

Date: May 21, 2020	Venue: Via GoToWebinar	Time: 10:13 am
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CALL TO ORDER

President and Chair, Gordon Murray, called the 2020 Member Forum to order at 10:13 am.

The annual Member Forum is an opportunity to discuss various issues that we are facing as a profession. There were no formal presentations or set topics this year. Members were invited to share comments or raise questions via the question box or use the raise hand feature in GoToWebinar's control panel.

COMMENTS / QUESTIONS FROM THE FLOOR

AAA Auditor

Scott Pickles thanked the AAA for going forward with the AGM this year.

Scott stated that we have used Tom Gee very successfully as the AAA's auditor for many years. Has the AAA gone to a competitive bid for this service?

Barbara Bruce responded. This year, the AAA did not go through a competitive process. We have been very happy with Tom and RSM for the last several years and the firm has continued to provide us with favorable rates. However, with implementation of the new Finance, Audit and Risk Management Committee, it would be prudent in the coming year for the committee to obtain competitive quotes.

Scott thanked Barbara and further commented that professionals advocate to their clients not to sole-source everything. He has no qualms about Tom's qualifications and cost, but it is good from an accountability perspective.

Impacts of COVID-19 in Design

Mohammed Katanbafnasab asked what types of policies and measures are being considered for design of future buildings, in light of this pandemic? How will design be impacted and will there be implications in the building code?

Gordon Murray responded. There is no single answer, but this is being analyzed as we work our way through the pandemic. We can see how public places have responded to the pandemic in an effort to flatten the curve by installing plexiglass barriers, for instance. At the AAA, we are very careful to follow what is happening and how it will impact our members.

Jan Pierzchajlo added that the influence of this pandemic will affect the way we design and will continue to evolve. There is no single answer or specific element within the building code; the way we design hospitals and public places, the way we act as human beings in society. All of this will be changing and when we emerge, it will be a different world.

Grant Moore also indicated that he is doing some reading on how the virus spreads differently outdoors vs interior spaces and what the potential impacts will be on existing buildings and providing fresh air (impact on mechanical systems and energy and sustainability), so there will be impacts on that side of the profession, as well.

Banff Session Revenue

Gene Dejneka asked that in light of two Banff Session revenue losses, is it expected that program funds set aside will be used to fill financial gaps?

Greg Beck responded. We may see a loss in 2020, but presumably, we should make it up in the two consecutive Banff Sessions. Assuming the AAA has a positive cash flow, there are no serious concerns should we have to move funds around to cover losses in revenue we experience this year.

Barbara Bruce added that the AAA has operational savings with virtual meetings taking place rather than traveling for in-person meetings. We are seeing some offset as a result. The Building Envelope Course revenue figure we had in the budget was quite modest and we have exceeded that figure already. However, the AAA will continue to monitor very closely.

Bylaw Changes

Karen Muir indicated that there were recent bylaw changes that allowed Council to have emergency powers and she feels like they are too unlimited and could be abused. Are there plans to change the bylaw again to provide limits?

Barbara Bruce responded. The changes in the bylaws were to allow delivery of the AGM via virtual means. Perhaps some of the concern was about the notification of the AGM meeting. It suggested that we could just post the notice on the website and it would be sufficient. However, the AAA lets people know via emails, Bulletin and website, but the official notice usually goes via email. Unfortunately, members do not always update their contact information when they move, so we cannot just rely on an email notification. Barbara added that we will also be going through some other bylaw changes (both housekeeping and governance) for consultation over the summer months. There will be plenty of opportunity to comment and ask questions.

Rollout of Experienced Interior Designer Pathway

Kerri Peyton asked if anyone on the panel could speak to the rollout schedule for the experienced interior designer pathway.

Barbara Bruce responded. We had hoped to roll it out in April, however, things have moved along more slowly than we had anticipated due to the current situation with the pandemic. However, parameters of qualifications have been established, and application paperwork and process have been completed. Testing will begin shortly and with feedback provided, we will be able to add clarity to the process. We do not yet have a hard date available, but the committees are putting together an interview and assessment team. Terms of reference have just been finalized for that team. More details will be rolled out in the next month or so.

