

## **MINUTES**

**Board of Architecture and Interior Design  
Hyatt Regency Jacksonville Riverfront  
225 E Coastline Drive  
Jacksonville, Florida 32202  
(904) 588-1234**

**May 7, 2015  
9:00 a.m.**

### **General Business**

#### **Call to Order**

Mr. Rodriguez, Chair, called the meeting to order at 9:06 a.m.

#### Members Present:

Miguel "Mike" Rodriguez, Chair  
Jonathan Toppe, Vice-Chair  
John P. Ehrig  
Hector Fernandez  
Aida Bao-Garciga  
Kenan Fishburne  
J. Emory Johnson  
Dylan Rivers  
James Blanz

#### Members Absent:

Francisco "Frank" Costoya, excused  
Ivette O'Doski, excused

#### Others Present:

Mary Ellen Clark, Board Counsel  
David Minacci, Prosecuting Attorney  
Thomas Campbell, Executive Director  
Terri McEwen, Government Analyst  
David Ashburn  
Ron Bongiovanni  
Dale Schmutz

Court Reporter: Precision Court Reporting, Inc., 4800 Touchton Road, Bldg 100,  
Suite 150, Jacksonville, Florida 32246. Telephone 905.629.5310

Mr. Rivers was excused from the meeting due to his participation on the Probable Cause Panel.

### **Disciplinary Cases**

Mr. Minacci requested that the following cases be continued.

DBPR vs. Joseph M. McHarris and McHarris Planning & Design  
Case Number 2013-021186  
PCP: Hall, Shore, Costoya, and Rivers

DBPR vs. Exantus Construction, Inc. and Luckner Exantus  
Case Number 2012-032305  
PCP: Hall, Shore, and Costoya

Motion: Mr. Toppe moved that the board continue the cases as requested.  
Second: Mr. Johnson seconded the motion and it passed unanimously.

Mr. Minacci requested that the board approved the following settlement stipulations and voluntary relinquishment on a consent agenda.

### *Settlement Stipulations*

DBPR vs. Randall Lee Draughan  
Case Number 2014-009506  
PCP: Hall, Shore, Costoya, and Rivers

DBPR vs. Michael William Hanlon and HNM Architecture, LLC  
Case Number 2014-010033  
PCP: Hall, Shore, Costoya, and Rivers

DBPR vs. Walter Basil Melvin  
Case Number 2014-031622  
PCP: Hall, Shore, Costoya, and Rivers

DBPR vs. Edward A. Smith  
Case Number 2014-009524  
PCP: Hall, Shore, Costoya, and Rivers

DBPR vs. BBD Engineering & Design Firm, LLC and Kent M. Bice  
Case Number 2013-032141  
PCP: Hall, Shore, Costoya, and Rivers

DBPR vs. Ronald Joseph Bongiovanni and Anchor Engineering of Florida, Inc.  
Case Number 2014-035855  
PCP: Hall, Shore, Costoya, and Rivers

DBPR vs. Carlos Gonzalez  
Case Number 2014-016487  
PCP: Hall, Shore, Costoya, and Rivers

DBPR vs. John D. Holt  
Case Number 2014-016496  
PCP: Hall, Shore, Costoya, and Rivers

DBPR vs. Thomas Everett Lamb Design and Thomas E. Lamb  
Case Number 2013-017693  
PCP: Hall, Shore, Toppe, and Rivers

Voluntary Relinquishment

DBPR vs. James F. Price  
Case Number 2014-009517  
PCP: Hall, Shore, Costoya, and Rivers

Motion: Ms. Bao-Garciga moved that the board approve the settlement stipulations and voluntary relinquishment as presented.  
Second: Mr. Fernandez seconded the motion and it passed unanimously.

DBPR vs. Carlos Melo  
Case Number 2013-041540  
PCP: Hall, Shore, Toppe, and Rivers

Mr. Melo was not present but was represented by Mr. Ashburn. Mr. Toppe was recused from the review of the case based on his participation on the Probable Cause Panel.

