

MINUTES

**Board of Architecture and Interior Design
Hampton Inn & Suites Downtown St. Petersburg
80 Beach Drive NE
St. Petersburg, Florida 33701
(727) 892-9900**

**May 16, 2019
General Business
3:00 p.m.**

Call to Order

Ms. Bao-Garciga, Chair, called the meeting to order at 3:11 p.m. and a quorum was established.

Board Members Present:

Miguel Rodriguez
Jonathan Toppe
G. Steven Jernigan
Aida Bao-Garciga, Chair
Holly Dennis
Timothy Nolan

Board Members Absent:

John Ehrig, Vice Chair, excused
Francisco "Frank" Costoya, unexcused
Ivette O'Doski, unexcused
Dylan Rivers, excused

Others Present:

Robert Milne, Board Counsel
David Minacci, Prosecuting Attorney
Krista B. Woodard, Executive Director
Amanda "Mandie" Ackermann, Executive Director
Terri McEwen, Government Analyst
Michael Wirtz
James Piatchuk
David Roberts
Wendall Hall

Court Reporter: Integra Reporting Group, LLC, The Sterling Suites, 114 S. Oregon Avenue, Tampa, Florida 33606 Telephone 813.868.5130. Email: Scheduling@IntegraReporting.com

The following rules were offered at the “Deregathon” to review for elimination or reduction.

Rules Discussion

Rules Report

The board discussed the need to clarify third party authentication electronic submission of documents. The current board rule does not address third party authentication. Mr. Rodriguez will draft language for discussion at the July meeting.

Rule 61G1-17, Fees

The board discussed reducing all fees above \$50.00 by \$25.00.

Motion: Mr. Toppe moved that the board investigate reducing all fees by \$25.00 for architects.

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

Motion: Mr. Toppe moved that the board investigate reducing all fees by \$25.00 for interior designers.

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

Ms. Ackermann will provide an analysis at the July meeting.

Rule 61G1-23, Responsible Supervisory Control

The board discussed the following draft language.

Current NCARB Definition of “Responsible control.”

That amount of control over and detailed professional knowledge of the content of technical submissions during their preparation as is ordinarily exercised by a registered architect applying the required Professional standard of care, including but not limited to an architect’s integration of information from manufacturers, suppliers, installers, the architect’s consultants, owners, contractors, or other sources the architect reasonably trusts that is incidental to and intended to be incorporated into the architect’s technical submissions if the architect has coordinated and reviewed such information. Other review, or review and correction, of technical submissions after they have been prepared by others does not constitute the exercise of responsible control because the reviewer has neither control over nor detailed professional knowledge of the content of such submissions throughout their preparation.

F.S. 481.203(16)

“Responsible Supervising Control” means the exercise of direct personal supervision and control throughout the preparation of documents, instruments of service, or any other work requiring the seal and signature of a licensee under this part.

61G1-23.010 and 61G1-23.015 are deleted in their entirety, and replaced with the below:

61G1-23.010 Responsible Supervising Control over Architectural Work.

The preparation of architectural work, defined in section 481.203(6) F.S., must occur under the responsible supervising control of an architect licensed in the State. Such control ensures that the required professional standard of care is applied, in order to safeguard the public from harm and confirm that the owner's needs and requirements as well as applicable codes and standards are met.

1. The responsible supervising control which is required of architects prior to sealing and signing architectural documents, as that term is used in section 481.221 (4)m F.S., shall mean:
 - a. Direct contact between the architect and his/her client.
 - i. The client shall have direct and unfettered access at all times, during the preparation of all architectural work. Access shall begin with the start of the work and continue, without interruption until the work is completed or construction of the project is completed.
 - b. The architect shall have direct participation in and detailed knowledge of the work, during its progress. Such involvement shall include, but not be limited to:
 - i. Direct preparation of research, investigations, designs or documents.
 - ii. Regular review and examination, with commentary on designs or documents while their preparation is progressing.
 - iii. Meetings with clients, at times appropriate to the progress of the work, for the review of project goals, requirements and expectations.
 - iv. Meetings with others, having authority over the work, such as: representatives of agencies having jurisdiction over the project, contractors, manufacturers, consultants, etc.
 - v. Review, examination, modification, approval and adoption of work prepared by others and to be incorporated in the work.
 - vi. Review, comment on and revision, as necessary, of the various documents required for execution of the work.
 - c. To avoid ambiguity, the architect and their client should have a clear agreement, describing in detail, the work to be done and all pertinent requirements such as, but not limited to time for performance and general expectations.
2. An architect may provide responsible supervising control though direct employment of others who may be themselves licensed or who are otherwise duly trained and knowledgeable.
 - a. Indirect employment arrangements, such as independent contractors, may not provide responsible supervising control on behalf of a licensee, unless there is a specific written agreement governing those services, which details the duties and responsibilities of both architect and the independent contractor with respect to supervising control.
3. When work prepared by an architect, falls within the definition of Interior Design in Section 481.203(8), the procedures of 61G1-23.)10 above shall be followed.
4. When work that falls within the definition of Interior Design in Section 481.203(8) and prepared by a licensed interior designer is to be incorporated in the architect's work, the procedures of 61G1-23.010 above shall be followed.

