



CAMTC Board of Directors Meeting

April 4, 2019
Hilton Oakland Airport
1 Hegenberger Road
Oakland, CA 94621

OPEN SESSION MINUTES

Directors Present: *Allison Budlong, Shana Faber, Jeff Forman, Heather Forshey, Mike Marylander, Stephany Powell, Mark Dixon*

Elna Leonardo seated and present after Item 4

Directors Absent: Ron Bates, Sean Thuilliez, Dixie Wall,

Staff: Ahmos Netanel, CEO; Jon Walters, Director of Operations; Beverly May, Director of Governmental Affairs, Anti-Human Trafficking and IT; Rick McElroy, Director of Professional Standards Division; Roberta Rolnick, Outreach Director; Joe Bob Smith, Director of Educational Standards Division

*General Counsel: Jill England
Special Counsel: Alison Siegel*

Self-identified Guests: Patricia Howell, Bernadette Murray, Lauren McLachlen, B.J. Pitts

1. Call to Order :

Chairman Dixon called the meeting to order at 8:33 a.m. and established a quorum.

2. Chair's comments

Chairman Dixon reminded the Board of the Rules of Debate.

3. Approval of Minutes

MOTION 04:04:2019:1 Faber/Budlong - Motion to approve minutes of open session November 15, 2018 with typo on page 7 corrected.

MOTION PASSES 7-0-0

ROLL CALL VOTE: 7 Yes; 0 No; 0 Abstain

Allison Budlong - Yes

Shana Faber – Yes

Jeff Forman – Yes

Heather Forshey - Yes

Michael Marylander – Yes

Stephany Powell – Yes

Mark Dixon – Yes

4. Appointment of a New Board Member

Chair Dixon read the resignation letter from Mike Callagy.

MOTION 04:04:2019:2 Faber/Forman - Motion to Appoint Elna Leonardo to the Board of Directors to fill the open seat vacated by Mike Callagy

MOTION PASSES 7-0-0

ROLL CALL VOTE: 7 Yes; 0 No; 0 Abstain

Allison Budlong - Yes

Shana Faber – Yes

Jeff Forman – Yes

Heather Forshey - Yes

Michael Marylander – Yes

Stephany Powell – Yes

Mark Dixon – Yes

5. Closed Session regarding the appointment, employment, evaluation of performance, or dismissal of an employee pursuant to California Government Code Section 11126(a)

The Board went into closed session at 8:45 a.m.

6. Return to open session and announce action taken in closed session, if any, under item 5

Jill England reported that the Board voted to re-employ Ahmos Netanel as the CEO effective January 1, 2020 for a 5 year term, renewable for another 5 year term unless the Board gives him notice that they are not renewing. All of this is subject to the Board coming to terms with him on his compensation package which will now be discussed in open session.

7. CEO Compensation study; CEO monetary employment terms; CEO contract

Motion 4:4:2019:3 Marylander/Forman - Move to approve the terms of employment that the Chair and CEO agreed upon so long as 1) the CEO's total compensation package does not exceed the 50th percentile number on page 25 of the CBIZ report when the agreement begins in 2020, 2) that the total compensation package doesn't exceed the 75 percentile for peer groups over the course of the agreement, 3) that the compensation package doesn't erode CAMTC's reserve of at least three months operating expenses, and 4) that so long as all those parameters are respected, the Chair, with the assistance of the General Counsel, shall be authorized to create and execute the agreement with the CEO.

Motion 4:4:2019:4 Forshey/Budlong - Move to extend by two minutes time for Bernadette Murray to make a public comment

MOTION PASSES 8-0

ROLL CALL VOTE: 8 Yes; 0 No; 0 Abstain

Allison Budlong - Yes

Shana Faber – Yes

Jeff Forman – Yes

Heather Forshey – Yes

Elna Leonardo - Yes

Michael Marylander – Yes

Stephany Powell – Yes

Mark Dixon – Yes

Motion 4:4:2019:3 above (regarding the CEO contract)

MOTION PASSES 8-0-0

ROLL CALL VOTE: 8 Yes; 0 No; 0 Abstain

Allison Budlong - Yes

Shana Faber – Yes

Jeff Forman – Yes

Heather Forshey – Yes

Elna Leonardo- Yes

Michael Marylander – Yes

Stephany Powell – Yes

Mark Dixon – Yes

8. CAMTC Acceptance of Foreign Education

Ahmos Netanel provided background on this item, and after consultation with legislative staff it is expected that a change to accommodate foreign education will be made via legislation.