The case was before the board based on a one count administrative complaint for using the title architect. The Probable Cause Panel recommended a \$5,000 fine plus \$180 costs. The settlement stipulation reflects a \$500.00 fine plus costs. The fine was reduced because this was a first time offense, the respondent agreed to comply, and there was an issue with the individual that created the web site.

Motion: Mr. Blanz moved that the board approve the settlement stipulation as presented.  
Second: Mr. Ehrig seconded the motion and it passed unanimously.

DBPR vs. Julie M. Risch  
Case Number 2014-009533  
PCP: Hall, Shore, Costoya, and Rivers

Ms. Risch was present and sworn in by the court reporter. The case was before the board based on a one count administrative complaint for failing to comply with the continuing education requirements for renewal.

The Probable Cause Panel recommended a \$1,000 fine plus costs, 40 hours of continuing education and suspension until compliance. The settlement stipulation reflects the panel's recommendation.

Ms. Risch appeared before the board to request leniency on the penalties imposed because she has not been practicing, she has two small children, and her husband will be out of work. Ms. Risch completed 11 hours of continuing education complete and had signed up for nine hours.

Motion: Ms. Bao-Garciga moved that the board reject the settlement stipulation as presented.

Second: Mr. Johnson seconded the motion and it passed unanimously.

For the record, the following questions were asked of Ms. Risch.

Mr. Johnson: Is it correct that your husband will be unemployed as of tomorrow and there will be no income?

Ms. Risch: Yes.

Mr. Johnson: In the past two years have you practiced interior design or had any income from interior design?

Ms. Risch: No.

The board discussed Rule 61G1-12.004(3) (a) 5 and 6, Disciplinary Guidelines, Florida Administrative Code, as mitigating factors. After board discussion the following motion was made.

Motion: Ms. Bao-Garciga moved that the board imposed a \$250.00 fine plus \$351 costs to be paid in six months from the date of the final order, 40 hours of continuing education and suspension until compliance.

Second: Mr. Ehrig seconded the motion and it passed with Mr. Fernandez and Mr. Johnson opposed.

Ms. Risch accepted the counter offer.

DBPR vs. Beachside Design Group, Inc. and Dale Schmutz

Case Number 2013-037686

PCP: Hall, Shore, Toppe, and Rivers

Mr. Schmutz was present and sworn in by the court reporter. Mr. Toppe was recused from the review of the case based on his participation on the Probable Cause Panel. The case was before the board based on a two count

administrative complaint for practicing architecture without a license and practicing architecture through a business entity without a certificate of authorization. This is a second offense.

The Probable Cause Panel recommended a \$4,000 fine plus costs. The respondent filed an election of rights form and did not dispute the facts.

The case was based on an invoice for services. The board discussed that the plans were residential; the builder contracted with the owner and an engineer was involved with the project.

Motion: Mr. Ehrig moved that the board dismiss the case with no further action.  
Second: Ms. Fishburne seconded the motion, it passed with Mr. Fernandez and Ms. Bao-Garciga opposed.

DBPR vs. Omega Design Architecture, Luis Avila, and Cristine Rosenhaim  
Case Numbers 2013-040185 and 2013-040094  
PCP: Hall, Shore, Toppe, and Rivers

The respondents were present and represented by Mr. Andrews. Mr. Toppe was recused from the review of the case based on his participation on the Probable Cause Panel. The case was before the board based on a three count administrative complaint for practicing architecture without a license, using the title architect without a license, and practicing architecture through a business entity without a certificate of authorization.

The Probable Cause Panel recommended a \$15,000 fine plus costs. The settlement stipulation reflects a \$2,500 fine plus \$870 costs. The fine was reduced because this was a first time offense, the respondent agreed to comply, the respondent corrected the web site, and the respondent agreed to appear before the board.

Motion: Mr. Ehrig moved that the board approve the settlement stipulation as presented.  
Second: Mr. Blanz seconded the motion and it passed with Mr. Fernandez and Ms. Bao-Garciga opposed.