61G1-23.015 Demonstrating the Application of Responsible Supervising Control over Architectural Work.

The Board may, as part of its investigation of a complaint against a licensee, require that an architect provide evidence which demonstrates that the architect has provided an appropriate level of Supervising Control over a project or projects.

1. Evidence demonstrating Responsible Supervising Control shall consist of project records, customary to architectural practice by an architect exercising the required professional standard of care, such as:
 - a. Written project agreements.
 - b. Records memorializing meetings between project participants.
 - c. Communications between project participants.
 - d. Documentation of research, or investigations conducted on behalf of the project.
 - e. Design sketches at various stages of development, indicating the progress of the project.
 - f. Notations memorializing reviews, corrections or revisions of documents prepared for the project.
2. Evidence may be presented in any media which can be readily reviewed by the Board and must be sufficient to demonstrate the application of Responsible Supervising Control across the duration of the Project timeline.
3. Initial determination of the sufficiency of evidence presented will be by the Board, or its Probable Cause Panel, as appropriate.

61G1-23.025 020 Responsible Supervising Control for Documents for Exempt Buildings Which Require an Architect's Seal and Signature for Building Permit Purposes.

The procedures set forth in Rule 61G1-23.045 10, F.A.C., shall also be followed when an architect is required by local building ordinance to sign and seal plans for buildings which unlicensed persons are authorized to design under the exceptions contained in Sections 481.229(1)(a)-(c), F.S.

61G1-23.030 025 Standards for Architectural Supervision in Construction or Marketing Office.

(1) An architectural office which is a construction or field office is ~~not~~ considered as offering architectural services to the public, and therefore, ~~does not need a separate architect assigned directly to such~~ **office must comply with the requirements of 61G1-23.010, above.**

(2) ~~An architect shall not be required to be assigned to a marketing office.~~ A marketing office is defined as an office of an architectural firm wherein no production of drawings, specifications, reports or other professional work occurs and is intended solely for the purpose of advertising or marketing an architectural firm's services to the public. The client contact permitted as a marketing office by non-registered persons shall only include marketing a firm's qualifications and capabilities. No other professional activities shall be performed at this office.

(3) Any architect or architectural firm can advertise in any medium, ~~including the telephone directory yellow pages~~, even if no office is physically present in the area of the advertisement. Such advertisement or listing, however, shall not mislead the public into believing that the phone number and address given is capable of offering architectural services to the public if in fact the phone or address listed is not an architectural office and shall be clearly listed or designated as a marketing office only or a construction or field office, as applicable.

(4) All firms shall notify the Board of Architecture and Interior Design of the location of all marketing offices and the individuals who will be assigned to such office within sixty (60) days of such an assignment.

Motion: Mr. Rodriguez moved that the board notice Rule 61G1-23, Responsible Supervisory Control for development in its entirety.

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

Rule 61G1-21, Continuing Education Interior Designers Handbook
 Rule 61G1-24, Continuing Education Architect Handbook

The board discussed reducing the number of Florida Building Code advanced course hours from 2 to zero. The board discussed reducing the total number of hours of continuing education for architects from 24 hours to 20 hours.

Motion: Mr. Rodriguez moved that the board reduce the Florida Building Code advanced course hours from 2 to zero for interior designers.

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

Motion: Ms. Dennis moved that the board designate the interior design continuing education requirements be 16 hours health, safety, and welfare, and 4 hours optional totaling 20 hours.

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

Motion: Mr. Toppe moved that the board reduce the Florida Building Code advance course hours from 2 to zero for architects still requiring all 24 hours be in health, safety, and, welfare.