10-Year Cap on Internship

Chadwick Oberg asked the panel to talk a bit about the decision to limit internship to 10 years. Has the rationale for this decision changed at all in light of recent events where timelines to complete various types of requirements and obligations are being extended?

Barbara Bruce responded. Council has debated this topic extensively over the past couple of years. Our bylaws indicate that after five years, Council has the right to suspend the internship but has never exercised this right. Council feels strongly that internship is a pathway to registration, not a career destination. Research on other professions was conducted and none of them have infinite internship. Council decided that 10 years would be sufficient in most cases. Very few intern members are beyond the 10-year mark. We have communicated with all of those beyond and approaching 10 years to advise of the timeline and process and have asked how we can support them and what barriers they are facing. There is particular concern about those who have never logged any hours but continue to be interns.

10-Year Cap on Internship (cont'd)

Grant Moore added that in discussions with other provincial regulators, we found out that a number of them are also implementing similar caps for their interns. Experience logged while attending university will be implemented across Canada in the coming year.

Barbara also added that the goal is to help each of these interns, so if they are dealing with additional challenges because of the pandemic, the Registration Committee and Registrar can work with them. The new rules are not here to be punitive, but rather we want to help them through the process.

Virtual AGM Comment

Sherry Siew Lan Yong commented that, in an effort to be more inclusive, she hopes we can continue having a virtual element to next year's AGM in conjunction with Banff Session. It is difficult for everyone to take time off to travel to Banff.

RFPs and Copyright

William Kumlin asked what the status is of the discussions with Alberta Infrastructure and municipalities regarding copyright being taken from architects by clients? This problem is moving into the private sector and is demeaning to the work architects put into the projects they produce. He asked the AAA to review RFPs and recommend that members do not respond to them. He also asked fellow members to refuse to respond to RFPs with the following clause:

B10. Intellectual Property

10.1 For the purposes of this Contract, "Contract Property" includes:

- (i) all trade secrets, trademarks, patents, copyrights, and other proprietary rights of [company name] that existed prior to the Effective Date; and
- (ii) the Deliverables. "Deliverables" means, without limitation: all documents, information, data, computer programs, electronic media, know-how, practices, knowledge, trade secrets, trademarks, patents, copyrights or product.

Jan Pierzchajlo responded. The role of the AAA is regulation of the professions, but it is an issue of practice and a concern to our members. The Consulting Architects of Alberta (CAA), which advocates for the business interests of the profession, have had ongoing conversations with Alberta Infrastructure about this and several other clauses in their contracts. Jan has been part of the discussions over the past several years and was happy to report that he has recently seen a change in their perspective, however, not necessarily their position, and they are now willing to talk about these issues, including copyright. Rather than own copyright of architects' work, as it is their own intellectual property, it is suggested that drawings can be used under license, but architects retain ownership. These conversations are ongoing, and members will be informed of any progress.

Barry Johns added that, as a reminder, the CHOP Manual addresses the situation quite adequately. He has successfully used a licensing agreement with clients, including government, to achieve what they are looking for. As the Director of Practice, Barry learned the government taking copyrights from architects began in Alberta with the situation whereby architects would refuse to advance documents with the expectation of being paid on time or at all. It began with a direct approach to architects being paid as they provide and through the legal department of government, they determined it would be in the public sector's best interest to obtain a level of control of copyright. There are approximately 50 files in the Director of Practice archive that address this issue. There are a number of ways this can be addressed—through one's insurance provider and one's ability to negotiate contracts.

Barry suggested that members contact Randy Krebs, Director of Practice, who is very well-versed in this matter. He can assist with their individual situations. As Jan had already suggested, there is movement in terms of the relationship with government and the private sector through the CAA as well as through

RFPs and Copyright (cont'd)

Council. As a member of Council, Barry promises that this is one of his agenda items to address the issue of erosion of scope. It is a Pan-Canadian problem, but for reasons that vary from province to province.

William Kumlin explained his current situation. He indicated that he had been able to negotiate out of two such RFP clauses. He asked the owner what the requirement was for them to have copyright. They indicated it is mostly to copy the drawings. The RAIC Document 6 already provides this and, and therefore, William was able to rewrite this in a way that he retained ownership of copyright and they were offered the right to copy. This clause, however, is being included in many RFPs and when architects sign, they have to go back after the fact and negotiate out of it.