Mr. Rodriguez provided a brief overview regarding the Supreme Court of the United States upholding the Federal Trade Commission's Anti-trust action against the North Carolina Board of Dentistry. The Federal Trade Commission will issue guidance on sufficient government oversight for handling disciplinary actions. Ms. Clark provided a brief overview on governmental oversight in relation to board members and board action. The board was provided the department's disciplinary guidelines for unlicensed activity cases and advised to stay within the definitions outlined in statute. The board will be provided the

Federal Trade Commission's guidance on governmental oversight when it is available in the future.

DBPR vs. Charles Jackson

Case Number 2012-045979

PCP: Rodriguez, Shore, Costoya, and Rivers

Mr. Jackson was not present or represented by counsel. Mr. Toppe, Vice-Chair, conducted the hearing.

For the record, Ms. Clark advised the board that Mr. Rodriguez and Mr. Rivers were recused from the review of the case based on his participation on the Probable Cause Panel. The department is represented by the board and Mr. Minacci. Ms. Clark asked if Mr. Jackson was present with no response. For the record, Mr. Jackson was not present for the proceeding.

For the record, Ms. Clark advised this was a hearing being conducted pursuant to Chapter 102.569 and 120.57(1), Florida Statutes and Chapter 28-5, Florida Administrative Code. The purpose of the proceeding is to consider the Recommended Order issued by the Administrative Law Judge. No new evidence will be admitted because this is not a de novo review. Deliberations must be confined to the Recommended Order and the record in the agenda materials. The board may adopt the Recommended Order as its final order or the board may reject any specific findings of fact and conclusions of law only in certain circumstances. The board may not reject or modify the findings of fact unless it determines from a review of the complete record that factual finding was not based of competence substantial evidence or that the proceedings upon which the findings of fact were made did not comply with the essential requirements of law. No exceptions to the Recommended Order or the findings of fact have been made.

For the record, Ms. Clark advised that the board may modify or reject conclusions of law and interpretation of the administrative rules over which it has substantive jurisdiction. When rejecting or modifying conclusion of law or interpretations of the administrative rules the board must state with particularity the reasons for rejecting or modifying any conclusion of law or interpretation of an administrative rule; and must make a finding that is a substituted conclusion of law or interpretation of the administrative rule that is as reasonable or more reasonable than that which was rejected or modified. The rejection or modifications of the conclusions of law or interpretations of administrative rules may not form the basis for rejection or modification of findings of fact. There are no exceptions filed to the conclusions of law.

For the record, the board may not alter the recommended penalty set forth by the Administrative Law Judge without a complete review of the record and justifying

the action and stating with particularity its reasons for doing so in the order and citing to the record in justifying its action.

Ms. Clark asked the following questions to each board member.

1. Did you receive all the materials regarding today's meeting in advance of the meeting?  
Mr. Toppe, Mr. Blanz, Mr. Johnson, Mr. Ehrig, Ms. Fishburne, Ms. Bao-Garciga, and Mr. Fernandez answered in the affirmative (YES).
2. Did you have enough time to thoroughly read and review the materials and familiarize yourself with the information presented within?  
Mr. Toppe, Mr. Blanz, Mr. Johnson, Mr. Ehrig, Ms. Fishburne, Ms. Bao-Garciga, and Mr. Fernandez answered in the affirmative (YES).
3. Were there any problems with the materials received such as missing pages, illegible copies, or any other problems that should the board should take up at this time?  
Mr. Toppe, Mr. Blanz, Mr. Johnson, Mr. Ehrig, Ms. Fishburne, Ms. Bao-Garciga, and Mr. Fernandez answered in the negative (NO).
4. Are you aware of any facts, situations, or reasons that you feel may disqualify or otherwise make it improper for you to hear and deliberate on the case scheduled today?  
Mr. Toppe, Mr. Blanz, Mr. Johnson, Mr. Ehrig, Ms. Fishburne, Ms. Bao-Garciga, and Mr. Fernandez answered in the negative (NO).