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

Motion: Mr. Toppe moved that the board set the reporting cycle from March 1, odd year to February 28, odd year.

Second: Mr. Nolan seconded the motion, the motion passed with Mr. Rodriguez opposed.

Continuing Education Rule Examples

Construction Rule 61G4-18, F.A.C.

Building Code Administrators and Inspectors Rule 61G19-9, F.A.C.

NCARB Continuing Education Health, Safety, and Welfare (HSW)

Recess

The board recessed at 5:04 p.m.

MINUTES

**Board of Architecture and Interior Design
Hampton Inn & Suites Downtown St. Petersburg
80 Beach Drive NE
St. Petersburg, Florida 33701
(727) 892-9900**

**May 17, 2019
General Business
9:00 a.m.**

Call to Order

Ms. Bao-Garciga, Chair, called the meeting to order at 9:07 a.m. and a quorum was established.

Board Members Present:

Miguel Rodriguez
Jonathan Toppe
G. Steven Jernigan
Aida Bao-Garciga, Chair
Holly Dennis
Timothy Nolan
John Ehrig
Dylan Rivers

Board Members Absent:

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

Others Present:

Robert Milne, Board Counsel
David Minacci, Prosecuting Attorney
Krista B. Woodard, Executive Director
Amanda "Mandie" Ackermann, Executive Director
Terri McEwen, Government Analyst
Michael Wirtz
James Piatchuk
David Roberts
David Hernandez
Wanda Gozdz
Elizabeth Nieves

Jessica Frazier
Todd Steibly
Jeff Peters, Esquire
Hugo Mijares

Court Reporter: Integra Reporting Group, LLC, The Sterling Suites, 114 S. Oregon Avenue, Tampa, Florida 33606 Telephone 813.868.5130. Email: Scheduling@IntegraReporting.com

Ms. Bao-Garciga introduced Ms. Ackermann as the new Executive Director.

Motion: Mr. Toppe moved that the board approve Ms. Ackermann as the Executive Director.

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

The board thanked Ms. Woodard for her services and wished her well in her new position.

Disciplinary Cases

DBPR vs. John P. Chamberlin

Case Number 2018-087184

PCP: Hall, Rodriguez, Shore, and Rivers

PCP Recommendation: \$4,500.00 fine plus \$840.00 costs

Settlement Stipulation: \$3,500.00 fine plus \$840.00 costs

Mr. Chamberlin was not present but was represented by Mr. Peters. Mr. Rodriguez and Mr. Rivers were recused from the review of the case based on their participation with 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.

After board discussion, the following motion was made.

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

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

DBPR vs. Pierre Drancourt and Vincent D. Lifestyle, LLC

Case Number 2017-054513 and 2017-054519

PCP: Hall, Rodriguez, Shore, and Rivers

PCP Recommendation: \$5,500.00 fine plus \$802.50 costs

Settlement Stipulation: \$4,500.00 fine plus \$802.50 costs

The respondent was not present but was represented by Mr. Peters. Mr. Rodriguez and Mr. Rivers were recused based on their participation on with the Probable Cause Panel. The case was before the board based on a three count administrative complaint for practicing architecture without a license, practicing architecture through a business

entity without a certificate of authorization, and using the title interior designer without a license.

After board discussion, the following motion was made.

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

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

DBPR vs. Taying Lee

Case Number 2018-000510

PCP: Hall, Rodriguez, Shore, and Rivers

PCP Recommendation: Reprimand, \$3,000.00 fine plus \$1,855.00 costs, 2 years probation

Settlement Stipulation: \$3,000.00 fine plus \$1,855.00 costs and appearance at the next board meeting

Mr. Lee was present and sworn in by the court reporter. Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel. The case was before the board based on a two count administrative complaint for failing to provide responsible supervisory control and misconduct in the practice of architecture.

After board discussion, the following motion was made.

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

Second: Mr. Nolan seconded the motion, the motion passed with Mr. Ehrig opposed.

DBPR vs. Bryan Liebig

Case Number 2018-018683

PCP: Bao-Garciga, Rodriguez, and Rivers

PCP Recommendation: \$1,000.00 fine plus \$75.50 costs, 48 hours of continuing education, suspension until compliance

Mr. Liebig was present and sworn in by the court reporter. Mr. Rodriguez, Ms. Bao-Garciga, and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel. Mr. Ehrig, Vice-Chair, conducted the hearing. The case was before the board based on a one count administrative complaint for failing to perform a statutory obligation. Mr. Liebig requested a formal hearing; he failed to reply to discovery, failed to appear for his hearing, and on January 9, 2019 the Division of Administrative Hearings relinquished jurisdiction to the board.

