NOTICE OF MEETING
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE MEETING

August 6, 2015
10:30 a.m. – 3:00 p.m.
Landscape Architects Technical Committee
2420 Del Paso Road, Sequoia Room
Sacramento, CA 95834

The Landscape Architects Technical Committee (LATC) will hold a meeting as noted above. Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the LATC Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the LATC are open to the public.

The LATC plans to webcast this meeting on its website at www.latc.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at the physical location.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Rodney Garcia at (916) 575-7230, emailing latc@dca.ca.gov, or sending a written request to LATC at the address below. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

A. Call to Order – Roll Call – Establishment of a Quorum

B. Chair's Remarks and LATC Member Comments

C. Review and Approve May 13, 2015, LATC Meeting "Summary Report" Minutes

D. Public Comment for Items Not on Agenda

E. Program Manager's Report

F. Update on BreEZe Enterprise System by Department of Consumer Affairs

G. Election of LATC Officers

(continued on reverse)

H. Enforcement
   1. Annual Enforcement Statistics
   2. Update on Interpretations Used for the Terminology in Business Professions Code Section 5641 (Chapter Exceptions, Exemptions) During Enforcement Case Review
   3. Review and Approve Proposed Regulations to Amend California Code of Regulations (CCR), Title 16, Section 2680 (Disciplinary Guidelines) as it Relates to Reference of Revised Disciplinary Guidelines

I. Review and Consider Request for Re-licensure

J. Council of Landscape Architectural Registration Boards (CLARB)
   1. Review and Ratification of CLARB Committee on Nominations Election Ballot
   2. Review and Possible Action on Recommended Position on CLARB Board of Directors Election

K. Review and Approve Proposed Regulations to Amend CCR, Title 16, Section 2620 (Education and Training Credits)

L. Ratify Comments previously submitted to Department of Water Resources Regarding Proposed Regulations to Amend CCR, Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance

M. Review Tentative Schedule and Confirm Future LATC Meeting Dates

N. Adjourn

* Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the LATC prior to the LATC taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the LATC, but the Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the LATC to discuss items not on the agenda; however, the LATC can neither discuss nor take official action on these items at the time of the same meeting [Government Code sections 11125 and 11125.7(a)].

Protection of the public shall be the highest priority for the Landscape Architects Technical Committee in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (Business and Professions Code section 5620.1)

Agenda Item A

CALL TO ORDER-ROLL CALL-ESTABLISHMENT OF A QUORUM

Roll is called by the Landscape Architects Technical Committee (LATC) Vice Chair or, in his/her absence, by an LATC member designated by the Chair.

LATC MEMBER ROSTER

David Allan Taylor, Jr., Chair

Andrew Bowden

Patricia Trauth

Agenda Item B

CHAIR'S REMARKS AND LATC MEMBER COMMENTS

LATC Chair David Allan Taylor, Jr., or in his absence, the Vice Chair will review the scheduled LATC actions and make appropriate announcements.

Agenda Item C

REVIEW AND APPROVE MAY 13, 2015 LATC MEETING "SUMMARY REPORT" MINUTES

The Landscape Architects Technical Committee (LATC) is asked to approve the attached May 13, 2015 LATC Meeting "Summary Report" Minutes.

DEPARTMENT OF CONSUMER AFFAIRS
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA ARCHITECTS BOARD
Public Protection through Examination, Licensure, and Regulation

Governor
Edmund G. Brown Jr.

SUMMARY REPORT

CALIFORNIA ARCHITECTS BOARD
Landscape Architects Technical Committee

May 13, 2015
Sacramento, California
&
Various Teleconference Locations

Landscape Architects Technical Committee (LATC) Members Present
David Allan Taylor, Jr., Chair (via teleconference)
Andrew Bowden (via teleconference)
Nicki Johnson

LATC Members Absent
Katherine Spitz

Staff Present
Doug McCauley, Executive Officer, California Architects Board (Board)
Vickie Mayer, Assistant Executive Officer, Board
Trish Rodriguez, Program Manager, LATC
Rebecca Bon, Legal Counsel, Department of Consumer Affairs (DCA)
Richie Barnard, Special Projects Analyst, LATC
Gretchen Kjose, Retired Annuitant, LATC
Matthew McKinney, Enforcement Officer, LATC
Kourtney Nation, Examination Coordinator, LATC

Guests Present
Rebecca May, Special Assistant, Board and Bureau Relations - DCA
Michelle Stout, Analyst, Board and Bureau Relations - DCA
Cathy Edger, Secretary - Association of Professional Landscape Designers

A. Call to Order – Roll Call – Establishment of a Quorum

LATC Chair David Taylor called the meeting to order at approximately 10:03 a.m. and called roll. Three members of LATC were present, thus a quorum was established.

Andrew Bowden and Nicki Johnson both noted their terms will expire on May 31, 2015.

Rebecca Bon, DCA Legal Counsel, requested that Messrs. Taylor and Bowden state their teleconference locations for the record. Mr. Taylor affirmed his location at the City of Chula Vista

Civic Center Development Services Department at 276 Fourth Avenue, Building B, Chula Vista, California. Mr. Bowden affirmed his location at Land Concern – Landscape Architecture at 1750 E. Deere Avenue, Santa Ana, California. No members of the public were present at either Messrs. Taylor or Bowden's locations.

B. Chair's Remarks and LATC Member Comments

No remarks or comments were made.

C. Review and Approve February 10-11, 2015, LATC Meeting "Summary Report" Minutes

Trish Rodriguez, Program Manager, indicated the "Summary Report" needed an addition to include 11:45 a.m. as the time Mr. Taylor arrived at the LATC meeting on February 10, 2015 after Agenda Item G. The Committee concurred with the addition.

- **Andrew Bowden moved to approve the February 10-11, 2015 LATC Meeting "Summary Report" Minutes as amended.**

  Nicki Johnson seconded the motion.

  The motion passed 3-0. David Allan Taylor, Jr., Nicki Johnson, and Andrew Bowden voted in favor of the motion. Katherine Spitz was absent.

D. Public Comment for Items Not on Agenda

There were no public comments.

E. Program Manager's Report

Ms. Rodriguez presented the Program Manager's Report. She informed the Committee that staff continues to use the workaround system (WAS) until "BreEZe" is implemented. She noted there is no update or change on WAS or the implementation of BreEZe since the last meeting.

She shared the outreach survey results from the presentations at University of California (UC) Davis on February 26, 2015 and UC Berkley on April 23, 2015. She also stated additional outreach presentations are planned for the 2015 fall semester.

Ms. Rodriguez updated the Committee on recent rulemaking activity, explaining that the amendment to California Code of Regulations (CCR) section 2610 (Application for Examination) went into effect on April 1, 2015. She explained the amended regulation reduced the filing period from 70 to 45 days for candidates to submit applications prior to the requested test date.

Ms. Rodriguez noted Christine Anderson and Linda Gates, both former LATC members, were selected to assist the new Extension Certificate Program work group. She noted LATC is

currently waiting for the updated Landscape Architectural Accreditation Board (LAAB) curriculum requirements, which are expected to be released in May or early June 2015. She indicated that the work group will continue to address the standards and procedures following the release of the updated LAAB curriculum requirements.

Ms. Rodriguez announced that the CCR section 2649 (Fees) regulatory changes will take effect on July 1, 2015. She stated LATC requested approval from the DCA Change Control Board (CCB) for revisions to the legacy system to enable processing of the new reduced renewal fees. CCB approved the request on May 5, 2015. She provided that staff is currently working with DCA's Office of Information Services (OIS) to revise renewal forms to include the new reduced renewal fees. She noted that on May 12, 2015, staff mailed letters to licensees with expiration dates in July 2015 to notify them that they should receive their renewal applications approximately 30 days prior to license expiration. She stated renewal applications are normally mailed 100 days prior to license expiration; however, the applications were held in abeyance in order to implement the new fees.

Ms. Rodriguez continued and updated the Committee on recent changes to the website. She stated LATC staff continually updates and publishes the "Licensee Search" lists on a monthly basis. She also announced the 2015 Landscape Architects Practice Act was posted on the website, and staff is currently working on printing new booklets.

Ms. Rodriguez stated the next two Landscape Architect Registration Examination (LARE) administration dates are set for August 3-15, 2015 and November 30 to December 13, 2015. She reported that work on California Supplemental Examination (CSE) development continues and the next development workshop is May 14-15, 2015.

Ms. Rodriguez added that staff began mailing customer satisfaction surveys to complainants when a complaint is closed. She stated she would report the survey responses to the Committee on a quarterly basis.

Ms. Rodriguez noted that staff is working in conjunction with the Board on the *Disciplinary Guidelines.* She announced the Board would be addressing its *Guidelines* at its next meeting on June 10, 2015. She explained that staff will be drafting revisions to the LATC *Guidelines* based on the Board's recommendations. She stated the revised *Guidelines* and a proposed regulation package will be presented to the LATC at its next meeting.

Ms. Rodriguez updated the members on recent personnel activity, stating Rodney Garcia filled the Licensing Coordinator position on March 2, 2015, and Richie Barnard filled the Special Projects Analyst position on April 13, 2015.

Ms. Rodriguez updated the Committee on the Board's March 12, 2015 meeting. She explained that she and Mr. Bowden attended the meeting. She noted several schools attended to discuss the Accelerated Path to Architectural Licensure. She noted that she advised the Board of the upcoming approval of the LATC 2015-2016 Strategic Plan, which will be presented to the Board for approval on June 10, 2015.

F. Update on 2014 Sunset Review and Ratification of Response to Sunset Review Background Paper

Doug McCauley provided an update on the 2014 Sunset Review process and California Architects Board, Landscape Architects Technical Committee Sunset Background Paper Responses. He explained that Sunset Review Report was previously submitted to the Legislature in October 2014, and legislative staff responded with a list of questions to be addressed by the Board and LATC. He noted that he, Mr. Taylor, and Ms. Rodriguez addressed the questions before the Senate Committee on Business, Professions, and Economic Development and Assembly Committee on Business and Professions at the Sunset Review Joint Oversight Hearing on March 18, 2015. He added that following the hearing, he confirmed with the legislative staff there were no further issues needing to be addressed.

Mr. McCauley continued explaining the formal responses to questions noted in the Background Paper for the California Architects Board and Landscape Architects Technical Committee. He added during the week of May 11, 2015, he again confirmed with committee consultants from the Legislature that all issues have been addressed effectively, and there are no outstanding issues. He also noted the results from the Sunset Review process are reflected in Assembly Bill 177 (Bonilla) [Authority: Extension], which will extend both the Board and LATC's Sunset date to the year 2020. He continued that concerns and issues noted in the current Sunset Review Background Paper should be addressed in upcoming Strategic Plans before the next Sunset Review.

Mr. Bowden asked Mr. McCauley about the status of approval regarding out-of-state travel. Mr. McCauley explained out-of-state travel, using LATC funds, was approved this year to attend the Council of Landscape Architectural Registration Boards (CLARB) Annual Meeting. Mr. McCauley also pointed out that the Legislature is expecting the Board and LATC to participate in national policy development.

Mr. McCauley recommended that LATCratify the responses to the Legislature's recommendations.

- **Andrew Bowden moved to ratify the responses in the Sunset Review Background Paper based on the recommendations provided by the Legislature.**

  Nicki Johnson seconded the motion.

  The motion passed 3-0. David Allan Taylor, Jr., Nicki Johnson, and Andrew Bowden voted in favor of the motion. Katherine Spitz was absent.

G. Review, Consideration, and Possible Approval of Draft July 1, 2015 through June 30, 2017 LATC Strategic Plan

Ms. Rodriguez provided information on the LATC Strategic Plan. She explained on February 11, 2015 LATC collaborated with DCA's Strategic Organization, Leadership, and Individual Development (SOLID) team during a strategic planning session to prepare the Strategic Plan for 2015-2016. She stated, during the meeting, LATC reviewed five goal areas. She noted, after the meeting on February 11, 2015, SOLID worked with staff and drafted the

plan in the meeting packet for 2015-2016. She stated LATC is asked to review and approve the 2015-2016 Strategic Plan.

Ms. Rodriguez noted a couple of objectives that had not been previously discussed, but are included in the 2015-2016 Strategic Plan. She asked the Committee to refer to goal area 2 (Professional Qualifications), Objective 2.5 (Review CCR, sections 2624 and 2624.1). She explained this Objective was added to address concerns regarding reviews of relicensure for those whose licenses have expired for more than three years. Additionally, she asked the Committee to refer to Objective 2.6 (Reclassify the CSE item bank). She explained, following the 2014 Occupation Analysis (OA) and exam development, there is a need to reclassify the CSE item bank to ensure the item content reflects current tasks and knowledge relating to landscape architecture. She asked the Committee for comments or approval.

Mr. Taylor concurred with both of the added objectives. Mr. Bowden inquired what changes may be required regarding Objective 2.5 (Review CCR, sections 2624 and 2624.1). Nicki Johnson suggested there might need to be more clarification of the procedures for those seeking relicensure. Ms. Rodriguez explained one of the difficulties is verifying work experience that is performed during the time a candidate is unlicensed, due to concerns of possible unlicensed practice. She also noted the question of whether or not candidates should be required to retake all or portions of the LARE prior to relicensure. Mr. Taylor suggested streamlining the process of relicensure.

- **Nicki Johnson moved to approve the July 1, 2015 through June 30, 2017 Strategic Plan.**

  Andrew Bowden seconded the motion.

Ms. Rodriguez clarified the date for the proposed Strategic Plan should reflect calendar years 2015-2016 instead of fiscal years July 1, 2015 through June 30, 2017.

- **Nicki Johnson moved to approve the amendment to her prior motion to strike the words "fiscal years July 1, 2015 through June 30, 2017" and insert "2015-2016."**

  Andrew Bowden seconded the motion.

  The motion passed 3-0. David Allan Taylor, Jr., Nicki Johnson, and Andrew Bowden voted in favor of the motion. Katherine Spitz was absent.

H. Discuss and Possible Action on Strategic Plan Objective to Review Table of Equivalents for Training and Experience and Consider Amending California Code of Regulation Title 16, section 2620(a) to Expand Eligibility Requirements to Allow Credit for Teaching Under a Licensed Landscape Architect

Ms. Rodriguez updated the Committee on the objective in the Strategic Plan that directs staff to review the table of equivalents for training and experience and consider expanding eligibility requirements to allow credit for teaching under a licensed landscape architect. She noted that at the last meeting on February 10, 2015, LATC agreed up to one year of experience/training credits should be granted for teaching under the supervision of a licensed landscape architect. She stated staff was directed to research regulations in states that allow credit for teaching and

draft proposed regulatory language for LATC's review. She asked the Committee to refer to the attached draft proposed language for CCR section 2620(a)(13) and take possible action.

Mr. Bowden noted that CCR section 2620(a)(3) (Extension certificate in landscape architecture from an approved school) was not included in the proposed regulatory language for CCR section 2620(a)(13), and requested to verify all those teaching in an extension certificate program are already licensed. Gretchen Kjose confirmed all teachers in an approved extension program are licensed, and therefore subdivision (a)(3) is not needed in the proposed language.

Mr. Bowden sought more clarification on what "under the supervision of a licensed landscape architect" would encompass as proposed in section 2620(a)(13). He questioned whether the licensed landscape architect would be required to be present in the classroom or just involved in the department. Mr. Taylor responded explaining supervision should have oversight of the individual seeking credit for teaching and should be able to validate the credibility of the teacher. He stated, as a licensed landscape architect, that it would behoove supervision to make the correct judgment in validation. Mr. Bowden agreed if a licensed landscape architect validates the credibility of the teacher, then credit should be granted for teaching.

Ms. Johnson questioned whether there is a concern if the schools outlined in the proposed language are required to have Landscape Architectural Accreditation Board (LAAB) accreditation. Vickie Mayer responded to Ms. Johnson's question, referring to the previous meeting on February 10, 2015, explaining the Committee agreed that since credit is granted to students in programs listed under subdivision (a)(2) and (4), then teachers of those programs should also be granted credit.

Mr. Bowden brought up the concern of consistency between state programs regarding reciprocity. He questioned if other states require LAAB accreditation for teaching credit. Ms. Kjose responded, detailing how Colorado gives one year of credit for teaching in an LAAB accredited school or an equivalent successor organization. She continued explaining some states allow credit for teaching, but do not specify requirements through a law or regulation. She suggested based on her experience processing applications there were not many who applied requesting credit for teaching. Mr. Bowden replied that the small number of requests were likely due to the lack of allowance for credit from teaching. He explained if the regulatory change is approved, there should be more candidates requesting credit for teaching.

- **Andrew Bowden moved to approve the proposed regulatory language in CCR section 2620(a)(13) to provide one year of teaching credit under the supervision of a landscape architect in a landscape architecture degree program as specified in CCR sections 2620(a)(1), (2), and (4).**

  Nicki Johnson seconded the motion.