9. Chief Executive Officer's report

Ahmos Netanel summarized his report of 2018 accomplishments and compared them with the 2018 Strategic Priorities.

Customer service has improved tremendously and there are charts documenting the accomplishments.

Foreign languages – We have assessed the amount of contact with foreign speaking individuals and intend to translate certain publicly available documents to Chinese this year and possibly into other languages in the future. State Boards and Bureaus must translate information when constituents who speak a language exceed over 5%. Our website is currently available in over 100 languages.

Local Government - We have a working group to enhance the relationships with local government and numerous helpful suggestions are being acted on. We have met with the new Chairman of the Senate Business and Professions Committee. We are implementing the organizational restructuring of the Professional Standards Division with a new investigator who reports directly to the CEO. Disciplinary Performance Measures continue to improve. We have ended the year in better financial shape than expected.

Rules Department - Alison Siegel provided an overview of the newly named Rules Department.

10. 2019 Budget

Ahmos Netanel explained that the final proposed budget is a balanced budget. It increases reserves to five months for operating expenses. It recognizes revenue on an increased basis when received. Also, the 4% increase for staff is not automatically given.

MOTION 04:04:2019:5 Forshey/Faber - Move to approve the budget as presented.

MOTION 04:04:2019:6 Forshey/Faber - Motion to extend public comment for Bernadette Murray by another two minutes

MOTION PASSES 7-1-0

ROLL CALL VOTE: Yes 7, No 1, abstain 0

Allison Budlong - Yes

Shana Faber - Yes

Heather Forshey - Yes

Jeff Forman – No

Elna Leonardo - Yes

Michael Marylander – Yes

Stephany Powell – Yes

Mark Dixon – Yes

MOTION 04:04:2019:5 above (regarding the budget)

MOTION PASSES 8-0

ROLL CALL VOTE:8 Yes; 0 No; 0 abstain

Allison Budlong - Yes

Shana Faber - Yes

Jeff Forman – Yes

Heather Forshey - Yes

Elna Leonardo - Yes

Michael Marylander – Yes

Stephany Powell – Yes

Mark Dixon – Yes

11. Amendments to the Procedures for Denial of Certification or Discipline/Revocation

Alison Siegel pointed out that most of the amendments are to reflect the change of structure from PSD to the new Rules Department, and that another is to clarify the definition of conviction to include a plea of nolo contendere.

MOTION 04:04:2019:7 Faber/Forman - Move to approve the proposed changes to the Procedures for Denial or Certification or Discipline/Revocation

MOTION PASSES 8-0-0

ROLL CALL VOTE: 8 Yes; 0 No; 0 abstain

Allison Budlong - Yes

Shana Faber - Yes

Jeff Forman – Yes

Heather Forshey - Yes

Elna Leonardo - Yes

Michael Marylander – Yes

Stephany Powell – Yes

Mark Dixon – Yes

12. Request from Un-Approved School to be Removed from Un-Approved Schools List

Presentation by Tam Duong of Kings Beauty College (legally Datak, Inc. and previously Tammy Beauty Academy, Inc.)

13. Closed session with CAMTC legal counsel pursuant to California Government Code Section 11126(e)

The Board went into closed session at 1:45 p.m.

The Board returned to open session from closed session at 2:27 p.m.

14. Treasurer's report

Michael Marylander compared 2017 and 2018, which shows that certificate holders are staying stable for the past 5 years at approximately 50,000. Revenues are exceeding budget, loss is below budget, so net loss has been less than expected.

15. Audit Committee update

Ahmos Netanel reported that the former Audit committee Chair has resigned. The audit is almost complete. Next meeting the Board will need to approve a new Audit Committee Chair.