The respondent provided 10.5 health, safety, and welfare hours in response to the request. Mr. Liebig was deficient 13.5 hours of continuing education. The disciplinary guidelines impose a \$750.00 fine plus costs; make up the missing hours, plus 18 penalty hours due within 150 days of the final order.

After board discussion, the following motion was made.

- Motion: Mr. Nolan moved that the board impose a \$750.00 fine plus \$75.50 costs to be paid within 30 days, 31.5 hours of health, safety, and welfare continuing education to be completed within 150 days of the final order.
- Second: Mr. Toppe seconded the motion and it passed unanimously.

DBPR vs. David Lee Hernandez

Case Number 2018-045330

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$3,000.00 fine plus \$660.00 costs

Settlement Stipulation: \$1,000.00 fine plus \$660.00 costs

Mr. Hernandez was present and sworn in by the board. Mr. Rodriguez was recused from the review of the case based on his participation with the Probable Cause Panel. The case was before the board based on a one count administrative complaint for practicing architecture without a license.

After board discussion, the following motion was made.

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

Application

Jessica Frazier – NCARB Endorsement

Ms. Frazier was present and sworn in by the court reporter. The applicant meets the licensure requirements but was before the board based on affirmative answers to the background questions.

- Motion: Mr. Rodriguez moved that the board approve the application as presented.
- Second: Mr. Toppe seconded the motion and it passed unanimously.

Petition for Waiver/Variance of Rule 61G1-22.002, F.A.C.

Diane Evans

Ms. Evans was not present or represented by counsel.

Ms. Evans passed the NCIDQ exam, has a Bachelor of Interior Design, and has 20+ years of interior design experience. However, she is unable to validate the experience through the documentation process outlined in rule.

After board discussion, the following motion was made.

Petition Review

Motion: Mr. Rodriguez moved that the board approve the permanent variance based on her education, passage of the NCIDQ exam, and more than 20 years of experience; therefore, meeting the intent of the law.
Second: Ms. Dennis seconded the motion and it passed unanimously.

After board discussion, the following motion was made.

Application Review

After board discussion, the following motion was made.

Motion: Mr. Rodriguez moved that the board approve the application as presented.
Second: Mr. Jernigan seconded the motion and it passed unanimously.

Disciplinary Cases

DBPR vs. Hugo Mijares and One Design Build, LLC
Case Numbers 2017-048520 and 2017-049157
PCP: Bao-Garciga, Rodriguez, and Rivers
PCP Recommendation: \$3,000.00 fine plus \$1,737.10 costs

Mr. Mijares was present and sworn in by the court reporter. Ms. Bao-Garciga, Mr. Rodriguez and Mr. Rivers were recused from the review of the case based on their participation with the Probable Cause Panel. Mr. Ehrig, Vice-Chair, conducted the hearing. Mr. Minacci entered a settlement stipulation reflecting a \$1,500.00 fine plus costs to be paid within 30 days of the final order.

After board discussion, the following motion was made.

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

DBPR vs. Ralph Puig, Jr.
Case Number 2018-016902
PCP: Bao-Garciga, Rodriguez, and Rivers
PCP Recommendation: \$1,000.00 fine plus \$327.50 costs, 48 hours of continuing education, suspension until compliance

Mr. Puig was not present or represented by counsel. Ms. Bao-Garciga, Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel. Mr. Ehrig, Vice-Chair, conducted the hearing. The case was before the board based on a one count administrative complaint for failing to comply with a statutory obligation.

After board discussion, the following motions were made.

Motion: Mr. Jernigan moved that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

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

Motion: Mr. Jernigan moved that the board impose a \$1,000.00 fine plus \$327.50 costs to be paid within 30 days of the final order, 48 hours of continuing education and suspension of the license until compliance.

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

DBPR vs. Jaime Reyes

Case Number 2018-042940

PCP: Hall, Rodriguez, Wirtz, and Rivers

PCP Recommendation: \$4,500.00 fine plus \$540.00 costs

Mr. Reyes was not present or represented by counsel. Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their 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.