Ms. Clark advised there are no exceptions filed.

Motion: Mr. Ehrig moved that the board adopt the findings of fact and conclusions of law as set forth in the Recommended Order.  
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Mr. Ehrig moved that the board impose a \$3,000 fine plus \$2,663.82 costs to be paid within 30 days of the entry of the final order and that the respondent ceases and desists doing business as Charles Jackson Architectural and Design.  
Second: Mr. Fernandez seconded the motion and it passed unanimously.

DBPR vs. North Jax Builders, Inc. and Reginald Tribune  
Case Number 2013-018942

PCP: Hall, Shore, Costoya, and Rivers

The respondent was not present or represented by counsel. Mr. Rodriguez was recused from the review of the case based on his participation on the Probable Cause Panel. Mr. Toppe, Vice-Chair, conducted the hearing.

The case was before the board based on a one count administrative complaint for practicing architecture without a license per Section 481.223(1) (a), Florida Statutes. Service of the administrative complaint was attempted by hand delivery to the respondent's last known address October 2, 2014 and by e-mail October 23, 2014. Service of the administrative complaint was achieved by publishing a notice of action in the Jacksonville Business Journal. The respondent has failed to respond.

The Probable Cause Panel recommended a \$5,000 fine plus \$685 costs. The board reviewed the department's disciplinary guidelines per violation and after discussion the following motions were made.

Motion: Ms. Fishburne moved that the board finds that the administrative complaint was properly served upon the respondent and the respondent waived the right to dispute the material facts by failure to timely respond thereto.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Motion: Ms. Fishburne moved that the board adopts the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

Motion: Ms. Fishburne moved that the board impose a \$3,000 fine plus \$685 costs to be paid within 30 days of the filed final order.

Second: Ms. Bao-Garciga seconded the motion and it passed with Mr. Fernandez opposed.

DBPR vs. Ronald Allen and Design Works Studio, Inc.

Case Numbers 2014-005486

PCP: Hall, Shore, Toppe, and Rivers

The respondent was not present or represented by counsel. Mr. Toppe was recused from the review of the case based on his participation on the Probable Cause Panel. The case was before the board based on a three count administrative complaint for practicing architecture without a license per Section 481.223(1) (a), Florida Statutes, using the license number of another per Section 481.223 (1) (d), Florida Statutes, and practicing architecture through a business entity without a certificate of authorization per Section 481.219(2), Florida Statutes. The administrative complaint was hand served on January 17, 2015 and the respondent has failed to respond.

The Probable Cause Panel recommended a \$15,000 fine plus \$624 costs. The board reviewed the department's disciplinary guidelines per violation and after discussion the following motions were made.

Motion: Ms. Bao-Garciga moved that the board finds that the administrative complaint was properly served upon the respondent and the respondent waived the right to dispute the material facts by failure to timely respond thereto.

Second: Mr. Johnson seconded the motion and it passed unanimously.

Motion: Ms. Bao-Garciga moved that the board adopts the findings of fact and conclusions of law as set forth in the administrative complaint.

Second: Mr. Fernandez seconded the motion and it passed unanimously.

Motion: Ms. Bao-Garciga moved that the board impose a \$9,500 fine plus \$624 costs to be paid within 30 days of the filed final order.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

DBPR vs. Bert Horsting

Case Number 2014-037299

PCP: Hall, Shore, Costoya, and Rivers

The respondent was not present or represented by counsel. The case was before the board based on a one count administrative complaint for practicing architecture without a license per Section 481.223(1) (a), Florida Statutes. The respondent filed an election of rights and waived his rights to be heard in the matter.

The Probable Cause Panel recommended a \$1,500 fine plus \$975 costs. The board reviewed the department's disciplinary guidelines per violation and after discussion the following motions were made.

Motion: Mr. Fernandez moved that the board finds that the administrative complaint was properly served upon the respondent and the respondent waived the right to dispute the material facts by failure to timely respond thereto.

Second: Ms. Fishburne seconded the motion and it passed unanimously.