  The motion passed 3-0. David Allan Taylor, Jr., Nicki Johnson, and Andrew Bowden voted in favor of the motion. Katherine Spitz was absent.

I. Council of Landscape Architectural Registration Boards (CLARB)

1. **Report on CLARB**
2. **Review and Possible Approval (Nominations) of CLARB Board and Regional Director Candidates as Submitted by CLARB for its September Annual Meeting**

Ms. Rodriguez updated the Committee on the initial slate of CLARB candidates received by LATC on April 29, 2015. She advised the Committee the final slate will be released in June, and the ballots are due in July. She added that biographical information for the candidates would be available soon. She pointed to Ms. Anderson, a former LATC member, who is nominated for Vice President. She also pointed out Mr. Bowden, as he is nominated for the Region 5 Alternate Director. She asked the Committee to review and make recommendations based on the initial slate of candidates. She also asked the Committee to direct staff on the submission of the final ballot in July.

Mr. Taylor noted he was familiar with some of the candidates, but expressed concern that the Committee was not ready to make recommendations on nominations. Mr. Bowden hesitated to make recommendations based on the lack of biographical information available for the listed candidates. Mr. Bowden suggested Dennis Bryers for the Committee on Nominations Member, and concurred in support of Ms. Anderson for Vice President. Ms. Johnson stated she was only familiar with Ms. Anderson and Mr. Bowden.

Ms. Rodriguez advised the Committee she would work with the Chair on the final slate of candidates, but asked the Committee for further guidance to assist in the decision-making process. Based on legal consultation from Ms. Bon, the Committee agreed to delegate to Mr. Bowden the authority to make recommendations to the Chair and Program Manager to determine the final slate of nominations to CLARB.

- **Nicki Johnson moved to delegate the authority to the Chair and Program Manager to determine the final slate of nominations with consideration of Andrew Bowden's nominee recommendations.**

  Andrew Bowden seconded the motion.

  The motion passed 3-0. David Allan Taylor, Jr., Nicki Johnson, and Andrew Bowden voted in favor of the motion. Katherine Spitz was absent.

J. Review Tentative Schedule and Confirm Future LATC Meeting Dates

Mr. Bowden suggested adding the next American Society of Landscape Architects Annual Meeting to the Committee schedule. The Committee tentatively scheduled the next LATC meeting for August 2015. The Committee agreed to reach a consensus for an exact date after the meeting.

K. Adjourn

- **David Allan Taylor, Jr. adjourned the meeting.**

The meeting adjourned at 11:09 a.m.

Agenda Item D

PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

Members of the public may address the Committee at this time.

Agenda Item E

PROGRAM MANAGER'S REPORT

The Program Manager's Report provides a synopsis of current activities and is attached for the LATC's review.

ATTACHMENTS:
1. Program Manager's Report
2. CC/ASLA (Bill Tracking List)
3. California Architects Board June 10, 2015 Meeting Notice

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

Program Manager's Report
August 2015

ADMINISTRATIVE/MANAGEMENT

Applicant Tracking System (ATS)/Workaround System (WAS)

Manual processes remain in place, using the temporary WAS until the transition to BreEZe in 2016. The BreEZe team met with staff on March 25, 2014 to conduct an analysis of the database and determine options for including it in the BreEZe data conversion activities. Staff continue to work with the BreEZe team towards integrating WAS and ATS data with the BreEZe system. The BreEZe team will be working on a Request for Change (RFC) regarding WAS in order to incorporate the database into the project. The WAS became a functional necessity upon regulatory approval of licensure requirements. It was established after a freeze was put in place for any legacy system changes during the Department's transition to BreEZe.

BreEZe Project

The Department of Consumer Affairs (DCA) is developing a new online program called BreEZe, which is a web-enabled enterprise system that supports all applicant tracking, licensing, renewal, enforcement, monitoring, cashiering, and management capabilities. The program also allows the public to file complaints and look up licensee information and complaint status through the internet. BreEZe will support the DCA's highest priority initiatives of job creation and consumer protection by replacing the DCA's aging legacy business systems with an integrated software solution that utilizes current technologies to facilitate increased efficiencies in the DCA boards' and bureaus' licensing and enforcement programs.

BreEZe is being implemented in three releases. Release 1 was implemented on October 9, 2013 and Release 2 is scheduled to be implemented at the end of 2015. LATC and the Board are currently scheduled for Release 3.

At the March 20, 2014 LATC meeting, Sean O'Connor, BreEZe Project Manager, provided an update on the status of the Project, and emphasized that a successful transition to BreEZe will demand a significant amount of staff time. He asked the Committee to be cognizant of the intense demand that the BreEZe transition will place on staff resources when delegating and prioritizing assignments.

On November 20, 2014, DCA Director Awet Kidane provided a BreEZe project update to Bureau Chiefs, Board Presidents and Vice Presidents, and Executive Officers. A memorandum summarizing the update was also issued, highlighting two important points: (1) The contractual relationship with Accenture, the current BreEZe vendor, is changing, and (2) Implementation of Release 2 will be moved from April 2015 to the end of 2015. Mr. Kidane emphasized that Releases 1 and 2 remain on course. The change in the project was approved in a new Special Project Report, and a meeting with programs was held on February 11, 2015 to provide a cost analysis of the BreEZe project for each program. After Release 2 is completed, DCA will

conduct a cost-benefit analysis for the remaining boards and bureaus, as recommended by the State Auditor. Absent any contrary findings in the analysis, DCA still intends to bring the remaining boards and bureaus into BreEZe, but likely will do so in smaller groups.

Budget

At the May 22, 2013 LATC meeting, the Committee voted to approve a temporary fee reduction and also reduce its spending authority by $200,000 beginning in fiscal year (FY) 2015/16 to address its fund condition per Business and Professions Code section (BPC) 128.5 (Reduction of License Fees in Event of Surplus Funds). Staff prepared a Concept Paper, which is the first step in the process, and is an internal document which formulates the LATC's intent to pursue the negative Budget Change Proposal (BCP) to reduce its spending authority. The Concept Paper was submitted to DCA's Budget Office on April 21, 2014. Staff prepared a draft of the negative BCP and provided it to the LATC's Budget Office analyst on July 18, 2014. Per the request of DCA, the LATC's BCP was combined with the Board's proposal and was submitted to the Budget Office on August 6, 2014, then to the Business, Consumer Services and Housing Agency (Agency) on August 11, 2014. The negative BCP was next submitted to the Department of Finance (DOF) on September 2, 2014. It was subsequently approved by DOF and the LATC's reduced spending authority was incorporated into the Governor's Proposed Budget in January. The 2015-16 State Budget was signed by the Governor on June 24, 2015. See Regulatory Changes section below for further information in relation to reduction of license fees.

California Architects Board Meeting

On June 10, 2015, the Board held a meeting in San Diego. In attendance were the Program Manager and LATC member, Andy Bowden. The LATC Program Manager provided a summary of the May 13, 2015, LATC meeting. Additionally, the LATC Program Manager informed the Board of a new member to the LATC, Patricia Trauth, who was appointed to the Committee on June 5, 2015. The Board reviewed and approved the 2015-2016 LATC Strategic Plan.

Committee Members

On June 5, 2015, Governor Brown appointed landscape architect Patricia Trauth to the LATC. Her term expires on June 6, 2018. On June 5, 2015, the Governor also reappointed Andrew Bowden to the LATC. Mr. Bowden's term expires June 1, 2019.

Outreach

The next outreach presentation is scheduled to be at the University of California, Berkeley Extension Program on August 13, 2015. Additional outreach presentations are being planned for the fall semester.

Regulatory Changes

CCR section 2620(a)(13), Expand Eligibility Requirements to Allow Credit for Teaching Under a Licensed Landscape Architect – At the LATC meeting on February 10, 2015 the Committee agreed that up to one year of experience/training credits should be granted for teaching under the supervision of a licensed landscape architect. At the May 13, 2015 LATC meeting the Committee approved the proposed language in CCR section 2620(a)(13) to provide one year of teaching credit under the supervision of a landscape architect in a degree program as specified in section 2620(a)(1), (2), and (4). The proposed amendment will be discussed under Agenda Item K.

CCR section 2620.5, Requirements for an Approved Extension Certificate Program - The LATC established the original requirements for an approved extension certificate program based on university accreditation standards from the Landscape Architectural Accreditation Board (LAAB). These requirements are outlined in CCR section 2620.5. In 2009, LAAB implemented changes to their university accreditation standards. Prompted by the changes made by LAAB, LATC drafted updated requirements for an approved extension certificate program and recommended the Board authorize LATC to proceed with a regulatory change. The Board approved the regulatory change and delegated authority to the Executive Officer (EO) to adopt the regulation at the December 15-16, 2010 Board meeting. The regulatory proposal to amend CCR section 2620.5 was published by the Office of Administrative Law (OAL) on June 22, 2012.

In 2012, the LATC appointed the University of California Extension Certificate Program Task Force, which was charged with developing the procedures for the review of the extension certificate programs, and conducting reviews of the programs utilizing the new procedures. The Task Force held meetings on June 27, 2012, October 8, 2012, and November 2, 2012. As a result of these meetings, the Task Force recommended additional modifications to CCR section 2620.5 to further update the regulatory language with LAAB guidelines and LATC goals. At the November 14, 2012 LATC meeting, the LATC approved the Task Force's recommended modifications to CCR section 2620.5, with an additional edit. At the January 24-25, 2013 LATC meeting, the LATC reviewed public comments regarding the proposed changes to CCR section 2620.5 and agreed to remove a few proposed modifications to the language to address the public comments. The Board approved adoption of the modified language for CCR section 2620.5 at their March 7, 2013 meeting. On July 17, 2013, a Decision of Disapproval of Regulatory Action was issued by the OAL. Staff is currently analyzing proposed modifications to develop a new regulatory proposal with sufficient justification that will meet OAL standards.

In May 2014, the LATC Special Projects Analyst prepared draft language for CCR section 2620.5 incorporating legal counsel's recommendation that regulatory language be added to address the application, approval, denial, and annual review processes. In June 2014, staff assignments changed. The interim Special Projects Analyst began working on new proposed regulatory language in November 2014. On December 8, 2014, staff was advised by LAAB that the accreditation standards are scheduled to be reviewed and updated beginning with draft proposals in the spring of 2015. LAAB anticipates adopting new standards in early 2016. On December 30, 2014 staff met with the Task Force Chair to discuss proposed changes to CCR 2620.5 and the probability that new LAAB accreditation standards will be implemented in 2016.

Staff met with DCA legal counsel on January 14, 2015 to discuss justifications to proposed changes and again on January 28, 2015 to further review edits and justifications.

Proposed regulatory language was presented to the LATC at its February 10-11, 2015 meeting. At this meeting, the Committee approved the appointment of a new working group to assist staff in substantiating recommended standards and procedures in order to obtain OAL approval. Appointed to the working group, since the meeting, are Linda Gates and Christine Anderson, former LATC members and University of California extension program reviewers.

On June 5, 2015, LAAB confirmed that the LAAB is in the process of updating its Standards and Procedures for the Accreditation of Landscape Architecture Programs. The process included a public call for input and commentary that took place during last fall (2014). Their Board is currently meeting to draft revisions to the Standards. After additional public input and comments in the fall 2015, their Board will take action on the updated standards and procedures at its 2016 winter meeting. Implementation of those Standards would begin with programs to be reviewed by LAAB during the fall term of 2016. LATC staff is currently awaiting LAAB to finish updating their Standards to ensure LATC standards correspond with LAAB Standards.

Following is a chronology to date, of the processing of LATC's regulatory proposal for CCR section 2620.5:

November 22, 2010	Proposed regulatory changes approved by LATC
December 15, 2010	Final approval by the Board
June 22, 2012	Notice of Proposed Changes in the Regulations published by OAL (Notice re-published to allow time to notify interested parties)
August 6, 2012	Public hearing, no public comments received
November 30, 2012	40-Day Notice of Availability of Modified Language posted
January 9, 2013	End of public comment period
January 24, 2013	LATC approved modified language to address public comments
February 15, 2013	Final rulemaking file to DCA Legal Office
March 7, 2013	Final approval of modified language by the Board
May 31, 2013	Final rulemaking file to OAL
July 17, 2013	Decision of Disapproval of Regulatory Action issued by OAL
August 20, 2013	LATC voted not to pursue a resubmission of rulemaking file to OAL
February 21, 2014	Staff met with Task Force Chair to discuss justifications for proposed changes*
February 10, 2015	LATC approved the appointment of a new working group to assist staff

** Staff is developing sufficient justifications for a new regulatory proposal to amend CCR 2620.5 that will meet OAL standards.*

CCR section 2649 (Fees) - At the January 24-25, 2013 LATC meeting, DCA Budget Office staff provided a budget presentation to the LATC. In this presentation, the LATC fund balance of 19.5 months in reserve was discussed in context with BPC section 128.5 (Reduction of License Fees in Event of Surplus Funds), which requires funds to be reduced if an agency has 24 months of funds. As a result of this discussion, LATC asked staff to consult with DCA administration to determine if license fees could be reduced for one renewal cycle and to explore additional ways

of addressing the fund balance to comply with BPC section 128.5. Staff met with DCA Budget Office staff and legal counsel to explore options and a license renewal fee reduction from $400 to $220 was recommended for one renewal cycle in addition to a negative BCP to reduce LATC's spending authority by $200,000.

At the May 22, 2013 LATC meeting, the members voted to reduce the license renewal fees for one renewal cycle beginning in FY 2015/2016 from $400 to $220 and authorized staff to begin the regulatory change process to seek Board and OAL approval to reduce the fee. Prior to the regulation being approved, staff determined what information would need to be updated along with the affected forms and the LATC website.

LATC staff requested legacy system updates to enable processing of the new renewal fees, before the DCA Change Control Board (CCB) on April 13, 2015. The CCB approved the request for analysis and the recommendations went before the CCB on May 4, 2015. July renewal notices to licensees were suspended until outcomes of the CCB meeting were received. Additionally, accounting codes were established to enable processing of the new renewal fee amounts. The revised renewal notices were generated with the reduced renewal fees beginning for licenses expiring July 31, 2015.

Following is a chronology, to date, of the processing of the regulatory proposal for CCR section 2649:

August 20, 2013	Proposed regulatory language approved by LATC
September 12, 2013	Proposed regulatory language approved by Board
February 7, 2014	Notice of Proposed Changes in the Regulations published by OAL
March 24, 2014	Public hearing, one written comment received
June 12, 2014	Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review
October 1, 2014	Final rulemaking file submitted to Agency for approval
October 3, 2014	Final rulemaking file approved by Agency
November 12, 2014	Final rulemaking file to Department of Finance (DOF) for approval
January 16, 2015	Final rulemaking file approved by DOF
February 3, 2015	Final rulemaking file submitted to OAL for approval
March 18, 2015	OAL approved the regulatory action
July 1, 2015	Regulatory change effective

Strategic Plan Objectives

The 2015-2016 Strategic Plan was approved by the LATC on May 13, 2015, and approved by the Board on June 10, 2015. The plan includes many objectives two of which are included below.

Reciprocity Requirements - The LATC's Strategic Plan for FY 2013/14 through 2014/15 contained an objective to review reciprocity requirements of other states to determine possible changes to California requirements to improve efficiencies. This objective was discussed at the November 7, 2013 LATC meeting. The LATC directed staff to 1) summarize state reciprocity

data by identifying the specific number of education years required by each state, 2) determine whether a degree is mandatory, and 3) identify the number of years of experience required for initial licensure. The Committee also asked for state specific requirements for reciprocity. This topic was revisited at the March 20, 2014 LATC meeting where the Committee reviewed the education and experience requirements of other states for initial and reciprocity licensure, prepared by staff. The LATC voted to address the topic further at the next Strategic Planning session. At its meeting on February 10, 2015, the LATC directed staff to obtain a sample of regulatory language from Arizona and New York and draft proposed regulatory language for the Committee to consider at a future meeting.

Training Credit for Teaching under a Licensed Landscape Architect - The Strategic Plan includes an objective to review the Table of Equivalents for training and experience credit and consider expanding eligibility requirements to allow credit for teaching under a licensed landscape architect. This objective was discussed at the November 7, 2013, LATC meeting and staff was directed to 1) determine if a future LATC meeting could be held in southern California and invite schools to provide input, 2) add the topic of allowing Landscape Architect Registration Examination (LARE) training credit for teaching under a licensed landscape architect to a future meeting agenda, and 3) review the Education Subcommittee summary reports to see if allowing training credit for teaching experience under a licensed landscape architect was previously considered by the Subcommittee, and include the findings when this agenda item is addressed again by the LATC. At its meeting on February 10, 2015, the LATC directed staff to draft possible regulatory language for granting experience credit for teaching. This topic will be discussed under Agenda Item K.