16. Director of Governmental Affairs and Special Projects' report

Beverly May summarized five of the bills in the legislature that she has been tracking this session. AB193 would require boards regulated by the Department of Consumer Affairs to report on the necessity of regulation. This bill has not been scheduled for a hearing. AB 476 pertains to the recognition of foreign trained professionals. It passed the Assembly Business

and Professions Committee and is now in the Appropriations Committee. CAMTC is working with Asm Chau on possible amendments to AB 775, which passed out of the Assembly and is expected to be heard in the Senate Business and Professions Committee in June. SB 35 is a Human Trafficking bill that CAMTC supports which will be heard in Senate Appropriations on April 8. SB 630, another Human Trafficking bill is now in the Senate Committee on Governance and Finance. It requires all businesses that are required to post the Human Trafficking poster to provide at least 20 minutes of training on Human Trafficking to all existing and new employees. It passed off the Senate floor today.

Federal H.R. 1023 pertaining to complaints of sexual assault by massage therapists is dead.

Ms. May also reported on local government updates, including the introduction of an ordinance in Los Angeles County to require certification. She also provided several examples of burdensome local regulations.

She updated the Board on Human Trafficking updates, including the presentation that she and Rick McElroy offered at California Police Chiefs Annual Conference.

Ms. May provided an update on the Certification and Management System (CAMS).

17. Director of Operations' report

Application Processing – Jon Walters summarized the data in his reports. March numbers have gone up again from February to over 600 new certificates approved and mailed.

Customer Service – despite the increase in applications and calls and emails, response times are well within the guidelines set by the Board.

18. Director of ESD's report

School Status Updates - Joe Bob Smith reported on the status of school approvals and the first round of re-approvals. 64 schools were re-approved and will not need to be re-approved for 4 years. 74 campuses are approved, 3 provisionally approved schools. 7 new applications. 36 schools were purged due to incomplete applications, but a few schools completed their applications rather than be purged. One purged school just submitted a new application. Investigations continue as needed. A number of corrective action notices have been sent to schools that then must be checked. Staff conducts education reviews in cases of closed schools, multiple schools, and some out of state schools that need curriculum review. The protocol is now streamlined with many of these being processed in the normal manner rather than being diverted to ESD.

ESD Communications - Monthly calls have been successful and ESD has sent out the schools newsletter shortly after each Board meeting.

ESD receives approximately 40 applications for therapist certification that need education review weekly, mostly due to education from closed schools or out of state schools, or because of unusual transcripts.

19. Director of PSD's report

Training and Interaction with law enforcement agencies – Over 1900 law enforcement and code enforcement personnel trained, 15 trainings organized by the CA Association of Code Enforcement Officers (CASEO). Police Chiefs attended his trainings in El Centro as well as Temecula. His training in Temecula included city officials interested in amending their ordinance including building and zoning and he was able to address their concerns. They are incorporating all of our suggestions.

Two FBI agents also attended the El Centro training who handle the Human Trafficking Division. Mr. McElroy is conducting trainings throughout San Mateo, Santa Clara and Alameda counties this week.

Training – An excellent annual training for PSD that was conducted by Alison Siegel.

20. Outreach Director's report

So far this year there have been two successful events, California Police Chiefs Association Conference and the Annual Conference of the American Massage Therapy Association – California. Roberta Rolnick spoke about her involvement and support for projects for Joe Bob Smith, Rick McElroy and Beverly May. She also spoke of the many edits she has made to the website to make it more usable, and to enhance security and the search function.

21. Board meeting schedule for 2019 – update

Mr. Netanel stated that the 2019 Strategic Priorities require the Board to review the draft of the Sunset report. Since the survey has not been received yet, the Board cannot review in May. At this time we expect to need to push forward the November Board meeting in order to allow the Board an opportunity to review and approve the Sunset Packet.

22. Adjourn

The Chair adjourned the meeting at 3:34 p.m.

Minutes Approved: May 29, 2019

Allison Budlong, Secretary