Motion: Mr. Fernandez moved that the board adopts the findings of fact and as set forth in the administrative complaint.

Second: Ms. Fishburne seconded the motion and it passed unanimously.

Motion: Mr. Fernandez moved that the board adopts the conclusions of law as set forth in the administrative complaint.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

Motion: Mr. Fernandez moved that the board impose a \$1,500 fine plus \$975 costs to be paid within 30 days of the filed final order.

Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

DBPR vs. Ronald James Olbekson

Case Number 2014-004854

PCP: Hall, Shore, Costoya, and Rivers

The respondent was not present or represented by counsel. The case was before the board based on a one count administrative complaint for failing to comply with the continuing education requirements for renewal.

The Probable Cause Panel recommended a \$1,000 fine plus \$330 costs, 40 hours continuing education, and suspension until compliance. The settlement stipulation reflects the panel's recommendation.

Motion: Mr. Johnson moved that the board approve the settlement stipulation as presented.

Second: Mr. Ehrig seconded the motion and it passed unanimously.

DBPR vs. John W. Dawson and Big John's Services, Inc.

Case Number 2013-047406

PCP: Hall, Shore, Toppe, and Rivers

The respondent was not present or represented by counsel. The case was before the board based on a two count administrative complaint for practicing architecture without a license per Section 481.223(1) (a), Florida Statutes, and practicing through a business entity without a certificate of authorization per Section 481.219(2).

The Probable Cause Panel recommended a \$10,000 fine plus \$447 costs. The settlement stipulation reflects a \$1,000 fine plus \$447 costs. The fine was reduced because this was a first offense, the respondent agreed to comply, the project was residential, and the respondent worked with a licensed architect.

The board requested that the case be referred to the Construction Industry Licensing Board. After discussion the following motion was made.

Motion: Ms. Bao-Garciga moved that the board approve the settlement stipulation as presented.

Second: Mr. Fernandez seconded the motion and it passed with Ms. Fishburne opposed.

DBPR vs. Kalido's Interior Design Corp and Hilda Gomez

Case Number 2012-049123

PCP: Hall, Shore, Costoya, and Rivers

The respondent was not present or represented by counsel. Mr. Rodriguez was recused from the review of the case based on his participation on the Probable Cause Panel. Mr. Toppe, Vice-Chair, conducted the hearing.

The case was before the board based on a three count administrative complaint for practicing architecture without a license per Section 481.223(1) (a), Florida Statutes, using the title architect without a license per Section 481.223(1) (c), Florida Statutes, and practicing through a business entity without a certificate of authorization per Section 481.219(2), Florida Statutes.

The Probable Cause Panel recommended a \$7,500 fine plus \$165 costs. The settlement stipulation reflects a \$500 fine plus \$165 costs. The fine was reduced because this was a first offense and the respondents agreed to comply.

After discussion the following motion was made.

Motion: Mr. Ehrig moved that the board approve the settlement stipulation as presented.

Second: Mr. Blanz seconded the motion it passed with Mr. Fernandez and Ms. Bao-Garciga opposed.

The board requested that the case information be sent to AIA for review.

DBPR vs. Jamil Zarazel and Nialvi, LLC

Case Number 2014-023055

PCP: Hall, Shore, Costoya, and Rivers

The respondent was not present or represented by counsel. The case was before the board based on a one count administrative complaint for using the title architect without a license per Section 481.223(1) (c), Florida Statutes.

The Probable Cause Panel recommended a \$2,500 fine plus \$935.18 costs. The settlement stipulation reflects a \$1,000 fine plus \$935.18 costs. The fine was reduced because this was a first offense and the respondent agreed to comply.

After discussion the following motion was made.

Motion: Mr. Ehrig moved that the board approve the settlement stipulation as presented.

Second: Mr. Blanz seconded the motion it passed with Mr. Fernandez and Ms. Bao-Garciga opposed.

### **New Business**

No new business.

### **Old Business**

No old business.

### **Recess**

The meeting recessed at 12:00 p.m.

