get where they want to go and they want what is best for this board and profession. He continued by stating if you move forward with the Privatization Management Act at this time the board would be faced with the fact that numerous entities regulating architects and interior design.

Mr. Hall commented that he had not heard Mr. Harrell's comments before. Mr. Harrell commented that he would have staff forward a copy of the privatization overview sent to all of the board members and Mr. Shalley.

Ms. Del Bianco asked Mr. Biegalski how complete was the Invitation to Negotiate the administrative functions. Mr. Beigalski replied that the he was working on, however, there were questions that have come up that were above his call to complete it. Ms. Membiela commented that as a new board member she asked if the board might have made a premature decision to endorse privatization without all of the facts. Mr. Shalley responded in the negative. He continued by commenting that this is more how do we accomplish privatization than do we want privatization.

Mr. Rodriguez commented that the board has made the first step, which was expressing that they want to privatize and move forward. He continued by stating the second step was understanding whether the finances would work and that was the exercise they are working on now. Mr. Rodriguez commented that he felt the budgetary issues could be dealt with by increasing the fees by \$25. He continued by stating that the next step would be how we implement this decision. He commented that they would need to decide how the board would operate and define a scope for the proposer and that would be the writing of the Invitation to Negotiate.

Mr. Rodriguez stated that the applicable statutes, rules, and regulations should be included in the Invitation to Negotiate and the scope of practice regarding how the office would operate. He stated that the board should be involved in the scope of services. Mr. Rodriguez commented that this information is compiled into the Invitation to Negotiate and then they would receive responses. He stated that they analyze the responses to determine which is the best for the board and department based on pre-established criteria. He stated that the statute requires the board must approve the contract that is awarded. Mr. Rodriguez commented that he did not feel the board made a decision without all of the information. He commented that the board has been discussing privatization for years and they are informed.

Mr. Hall commented that he agreed with Mr. Rodriguez, however, each board member has a fiduciary responsibility to the state to make an informed decision. He continued by stating he did not believe that all of the board members had a clear understanding. Mr. Bullock stated that he had a very clear understanding of why they are privatizing. Ms. Del Bianco commented that they discussed this on the August 29, 2003 telephone conference call and pointed out that the board is aware that the department is making strides with the centralization/reengineering effort. She continued by stating that they are making every effort to make that successful in the end the main reason to privatize this board is they want decentralization that is specialized.

Ms. Del Bianco appointed Mr. Rodriguez to work with Mr. Biegalski and Mr. Harrell on the Invitation to Negotiate. She continued by stating she would to have monthly telephone conference calls to keep the board in the loop regarding the progress of the Invitation to Negotiate.

Mr. Horstmyer commented that he missed the last conference call. He continued by stating that they need good numbers for any position that they move against. He stated that Mr. Oliver commented that he observed the hazard of using two years of numbers for two diverse years. Mr. Mr. Horstmyer suggested that they use a zero-based budget for two years out then discuss all of the issues. Mr. Rodriguez commented that zero-based budget were difficult to do because of the renewal being every other year. Mr. Horstmyer commented that they need hard numbers that they do not have so they have an indication before they move forward with an Invitation to Negotiate and they do not understand the economic consequences.

Mr. Harrell commented that the board is responsible for submitting a separate annual budget to the legislature. He commented that if the board wanted to increase their fees they needed to talk with Johnnie Cobb as soon as possible. Mr. Biegalski commented that when the practice act the authority to the board to contract the enforcement it required the board to submit a separate budget request to the legislature as opposed to the one submitted by the department. Mr. Biegalski commented that they would be happy to assist the board and it was due as soon as possible. Mr. Harrell stated that they might want to work with Mr. Cobb and they were prepared to list this as a separate appropriation in the department's budget request. Mr. Harrell commented that with the board considering privatization, if you expect an increase in that amount, now is the time to anticipate this issue.

Mr. Rodriguez volunteered to be the liaison with the department to work on the Invitation to Negotiate. Ms. Del Bianco commented that she would like to determine that they have the

funds to continue the enforcement contract. Mr. Hall left the meeting at 12:05 p.m. Mr. Rodriguez asked Mr. Biegaski that the appropriation request not be attached to the department's budget request. Mr. Harrell replied that his understanding was unless the board informs the department they will what the previous year's amount. He continued that if the board wanted an increase then it would need to be justified.

### **Prototype Buildings, Florida Building Code**

Ms. Chastain commented that this issue came to her attention and she wanted to make the board aware. She continued by stating that Mr. Minacci researched this issue and provided the items in the agenda. She stated that Ms. Ila Jones with the Department of Community Affairs and Mr. Bill York with Applied Research Association was available on the conference call to answer questions. Ms. Chastain explained that an entity can submit a plan to Applied Research Association and get the plan reviewed and approved through the Department of Community Affairs and the plan could be built throughout the state. Ms. Del Bianco asked Ms. Chastain if her concern was that this was contradictory to the practice act. Ms. Chastain deferred to Mr. Minacci.

Mr. Minacci commented that he had concerns with this and could think of some hypothetical situations that would violate the board's practice act. Mr. Rodriguez commented that the problem appears to be the act provides a process were an architect could assume the work of another. He commented that this program was to facilitate the approval of permit drawings for a prototype building to be reused through out the state without re-review for permitting. Mr. Rodriguez gave an example of the process. He stated that the only additional review of the plans would be for site adaptation i.e. parking, accessibility, drainage, etc. He commented that the problem could be plan stamping when an architect signs and seals the plans when he actually did not prepare them. He stated that the successor architect rule allows an architect to assume the work of another, however, it was written to support this issue. He commented that they might have a problem with the responsible supervisor in control. Mr. Rodriguez commented that they might want to create a new rule that would address the Prototype Building issues.

Mr. Minacci stated that he agreed with Mr. Rodriguez that they would need to do rule development for this particular situation. He commented that it would be difficult to rely on the current rule in place. Mr. Minacci stated that they could police under the current rules but it would be cleaner to create a new rule. Mr. York commented that he has been working with Interplan that has a number of corporate clients and Interplan will do plans for the client and sometimes they will be the managers of the project. He continued by stating that in other cases an example would be if they took the Prototype Building to the Miami-Dade and asked that a local architect handle the plans then they would be the manager of the project which would require signing and sealing for submittal. Mr. York commented that the Prototype Building Plans would have a special type of approved stamp on all of the plans and there might be some benefits to a local architect.

Mr. Rodriguez asked Mr. York if they could provide an additional stamp that would reflect a caution to the architect until rule making is created. Mr. Rodriguez asked Mr. Minacci to work with Mr. York to come up with language for the additional stamp.

### **Continuing Education 100% Monitoring – Juanita Chastain**

Ms. Chastain informed the board that the rule regarding 100% Continuing Education Monitoring was repealed. She continued by stating that the Secretary has determined that a waiver or letter could be issued to the board waiving the continuing education requirement. Mr. Harrell commented that the Secretary was prepared to issue the letter. He continued by stating that the rule was in direct conflict with the statute and they are rewording the rule.

### **New Business**

No new business.

### **Old Business**

Mr. Bullock asked Ms. Estes if she had received information from NCARB regarding licenses that had been revoked in other jurisdictions. Mr. Minacci responded that Mr. Smith was working with NCARB regarding this issue.

### **Adjourn**

MOTION: Mr. Rodriguez moved to adjourn.

SECOND: Mr. Reeves seconded the motion.

The meeting adjourned at 12:30 p.m.