CLOSING REMARKS

As the Member Forum had gone beyond the allotted time, Gordon suggested that the forum end at this point and if members have questions of any nature regarding practice or other matters and issues being encountered, they can send them to the AAA (info@aaa.ab.ca).

Any questions or comments not addressed during the Member Forum, would be gathered by Administration and be responded to in a timely manner. (These questions and answers are below.)

On behalf of Council, Gordon thanked everyone for their participation at this year's AGM and Member Forum.

The Member Forum adjourned at 10:39 am.

QUESTIONS UNANSWERED AT THE MEMBER FORUM

As indicated above, some questions asked by members were left unanswered due to time constraints. The AAA administration has reviewed and answered them below.

High Functioning Council

What is meant by a "high functioning Council?"

A high functioning Council is one that operates with strategic intent and is effective in its governance activities. Excellent boards and councils start with good strategy, supported by effective structure, clear process, leadership and governance competency, and strong culture. The AAA Council is intentionally focusing on these elements to move our Council to the next level of effectiveness.

Working from Home

Should the architects / LIDs work permanently from home, possibly impacting the way we practice on larger projects in particular? Will that influence in any way AAA's regulatory role or otherwise?

There is no doubt that the pandemic of 2020 onwards will influence the profession in ways that we have yet to discover. The role of the AAA will continue to be focused on ensuring that entry to practice and continuing competency standards are met. However, one of the privileges of being a self-regulatory profession is the ability to evolve our perspective on standards and competencies in an informed manner and in keeping with the changes and demands of our environment.

Banff Session / RAIC Conference

Can there be consideration for un-synchronizing Banff Session with the RAIC festival going forward? It can be difficult for members/firms/corporations to support both.

The AAA Banff Session is a biennial event, normally held on even-numbered years (the 2020 even has been postponed to 2021), in April or May. The 2020 timing for RAIC was unfortunate in that it was unexpectedly scheduled to be in Alberta so close to the same time as Banff Session which had been planned far in advance. The next time that the RAIC conference comes to Alberta, it will be a year removed from Banff Session so we will not experience this same conflict.

The schedule for the annual RAIC Festival/conference has now been set for the next ten years and is published on their website: [Upcoming RAIC Conferences](#). The location will change each year. It is not scheduled to return to Alberta until 2023.

Banff Session Refunds

When will refunds for Banff Session be issued?

All registered delegates were contacted via email and offered the choice to receive a refund or to defer their registration to Banff Session. Please contact the AAA's communications team at events@aaa.ab.ca to request your refund.

Affiliate Membership

I was once asked about Affiliate membership. How does one become an Affiliate and what is the fee? Are there any policies / code of conduct that they need to abide by?

Affiliate members exist within AAA bylaws for individuals who are members of a profession or discipline that the Council by resolution has approved as being allied to the profession of architecture or interior design. Currently, there are a handful of architectural technologists who became members of AAA several years ago. This membership category is not currently open for any new members. There is no intention to open up this member category in the foreseeable future.

Due to the membership status under the bylaws and not under government legislation, the AAA does not have any authority to regulate the code of conduct of these individuals.

AAA and APEGA Coordination

Are we reaching out to APEGA to better co-ordinate and put out guidance to engineers (who may end up as prime on projects) to properly respond to procurements essentially requesting design proposal as part of the proposal deliverables?

The AAA is collaborating with the Consulting Architects of Alberta, the Consulting Engineers of Alberta, the Alberta Construction Association and others on an Alberta Joint Industry Response Team that was brought together to discuss key issues for the industry in light of the ripple effects of COVID-19. Procurement and project delivery matters are included in the work of this industry group.

Future of Architecture

As part of the administrative restructuring of the AAA, has there been a discussion regarding a sub-committee focused on the future of architecture and how it relates to energy efficiency and Architecture 2030?

While this is certainly an interesting topic, it is beyond the scope of the AAA as a regulatory body and so we will not be addressing it directly. However, it may be a subject we could consider in our selection of presenters for a future Banff Session or professional development program.