Training

Staff continues to receive training. Courses completed or scheduled since the May LATC meeting include:

June 11-12, 2015	Acrobat Fundamentals (Richie)
June 18-19, 2015	Cascade Style Sheets (Richie)
June 23, 2015	HR Liaison I (Rodney)
June 30, 2015	Completed Staff Work (Richie)
August 4, 2015	HR Liaison II (Rodney)

Website

LATC staff continues to publish the updated “Licensee Search” lists monthly. An announcement was posted to the homepage to notify licensees of the temporary renewal fee reduction that took effect on July 1, 2015. The “About Us” page was updated to reflect the most current Committee member roster. The 2015-2016 Strategic Plan was posted to the website. The 2015 Landscape Architects Practice Act was posted on the website on May 12, 2015 to include amendments through April 1, 2015. Additionally, an electronic copy of the new Act is now available in a printer-friendly version.

EXAMINATION PROGRAM

Landscape Architect Registration Examination (LARE)

Examination results for the April 6-18, 2015, administration of the LARE were mailed to candidates on May 27, 2015. Pass rates for the April LARE are attached under Agenda Item J. Examination results for the August 3-15, 2015, administration will be available in September.

Upcoming LARE administration dates are as follows:

August 3-15, 2015
November 30-December 13, 2015

California Supplemental Examination (CSE) and Occupational Analysis (OA)

At the November 14, 2012 LATC meeting, the Office of Professional Examination Services (OPES) provided an overview of the intra-agency contract (IAC) process and OA standard project plan. At the January 24, 2013 LATC meeting, the Committee approved an IAC with OPES to conduct an OA.

On May 30, 2013 OPES initiated the OA process by conducting the first of three focus groups. The initial focus group included practitioners, educators, and LATC enforcement staff. Upon completion of the three focus groups, a three-part questionnaire was developed to be completed by landscape architects statewide. LATC sent email notifications to all landscape architects with active licenses for whom it had email addresses inviting them to complete the questionnaire online. A 42 percent response rate was received. OPES then performed data analysis on the task and knowledge rating responses, followed by two focus groups to further analyze the task and knowledge areas. The groups completed the final review and organization of the task and knowledge statements into content areas also defined by the focus groups. Practitioners then evaluated and confirmed content area weights and a new examination outline containing four content areas was developed. At the June 25, 2014 meeting, the LATC approved the results of the 2014 OA.

At the March 20, 2014 meeting, the Committee approved a new IAC to conduct a national examination review and linkage study. The results of the OA, national examination review, and linkage study will serve as the basis for the examination program for the licensed landscape architect profession in California. As part of the linkage study, OPES reviewed the LARE background information and psychometric quality of the LARE in June and July. A linkage study between LARE specifications and California OA results was conducted September 8-9, 2014, and data analysis of the linkage study and final report was conducted September-November 2014. The Committee approved the results of the Linkage Study Report conducted by OPES at its meeting on February 10-11, 2015.

At the August 27, 2014 meeting, the Committee approved the FY 2014/15 IAC agreement with OPES to perform CSE development. In November 2014, LATC staff began recruiting subject matter experts (SME) to participate in exam development workshops. The first of seven exam development workshops was held on December 11-12, 2014 and the final workshop was held on

June 25-26, 2015. LATC staff will be drafting a new IAC agreement with OPES to continue CSE development to be considered by the Committee at a future meeting.

ENFORCEMENT PROGRAM

Consumer Satisfaction Survey

On October 8, 2014, staff from the Board and LATC enforcement units met with other DCA enforcement staff and SOLID Planning Solutions Team, to develop a revised department wide Consumer Satisfaction Survey, in the form of a postcard that could be sent to consumers who have filed complaints against licensees and unlicensed individuals. After review of DCA's proposed survey, LATC staff determined that the survey did not contain an essential question related to jurisdiction. Although this feedback was provided during the workgroup discussion to develop the survey, it was not included for the department's survey. Staff worked with DCA's Office of Publications Design and Editing to create its own postcard which incorporates important data for both DCA and LATC to send consumers along with the complaint closing letters. The postcard includes return postage and a Quick Response (QR) scan, which directs the complainants to an option to complete the survey online via Survey Monkey. Postcards were first mailed in April and survey data will be collected quarterly. The information will be utilized to ensure that quality customer service is provided and may also serve other useful purposes for departmental and legislative reports.

Disciplinary Guidelines

As part of the Strategic Plan established by the LATC at the January 2013 meeting, the LATC set an objective of collaborating with the Board in order to review and update LATC's Disciplinary Guidelines. The Board's Regulatory and Enforcement Committee (REC) was tasked with reviewing and recommending updates to the Board's Disciplinary Guidelines. The REC met on April 25, 2013, and identified areas of the Guidelines that needed research. The REC met again on April 24, 2014 to review the findings and determined further research was needed with the Board's Deputy Attorney General (DAG) liaison prior to making a recommendation to the Board. The revised Guidelines were presented and approved by the Board at its December 2014 meeting and staff was authorized to proceed with the required regulatory change to CCR 154 in order to incorporate the revised Disciplinary Guidelines by reference.

The LATC revised their Guidelines based on the Board's revisions and approved them at its meeting on February 10-11, 2015. Additional input from the new DAG liaison was received after the meeting and the Guidelines were revised to include his recommendations. The revised guidelines will be presented to the LATC under Agenda Item H. CCR 2680 (Disciplinary Guidelines) will need to be amended to reference the updated Guidelines if the LATC agrees to revise its Guidelines as recommended.

Complaint Statistics

	4th Quarter 2014/15			4th Quarter 2013/14		
	April	May	June	April	May	June
Complaints Opened	0	3	2	3	3	4
Complaints to Expert	0	2	1	1	2	0
Complaints to DOI	1	1	0	0	1	0
Complaints Pending DOI	0	0	0	0	0	0
Complaints Pending AG	1	2	1	0	2	0
Complaints Pending DA	0	0	0	0	0	0
Complaints Pending	19	19	19	23	19	21
Complaints Closed	3	4	2	4	4	3
Settlement Cases (§5678.5) Opened	0	0	1	0	0	0
Settlement Cases (§5678.5) Pending	1	1	2	1	1	0
Settlement Cases (§5678.5) Closed	0	0	0	0	0	0
Citations Final	0	0	0	0	0	1

CC/ASLA

AB 1 **(Brown D) Drought: local governments: fines.**

Current Text: Chaptered: 7/13/2015 pdf html

Status: 7/13/2015-Chaptered by Secretary of State - Chapter 62, Statutes of 2015.

Is Urgency: N

Location: 7/13/2015-A. CHAPTERED

Summary: The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. Existing law, the California Emergency Services Act, sets forth the emergency powers of the Governor under its provisions and empowers the Governor to proclaim a state of emergency for certain conditions, including drought. This bill would prohibit a city, county, or city and county from imposing a fine under any ordinance for a failure to water a lawn or having a brown lawn during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 149 **(Chávez R) Urban water management plans.**

Current Text: Chaptered: 7/6/2015 pdf html

Status: 7/6/2015-Chaptered by Secretary of State - Chapter 49, Statutes of 2015.

Is Urgency: N

Location: 7/6/2015-A. CHAPTERED

Summary: Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan and to update its plan once every 5 years on or before December 31 in years ending in 5 and zero, except as specified. The act requires an urban water supplier to submit to the Department of Water Resources a copy of its plan no later than 30 days after adoption and requires the department to prepare and submit to the Legislature, on or before December 31, in the years ending in 6 and 1, a report summarizing the status of plans adopted pursuant to the act. The act requires each urban water supplier to update and submit its 2015 plan to the department by July 1, 2016. This bill would require each urban water supplier to update and submit its 2020 plan to the department by July 1, 2021, and would require the department to submit the report to the Legislature for the 2015 plans by July 1, 2017, and the report for the 2020 plans by July 1, 2022.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

CC/ASLA

AB 177 **(Bonilla D) Professions and vocations: licensing boards: authority: extension.**

Current Text: Amended: 6/30/2015 pdf html

Status: 7/7/2015-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (July 6). Re-referred to Com. on APPR.

Is Urgency: N

Location: 7/7/2015-S. APPR.

Calendar: 8/17/2015 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, Chair

Summary: The Professional Engineers Act provides for the licensure and regulation of engineers by the Board for Professional Engineers, Land Surveyors, and Geologists, which consists of 15 members, in the Department of Consumer Affairs. The act requires the board to appoint an executive officer, as specified. Under existing law, these provisions are repealed on January 1, 2016. This bill would extend the operation of these provisions until January 1, 2020. The bill, until January 1, 2020, would add as a cause for disciplinary action by the board, as specified, if a licensee or certificate holder under the act fails or refuses to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder. The bill would also make technical amendments to the act. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	SUPPORT				

Notes 1: 4/15/15-SUPPORT ltr.-Asm B&P et al
6/15/15-SUPPORT ltr. -Sen. B&P consults.
6/30/15-SUPPORT ltr. Sen. B&P et al

AB 320 **(Wood D) Engineers.**

Current Text: Amended: 7/8/2015 pdf html

Status: 7/8/2015-Read second time and amended. Re-referred to Com. on APPR.

Is Urgency: N

Location: 7/8/2015-S. APPR.

Calendar: 8/17/2015 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, Chair

Summary: Existing law provides for the licensing and regulation of professional engineers and land surveyors by the Board for Professional Engineers, Land Surveyors, and Geologists in the Department of Consumer Affairs. Existing law prohibits a person from representing himself or herself as an engineer, as described by various titles, unless the person is licensed as an engineer. Existing law makes a violation of those prohibitions a misdemeanor. This bill would additionally prohibit a person from using the title "environmental engineer"

unless the person is licensed as an engineer. The bill would provide legislative findings and declarations in support of the licensure of environmental engineers in California. The bill would set forth the intent of the Legislature that the board be responsible for defining environmental engineering through rulemaking and that the board adopt standardized examination materials applicable to environmental engineering, as specified. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 349 **(Gonzalez D) Common interest developments: property use and maintenance.**

Current Text: Amended: 6/17/2015 pdf html

Status: 7/16/2015-From committee: Amend, and do pass as amended. (Ayes 7. Noes 0.) (July 14).

Is Urgency: Y

Location: 7/15/2015-S. JUD.

Summary: The Davis-Stirling Common Interest Development Act governs the management and operation of common interest developments. Existing law provides that, unless otherwise provided in the common interest development declaration, the association is responsible for repairing, replacing, or maintaining the common area, other than exclusive use common area, and the owner of each separate interest is responsible for maintaining that separate interest and any exclusive use common area appurtenant to that interest. Existing law makes void and unenforceable any provision of the governing documents or architectural or landscaping guidelines or policies that prohibits use of low water-using plants, or prohibits or restricts compliance with water-efficient landscape ordinances or regulations on the use of water, as specified. This bill would also make void and unenforceable any provision of the governing documents or architectural or landscaping guidelines or policies that prohibits use of artificial turf or any other synthetic surface that resembles grass. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 585 **(Melendez R) Outdoor Water Efficiency Act of 2015: personal income tax credits: outdoor water efficiency.**

Current Text: Amended: 7/15/2015 pdf html

Status: 7/16/2015-Re-referred to Com. on APPR.

Is Urgency: N

Location: 7/16/2015-A. APPR.

CC/ASLA

Summary: The Personal Income Tax Law allows various credits against the taxes imposed by that law. This bill, for taxable years beginning on or after January 1, 2016, and before January 1, 2021, would allow a credit equal to 25% of the amount paid or incurred by a qualified taxpayer for water-efficiencyimprovements, as defined, on qualified real property in this state, not to exceed $2,500 per taxable year, as specified. The bill would limit the cumulative amount of the credit to $2,500 for each qualified real property for all taxable years. The bill would require a qualified taxpayer to obtain and retain a certification of the water-efficiency improvements from the appropriate regional or local water agency after completion of the improvements and to provide a copy of this certification to the Franchise Tax Board upon request. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 603 **(Salas D) Income taxes: Every Drop Counts Tax Credit.**

Current Text: Amended: 5/21/2015 pdf html

Status: 5/28/2015-Joint Rule 62(a), file notice suspended. (Page 1613.) In committee: Held under submission.

Is Urgency: N

Location: 5/27/2015-A. APPR. SUSPENSE FILE

Summary: The Personal Income Tax Law and the Corporation Tax Law authorize various credits against the taxes imposed by those laws. This bill, under both laws, for taxable years beginning on and after January 1, 2016, and before January 1, 2021, or an earlier date in the event of a specified occurrence, would allow a credit to a taxpayer participating in a lawn replacement rebate program, as defined, in an amount equal to 25% of the costs paid or incurred by the taxpayer to replace conventional lawn on the qualified taxpayer's property during that taxable year, not to exceed $1,500, as specified. The bill would make findings and declarations in this regard. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 606 **(Levine D) Water conservation.**

Current Text: Amended: 5/12/2015 pdf html

Status: 7/6/2015-In committee: Hearing postponed by committee.

Is Urgency: N

Location: 6/29/2015-S. APPR.

Calendar: 8/17/2015 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, Chair

CC/ASLA

Summary: Existing law requires the Department of General Services to provide planning, acquisition, construction, and maintenance of state buildings and property, and maintain a statewide property inventory of all real property held by the state. Existing law requires the department, in consultation with the State Energy Resources Conservation and Development Commission, and with the concurrence of the Department of Finance, to identify each public building in the department's state property inventory where it is feasible for that building to reduce energy consumption and achieve energy efficiencies, as specified, and make retrofits, as specified. This bill would, when the Department of General Services replaces landscaping or irrigation on property or when new property is added to the department's statewide property inventory, require the department to reduce water consumption and increase water efficiencies for that property, where feasible, through replacement of landscaping, irrigation timers, or spray sprinkler heads, implementation of recycled water irrigation, or any combination thereof. The bill also would impose similar water conservation requirements on the Department of Transportation. This bill contains other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 750 **(Low D) Business and professions: retired category: licenses.**

Current Text: Amended: 4/16/2015 pdf html

Status: 5/29/2015-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)

Is Urgency: N

Location: 5/29/2015-A. 2 YEAR

Summary: Existing law provides for numerous boards, bureaus, commissions, or programs within the Department of Consumer Affairs that administer the licensing and regulation of various businesses and professions. Existing law authorizes any of the boards, bureaus, commissions, or programs within the department, except as specified, to establish by regulation a system for an inactive category of license for persons who are not actively engaged in the practice of their profession or vocation. Under existing law, the holder of an inactive license is prohibited from engaging in any activity for which a license is required. Existing law defines "board" for these purposes to include, unless expressly provided otherwise, a bureau, commission, committee, department, division, examining committee, program, and agency. This bill would additionally authorize any of the boards, bureaus, commissions, or programs within the department to establish by regulation a system for a retired category of license for persons who are not actively engaged in the practice of their profession or vocation, and would prohibit the holder of a retired license from engaging in any activity for which a license is required, unless regulation specifies the criteria for a retired licensee to practice his or her profession. The bill would authorize a board upon its own determination, and would require a board upon receipt of a complaint from any person, to investigate the actions of

any licensee, including, among others, a person with a license that is retired or inactive.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 988 **(Stone, Mark D) Outdoor Environmental Education and Recreation Grants Program.**

Current Text: Amended: 6/30/2015 pdf html

Status: 7/15/2015-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 1.) (July 14). Re-referred to Com. on APPR.

Is Urgency: N

Location: 7/15/2015-S. APPR.

Calendar: 8/17/2015 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, Chair

Summary: Existing law authorizes the expenditure of state funds for local assistance grants to cities, counties, and districts for the acquisition and development of various park and recreational areas and facilities. Existing law, the State Urban Parks and Healthy Communities Act, requires the Director of Parks and Recreation, in consultation with the State Department of Education, to develop a competitive grant program to assist state parks, state conservancies in existence as of January 1, 2003, urbanized and heavily urbanized local agencies, and community-based organizations within those jurisdictions, to provide outdoor educational opportunities to children. This bill would require the Department of Parks and Recreation to establish, on or before March 30, 2016, an Outdoor Environmental Education and Recreation Grants Program with the purpose of increasing the ability of underserved and at-risk populations to participate in outdoor recreation and educational experiences by awarding grants to public organizations, nonprofit organizations, or both. The bill would require the director to develop criteria, procedures, and accountability measures as may be necessary to implement the program and to administer the program to ensure that priority is given to underserved populations, as specified. The bill would authorize the director to develop an advisory task force to assist in the development of the program and would require the director to give priority funding to outdoor environmental education and recreation programs that have specified attributes. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 1128 **(Jones-Sawyer D) Water conservation.**

Current Text: Introduced: 2/27/2015 pdf html

Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/27/2015)

Is Urgency: N

Location: 5/15/2015-A. 2 YEAR

Summary: Existing law declares the intent of the Legislature to, among other things, promote urban water conservation standards that are consistent with the California Urban Water Conservation Council's adopted best management practices and specified requirements for demand management. This bill would make nonsubstantive changes to these findings and declarations.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 1139 (Campos D) Personal income taxes: credit: turf removal.