On February 8, 2019, the respondent requested a formal hearing and failed to respond to request for discovery. On April 4, 2019, the Division of Administrative Hearings relinquished jurisdiction to the board.

After board discussion, the following motions were made.

Motion: Mr. Toppe moved that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt 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: Mr. Toppe moved that the board impose a \$4,500.00 fine plus \$540.00 costs to be paid within 30 days of the final order.

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

DBPR vs. Habitat Architecture Studio LLC dba ARC Design + Build

Case Numbers 2017-010870 and 2017-010872

PCP: Rodriguez, Hall, and Rivers

PCP Recommendation: Revocation and \$3,810.25 costs

The respondent was not present or represented by counsel. Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel. The case was before the board based on a two count

administrative complaint for failing to exercise responsible supervisory control and not having a license number in an advertisement for the business.

After board discussion, the following motions were made.

Motion: Mr. Jernigan moved that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

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

Motion: Mr. Jernigan moved that the board revoke the certificate of authorization and impose \$3,810.25 costs to be paid within 30 days of the final order.

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

DBPR vs. Manuel Pereiras

Case Number 2018-017372

PCP: Rodriguez, Bao-Garciga, and Rivers

PCP Recommendation: \$1,000.00 fine plus \$225.65 costs, 48 hours of continuing education, suspension until compliance

Mr. Pereiras was not present or represented by counsel. Ms. Bao-Garciga, Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel. Mr. Ehrig, Vice-Chair, conducted the hearing. The case was before the board based on a one count administrative complaint for failing to comply with a statutory obligation.

After board discussion, the following motions were made.

Motion: Mr. Nolan moved that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

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

Motion: Mr. Nolan moved that the board impose a \$1,000.00 fine plus \$225.65 costs to be paid within 30 days of the final order, 48 hours of continuing education and suspension of the license until compliance.

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

DBPR vs. Harvey James Robertson

Case Number 2018-019520

PCP: Hall, Rodriguez, Shore, and Rivers

PCP Recommendation: \$1,000.00 fine plus \$205.00 costs, 48 hours of continuing education, suspension until compliance

Mr. Robertson was not present or represented by counsel. Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel. The case was before the board based on a one count administrative complaint for failing to comply with a statutory obligation.

After board discussion, the following motions were made.

Motion: Mr. Nolan moved that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt 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: Mr. Nolan moved that the board impose a \$1,000.00 fine plus \$205.00 costs to be paid within 30 days of the final order, 48 hours of continuing education and suspension of the license until compliance.

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

DBPR vs. Timothy Stone

Case Number 2018-021361

PCP: Hall, Rodriguez, Shore, and Rivers

PCP Recommendation: Suspension until compliance and \$137.10 costs

Mr. Stone was not present or represented by counsel. Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel. The case was before the board based on a one count administrative complaint for failing to comply with a lawful order of the board.

After board discussion, the following motions were made.

Motion: Mr. Ehrig moved that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

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

Motion: Mr. Ehrig moved that the board suspend the license until compliance and impose \$137.10 costs to be paid within 30 days of the final order.

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

DBPR vs. David Paul Brauer and ODG, Inc.

Case Number 2018-001214 and 2018-001216

PCP: Hall, Rodriguez, Shore, and Rivers

PCP Recommendation: \$9,500.00 fine plus \$632.40 costs

Mr. Brauer was not present or represented by counsel. Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their 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, presenting the license of another person, and practicing architecture through a business entity without a certificate of authorization.

After board discussion, the following motions were made.

Motion: Mr. Jernigan moved that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt 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: Mr. Jernigan moved that the board impose \$9,500.00 fine plus \$632.40 costs to be paid within 30 days of the final order.

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

DBPR vs. Sam Cole

Case Number 2018-002461

PCP: Hall, Rodriguez, Shore, and Rivers

PCP Recommendation: \$5,000.00 fine plus \$1,464.90 costs

Mr. Cole was not present or represented by counsel. Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel. The case was before the board based on a one count administrative complaint for aiding and abetting the unlicensed practice of architecture.

After board discussion, the following motions were made.

Motion: Mr. Ehrig moved that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

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

Motion: Mr. Ehrig moved that the board impose a \$5,000.00 fine plus \$1,464.90 costs to be paid within 30 days of the final order.