## **MINUTES**

**Board of Architecture and Interior Design  
Hyatt Regency Jacksonville Riverfront  
225 E Coastline Drive  
Jacksonville, Florida 32202  
(904) 588-1234**

**May 8, 2015  
9:00 a.m.**

### **General Business**

#### **Call to Order**

Mr. Rodriguez, Chair, called the meeting to order at 9:04 a.m.

#### Members Present:

Miguel "Mike" Rodriguez, Chair  
Jonathan Toppe, Vice-Chair  
Hector Fernandez  
Aida Bao-Garciga  
Kenan Fishburne  
J. Emory Johnson  
Dylan Rivers  
James Blanz

#### Members Absent:

Francisco "Frank" Costoya, excused  
Ivette O'Doski, excused  
John Ehrig, excused

#### Others Present:

Mary Ellen Clark, Board Counsel  
David Minacci, Prosecuting Attorney  
Thomas Campbell, Executive Director  
Terri McEwen, Government Analyst  
Janice Young  
R Ward Lariscy  
Jacqueline Drake  
Eli Nortelus  
Suzanne Suttles  
Cynthia David

Court Reporter: Precision Court Reporting, Inc., 4800 Touchton Road, Bldg 100, Suite 150, Jacksonville, Florida 32246. Telephone 905.629.5310

### **Petition for Waiver of Rule 61G1-22.002(4), Florida Administrative Code**

Yadhya Munoz Schlegel

Ms. Shlegel was present and sworn in by the court reporter. Ms. Schlegel presented to the board that she has the required education and passed the NCIDQ examination as necessary for licensure. Ms. Schlegel was not able to validate her work experience from her supervisor because he passed away. She provided W-2 forms as proof of working in the profession and has not been able to obtain validated work experience from other professionals due to the length of time that has passed.

After discussion the following motion was made.

Motion: Mr. Toppe moved that the board grant the petition of waiver to Rule 61G1-22.002(4), F.A.C. due to specific circumstances that the licensed supervisor was deceased and she documented employment through W-2 forms.

Second: Ms. Fishburne seconded the motion and it passed unanimously.

### **Application Review**

Daniel Castro – Interior Design Endorsement

Mr. Castro requested that his application be continued to the next meeting.

Michael Ramirez – Interior Design Endorsement

Mr. Ramirez requested that his application be continued to the next meeting.

Motion: Ms. Bao-Garciga moved that Mr. Castro and Mr. Ramirez's applications be continued to the July meeting.

Second: Ms. Fishburne seconded the motion and it passed unanimously.

### **Continuing Education Extension Request**

Elizabeth Taylor

Ms. Taylor requested a continuing education extension request based on a medical hardship. After review of the documents and discussion the following motion was made.

Motion: Ms. Bao-Garciga moved that the board grant a six-month extension from February 28, 2015.

Second: Mr. Blanz seconded the motion and it passed unanimously.

## Rules Report and Discussion

### Rules Report

Ms. Clark reported that the Rule 61G1-12.007, Notice of Non-compliance was published April 29, 2015. She reported that the board may receive comments from the Joint Administrative Procedure Committee (JAPC) regarding the draft language. She reported if the board receives comments she will bring them before the board at the next meeting.

### 2015 Annual Regulatory Plan Instructions

### 2015 Annual Regulatory Plan Template

### 2014-2015 Annual Regulatory Plan

Ms. Clark reported that the Annual Regulatory Plan is due July 1, 2015. After discussion, the board identified the following rules for the 2015-2016 Annual Regulatory Plan.

### Florida Administrative Code

- Rule 61G1-11.012, Educational Advisory Review
- Rule 61G1-12.001(3), Grounds for Disciplinary Proceedings
- Rule 61G1-14.001, Examination Designated, General Requirements
- Rule 61G1-21.001, Continuing Education For Interior Designers
- Rule 61G1-21.003, Continuing Education – Approval of Subjects and Providers
- Rule 61G1-23(all sections), Responsible Supervising Control
- Rule 61G1-24.001, Continuing Education for Architects
- Rule 61G1-24.002, Continuing Education Approval of Subjects and Providers

Ms. Clark suggested appointing a work group to review and update the rules. Mr. Rodriguez appointed himself, Mr. Fernandez, Mr. Ehrig, and Mr. Johnson as the Rules Committee to review and update the rules. Board members are to provide their suggestions to the board office by May 31, 2015.