Current Text: Amended: 3/26/2015 pdf html

Status: 5/4/2015-In committee: Set, first hearing. Hearing canceled at the request of author.

Is Urgency: N

Location: 4/6/2015-A. REV. & TAX

Summary: The Personal Income Tax Law allows various credits against the taxes imposed by that law. This bill would, for taxable years beginning on and after January 1, 2015, allow a credit to a taxpayer participating in a lawn replacement program, as defined, in an amount equal to $2 per square foot of conventional lawn removed from the taxpayer's property, up to $50,000 per taxable year, as provided. The bill would make findings and declarations in this regard. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 1164 (Gatto D) Water conservation: drought tolerant landscaping.

Current Text: Amended: 7/16/2015 pdf html

Status: 7/16/2015-Read second time and amended. Re-referred to Com. on APPR.

Is Urgency: Y

Location: 7/16/2015-S. APPR.

Summary: Existing law generally authorizes every city and county, including a charter city, in this state to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations that are not in conflict with general laws. This bill would prohibit a city, including a charter city, county, and city and county, from enacting or enforcing any ordinance or regulation that prohibits the installation of synthetic grass or artificial turf on residential property, as specified . The bill would additionally state that this is an issue of statewide concern. This bill contains other related provisions.

CC/ASLA

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 1362 **(Gordon D) Local government: assessments, fees, and charges: stormwater definition.**

Current Text: Introduced: 2/27/2015 pdf html

Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/23/2015)

Is Urgency: N

Location: 5/15/2015-A. 2 YEAR

Summary: Articles XIII C and XIII D of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Existing law, the Proposition 218 Omnibus Implementation Act (hereafter the Act), prescribes specific procedures and parameters for local jurisdictions to comply with Articles XIII C and XIII D of the California Constitution and defines various terms for these purposes. This bill would define "stormwater" for purposes of the act to mean any system of public improvements or service intended to provide for the quality, conservation, control, or conveyance of waters that land on or drain across the natural or man-made landscape. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

SB 8 **(Hertzberg D) Taxation.**

Current Text: Amended: 2/10/2015 pdf html

Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was G. & F. on 2/19/2015)

Is Urgency: N

Location: 5/15/2015-S. 2 YEAR

Summary: The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Personal Income Tax Law imposes taxes on personal taxable income at specified rates, and the Corporation Tax Law imposes taxes upon, or measured by, corporate income. This bill would state legislative findings regarding the Upward Mobility Act, key provisions of which would expand the application of the Sales and Use Tax law by imposing a tax on specified services, would enhance the state's business climate , would incentivize entrepreneurship and business creation by evaluating the corporate tax, and would examine the impacts of a lower and simpler personal income tax. This bill contains other

related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	OPPOSE				

Notes 1: CALTAX ltr. 4/22/15

SB 47 **(Hill D) Environmental health: synthetic turf.**

Current Text: Amended: 3/25/2015 pdf html

Status: 5/29/2015-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)

Is Urgency: N

Location: 5/29/2015-S. 2 YEAR

Summary: Existing law regulates certain behavior related to recreational activities and public safety, including, among other things, playgrounds and wooden playground equipment. This bill would require the Office of Environmental Health Hazard Assessment, by July 1, 2017, in consultation with the Department of Resources Recycling and Recovery, the State Department of Public Health, and the Department of Toxic Substances Control, to prepare and provide to the Legislature and post on the office's Internet Web site a study analyzing synthetic turf, as defined, for potential adverse health impacts. The bill would require the study to include certain information, including a hazard analysis of exposure to the chemicals that may be found in synthetic turf, as provided. The bill would prohibit a public or private school or local government, until January 1, 2018, from installing, or contracting for the installation of, a new field or playground surface made from synthetic turf within the boundaries of a public or private school or public recreational park, unless 3 specified conditions are met, including that the public or private school or local government has obtained at least one estimate from a company that does not use crumb rubber in its turf field and playground products, as provided . This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

SB 209 **(Pavley D) Surface mining: inspections: financial assurances: reclamation plans.**

Current Text: Amended: 7/16/2015 pdf html

Status: 7/16/2015-Read second time and amended. Re-referred to Com. on APPR.

Is Urgency: N

Location: 7/16/2015-A. APPR.

Summary: Existing law establishes the Office of Mine Reclamation within the Department of Conservation. Existing law requires the State Mining and Geology

Board to impose, by regulation, an annual reporting fee on the operators of all active and idle mining operations. Existing law requires the maximum amount of the annual fee imposed on each mining operation to not exceed $4,000. Existing law limits the maximum amount of the total revenue generated from the reporting fee to no more than $3,500,000, as specified. This bill would instead establish the Division of Mines within the department under the direction of the Supervisor of Mines and Reclamation. The bill also would raise the maximum amount of the annual reporting fee to $10,000 per mining operation, except as specified. The bill would raise the maximum amount of the total revenue generated from the reporting fee to $8,000,000, as specified. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	OPPOSE unless amended				

SB 317 **(De León D) The Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016.**

Current Text: Amended: 5/5/2015 pdf html

Status: 5/28/2015-From committee: Do pass. (Ayes 5. Noes 1. Page 1151.) (May 28). Read second time. Ordered to third reading.

Is Urgency: Y

Location: 5/28/2015-S. THIRD READING

Summary: Under existing law, various measures have been approved by the voters to provide funds for park, river, and coastal protections and programs. This bill would enact the Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016, which, if adopted by the voters at the November 8, 2016, statewide general election, would authorize the issuance of bonds in the total amount of $2,450,000,000 pursuant to the State General Obligation Bond Law to finance a safe neighborhood parks, rivers, and coastal protection program. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	SUPPORT				

SB 467 **(Hill D) Professions and vocations.**

Current Text: Amended: 7/1/2015 pdf html

Status: 7/15/2015-July 15 set for first hearing. Placed on APPR. suspense file.

Is Urgency: N

Location: 7/15/2015-A. APPR. SUSPENSE FILE

Summary: Existing law provides for the licensure and regulation of various professions and vocations by boards, bureaus, commissions, divisions, and other

agencies within the Department of Consumer Affairs. Existing law authorizes the department to levy a pro rata share of the department's administrative expenses against any of these constituent agencies at the discretion of the Director of Consumer Affairs and with the approval of the Department of Finance. This bill would eliminate the requirement that the levy described above be at the discretion of the Director of Consumer Affairs and with the approval of the Department of Finance, and would instead require the levy to be approved by the Legislature. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

SB 553 **(Wolk D) Water conservation.**

Current Text: Introduced: 2/26/2015 pdf html

Status: 5/29/2015-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)

Is Urgency: N

Location: 5/29/2015-S. 2 YEAR

Summary: Existing law requires the Department of General Services to provide planning, acquisition, construction, and maintenance of state buildings and property. Existing law requires the department, in consultation with the State Energy Resources Conservation and Development Commission, and with the concurrence of the Department of Finance, to identify each public building in the department's state property inventory where it is feasible for that building to reduce energy consumption and achieve energy efficiencies, as specified, and to retrofit those buildings, as specified. This bill would require the Department of General Services to identify each public property in the department's state property inventory where it is feasible for water consumption to be reduced and water efficiencies to be achieved through implementation of the relevant recommendations made in the model water efficient landscape ordinance and would require the department to implement the relevant recommendations where feasible, except as specified. This bill contains other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

SB 760 **(Mendoza D) Distressed watershed: urban greening.**

Current Text: Amended: 5/11/2015 pdf html

Status: 5/29/2015-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)

Is Urgency: N

Location: 5/29/2015-S. 2 YEAR

Summary: The Water Quality, Supply, and Infrastructure Improvement Act of

2014, approved by the voters as Proposition 1 at the November 4, 2014, statewide general election, authorizes the issuance of general obligation bonds in the amount of $7,545,000,000 to finance a water quality, supply, and infrastructure improvement program. Proposition 1 makes available $100,000,000 of the bond proceeds, upon appropriation by the Legislature, for projects to protect and enhance an urban creek and its tributaries that meets certain requirements. This bill would require a public agency receiving an appropriation from the $100,000,000 to give priority to projects that are located in, or directly adjacent to, a disadvantaged community within a distressed watershed and that may also provide greenspace or other venues for physical activities.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	SUPPORT				

SB 789 **(Wieckowski D) Sale of water by local public entities: excise tax.**

Current Text: Amended: 6/8/2015 pdf html

Status: 7/1/2015-July 1 hearing: Heard for testimony only.

Is Urgency: N

Location: 7/2/2015-A. L. GOV.

Summary: The California Constitution prohibits the Legislature from imposing taxes for local purposes, but allows the Legislature to authorize local governments to impose them. This bill would authorize a local public entity that supplies water at retail or wholesale for the benefit of persons within the service area or area of jurisdiction of that public entity to impose, by ordinance, an excise tax on an excessive user of water, at a rate not to exceed 300% of the purchase price of the water, if the ordinance proposing the tax is approved by 2/3 of the electors voting on the measure and the revenue from the tax is equally distributed between the public entity and the State Water Resources Control Board for water conservation efforts within the jurisdiction of the public entity.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

Total Measures: 22

Total Tracking Forms: 22

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

NOTICE OF BOARD MEETING
MODIFIED

June 10, 2015 (Webcast)
10:00 a.m. to 4:00 p.m.

University of San Diego* - Mother Rosalie Hill Hall, Room 135
5998 Alcala Park - San Diego, CA 92110
(619) 260-4600 (Main Campus) or (916) 575-7202 (Board)

The California Architects Board will hold a Board meeting, as noted above. Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. The Board plans to webcast this meeting on its website at www.cab.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Annamarie Fernandez at (916) 575-7202, emailing annamarie.fernandez@dca.ca.gov, or sending a written request to the Board at the address below. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

Agenda

A. Call to Order – Roll Call – Establishment of a Quorum

B. President's Remarks

C. Public Comment Session for Items Not on Agenda

D. Approve March 12, 2015 Board Meeting Minutes

2420 Del Paso Road,
Suite 105
Sacramento,
CA 95834

916-574-7220 T
916-575-7283 F

cab@dca.ca.gov
www.cab.ca.gov

(Continued)

* This meeting is being hosted by USD's Department of Art, Architecture + Art History

E. Executive Officer's Report
   1. Update on May 2015 Monthly Report
   2. Budget Update
   3. Update on 2014 Sunset Review for California Architects Board and Landscape Architects Technical Committee and Ratification of Responses to Background Papers
   4. Update and Possible Action on Legislation Regarding:
      a. Assembly Bill (AB) 177 (Bonilla) [Authority: Extension]
      b. AB 507 (Olsen) [BreEZe]
      c. Senate Bill 704 (Gaines) [Conflict of Interest]
   5. Board Member Liaison Reports on Assigned Organizations and Schools and Possible Action

F. National Council of Architectural Registration Boards (NCARB)
   1. Review of 2015 NCARB Annual Meeting Agenda, Policies, and Procedures
   2. Review and Approve Recommended Positions on 2015 Resolutions and Candidates for Office
   3. Update and Possible Action on NCARB's Actions Related to Accelerated Path to Architectural Licensure

G. Discuss and Possible Action on Amending Board's Additional Path to Licensure Supporting Position Statement

H. Review and Approve Modified Text Regarding Proposed Amendments to California Code of Regulations (CCR), Title 16, Section 120 (Re-Examination) as it Relates to Referenced Edition of *Architect Registration Examination Guidelines*

I. Review and Approve 2015/16 Intra-Agency Contract Agreement with Office of Professional Examination Services for California Supplemental Examination Development

J. Regulatory and Enforcement Committee (REC) Report
   1. Update on REC April 29, 2015 Meeting
   2. Discuss and Possible Action on Recommendation Regarding 2015–2016 Strategic Plan Objective to Monitor NCARB Action on Title for Interns to Ensure Appropriate Consumer Protection

K. Review and Approve Proposed Regulations to Amend CCR, Title 16, Section 154 (Disciplinary Guidelines) as it Relates to Reference of Proposed Revised *Disciplinary Guidelines*

L. Landscape Architects Technical Committee (LATC) Report
   1. Update on LATC May 13, 2015 Meeting
   2. Review and Approve Draft 2015–2016 Strategic Plan

M. Closed Session – Pursuant to Government Code Sections 11126(a)(1), (c)(1) and (c)(3)
   1. Review and Approve March 12, 2015 Closed Session Minutes
   2. Consider Proposed Enforcement Decisions and Stipulations
   3. Conduct Annual Evaluation of Executive Officer

(Continued)

N. Review of Schedule

O. Adjournment

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting [Government Code sections 11125 and 11125.7(a)].

Protection of the public shall be the highest priority for the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (Business and Professions Code section 5510.15)

Agenda Item F

UPDATE ON BREEZE ENTERPRISE SYSTEM BY DEPARTMENT OF CONSUMER AFFAIRS

The Department of Consumer Affairs (DCA) has been working with Accenture, LLP to design, configure, and implement an integrated, enterprise-wide enforcement case management and licensing system called BreEZe. This system supports DCA's highest priority initiatives of job creation and consumer protection by replacing aging legacy business systems with an industry-proven software solution that utilizes current technologies to facilitate increased efficiencies for DCA board and bureau licensing and enforcement programs. More specifically, BreEZe supports applicant tracking, licensing, license renewal, enforcement, monitoring, cashiering, and data management capabilities. Additionally, the system is web-based which allows the public to file complaints and search licensee information and complaint status via the Internet. It also allows applicants and licensees to submit applications, license renewals, and make payments online.

BreEZe is being deployed department-wide via three separate releases. On October 8, 2013, the BreEZe system went live for Release 1 boards and bureaus for certain services. Release 1 boards and bureaus were given the option to stagger in the new system services based on their individual business process considerations; this option is being provided to all boards and bureaus, allowing them to choose when specific services go online. Release 2 and 3 boards and bureaus will continue to utilize the legacy business systems until their respective release dates December 2015 and TBA, respectively. The Landscape Architects Technical Committee and the California Architects Board are scheduled for Release 3.

In January 2015, DCA requested a contract amendment for the BreEZe project, which was considered by the Department of Finance (DOF) and the Joint Legislative Budget Committee. On March 24, 2015, DCA was notified by the Legislature that it may proceed with the BreEZe contract amendments. The State Auditor recommended that DCA conduct a cost-benefit analysis for Release 3 boards and bureaus after Release 2 is completed. Absent any contrary finding in that analysis, DCA plans to bring the remaining boards and bureaus into BreEZe, but likely will do so in smaller groups.

According to DCA, after all three releases are completed, BreEZe will be the largest online enterprise licensing and enforcement solution in the world, bringing with it improved access to DCA board and bureau services, greater ease of use for stakeholders, and improved internal functionality that will greatly enhance licensing and enforcement efficiencies.

At today's meeting, a representative from the BreEZe Project will provide additional information and an update on the status of the project.

Agenda Item G

ELECTION OF LATC OFFICERS

Members of the Landscape Architects Technical Committee will nominate and elect a Chair and Vice Chair for fiscal year 2015/16 at today's meeting.

ENFORCEMENT

1. Annual Enforcement Statistics

2. Update on Interpretations Used for the Terminology in Business and Professions Code (BPC) Section 5641 (Chapter Exceptions, Exemptions)

3. Review and Approve Proposed Regulations to Amend California Code of Regulations (CCR), Title 16, Section 2680 (Disciplinary Guidelines) as it Relates to Reference of Revised Disciplinary Guidelines

Agenda Item H.1

ANNUAL ENFORCEMENT STATISTICS

A 10-year history of enforcement data spanning between fiscal year (FY) 04/05 and 14/15 is provided in the attached Enforcement Statistics by Fiscal Year chart. Additional data comparison charts are attached for FY 12/13 through 14/15.