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

DBPR vs. Miguel Jesus Fernandez and One DD Studio

Case Numbers 2017-053969 and 2017-053972

PCP: Hall, Rodriguez, Shore, and Rivers

PCP Recommendation: \$5,500.00 fine plus \$2,322.60 costs

Mr. Minacci requested that this case be continued.

Motion: Mr. Jernigan moved the case be continued to the July meeting.

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

DBPR vs. Phipps Design, Inc. and Brian Phipps

Case Number 2018-023500

PCP: Hall, Rodriguez, Wirtz, and Rivers

PCP Recommendation: \$4,000.00 fine plus \$1,007.10 costs

Mr. Phipps was not present or represented by counsel. Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel. The case was before the board based on a one count administrative complaint for the practice of architecture without a license.

After board discussion, the following motions were made.

Motion: Mr. Ehrig moved that the administrative complaint was properly served upon the respondent and that the respondent waived the right to dispute the material facts by failure to timely respond thereto, and that the board adopt the findings of fact and conclusions of law as set forth in the administrative complaint.

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

Motion: Mr. Ehrig moved that the board impose a \$4,000.00 fine plus \$1,007.10 costs to be paid within 30 days of the final order.

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

Settlement Stipulations - Cases marked with an asterisk reflect the Probable Cause Panel's Recommendation.

DBPR vs. Lance Aaron Decker *

Case Number 2018-017729

PCP: Hall, Rodriguez, and Wirtz

PCP Recommendation: \$1,000.00 fine plus \$157.50 costs, 48 hours of continuing education, suspension until compliance

Mr. Decker was not present or represented by counsel. Mr. Rodriguez was recused from the review of the case due to his participation on the Probable Cause Panel.

After board discussion, the following motion was made.

Motion: Mr. Rivers moved that the board adopt the settlement stipulation as presented.

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

DBPR vs. Robert Williard Kirk *

Case Number 2018-000839

PCP: Hall, Rodriguez, Shore, and Rivers

PCP Recommendation: \$1,000.00 fine plus \$465.00 costs, 48 hours of continuing education, suspension until compliance

Mr. Kirk was not present or represented by counsel. Mr. Rodriguez and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel.

After board discussion, the following motion was made.

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

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

DBPR vs. Wayne Rosier *

Case Number 2018-016890

PCP: Bao-Garciga, Rodriguez, and Rivers

PCP Recommendation: \$250.00 fine plus \$112.50 costs, 8 hours of continuing education within 90 days of the final order

Mr. Rosier was not present or represented by counsel. Mr. Rodriguez, Ms. Bao-Garciga, and Mr. Rivers were recused from the review of the case due to their participation on the Probable Cause Panel. Mr. Ehrig, Vice-Chair, conducted the hearing.

After board discussion, the following motions were made.

Motion: Mr. Nolan moved that the board adopt the settlement stipulation as presented.

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

Voluntary Relinquishment

DBPR vs. Cathleen Saraduke

Case Number 2018-019685

Motion: Mr. Nolan moved that the board approve the voluntary relinquishment as presented.

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

DBPR vs. Jaime Reyes

Case Number 2018-042940

PCP: Hall, Rodriguez, Wirtz, and Rivers

PCP Recommendation: \$4,500.00 fine plus \$540.00 costs

Mr. Reyes e-mailed the board office and requested a continuance. Mr. Minacci requested that the board continue the case.

Motion: Mr. Toppe moved that the board reconsider the prior finding and continue the case to the July board meeting.

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

Application Review

The following applications were withdrawn.

Roberto Varela – Interior Design Endorsement

Hillary Harris – Architect State Endorsement

Review and Approval of Meeting Minutes

December 20, 2018 – Telephone Conference Call

Motion: Mr. Rodriguez moved that the board approve the meeting minutes as presented.

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

January 23, 2019 – Probable Cause Panel, St. Augustine, Florida

Motion: Mr. Rodriguez moved that the board accept the meeting minutes as presented.

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

January 24, 2019 – General Business, St. Augustine, Florida

Motion: Mr. Rodriguez moved that the board approve the meeting minutes as presented.

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

January 31, 2019 – Deregation, Orlando, Florida

Motion: Mr. Rodriguez moved that the board approve the meeting minutes as presented.

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

Ratification Lists

Licensure

Motion: Mr. Rodriguez moved that the board approve the licensure ratification list as presented.

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

Continuing Education

Motion: Mr. Rodriguez moved that the board approve the continuing education ratification list as presented.
Second: Mr. Nolan seconded the motion and it passed unanimously.