The following telephone conference calls were scheduled.

June 24, 2015 at 2:00 p.m. – General Business Meeting  
June 24, 2015 at 3:00 p.m. – Rules Committee Meeting to review of Rule 61G1-23, Responsible Supervising Control

### Rule 61G1-24, Florida Administrative Code

### Architecture Continuing Education Handbook Review

### Rule 61G1-21, Florida Administrative Code

### Interior Design Continuing Education Handbook Review

Mr. Rodriguez reported that the handbooks were on the agenda for updates regarding the advanced Florida Building Code course(s), shortening the

response time to comply when a disallowance is granted from 180 days to 60 days, consistency throughout the handbooks, and the number of hours required for new licensees.

### **General Discussion/Information**

Mr. Thomas reported that he was reviewing the board's current rules based on the Governor's initiative to determine the board's rule making authority and the necessity of the rule. He will provide an update on the upcoming June telephone conference call.

#### **Use of Title "Interior Designer" – Hector Fernandez**

Mr. Minacci provided a brief overview of the ruling by Judge Hinkle for new board member's information.

#### **Exemption from architect licensure for residential work**

##### **Profession specific roles and responsibilities**

Mr. Fernandez provided the information in effort to facilitate discussions to clarify gray areas between the architecture and engineering professions. Mr. Rodriguez reported that he reach out to the Chair of the Florida Board of Professional Engineers for future meeting dates to schedule the task force meeting that was created at the February Joint Board meeting.

#### **Florida Trend April 2015 – Unlicensed Activity**

Mr. Fernandez provided the article for information and requested that the department understand the importance of a design professional being involved in the design prior to and during the construction process. The board discussed their request for a budgetary line item from the unlicensed activity funds for unlicensed activity articles and public service announcements.

The board discussed a concern regarding the interior design profession not being defined in the Florida Building Code effective June 1, 2015. The board discussed the need for professional representation at the Florida Building Commission meetings. The board discussed sending board and department representation to the commission meetings and sending a letter from the board to the commission regarding the board's concerns. The board requested that the department fund a board representative to attend future commission meetings.

Motion: Mr. Toppe moved that the board send a letter requesting immediate correction of the Florida Building Code to include interior designers.

Second: Mr. Fernandez seconded the motion and it passed unanimously.

#### **NCARB Implementation of IDP Streamline**

Mr. Rodriguez provided a brief overview of the information.

Smith, Thompson, Shaw, Minacci & Colon Contract  
*Review of Contract Amendment*  
*Review of Contract Renewal*

After board review and discussion the following motion was made.

Motion: Mr. Rivers moved that the board approve the Smith, Thompson, Shaw, Minacci & Colon Contract Amendment and Renewal.  
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

### **Review and Approval of Meeting Minutes**

February 11-12, 2015 – General Business Meeting  
Daytona Beach Shores, Florida  
February 13, 2015 – Probable Cause Panel Meeting  
Daytona Beach Shores, Florida  
February 17, 2015 – meeting with Florida Board of Professional Engineers and Building Code Administrators and Inspectors' Board  
Tallahassee, Florida  
April 1, 2015 – General Business Meeting Telephone Conference Call

Motion: Ms. Bao-Garciga moved that the board approve the February 11-12, 2015, February 13, 2015, February 17, 2015, and April 1, 2015 board meeting minutes as presented.  
Second: Mr. Fernandez seconded the motion and it passed unanimously.