Attachments:
1. Enforcement Statistics by Fiscal Year
2. LATC Enforcement Statistics Graphs
3. Age of Closed Cases

LATC Enforcement Statistics by Fiscal Year

Enforcement Data	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
Complaints Received (Source)	Total: 15	Total: 33	Total: 26	Total: 30	Total: 88	Total: 30	Total: 28	Total: 27	Total: 32	Total: 23
Public	6	13	8	9	16	10	5	4	6	7
Licensee/Prof. Groups	1	2	2	0	12	4	14	10	12	8
Governmental Agencies	5	14	11	11	15	3	0	3	3	5
Other	3	4	5	10	45	13	9	10	11	3
Complaints Filed (By Type)	Total: 15	Total: 33	Total: 26	Total: 30	Total: 88	Total: 30	Total: 28	Total: 27	Total: 32	Total: 23
Competence/Negligence	2	1	2	3	12	4	5	6	1	2
Unprofessional Conduct	0	0	1	0	1	1	0	0	1	2
Fraud	0	0	0	0	0	0	0	0	0	0
Health & Safety	0	0	0	0	0	0	0	0	0	0
Unlicensed Activity	2	22	22	26	75	24	22	21	24	17
Personal Conduct	0	0	0	0	0	0	0	0	0	0
Other	11	10	1	1	0	1	1	0	6	2
Complaints Closed	Total: 16	Total: 23	Total: 29	Total: 29	Total: 46	Total: 64	Total: 59	Total: 23	Total: 41	Total: 26
Investigations Commenced	Total: 15	Total: 33	Total: 26	Total: 30	Total: 88	Total: 30	Total: 28	Total: 27	Total: 32	Total: 23
Compliance Actions	Total: 11	Total: 8	Total: 17	Total: 12	Total: 29	Total: 37	Total: 29	Total: 23	Total: 38	Total: 25
Citations and Fines	7	3	10	3	4	3	1	1	4	0
Public Letter of Reprimand	0	0	0	0	0	0	0	0	0	0
Cease & Desist/Warning	4	5	7	9	25	34	28	22	34	25
Referred for Criminal Action	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0
Referred to AG's Office	Total: 1	Total: 0	Total: 1	Total: 0	Total: 0	Total: 1	Total: 2	Total: 1	Total: 4	Total: 2
Accusations Filed	0	0	0	0	0	1	0	0	1	2
Accusations Withdrawn	0	0	0	0	0	0	1	0	0	0
Accusations Dismissed	0	0	0	0	0	0	0	0	0	0
Citations Appealed	1	0	1	0	0	0	1	1	3	0
Disciplinary Actions	Total: 1	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0
Revocation	0	0	0	0	0	0	0	0	0	0
Voluntary Surrender	0	0	0	0	0	0	0	0	0	0
Suspension Only	0	0	0	0	0	0	0	0	0	0
Probation with Susp.	0	0	0	0	0	0	0	0	0	0
Probation	1	0	0	0	0	0	0	0	0	0
Probation Violations	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0	Total: 0

Note: Compliance Actions resulting in Cease & Desist/Warning for fiscal years 2010/11, 2011/12, and 2012/13 were against unlicensed individuals. Prior fiscal years for this category were not tabulated for this report and may include unlicensed and licensed individuals.

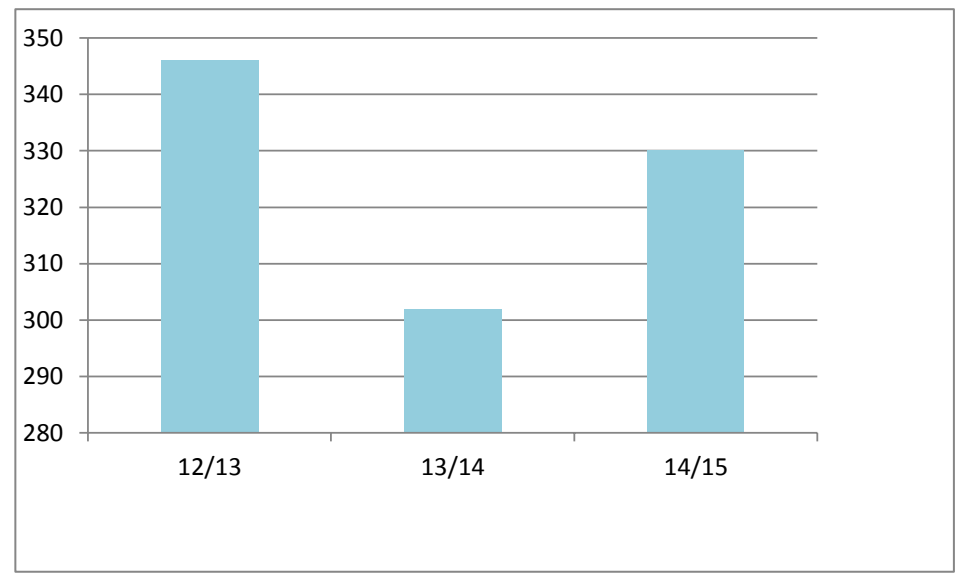
Revised 7/14/15

LATC Enforcement Statistics Graphs

Fiscal Years 12/13 Through 14/15

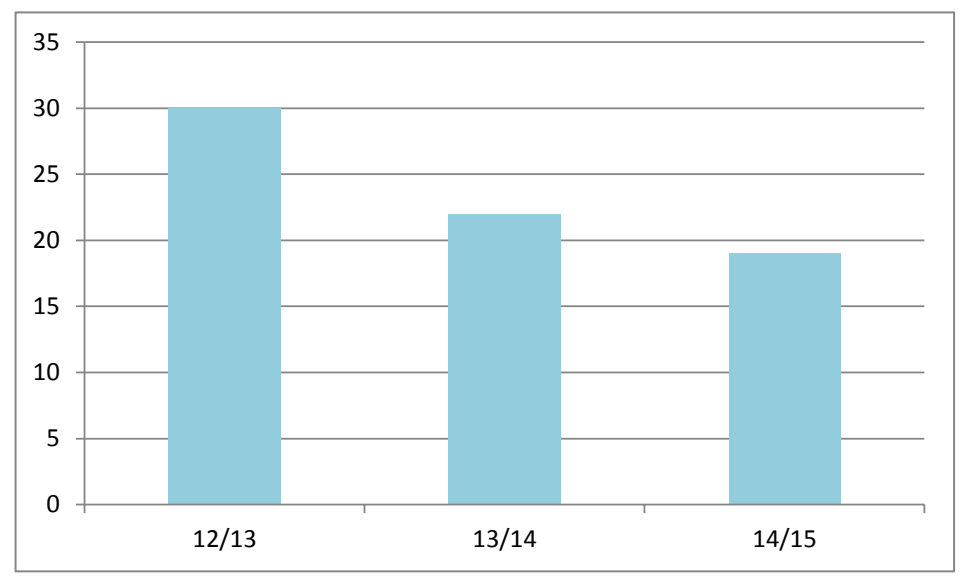
Average Days to Complete Investigation

FY	Days
12/13	346
13/14	302
14/15	330



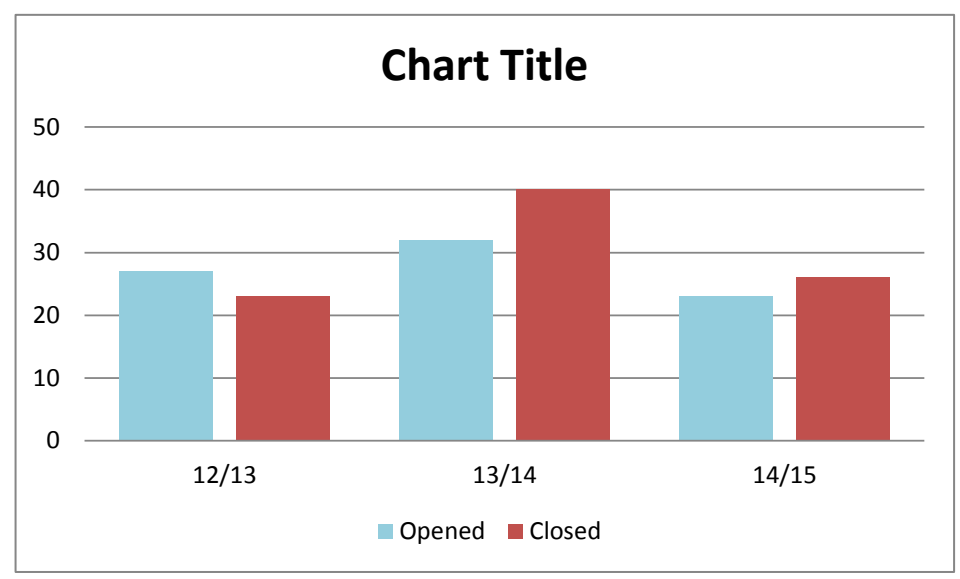
Complaints Pending at End of Fiscal Year

FY	Pending
12/13	30
13/14	22
14/15	19



Complaints Opened and Completed

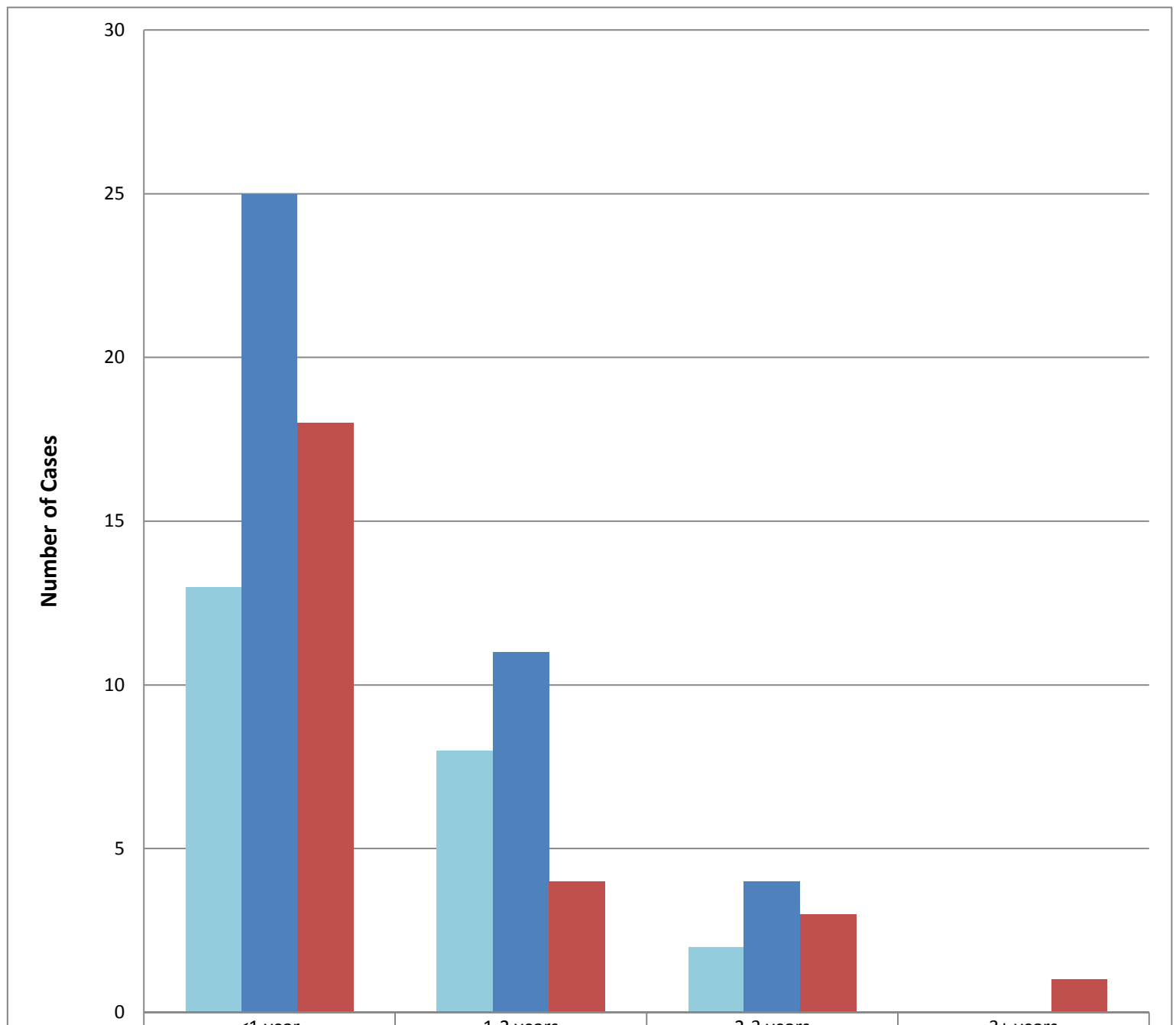
FY	Opened	Closed
12/13	27	23
13/14	32	40
14/15	23	26



LATC Enforcement Statistics by Fiscal Year

Fiscal Years 12/13 Through 14/15

Age of Closed Cases



	<1 year	1-2 years	2-3 years	3+ years
FY 12/13	13	8	2	0
FY 13/14	25	11	4	0
FY 14/15	18	4	3	1

Agenda Item H.2

UPDATE ON INTERPRETATIONS USED FOR THE TERMINOLOGY IN BUSINESS AND PROFESSIONS CODE SECTION 5641 (CHAPTER EXCEPTIONS, EXEMPTIONS)

During its 2012/13 Strategic Planning session, the Landscape Architects Technical Committee (LATC) appointed an Exceptions and Exemptions Task Force charged with determining how LATC can ensure clarity on Business and Professions Code section (BPC) 5641 (Chapter Exceptions, Exemptions), and ensure that these provisions protect the public. The Task Force concluded with a meeting on July 23, 2013.

At this meeting, a Legal Opinion was provided by Don Chang. After presentation of the Legal Opinion and further discussion, the Task Force approved a motion that BPC 5641 is sufficiently clear and does not need modification. The Task Force also agreed that the public would benefit from having further interpretation and specificity regarding terminology used within the section. The Task Force approved a motion to recommend to LATC that it consider providing further interpretation and specificity regarding the terminology used in BPC 5641.

At its August 20, 2013 meeting, LATC directed staff to 1) maintain a record of any interpretations used for the terminology of BPC 5641; 2) identify any problematic areas; and 3) provide a summary of any interpretations of BPC 5641 made during investigation and review of enforcement cases.

Staff will provide an update during today's meeting.

Agenda Item H.3

REVIEW AND POSSIBLE ACTION ON UPDATES TO DISCIPLINARY GUIDELINES

The Landscape Architects Technical Committee's (LATC) current Strategic Plan tasked the LATC to collaborate with the California Architects Board (Board) to review and update its Disciplinary Guidelines. The LATC's Disciplinary Guidelines were last updated in 2000.

The Board's 2013 and 2014 Strategic Plans directed its Regulatory and Enforcement Committee (REC) to review and update the Board's Disciplinary Guidelines. To this end, Board staff consulted with its legal counsel and Deputy Attorney General (DAG) liaison and reviewed the Disciplinary Guidelines for both the Board for Professional Engineers, Land Surveyors, and Geologists and the Contractors State License Board to determine if changes were needed to the Board's Disciplinary Guidelines. As a result, staff and legal counsel recommended revisions which were approved by the Board at its December 10, 2014 meeting.

LATC staff worked in conjunction with the Board on the Disciplinary Guidelines and incorporated edits approved by the Board that were applicable to the LATC. The revised LATC Disciplinary Guidelines were approved at the LATC's February 10, 2015 meeting. Following the approval, and upon the appointment of a new Deputy Attorney General (DAG) Liaison, staff requested that he review the Disciplinary Guidelines and provide any recommendations.

Based upon his review, he suggested the following changes to the Guidelines:

1. Revision and addition to Factors to be Considered (page 2). The DAG opined that the factors were more restrictive than those for the Board. He felt they should account for respondent's cooperation and remorse.
2. Increase the number of days of suspension for Gross Incompetence [Business and Professions Code (BPC) section 5672] (page 5). The DAG noted that the penalty for gross incompetence should be harsher than for incompetence [California Code of Regulations section 2670(a)].
3. Add BPC section 490 (page 6). Allows the Board to deny an applicant or discipline a licensee for a misdemeanor conviction of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

The attached draft of the LATC's Disciplinary Guidelines show all of the tracked changes previously reviewed and approved by the LATC at its February 10, 2015 meeting and the additional revisions suggested by the DAG highlighted in yellow.

A regulatory change to update CCR section 2680 will also be necessary as this section incorporates by reference the latest edition of the Guidelines. Attached is a draft of the Proposed Regulatory Language to amend CCR 2680, the Notice of Proposed changes in the Regulations, and the Initial Statement of Reasons.

The LATC is asked to discuss and consider approving the recommended revisions to its Disciplinary Guidelines and authorize staff to proceed with a regulatory change proposal to amend CCR section 2680 to incorporate by reference the revised edition of the Disciplinary Guidelines.

ATTACHMENT:

1. LATC's Draft Disciplinary Guidelines with Recommended Revisions
2. Notice of Proposed Changes in the Regulations
3. Initial Statement of Reasons
4. Proposed Regulatory Language CCR Section 2620

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III. DEFINITION OF PENALTIES .....

IV. DISCIPLINARY GUIDELINES .....

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California Code of Regulations .....

Violation of Probation .....

V. CONDITIONS OF PROBATION

Standard Conditions .....

Optional Conditions .....