Discussion and Correspondence

NCARB – Regional Meeting

Mr. Rodriguez reported that Region 3 was considering changes to the bylaw language that would align with current terms and definitions. NCARB is considering modifying the Board of Directors' requirements.

Request for Extension/Exemption to Complete Continuing Education Requirements

Steven Hutchins – Architect

Mr. Hutchins is requesting that the board waive the continuing education requirements for the 2019 renewal period due to a serious medical condition. After board discussion, the following motion was made.

Motion: Mr. Rodriguez moved that the board approve the request based on medical hardship.
Second: Mr. Toppe seconded the motion and it passed unanimously.

Review and Approval of Meeting Minutes

March 27, 2019 – Telephone Conference Call

Motion: Mr. Rodriguez moved that the board approve the meeting minutes as presented.
Second: Mr. Toppe seconded the motion and it passed unanimously.

Discussion

CIDQ – New Official Definition of Interior Design
For information purposes.

Reports

Board Chair – Aida Bao-Garciga
Ms. Bao-Garciga did not have a report.

Executive Director's Report – Amanda "Mandie" Ackermann
Operating Account ending December 31, 2018
Unlicensed Activity ending December 31, 2018
Ms. Ackermann reported that the board was in good financial condition.

AIA Florida – Todd Steibly

Mr. Steibly reported that AIA had a wonderful Legislative Day that addressed the professions concerns with the Legislators such as sea level rise. He reported that 30% of the Legislators are new. He reported on tax breaks, state budget, hurricane relief, health care reform, and transportation corridors. He reported on the Florida Building Code process and the bill that required the Commission to review all updates before adopting changes. He reported that a bill was presented to reduce the number of Florida Building Code Commission seats and narrowly defined the type of architect that would be eligible for a seat on the Commission. He reported that the Florida Board of Professional Engineers was able to eliminate the certificate of authorization requirement. He reported that they continue to monitor and educate Legislators regarding the Consultants Competitive Negotiations Act (CCNA). Legislative Session will begin January 14, 2020 and will run through March 13, 2020.

IDAF – Cynthia David

No report.

ASID – Dave Roberts

Mr. Roberts reported on the Legislative Session and the efforts by House Representative, Blaise Ingoglia, to deregulate registered interior designers and other professions. He reported that the board and interior designers should be prepared for a deregulation package for the 2020 Legislative Session. The board discussed alternative education routes for interior design licensure.

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 – December 2018
Billable Hours – January 2019
Billable Hours – February 2019
Billable Hours – March 2019
Results of the January 2019 Board Meeting
For information purposes.

Future Board Meeting Dates and Locations

The Ritz–Carlton Orlando, Grande Lakes
4012 Central Florida Parkway, Orlando, Florida 32837
July 21, 2019, 9:00 a.m. Probable Cause Panel
July 22-23, 2019, 9:00 a.m. General Business

Palm Beach Area

October 23, 2019, 9:00 a.m. Probable Cause Panel

October 24, 2019, 9:00 a.m. General Business

New Business

Mr. Rodriguez presented an issue regarding a pending disciplinary case that involves mental health issues. The Probable Cause Panel requested guidance for how to handle those situations and proposed the use of the Professionals Resource Network (PRN). PRN is a mandatory monitoring and counsel resource that handles professionals with mental health and substance abuse issues. Mr. Minacci and Mr. Milne will investigate the ability to use PRN since it is statutorily mandated for other professions such as health care professions. The licensee would enter PRN on a voluntary basis.

Motion: Mr. Toppe moved that the board support the option of PRN subject to Mr. Milne's determination that they can legally utilize a PRN agreement.
Second: Mr. Nolan seconded the motion and it passed unanimously.

A telephone conference call was set for May 29, 2019 at 3:00 p.m.

The board office requested that Ms. Ackermann, Executive Director, be granted the authority to continue disciplinary cases.

Motion: Mr. Rodriguez moved that the board grant Ms. Ackermann, Executive Director, the authority to continue cases with Prosecuting Attorney consultation.
Second: Mr. Nolan seconded the motion and it passed unanimously.

Old Business

No old business.

Adjourn

Motion: Mr. Rodriguez moved that the meeting adjourn.
Second: Mr. Toppe seconded the motion and it passed unanimously.

The meeting adjourned at 12:13 p.