

MINUTES

BOARD OF ARCHITECTURE AND INTERIOR DESIGN

TELEPHONE CONFERENCE CALL

APRIL 13, 2004

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I. Call to Order

Sharon Del Bianco, past board chair called the meeting to order at 9:10 a.m.

Members Present:

Sharon Del Bianco  
Joyce Shore  
Neil Hall  
Garrick Gustafson  
Ken Horstmyer  
Miguel Rodriguez  
Stephen Schreiber  
Roymi Membiela  
Mary Jane Grigsby

Members Absent:

Ellis Bullock  
Rick Gonzalez

Others Present:

Juanita Chastain, Executive Director  
Terri Estes, Government Analyst  
Mary Ellen Clark, Board Counsel  
David Minacci, Prosecuting Attorney  
Trent Manausa, Consultant  
Les Smith, Investigator  
Vicki Long, AIA

II. Review and Approval of the General Business March 11, 2004 telephone conference call minutes

MOTION: Mr. Gustafson moved to approve the minutes as presented.

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

### III. Discussion

1. Letter from Mary Ellen Clark regarding lobbying the Florida legislature

Ms. Del Bianco asked the board if they had questions concerning the letter. Ms. Del Bianco asked Ms. Clark if the sunshine law pertains to members meeting together to discuss board business as lobbyists. Ms. Clark advised that members are under the sunshine provision when they meet together and discuss board business for any purpose.

2. Revised financial report December 31, 2003 and 2002

Ms. Chastain advised the board that fines collected on unlicensed activity cases were now being deposited into the unlicensed activity account and payments were being made from the account on the contract.

Mr. Rodriguez asked if the current year funding issue had been resolved and Ms. Chastain advised the funding issue had not changed.

Mr. Rodriguez asked if the budget workshop would still be held at the April meeting. Ms. Chastain answered in the affirmative and asked the members what they would like to see at the workshop. Mr. Rodriguez asked what was behind the individual line items. He commented that administrative costs appear to be a lump all and he would like to know what is behind each one. Ms. Chastain added she would bring a copy of the board's travel plan for informational purposes.

3. Smith, Thompson, Shaw and Manausa Contract Renewal and Appropriation

Mr. Minacci advised the board that the amount for the contract had been increased in the Senate appropriation's bill for next fiscal year by \$150,000 to increase from \$375,000 to \$525,000. He indicated similar language is not in the House bill but he was working to get the language in the House bill. Mr. Minacci thanked AIA, Mike Huey's firm and Senator Clary for their assistance in getting that changed for next fiscal year. Mr. Minacci indicated he was trying to get money for this fiscal year through discussion with the Governor's office and DBPR. He indicated it was probably in everyone's best interest to continue that route and let them take the lead.

Mr. Horstmyer asked how the \$525,000 was developed? Mr. Minacci responded that it was developed because the annual contract amount is \$375,000 and in the first year they spent about \$150,000 on unlicensed activity so he imagined that is where the number came from. Mr. Hortsmyer asked if that was consistent with what Mr. Minacci thinks is appropriate. He responded that they could live with it and are happy with it. He indicated in the second year they would probably spend more on unlicensed activity but hopefully through their efforts that in another year unlicensed activity would decrease.

Mr. Hall asked what the prognosis was for this year's funding. Mr. Minacci indicated he was unsure. Ms. Del Bianco said it sounded as if there is some positive discussions, which was encouraging. Mr. Hall asked what happens to Mr. Minacci's contract this year? Mr. Minacci said as he sits right now he would not receive any more funds until July 1. Mr. Hall asked if Mr. Minacci was continuing to work and he replied in the affirmative.

Ms. Del Bianco stated they would like an update at the April meeting. Mr. Rodriguez indicated he would like to have a broader discussion at that meeting and perhaps they would have some better news. Mr. Horstmyer asked if the board could get a reading as to what kind of a tab they are running assuming there is no further funding.

Ms. Long informed the board the Legislature has agreed to disagree on where they are concerning the budget. Committee members will be elected this week and start going into earnest negotiations. That is where we need to hold firm on the \$525,000 on the Senate side. The House side has the \$375,000 figure. Ms. Long stated she would be observing as those negotiations go forward. She indicated she would be meeting with Senator Clary and would give him AIA's position.

Mr. Hall asked who is the ally in the House. Ms. Long stated it was Representative Thad Altman. Mr. Rodriguez indicated Representative Altman once worked for Larry Maxwell. Ms. Long indicated she was not sure if he was going to be selected to the committee. Mr. Hall indicated if there was not a champion in the House it would die. Mr. Rodriguez indicated that if it goes into conference with that difference the momentum would be defined as a meeting of the minds somewhere halfway which would leave them with less than what is really needed. Mr. Rodriguez indicated he would have preferred that they could have been closer together.

Mr. Hall asked Mr. Minacci what would be the bottom line. Mr. Minacci responded he thinks it should be close to the \$525,000.

Mr. Rodriguez stated the board should take an active part explaining why the number is what it is and why it is important. Mr. Hall asked if board members could do that. Mr. Rodriguez stated that according to Ms. Clark's letter they could lobby without registering as long as they did not do so in concert with another member in violation of the sunshine law.