VI. REHABILITATION CRITERIA .....

California Architects Board
Landscape Architects Technical Committee

DISCIPLINARY GUIDELINES

I. INTRODUCTION

To establish consistency in disciplinary penalties for similar offenses on a statewide basis, the California Architects Board (Board~~CAB~~), Landscape Architects Technical Committee (LATC) has adopted these uniform disciplinary guidelines for particular violations. This document, designed for use by Administrative Law Judges, attorneys, landscape architects, others involved in the disciplinary process, and ultimately the Board~~CAB~~, shall be revised from time to time and will be distributed to interested parties upon request.

These guidelines include general factors to be considered, probationary terms, and guidelines for specific offenses. The guidelines for specific offenses are referenced to the statutory and regulatory provisions.

For purposes of this document, terms and conditions of probation are divided into two general categories:
(1) Standard Conditions are those conditions of probation which will generally appear in all cases involving probation as a standard term and condition; and
(2) Optional Conditions are those conditions which address the specific circumstances of the case and require discretion to be exercised depending on the nature and circumstances of a particular case.

The Board recognizes that these recommended penalties and conditions of probation are merely guidelines and that mitigating or aggravating circumstances and other factors may necessitate deviations, as discussed herein. If there are deviations from the guidelines, the Board would request that the Administrative Law Judge hearing the matter include an explanation in the Proposed Decision so that the circumstances can be better understood and evaluated by the Board upon review of the Proposed Decision and before final action is taken.

Additional copies of this document may be obtained by contacting the LATC~~Board~~ at its office in Sacramento, California. There may be a charge assessed sufficient to cover the cost of production and distribution of copies.

II. GENERAL CONSIDERATIONS

The Board requests that Proposed Decisions following administrative hearings include the following:

a. Specific code sections violated with their definitions.

b. Clear description of the violation.

c. Respondent's explanation of the violation if he/she is present at the hearing.

d. Findings regarding aggravation, mitigation, and rehabilitation where appropriate.

e. When suspension or probation is ordered, the Board requests that the disciplinary order include terms within the recommended guidelines for that offense unless the reason for departure from the recommended terms is clearly set forth in the findings and supported by the evidence.

Factors to be Considered - In determining whether revocation, suspension or probation is to be imposed in a given case, factors such as the following should be considered:

1. Nature and severity of the act(s), offense(s), or crime(s) under consideration.
2. Total criminal record. ~~Actual or potential harm to any consumer, client or the general public.~~
3. The time that has elapsed since commission of the act(s) of offense(s). ~~Prior disciplinary record.~~
4. The extent to which the respondent ~~Whether the licensee~~ has complied with any terms or parole, probation, restitution or any other sanctions lawfully imposed against the respondent~~licensee~~.~~Number and/or variety of current violations.~~
5. ~~Mitigation evidence.~~ If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.
6. ~~Rehabilitation~~ E~~e~~vidence~~.~~ if any, of rehabilitation submitted by the respondent~~licensee~~.
7. ~~In the case of a criminal conviction, compliance with terms of sentence and/or court-ordered probation.~~
8. ~~Overall criminal record.~~
9. ~~Time passed since the act(s) or offense(s) occurred.~~
7.~~10.~~ Whether or not the respondent cooperated with the Board's investigation, other law enforcement or regulatory agencies, and/or the injured parties.
8.~~11.~~ Recognition by respondent of his or her wrongdoing and demonstration of corrective action to prevent recurrence.

III. DEFINITION OF PENALTIES

Revocation: Loss of a license as the result of any one or more violations of the Landscape Architects Practice Act. Revocation of a license is permanent, unless the respondent takes affirmative action to petition the Board for reinstatement of his/her license and demonstrates to the Board's satisfaction that he/she is rehabilitated.

***Suspension*:** Invalidation of a license for a fixed period of time, not to exceed a period of one year.

***Stayed Revocation*:** Revocation of a license, held in abeyance pending respondent's compliance with the terms of his/her probation.

***Stayed Suspension*:** Suspension of a license, held in abeyance pending respondent's compliance with the terms of his/her probation.

***Probation*:** A period during which a respondent's sentence is suspended in return for respondent's agreement to comply with specified conditions relating to improving his/her conduct or preventing the likelihood of a reoccurrence of the violation.

***Public Reproval*:** A condition of probation whereby the respondent is required to appear before the Board to review in public the violation which he/she was determined to have committed and the penalties imposed.

Such other matters as justice may require.

IV. DISCIPLINARY GUIDELINES

The offenses are listed by statute number in the Business and Professions Code. The standard terms of probation as stated herein shall be included for all probations. The optional conditions of probation as stated herein are to be considered and imposed along with any other optional conditions if facts and circumstances warrant. The number(s) in brackets listed after each condition of probation refers to the conditions listed on pages XX - XX.

Business and Professions Code

Section 5640: Unlicensed Person Engaging in Practice - Sanctions

~~Applicant~~ **Maximum**: Denial of application for a license
~~Applicant~~ **Minimum**: ~~Ninety (~~90~~)~~ days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]

Section 5642: Partnership, Corporation – Unlicensed Person

Maximum: Revocation and public reproval
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation ~~for 5 years~~ on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Cost reimbursement [#12 ~~11~~]

Section 5666: Practice in Violation of Chapter Provisions

The appropriate penalty depends on the nature of the offense.

Section 5667: Fraud, Misrepresentation - Obtaining License

Maximum/Minimum: Revocation

Section 5668: Impersonating Landscape Architect – Practice Under Assumed Name

~~Licensee~~ **Maximum:** Revocation
~~Licensee~~ **Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11 ~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5669: Aiding, Abetting - Unlicensed Practice

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5670: Fraud, Deceit in Practice

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5671: Negligence, Willful Misconduct in Practice

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c. Written Examination [#10]
d~~b~~. Continuing education courses [#11~~10~~]
e~~c~~. Cost reimbursement [#12~~11~~]
f~~d~~. Restitution [#13~~12~~]

Section 5672: Gross Incompetence in Practice

Maximum: Revocation
Minimum: Stayed revocation,120 ~~90~~ days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c~~b~~. Written examination [#10~~9~~]
d~~c~~. Continuing education courses [#11~~10~~]
e~~d~~. Cost reimbursement [#12~~11~~]
f~~e~~. Restitution [#13~~12~~]

Section 5673: False Use of Signature

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5675: **Felony Conviction - Sanctions**

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]
e. Criminal Probation Reports [#14~~13~~]

Section 5675.5: **Disciplinary Action by a Public Agency ~~– Disciplinary Action~~**

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9~~10~~]
c. Written Examination [#10]
d~~b~~. Continuing education courses [#11~~10~~]
e~~c~~. Cost reimbursement [#12~~11~~]
f~~d~~. Restitution [#13~~12~~]

Section 5676: **Plea of Nolo Contendere – Criminal Conviction - Sanctions**

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-7]
~~b. Continuing education courses [#10]~~
b~~c~~. Cost reimbursement [#12~~11~~]
~~d. Restitution. [#12]~~
c~~e~~. Criminal Probation Reports [#14~~13~~]

General Provisions of Business and Professions Code

Section 125.6: **Discrimination by Licensee**

Maximum: Revocation
Minimum: Stayed revocation, 60~~90~~ days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Cost reimbursement [#12~~11~~]

Section 480 (a): **Denial of Licenses**

An applicant's application may be denied for (1) conviction of a crime substantially related to the qualification, functions, or duties in the practice of landscape architecture; (2) any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; (3) any act which if done by a licensee would be grounds for suspension or revocation of license; or (4) knowingly making a false statement of fact required to be revealed in the application for such license.

Maximum/Minimum: Denial of license

Section 490: **Conviction of Crime; Suspension, Revocation – Grounds**

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11]
c. Cost reimbursement [#12]
d. Restitution [#13]
e. Criminal Probation Reports [#14]

Section 496: **Subversion of Licensing Examinations or Administration of Examinations**

Maximum/Minimum: Denial or revocation of license

California Code of Regulations
Division 2, Title 16, Chapter 26

Section 2670:
Rules of Professional Conduct

(a) Competence

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and ~~five (~~5~~)~~ years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c. Written Examination [#10]
d~~b~~. Continuing education courses [#11~~10~~]
e~~c~~. Cost reimbursement [#12~~11~~]
f~~d~~. Restitution [#13~~12~~]

(b) Willful Misconduct

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c. Written Examination [#10]
d. Continuing education courses [#11 [#10]
e. Cost reimbursement [#12 [#11]
f. Restitution [#13 [#12]

(c~~b~~) Full Disclosure

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

(d~~c~~) Informed Consent

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12 ~~11~~]
d. Restitution [#13~~12~~]

(e~~d~~) Conflict of Interest

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

(f~~e~~) Copyright Infringement

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]

b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Violation of Probation

Maximum Penalty -

Actual suspension; vacate stay order and reimpose penalty that was previously stayed; and/or revoke, separately and severally, for violation of probation and/or for any additional offenses.

Minimum Penalty

Actual suspension and/or extension of probation.

The maximum penalty is appropriate for repeated similar offenses, or for probation violations indicating a cavalier or recalcitrant attitude. If the probation violation is due in part to the commission of additional offense(s), additional penalties shall be imposed according to the nature of the offense; and the probation violation shall be considered as an aggravating factor in imposing a penalty for those offenses.~~offense(s).~~

V~~I~~. ~~STANDARD~~ CONDITIONS OF PROBATION

Standard Conditions
(to be included in all cases of probation)

1. Obey All Laws
Respondent shall obey all federal, state and local laws and regulations ~~governing the practice of landscape architecture in California~~ and comply with all conditions of probation.

2. Submit Quarterly Reports
Respondent, within 10 days of completion of the quarter, shall submit quarterly written reports to the Board on the Board's ~~a~~ Quarterly Report of Compliance form (1/11~~10/98~~) obtained from the Board.

3. Personal Appearances
Upon reasonable notice by the Board, the respondent shall report to and make personal appearances at times and locations as the Board may direct.

4. Cooperate During Probation
Respondent shall cooperate fully with the Board, and with any of its agents or employees in their supervision and investigation of his/her compliance with the terms and conditions of this probation. Upon reasonable notice, the respondent shall provide the Board, its agents or employees, with the opportunity to review all plans, specifications, and instruments of service prepared during the period of probation.

5. Tolling for Out-of-State Practice, Residence or In-State Non-Practice

Respondent shall provide a list of all states, United States territories, and elsewhere in the world where he or she has ever been licensed as a landscape architect or held any landscape architecture related professional license or registration within 30 calendar days of the effective date of this decision. Respondent shall further provide information regarding the status of each license and registration and any changes in the license or registration status within ten calendar days, during the term of probation. Respondent shall inform the Board if he or she applies for or obtains a landscape architectural license or registration outside of California within ten calendar days, during the term of probation.

In the event respondent should leave California to reside or to practice outside the State or for any reason stop practicing landscape architecture in California, respondent shall notify the Board or its designee in writing within ten days of the dates of departure and return, or the dates of non-practice or the resumption of practice within California. Respondent's probation is tolled, if and when he or she ceases practicing in California. Non-practice is defined as any period of time exceeding thirty days in which respondent is not engaging in any activities defined in Section 5615 of the Business and Professions Code. Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period. Respondent shall not be relieved of the obligation to maintain an active and current license with the LATC. It shall be a violation of probation for Respondent's probation to remain tolled pursuant to the provisions of this condition for a period exceeding a total of five years. ~~Non-practice is defined as any period of time exceeding thirty days in which respondent is not engaging in any activities defined in Section 5615 of the Business and Professions Code.~~

All provisions of probation other than the quarterly report requirements, examination requirements, cost reimbursements, restitution, and education requirements, shall be held in abeyance until respondent resumes practice in California. All other provisions of probation shall recommence on the effective date of resumption of practice in California. ~~Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period.~~

6. Violation of Probation

If respondent violates probation in any respect, the Board, after giving respondent notice and opportunity to be heard, may revoke probation and carry out the disciplinary order which was stayed. If an accusation or a petition to revoke probation is filed against respondent during probation or the matter is referred to the Attorney General's office, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

If a respondent has not complied with any term or condition of probation, the Board shall have continuing jurisdiction over respondent, and probation shall automatically be extended, until all terms and conditions have been satisfied or the Board has taken other action as deemed appropriate to treat the failure to comply as a violation of probation, to terminate probation, and to impose the penalty that was stayed.

If respondent violates probation in any respect, the Board, after giving respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. Notice and opportunity to be heard are not required for those provisions stating that a violation thereof may lead to automatic termination of the stay and/or revocation of the license. If a petition to revoke probation or an accusation is filed against respondent during probation, the Board shall

have continuing jurisdiction and the period of probation shall be automatically extended until the petition to revoke probation or accusation is heard and decided.

7. Completion of Probation

Upon successful completion of probation, respondent's license will be fully restored.

~~*VI. OPTIONAL CONDITIONS OF PROBATION*~~

Optional Conditions

8. Suspension

Respondent is suspended from the practice of landscape architecture for _____ days beginning on the effective date of the Decision.

9. California Supplemental Examination

Within _____ days of the effective date of this Decision, respondent shall take and pass the California Supplemental Examination designated by the Board.

If respondent fails to pass said examination within six months, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Failure to pass the required examination no later than one year prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

10~~9~~. Written Examination

Respondent shall take and pass (specified) sections of the Landscape Architect Registration Examination (LARE).

If respondent fails to pass said examination within one year or within two attempts, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Failure to pass the required examination no later than one year~~100 days~~ prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

11~~10~~. Continuing Education Courses

Respondent shall successfully complete and pass professional education courses approved in advance by the Board or its designee, directly relevant to the violation as specified by the Board. The professional education courses shall be completed within a period of time designated by the Board, which timeframe shall be incorporated as a condition of this probation.

Failure to satisfactorily complete the required courses as scheduled or failure to complete same no later than one year~~100 days~~ prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for submitting to the Board for its approval the specifics of each course required by this condition and for paying all costs of such courses.

12~~11~~. Cost Reimbursement

Respondent shall reimburse the Board $ _____ for its investigative and prosecution costs. The payment shall be made within _____ days/months of the date the Board's decision is final.

Option: The payment shall be made as follows: _____(specify either prior to the resumption of practice or in monthly or quarterly payments, the final payment being due one year before probation is scheduled to terminate).

13~~12~~. Restitution

Within _____ days of the effective date of this Decision, respondent shall make restitution to _____ in the amount of $_____ and shall provide the Board with proof from _____ attesting that the full restitution has been paid. In all cases, restitution shall be completed no later than one year before the termination of probation.

14~~13~~. Criminal Probation Reports

In the event of conviction of any crime, Respondent shall provide the Board with a copy of the standard conditions of the criminal probation, copies of all criminal probation reports and the name of his/her probation officer.

15~~14~~. Relinquish License and Wall Certificate

Respondent shall relinquish and shall forward or deliver the license to practice and the wall certificate to the Board within 10 days of the effective date of this decision and order.

16~~15~~. Notification to Clients/Cessation of Practice

In orders which provide for a cessation or suspension of practice, respondent shall comply with procedures provided by the Board regarding notification to, and management of, clients.

VI~~I~~. REHABILITATION CRITERIA

California Code of Regulations, Title 16, Division 26, Section 2656, Criteria for Rehabilitation states:

(a) When considering the denial of a landscape architect's license under Section 480 of the Business and Professions Code, the board, in evaluating the rehabilitation of the applicant and his present eligibility for a license will consider the following criteria:

(1) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.

(2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.

(3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).

(4) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.

(5) Evidence, if any, of rehabilitation submitted by the applicant.

(b) When considering the suspension or revocation of the license of a landscape architect on the grounds that the person licensed has been convicted of a crime, the board, in evaluating the rehabilitation of such person and his present eligibility for a license, will consider the following criteria:

(1) Nature and severity of the act(s) or offense(s).

(2) Total criminal record.

(3) The time that has elapsed since commission of the act(s) or offense(s).

(4) Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.

(5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.

(6) Evidence, if any, of rehabilitation submitted by the licensee.

(c) When considering a petition for reinstatement of the license of a landscape architect, the board shall evaluate evidence of rehabilitation submitted by the petitioner, considering those criteria specified in subsection (b).

TITLE 16. LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board), Landscape Architects Committee (LATC, is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments relevant to the action proposed at a hearing to be held at the office of the California Architects Board, 2420 Del Paso Road, Sequoia Room, Sacramento, California, at 2:00 p.m. on TBD. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on TBD or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 5622,5630, and 5662 of the Business and Professions Code (BPC), and section 11425.50(e) of the Government Code, and to implement, interpret or make specific sections 125.3, 125.6, 480(a), 496, 5640, 5642, 5660, 5662, 5666, 5667, 5668, 5669, 5670, 5671, 5672, 5673, 5675, 5675.5 and 5676 of the BPC, and sections 114500.20 and 11425.50(e) of the Government Code (GC), the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

A. Informative Digest

Amend Title 16 CCR Section 2680 – Disciplinary Guidelines

Existing law, California GC section 11425.50(e), provides that a penalty may not be based on a guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule unless it has been adopted as a regulation in accordance with the Administrative Procedure Act.