### **Ratification List(s)**

Licensure

*Categories of Licensure: Architect License by Examination, Architect License by NCARB Examination, Architect License by NCARB Endorsement, Architect License by State Endorsement, Architect by Direct Endorsement, Architect License by Reinstatement of Null and Void/Hardship, Architect Threshold, Architect Business by Corporation, Partnership, Limited Liability Company, and Fictitious Name, Architect Business License by Name Change, Interior Design, License by Endorsement, Interior Design by Dual License, Interior Design License by Null and Void/Hardship, Interior Design Business by Corporation, Partnership, Limited Liability Company, and Fictitious Name, Interior Design Business License by Dual, and Interior Design Business by Name Change.*

Motion: Ms. Fishburne moved that the board approve the licensure ratification list as presented in the agenda materials.  
Second: Mr. Johnson seconded the motion and it passed unanimously.

Continuing Education

*Courses submitted by the following providers: Design Arts, Seminars, Florida Educational Facilities Planners, Gold Coast School of Construction, Informational Resource for Professionals, James E. Saizan, and RedVector*

Motion: Ms. Bao-Garciga moved that the board approve the continuing education ratification list as presented in the agenda materials.  
Second: Mr. Blanz seconded the motion and it passed unanimously.

## **Reports**

Chair's Report – Miguel Rodriguez

Mr. Rodriguez reported that he attended the NCARB Regional Summit in March and provided a brief overview of the Summit. He provided updated information on the NCARB Broadly Experienced Architect (BEA) provision. Mr. Toppe reported that he was appointed to the Architecture 5.0 Examination Writing Committee.

Mr. Fernandez was excused from the meeting at 12:05 p.m.

Executive Director's Report – Thomas Campbell

*Financial Statement*

*Operating Account ending December 31, 2014*

*Unlicensed Activity Account ending December 31, 2014*

Mr. Campbell reviewed the statements and reported the board is in good financial position.

AIA Report – Vicki Long

Ms. Long was present and provided a Legislative update. She reported that structural engineers will be licensed independently based on the passage of House Bill 217. She provided a brief overview of other bills that did not pass. Mr. Johnson thanked Ms. Long for her efforts during the Legislative Session. Mr. Rodriguez reported that Ms. Long was selected to be an honorary AIA member.

IDAF –Cindy David

Ms. David reported that they have been monitoring the Legislative Session. She thanked the board for sending a letter to the Florida Building Commission regarding the building code language changes.

ASID – Eli Nortelus

Mr. Nortelus reported that the ASID held its National Symposium in April in Washington, DC. He reported that on a Federal and National Level they have teamed with the Invest in America Coalition to reform Foreign Investment in Real Property Tax Act (FIRPTA) to reform old tax codes that negatively impact the profession.

Prosecuting Attorney's Report – David K. Minacci

*Prosecutor's Case List Licensed/Unlicensed Cases*  
*Investigator's Case List Licensed/Unlicensed Cases*  
*Fines Chart – Summary*  
*Fines Chart – Unlicensed*  
*Fines Chart – Licensed*  
*Billable Hours - January 2015*  
*Billable Hours - February 2015*  
*Results of February 2015 Board Meeting*  
*Press Releases/Speaking Engagements/Other Correspondence*

Mr. Minacci provided a brief overview of his reports. He reported that he will be speaking at the NCARB Annual Business meeting in June 2015.

### **Future Board Meetings**

Location: Boca Raton, Florida  
Meeting in conjunction with AIA Florida  
Boca Raton Resort & Club, 501 East Camino Real, Boca Raton, Florida  
July 27, 2015 – Probable Cause Panel Meeting  
July 28-29, 2015 – General Business Board Meeting

Location: Pensacola  
Crowne Plaza, 200 E. Gregory Street, Pensacola, Florida  
October 7, 2015 – Probable Cause Panel Meeting  
October 8-9, 2015 – General Business Board Meeting

### **New Business**

No new business.

### **Old Business**

No old business.

### **Adjourn**

Motion: Mr. Toppe moved to adjourn the meeting.  
Second: Ms. Bao-Garciga seconded the motion and it passed unanimously.

The meeting adjourned at 12:30 p.m.