Ms. Del Bianco asked if AIA and Mr. Minacci could put together a form letter and contact information so board members could all send letters to their Legislators. Mr. Rodriguez responded Mr. Minacci could do that.

Ms. Long stated the board would probably want to concentrate their efforts on the conferees.

Mr. Rodriguez also indicated that there is a bill that changes the language in a way that unlicensed activity fines would no longer be deposited into the unlicensed activity trust account.

Mr. Rodriguez stated if the bill goes through they would no longer be able to replenish unlicensed activity money with funds collected from unlicensed activity. Ultimately all that money is coming out of the general trust fund and if they ever wanted to go back and needed a dedicated source of funding then that replenishment vehicle was gone.

Mr. Rodriguez feels a more pointed letter should be sent to the sponsors of the bill to let them know the unintended effect of what they are doing. Ms. Del Bianco stated that fines are currently going into the unlicensed activity account and asked if they see the "writing on the wall" if they are no longer able to access it for prosecution than perhaps this is another way around. Mr. Rodriguez committed he is usually a conspiracy theorist but he indicated the sponsors may not be aware of the impact. He indicated it should be brought to their attention. Ms. Del Bianco commented what better way to use the unlicensed activity fund than for prosecution.

Mr. Rodriguez indicated the bill does not limit the access to it but the replenishment of it. It says that the fines collected for unlicensed activity do not need to go into the unlicensed activity fund. It doesn't say they will not go but they don't need to go. He indicated Mr. Minacci has the bill language and asked that he send it to board members. Mr. Rodriguez indicated he thinks a formal letter should be sent right away.

Ms. Long indicated Senator Pruitt is the bill sponsor and he does understand what that language is doing. He is doing it on purpose and with forethought. She indicated that unlicensed activity funds as well as all other trust funds are at risk.

Mr. Hall asked Mr. Rodriguez if board members could get copies of bills moving through the Legislature. Ms. Long indicated those bills are on the AIA website.

Ms. Del Bianco asked Mr. Minacci to send background information and a list of conferees to board members. Mr. Minacci asked Ms. Long to send him the list of conferees and she indicated she would.

Ms. Del Bianco asked that HB 851 and SB 2026 sponsors be sent a letter.

Ms. Long stated the House sponsor is Dudley Goodlette and the Senate sponsor is Ken Pruitt.

MOTION: Mr. Rodriguez moved that letters be sent individually and a formal letter from the board chair indicating the board's non-favor of the language.

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

Ms. Del Bianco asked if they wanted to contact all legislators and Mr. Rodriguez indicated it should be from their own districts. Guideline language would come from Mr. Minacci.

Ms. Del Bianco asked Ms. Chastain to give board members the sponsors' names, contact information and weblinks.

#### IV. Ratification List

##### Interior Design By Endorsement

1-8

MOTION: Mr. Rodriguez moved to approve.

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

##### Interior Design Businesses

9-14

MOTION: Ms. Grigsby moved to approve.

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

##### Interior Design Business Name Change

15-16

MOTION: Ms. Grigsby moved to approve.

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

Architecture Applicants by Examination  
17-22

MOTION: Ms. Grigsby moved to approve.  
SECOND: Mr. Gustafson seconded the motion and it passed  
unanimously.

Architecture By Endorsement  
23-61

Architecture Business – Corporation/Fictitious Name/Partnership  
62-67

Architecture Business/Individual Applying for IB/ID Dual License  
68-69

Architecture Business Name Change  
70-74

MOTION: Mr. Rodriguez moved to approve.  
SECOND: Ms. Grigsby seconded the motion and it passed  
unanimously.

V. New Business

Ms. Del Bianco asked how the NCARB Deadwood meeting went. Mr. Rodriguez responded that he would have a full report at the April meeting. He indicated it was an interesting regional election that went to a six-ballot tie. They had a conference committee to broker a deal so one candidate was regional director this year and that individual agreed not to run for reelection next year and the other candidate would run unopposed.

Steve Ellinger is the regional director this year and Jeff Huberman will run next year.

Jane Frederick was elected chair for the region, the treasurer was from North Carolina, Blake Dunn was Secretary and Mr. Rodriguez was elected Vice-Chair.

Mr. Schreiber asked if they all were invited to the NCARB reception. Mr. Rodriguez said all members were invited and he was planning on attending.

Ms. Del Bianco asked who was going to Portland. Ms. Chastain responded that Mr. Schreiber, Mr. Rodriguez and Mr. Bullock would be

attending. Mr. Schreiber and Mr. Bullock will be state funded and Mr. Rodriguez would be going under the pilot program.

Ms. Del Bianco stated that she would like a report on the interior design aspect after the Portland meeting.

Mr. Rodriguez stated he had gotten a call from the executive director in Texas because she had gotten a call from California and thought the three states might want to get together. He would report at the April meeting.

VI. Old Business

None

VII. Adjourn

MOTION: Mr. Schreiber moved to adjourn.

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

The meeting adjourned at 9:45 a.m.