BPC section 5630 authorizes the Board to adopt, amend, modify, or repeal rules and regulations as are reasonably necessary to carry into effect the provisions of the Landscape Architects Practice Act. BPC section 5660 authorizes the Board to discipline a license.

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BPC section 5620 declares that the duties, powers, purposes, responsibilities, and jurisdiction of the California State Board of Landscape Architects that were succeeded to and vested with the Department of Consumer Affairs in accordance with Chapter 908 of the Statutes of 1994, were transferred to the California Architects Board.

Section 5620.1 declares that the LATC's mandate is protection of the public health, safety, and welfare.

The LATC's Disciplinary Guidelines were developed to establish consistency and transparency in disciplinary penalties for similar offenses on a statewide basis, and include general factors to be considered, probationary terms, and recommended penalty guidelines for specific violations of the laws and regulations within its jurisdiction. The Disciplinary Guidelines are used as a guide to impose the most appropriate penalty for violations of the laws and regulations governing the landscape architectural practice in administrative disciplinary actions, and are intended to assist Administrative Law Judges, attorneys, licensees, and others involved in the Board's disciplinary process.

The Board last revised the Disciplinary Guidelines in 2000 and CCR section 2680 was subsequently amended in 2000 to incorporate by reference the 2000 edition of the guidelines.

The Board recently revised the Disciplinary Guidelines in XXXX by adding recommended penalties for violations of an additional statute and a recently adopted regulation within its jurisdiction, amending the probationary terms and general factors to be considered, and making technical changes to clarify existing language.

Consequently, the reference date in CCR section 2680 needs to be amended to reflect the appropriate edition of the Disciplinary Guidelines, as it currently references a previous edition of the Disciplinary Guidelines.

The following describes the basis for the revisions made to the 2000 edition of the Disciplinary Guidelines:

1. Add a Table of Contents.

2. The "CAB" acronym for California Architects Board would be removed from the Introduction and replaced with "Board."

3. Add language advising where to obtain copies of the Disciplinary Guidelines.

4. Under "General Considerations," the Factors to be Considered would be amended to replace Factor 2 "Actual or potential harm to any consumer, client or the general public" with "Total criminal record ";Factor 3 "Prior disciplinary record" with "The time that has elapsed since commission of

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the act(s) or offense(s)"; Factor 4 "Number and/or variety of current violations" with "The extent to which the respondent has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the respondent"; Factor 5 "Mitigation evidence" with "If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code"; Factor 6 "Rehabilitation evidence" with "Evidence, if any, of rehabilitation submitted by the respondent"; and Factors 7 (In the case of a criminal conviction, compliance with terms of sentence and/or court ordered probation), 8 (Overall criminal record), and 9 (Time passed since the act(s) or offense(s) occurred) were deleted. Factors 10 and 11 were renumbered 7 and 8 correspondingly.

5. Factors 8, and 9 "Overall criminal conviction" and "Time passed since the act(s) or offense(s) occurred," respectively, were removed from the Factors to be Considered.

6. Heading language would be standardized in recommended penalty guidelines for violation of Business and Professions Code sections 5640 (Unlicensed Person Engaging in Practice – Sanctions) and 5668 (Impersonating Landscape Architect – Practice Under Assumed Name).

7. "California Supplemental Examination" would be added to the Optional Conditions for probation. This resulted in the renumbering of the subsequent Optional Conditions, as well as the suggested Optional Conditions in all of the violations.

8. Optional Condition "California Supplemental Examination" would be added to the following BPC sections: 5671 (Negligence, Willful Misconduct in Practice), 5672 (Gross Incompetence in Practice),and 5675.5 (Disciplinary Action by a Public Agency), and CCR section 2670(a) (Competence).

9. Optional Condition "Written Examination" would be added to BPC sections 5671 (Negligence, Willful Misconduct in Practice) and 5675.5 (Disciplinary Action by a Public Agency) and CCR section 2670(a) (Competence).

10. The length of suspension recommended in BPC 5672 (Gross Incompetence in Practice) would be changed from "90" days to "120" days.

11. Heading language would be clarified for violation of BPC section 5675.5, from "Public Agency Disciplinary Action" to "Disciplinary Action by a Public Agency."

12. Optional Conditions of probation "b. Continuing education courses" and "d. Restitution" would be deleted from violation of BPC section 5676 (Plea of Nolo Contendere – Criminal Conviction – Sanctions).

13. The length of suspension recommended in BPC section 125.6 (Discrimination by Licensee) would be changed from "90" days to "60"

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days.

14. The description of BPC section 480(a) (Denial of Licenses) would be amended to clarify that the denial of an application for licensure based upon the conviction of a crime is restricted to a crime “substantially related to the qualifications, functions, or duties of the practice of landscape architecture.”

15. BPC section 490 (Conviction of Crime; Suspension, Revocation – Grounds) would be added.

16. CCR section 2670(b) (Willful Misconduct) would be added under Rules of Professional Conduct, CCR section 2670,

17. Under “Conditions of Probation,” Standard Condition 1 (Obey All Laws) would be amended to require a probationer to obey all federal, state and local laws and regulations and to comply with all conditions of probation.

18. Standard Condition 2 (Submit Quarterly Reports) would be amended to reference the current version (1/11) of the LATC’s Quarterly Report of Compliance form. Additionally, the Quarterly Report of Compliance form would no longer be included as an attachment in the Disciplinary Guidelines.

19. Standard Condition 5 (Tolling for Out-of-State Practice, Residence or In-State Non-Practice) would be amended to require a probationer to provide information to the Board regarding the existence and status of each license and registration held in all states, United States territories, and elsewhere in the world within 30 calendar days of the effective date of the decision, and to inform the Board, within 10 calendar days, if he or she applies for or obtains a landscape architectural license or registration outside of California during the probationary period. The condition would also be amended to expand and clarify the definitions of tolling and non-practice as they relate to the terms and conditions of probation.

20. Standard Condition 6 (Violation of Probation) would be amended to clarify that if an accusation or petition to revoke probation is filed against a probationer, or the matter is referred to the Attorney General’s office, prior to the conclusion of the probationary period, the Board shall have continuing jurisdiction and the probationary period shall be extended until the matter is final.

21. Optional Condition 9 (California Supplemental Examination) added to Optional Conditions.

22. Optional Condition 10 (Written Examination) would be amended to state that failure to pass the required examination no later than one year prior to the termination of probation shall constitute a violation of probation.

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23. Optional Condition 11 (Continuing Education Courses) would be amended to require a licensee to successfully complete and pass professional education courses approved in advance by the LATC or its designee, and failure to complete the required coursework no later than one year prior to the termination of probation shall constitute a violation of probation.

24. Optional Condition 13 (Restitution) would be amended to require the payment of restitution no later than one year prior to the termination of probation.

25. Optional Condition 14 (Criminal Probation Reports) would be amended to clarify that a probationer is required to provide the Board with information regarding his or her criminal probation in the event of conviction of any crime.

B. Policy Statement Overview/Anticipated Benefits of Proposal

This proposal is anticipated to protect consumers by providing standards for the consistent application and enforcement of the laws and regulations under the Board's jurisdiction. This proposal also is also anticipated to benefit Administrative Law Judges, Deputy Attorneys General, and others involved in the disciplinary process by providing updated guidelines to reference when imposing disciplinary action against licensees and applicants.

C. Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, the LATC has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

DOCUMENT INCORPORATED BY REFERENCE

Disciplinary Guidelines [2015]

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 - 17630 Require Reimbursement: None

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Business Impact:

The LATC has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulatory action only impacts licensees and applicants who are disciplined by the Board for violations of the laws and regulations within its jurisdiction. The Board does not have the authority to take administrative action against a business.

The following studies/relevant data were relied upon in making the above determination:

The LATC currently regulates over3,500 landscape architects. The proposed regulatory action only affects a negligible number of licensees and applicants who, through their conduct, subjection themselves to disciplinary action for violations of the laws and regulations within the Board's jurisdiction. Any "adverse economic impact" would only occur as the result of a disciplinary order following a formal administrative proceeding and a finding of fact affirming a violation of the laws and/or regulations within the LATC's jurisdiction. Any potential "adverse economic impact" may be avoided simply by complying with the existing laws and regulations governing the practice of landscape architecture in California.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The LATC has determined that the proposed regulation would not have a significant adverse impact on small businesses as it only affects licensees and applicants who are disciplined for violations of the Landscape Architects Practice Act and/or LATC regulations. Businesses operated by licensees and applicants who are in compliance with the law will not incur any fiscal impact.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/Businesses:

The LATC has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation:

The LATC has determined that this regulatory proposal will have the following benefits

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to health and welfare of California residents, worker safety, and state's environment:

The LATC has determined that updating its Disciplinary Guidelines through this regulatory proposal will benefit the health and welfare of California residents by enhancing the Board's ability to take appropriate action against licensees and applicants who, through their conduct, expose themselves to disciplinary action by violating the Landscape Architects Practice Act and/or the LATC's regulations.

Additionally, this proposal will benefit Administrative Law Judges, Deputy Attorneys General, and others involved in the disciplinary process by ensuring consistency in the interpretation and application of penalties in administrative disciplinary actions.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The LATC has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 or by telephoning the contact person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by

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making a written request to the contact person named below (or by accessing the website listed below).

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:	Hattie Johnson
Address:	2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7234
Fax No.:	(916) 575-7285
E-Mail Address:	hattie.johnson@dca.ca.gov

The backup contact person is:

Name:	Trish Rodriguez
Address:	2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7231
Fax No.:	(916) 575-7285
E-Mail Address:	trish.rodriguez@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.

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LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

INITIAL STATEMENT OF REASONS

Hearing Date: TBD

Subject Matter of Proposed Regulations: Disciplinary Guidelines

Section Affected: California Code of Regulations, Title 16, Division 26, Section 2680

Specific Purpose of each adoption, amendment, or repeal:

1. Problem being addressed: Government Code section 11425.50(e) provides that a penalty in an administrative disciplinary action may not be based on a guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule unless it has been adopted as a regulation in accordance with the Administrative Procedure Act.

   The Board adopted the LATC's Disciplinary Guidelines in regulation under Title 16, Division 26, California Code of Regulations (CCR) section 2680 on August 11, 1997 using the "incorporation by reference" method. Subsequently, the guidelines were revised and the reference in CCR section 2680 was amended in 2000.

   Subsequently, the Board revised the LATC Disciplinary Guidelines in XXXX by adding recommended penalties for violations of an additional statute and a recently adopted regulation within its jurisdiction, amending the probationary terms and general factors to be considered, and making technical changes to clarify existing language. Consequently, the reference date in CCR section 2680 needs to be amended to reflect the appropriate edition of the LATC's Disciplinary Guidelines.

   Specific Purpose: The specific purpose of this regulatory proposal is to comply with Government Code section 11425.50(e) by amending CCR section 2680 to incorporate by reference the updated edition of the LATC's Disciplinary Guidelines, as proposed by the Board in XXXX.

   Specifically, the Board is proposing the following updates to LATC's Disciplinary Guidelines:

   1. Add a Table of Contents.

   2. The "CAB" acronym for California Architects Board would be removed

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from the Introduction and replaced with “Board.”

3. Add language advising where to obtain copies of the Disciplinary Guidelines.

4. Under “General Considerations,” the Factors to be Considered would be amended to replace Factor 2 “Actual or potential harm to any consumer, client or the general public” with “Total criminal record”, Factor 3 “Prior disciplinary record” with “The time that has elapsed since commission of the act(s) or offense(s)”; Factor 4 “Number and/or variety of current violations” with “The extent to which the respondent has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the respondent”; Factor 5 “Mitigation evidence” with “If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code”; Factor 6 “Rehabilitation evidence” with “Evidence, if any, of rehabilitation submitted by the respondent”; and Factors 7 (In the case of a criminal conviction, compliance with terms of sentence and/or court ordered probation), 8 (Overall criminal record), and 9 (Time passed since the act(s) or offense(s) occurred) were deleted. Factors 10 and 11 were renumbered 7 and 8 correspondingly.

5. Factors 8, and 9 “Overall criminal conviction” and “Time passed since the act(s) or offense(s) occurred,” respectively, were removed from the Factors to be Considered.

6. Heading language would be standardized in recommended penalty guidelines for violation of Business and Professions Code sections 5640 (Unlicensed Person Engaging in Practice – Sanctions) and 5668 (Impersonating Landscape Architect – Practice Under Assumed Name).

7. “California Supplemental Examination” would be added to the Optional Conditions for probation. This resulted in the renumbering of the subsequent Optional Conditions, as well as the suggested Optional Conditions in all of the violations.

8. Optional Condition “California Supplemental Examination” would be added to the following BPC sections: 5671 (Negligence, Willful Misconduct in Practice), 5672 (Gross Incompetence in Practice),and 5675.5 (Disciplinary Action by a Public Agency), and CCR section 2670(a) (Competence).

9. Optional Condition “Written Examination” would be added to BPC sections 5671 (Negligence, Willful Misconduct in Practice) and 5675.5 (Disciplinary Action by a Public Agency) and CCR section 2670(a) (Competence).

10. The length of suspension recommended in BPC 5672 (Gross

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Incompetence in Practice) would be changed from “90” days to “120” days.

11. Heading language would be clarified for violation of BPC section 5675.5, from “Public Agency Disciplinary Action” to “Disciplinary Action by a Public Agency.”

12. Optional Conditions of probation “b. Continuing education courses” and “d. Restitution” would be deleted from violation of BPC section 5676 (Plea of Nolo Contendere – Criminal Conviction – Sanctions).

13. The length of suspension recommended in BPC section 125.6 (Discrimination by Licensee) would be changed from “90” days to “60” days.

14. The description of BPC section 480(a) (Denial of Licenses) would be amended to clarify that the denial of an application for licensure based upon the conviction of a crime is restricted to a crime “substantially related to the qualifications, functions, or duties of the practice of landscape architecture.”

15. BPC section 490 (Conviction of Crime; Suspension, Revocation – Grounds) would be added.

16. CCR section 2670(b) (Willful Misconduct) would be added under Rules of Professional Conduct, CCR section 2670,

17. Under “Conditions of Probation,” Standard Condition 1 (Obey All Laws) would be amended to require a probationer to obey all federal, state and local laws and regulations and to comply with all conditions of probation.

18. Standard Condition 2 (Submit Quarterly Reports) would be amended to reference the current version (1/11) of the LATC’s Quarterly Report of Compliance form. Additionally, the Quarterly Report of Compliance form would no longer be included as an attachment in the Disciplinary Guidelines.

19. Standard Condition 5 (Tolling for Out-of-State Practice, Residence or In-State Non-Practice) would be amended to require a probationer to provide information to the Board regarding the existence and status of each license and registration held in all states, United States territories, and elsewhere in the world within 30 calendar days of the effective date of the decision, and to inform the Board, within 10 calendar days, if he or she applies for or obtains a landscape architectural license or registration outside of California during the probationary period. The condition would

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also be amended to expand and clarify the definitions of tolling and non-practice as they relate to the terms and conditions of probation.

20. Standard Condition 6 (Violation of Probation) would be amended to clarify that if an accusation or petition to revoke probation is filed against a probationer, or the matter is referred to the Attorney General's office, prior to the conclusion of the probationary period, the Board shall have continuing jurisdiction and the probationary period shall be extended until the matter is final.

21. Optional Condition 9 (California Supplemental Examination) added to Optional Conditions.

22. Optional Condition 10 (Written Examination) would be amended to state that failure to pass the required examination no later than one year prior to the termination of probation shall constitute a violation of probation.

23. Optional Condition 11 (Continuing Education Courses) would be amended to require a licensee to successfully complete and pass professional education courses approved in advance by the LATC or its designee, and failure to complete the required coursework no later than one year prior to the termination of probation shall constitute a violation of probation.

24. Optional Condition 13 (Restitution) would be amended to require the payment of restitution no later than one year prior to the termination of probation.

25. Optional Condition 14 (Criminal Probation Reports) would be amended to clarify that a probationer is required to provide the Board with information regarding his or her criminal probation in the event of conviction of any crime.

2. Anticipated benefits from this regulatory action: This proposal is anticipated to protect consumers by providing standards for the consistent application and enforcement of the laws and regulations under the Board's jurisdiction. This proposal is also anticipated to benefit Administrative Law Judges, Deputy Attorneys General, and others involved in the disciplinary process by providing updated guidelines to reference when imposing disciplinary action against licensees and applicants.

Factual Basis/Rationale

The LATC's mandate is to regulate the practice of landscape architecture in the interest and for the protection of the public health, safety, and welfare. The Board has

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established a fair and uniform enforcement policy to deter and prosecute violations of LATC's laws and regulations within its jurisdiction to provide for the protection of the consumer. The Board has an active enforcement program designed to ensure that the laws and regulations governing the practice of landscape architecture are enforced in a fair and judicious manner. Staff follows the priorities established by the LATC with the highest priority to protect consumers by employing its authority to investigate and take disciplinary action against licensees and applicants for licensure who endanger the health, safety, and welfare of the consumer.

BPC section 5630 authorizes the Board to adopt, amend, modify, or repeal rules and regulations as are reasonably necessary to carry into effect the provisions of the Landscape Architects Practice Act. Section 5660 authorizes the Board to discipline a license.

Government Code section 11425.50(e) provides that a penalty in an administrative disciplinary action may not be based on a guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule unless it has been adopted as a regulation in accordance with the Administrative Procedure Act.

The Disciplinary Guidelines were developed to establish consistency and transparency in disciplinary penalties for similar offenses on a statewide basis, and include general factors to be considered, probationary terms, and recommended penalty guidelines for specific violations of the laws and regulations within its jurisdiction. The Disciplinary Guidelines are used as a guide to impose the most appropriate penalty for violations of the laws and regulations governing the landscape architectural practice in administrative disciplinary actions, and are intended to assist Administrative Law Judges, attorneys, licensees, and others involved in the Board's disciplinary process.

The Board last revised the Disciplinary Guidelines in 2000, and CCR section 2680 was subsequently amended in 2000 to incorporate by reference the 2000 edition of the guidelines.

The Board recently revised the Disciplinary Guidelines in XXXX by adding recommended penalties for violations of an additional statute and a recently adopted regulation within its jurisdiction, amending the probationary terms and general factors to be considered, and making technical changes to clarify existing language.

Consequently, the reference date in CCR section 2680 needs to be amended to reflect the appropriate edition of the Disciplinary Guidelines, as it currently references a previous edition of the Disciplinary Guidelines.

The following describes the basis for the revisions made to the 2000 edition of the Disciplinary Guidelines:

1. The Table of Contents was added for clarification of the Disciplinary Guidelines.

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2. The “CAB” acronym for the California Architects Board was removed and replaced with “Board” where it appears in the Introduction because its inclusion is unnecessary as the term “Board” is used consistently throughout the Disciplinary Guidelines to represent the California Architects Board.

3. Added language explaining where copies of the Disciplinary Guidelines could be obtained.

4. Under “General Conditions,” the Factors to be Considered were amended to establish consistency with existing language in CCR section 2656 (Criteria for Rehabilitation).

5. Standardized heading language in recommended penalty guidelines for violation of BPC sections 5640 (Unlicensed Person Engaging in Practice – Sanctions) and 5668 (Impersonating Landscape Architect – Practice Under Assumed Name).

6. California Supplemental Examination was added to Optional Conditions for probation to provide more options and specificity in ordering an examination. It also resulted in the renumbering of the subsequent Optional Conditions, as well as the suggested Optional Conditions in all the violations.

7. Optional Condition “California Supplemental Examination” was added to the following BPC sections: 5671 (Negligence, Willful Misconduct in Practice), 5672 (Gross Incompetence in Practice),and 5675.5 (Disciplinary Action by a Public Agency), and CCR section 2670(a) (Competence), to provide more options and specificity in ordering an examination.

8. Optional Condition “Written Examination” was added to BPC sections 5671 (Negligence, Willful Misconduct in Practice) and 5675.5 (Disciplinary Action by a Public Agency) and CCR section 2670(a) (Competence) to provide more options and specificity in ordering an examination.

9. The length of suspension recommended in BPC 5672 (Gross Incompetence in Practice) was changed from “90” days to “120” days.

10. The language in the heading for violations of BPC section 5675.5 (Disciplinary Action by a Public Agency) was amended from “Public Agency – Disciplinary Action” to “Disciplinary Action by a Public Agency,” to clarify disciplinary actions taken by public agencies and not taken by the Board.

11. Optional Conditions of probation “b. Continuing education courses” and “d. Restitution” were deleted from violation of BPC section 5676 (Plea of Nolo Contendere – Criminal Conviction – Sanctions) to standardize language with Board’s Disciplinary Guidelines.

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12. The length of suspension recommended in BPC section 125.6 (Discrimination by Licensee), was changed from “90” days to “60” days, to standardize the penalty with the Board’s Disciplinary Guidelines.

13. The description of BPC section 480(a) (Denial of Licenses) was amended for consistency with existing law, subsection 480(a)(3)(B) of the Business and Professions Code, which states that a license may only be denied pursuant to this subdivision if the crime or act is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made.

14. BPC section 490 (Conviction of Crime; Suspension, Revocation – Grounds) was added.

15. On August 11, 2007, Title 16, CCR section 2670 (Rules of Professional Conduct) was amended to include an additional rule [subsection (b)] prohibiting a licensee from committing willful misconduct. In response to this regulatory amendment to the Rules of Professional Conduct, guidelines for violations of subsection 160(b) (Informed Consent) were added to the Disciplinary Guidelines. The proposed penalties for violating this new subsection are consistent with existing penalties for violations of other subsections of the Rules of Professional Conduct.

16. Under Conditions of Probation, Standard Condition 1 (Obey All Laws) was amended to require a probationer to obey all federal, state, and local laws and regulations and to comply with all conditions of probation.

    In the previous edition of the guidelines, probationers were only required to obey all federal, state, and local laws and regulations governing the practice of landscape architecture in California. All licensees currently have a duty to obey the laws and regulations governing the practice of landscape architecture, and keeping the existing language would place probationers on the same level as undisciplined licensees.

    Probationers have already violated provisions of the laws and regulations governing the practice of landscape architecture warranting disciplinary action against their licenses; therefore, probationers should be held to a higher standard of conduct to effectively protect the health, safety, and welfare of the public. Probation is a period of time for a probationer to prove to the Board that he or she is rehabilitated from a previous violation of law, and a violation any law while on probation, whether related to the practice of landscape architecture or not, may not demonstrate rehabilitation.

17. Standard Condition 2 (Submit Quarterly Reports) was amended to reference the current version (1/11) of the LATC’s Quarterly Report of Compliance. Minor, non-substantive revisions were made to the form and it is necessary to update this condition of probation to reference the appropriate version of the form. Additionally,

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the form has been removed as an attachment to the Disciplinary Guidelines because it is provided to a probationer at the initiation of probation and is also available from the Board upon request.

18. Standard Condition 5 (Tolling for Out-of-State Practice, Residence or In-State Non-Practice) was amended to require a probationer to provide the information to the Board regarding the existence and status of each license and registration held in all states, United States territories, and elsewhere in the world within 30 calendar days of the effective date of the decision, and to inform the Board, within 10 calendar days, if he or she applies for or obtains a landscape architectural license or registration outside of California during the probationary period. This information will assist the Board in accurately tolling probation for periods of non-practice within the State of California.

    This condition was also amended to clarify that probation is tolled if, and when, the probationer ceases practicing in California. Non-practice is defined as any period of time exceeding thirty days in which the probationer is not engaging in any of the activities defined in Business and Professions Code section 5615 (Landscape Architect – Practice of Landscape Architecture).

    This condition was further amended to require a probationer to maintain an active and current license with the LATC, and to state that it is a violation of probation to allow probation to remain tolled for a period exceeding a total of five years. This allows the Board to effectively monitor the probationer by limiting the amount of time probation may be tolled to no longer than a total of five years.

19. Standard Condition 6 (Violation of Probation) was amended to state that if an accusation or petition to revoke probation is filed against a probationer, or the matter is referred to the Attorney General's office, prior to the conclusion of the probationary period, the Board shall have continuing jurisdiction and the probationary period shall be extended until the matter is final. This will allow the Board to effectively pursue appropriate action against a probationer who does not comply with the terms or conditions of probation by extending the probationary period until the petition to revoke probation or accusation has been heard and decided.

20. Optional Condition 9 (California Supplemental Examination) was added to Optional Conditions. In addition to a national examination, applicants for licensure in California are required to take a Supplemental Examination to demonstrate knowledge of the diverse ecosystems throughout the state. The option of requiring a probationer to retake the Supplemental Examination will allow the Board to require the probationer demonstrate the required knowledge California has deemed appropriate to ensure the health, safety, and welfare of California consumers.

21. Optional Condition 10 (Written Examination) was amended to require a probationer to pass the required examination no later than one year prior to the termination of

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probation. The deadline to pass the required examination was updated from 100 days to one year prior to the termination of probation to ensure the Board has sufficient time to refer the matter to the Attorney General's office and file a petition to revoke probation prior to the conclusion of the probationary period in the event the probationer fails to comply with this condition of probation.

22. Optional Condition 11 (Continuing Education Courses) was amended to clarify that a probationer must successfully complete and pass professional education courses approved in advance by the Board or its designee, and the probationer is responsible for paying all costs associated with the fulfillment of this condition. The language of this condition has been expanded to provide clarity and consistency with the Board's current practices associated with continuing education coursework as a condition of probation.

    In addition, the deadline to successfully complete the continuing education coursework has been updated from 100 days to one year prior to the termination of probation to ensure the Board has sufficient time to refer the matter to the Attorney General's office and file a petition to revoke probation prior to the conclusion of the probationary period in the event the probationer fails to comply with this condition of probation.

23. Optional Condition 13 (Restitution) was amended to require the payment of restitution no later than one year prior to the termination of probation. The previous edition of the guidelines required the completion of restitution prior to the termination of probation. This condition has been updated to ensure the Board has sufficient time to refer the matter to the Attorney General's office and file a petition to revoke probation prior to the conclusion of the probationary period in the event the probationer fails to comply with this condition of probation.

24. Optional Condition 14 (Criminal Probation Reports) was amended to clarify that a probationer is required to provide the Board with information regarding his or her standard conditions of criminal probation, copies of all criminal probation reports, and the name of his or her probation officer in the event of conviction of any crime. The existing language did not specify the initial action necessary to prompt the submittal of the required information regarding criminal probation.

It would be impractical and inefficient to publish the text of the Disciplinary Guidelines in the California Code of Regulations. The Disciplinary Guidelines are available on the LATC's website and from the LATC upon request.

<u>Underlying Data</u>

Minutes of the February 10, 2015 LATC meeting
Minutes of the August 6, 2015 LATC meeting

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Minutes of the XXXX Board meeting
Disciplinary Guidelines [2000]
Landscape Architects Practice Act

Business Impact

The LATC has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulatory action only impacts licensees and applicants who are disciplined by the Board for violations of the laws and regulations within its jurisdiction. The Board does not have the authority to take administrative action against a business.

The following studies/relevant data were relied upon in making the above determination:

The LATC currently regulates over 3,500 landscape architects. The proposed regulatory action only adversely affects a negligible number of licensees and applicants who, through their conduct, subject themselves to disciplinary action for violations of the laws and regulations within the Board's jurisdiction. Any "adverse economic impact" would only occur as the result of a disciplinary order following a formal administrative proceeding and a finding of fact affirming a violation of the laws and/or regulations within the Board's jurisdiction. Any potential "adverse economic impact" may be avoided simply by complying with the laws and regulations governing the practice of landscape architecture in California.

Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because the proposal imposes specific requirements on a negligible number of licensees and applicants who, through to their conduct, are subject to disciplinary action due to violations of the laws and regulations governing the practice of landscape architecture. The Board does not have the authority to take administrative action against a business, and does not maintain data regarding the number or percentage of licensees and applicants who own businesses. Therefore, the number or percentage of businesses that may be impacted cannot be predicted. Businesses operated by or employing licensees and applicants who are in compliance with the laws and regulations within the Board's jurisdiction will not incur any fiscal impact. Therefore, the overall economic impact on jobs is insignificant.

- It will not create new business or eliminate existing businesses within the State

of California because the proposal only affects a negligible number of licensees and applicants who are disciplined by the Board for violations of the laws or regulations governing the practice of landscape architecture. The Board does not have the authority to take administrative action against a business, and does not maintain data regarding the number or percentage of licensees and applicants who own a business. Businesses operated by or employing licensees and applicants who are in compliance with the laws and regulations within the Board's jurisdiction will not be affected by this proposal. Therefore, the overall economic impact on businesses is insignificant.

- It will not affect the expansion of businesses currently doing business within the State of California because the proposal only affects a negligible number of licensees and applicants who are disciplined for violations of the laws or regulations within the Board's jurisdiction. Businesses operated by or employing licensees and applicants who are in compliance with the laws and regulations within the Board's jurisdiction will not incur any fiscal impact, including the ability to expand business in California. Therefore, the overall economic effect on the expansion of business in California is insignificant.

- This regulatory proposal benefits the health, safety, and welfare of California residents because it would provide protection to California residents by enhancing the Board's ability to take appropriate action against licensees and applicants who, through their conduct, expose themselves to administrative disciplinary action for violations of the laws and regulations within the Board's jurisdiction.

- This regulatory proposal does not affect worker safety because it does not relate to worker safety.

- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

<u>Specific Technologies or Equipment</u>

This regulation does not mandate the use of specific technologies or equipment.

<u>Consideration of Alternatives</u>

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being

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implemented or made specific.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected: the LATC considered keeping the status quo; however, this alternative was rejected because the revisions made to the Disciplinary Guidelines will provide assistance and clarity to those involved in the disciplinary process to impose appropriate disciplinary action in the interest and for the protection of the health, safety, and welfare of California consumers.

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LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

PROPOSED REGULATORY LANGUAGE

Article 1. General Provisions

Amend Section 2680 as follows:

Section 2680. Disciplinary Guidelines.

In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code Section 11400 et seq.), the Board shall consider the disciplinary guidelines entitled "Disciplinary Guidelines" [Rev. 2015~~2000~~] which are hereby incorporated by reference. Deviation from these guidelines and orders, including the standard terms of probation, is appropriate where the Board in its sole discretion determines that the facts of the particular case warrant such a deviation - for example: the presence of mitigating factors; the age of the case; evidentiary problems.

Note: Authority cited: Sections 5622, 5630, and 5662, Business and Professions Code; and Section 11425.50(e), Government Code. Reference: Sections 125.3, 125.6, 480(a), 496, 5640, 5642, 5660, 5662, and 5666, 5667, 5668, 5669, 5670, 5671, 5672, 5673, 5675, 5675.5 and 5676, Business and Professions Code; and sections 11400.20~~, 11400.21, 11425~~ and 11425.50(e), Government Code.

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Agenda Item I

REVIEW AND CONSIDER REQUEST FOR RE-LICENSURE

The Landscape Architects Technical Committee (LATC) received a re-licensure application for:

Applicant:	Joshua Nash
Former License Number:	LA 4567
License Issued:	October 11, 2001
License Expired:	March 31, 2011

Pursuant to Business and Professions Code (BPC) section 5680.2(c) and California Code of Regulations (CCR) section 2624, an applicant whose license has been expired for more than three years, but less than five years, must obtain LATC approval for re-licensure.

BPC section 5680.2(c) reads as follows:

"The applicant takes and passes the examination which would be required of the applicant if the applicant were then applying for the license for the first time, or otherwise establishes to the satisfaction of the board that the applicant is qualified to practice landscape architecture."

CCR section 2624 reads as follows:

"An applicant whose landscape architect license has been expired for more than three years but less than five years shall be eligible for a new license upon:

(a) Complying with the provisions of Business and Professions Code Section 5680.2;

(b) Completing the re-licensure application process as follows:

(1) Submitting application for examination and all fees required of first-time applicants (see sections 2610 and 2649);

(2) Submitting work samples and supporting materials that demonstrate applicant's current knowledge and experience in landscape architecture; and

(3) Passing current sections of the national licensing examination, if any, designated by the Landscape Architects Technical Committee.

(c) Passing the California Supplemental Examination."

A re-licensure application packet was provided to LATC members David Allan Taylor, Jr. and Nicki Johnson for review. The packet contained Mr. Nash's Eligibility Application, current resume, statement explaining the circumstances of the expired license and three work samples. The members were asked to review his portfolio of information and provide a recommendation to the LATC.

At today's meeting, the LATC will be asked to determine whether: 1) Mr. Nash has demonstrated minimal competence through the application packet and portfolio without examination, or 2) any current section(s) of the national licensing examination must be passed prior to becoming eligible for a new license.

ATTACHMENTS:

1. Re-Licensure Procedures
2. Re-Licensure Review Guidelines

DEPARTMENT OF CONSUMER AFFAIRS
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA ARCHITECTS BOARD
Public Protection through Examination, Licensure, and Regulation

Governor
Edmund G. Brown Jr.

RE-LICENSURE PROCEDURES

Pursuant to Business and Professions Code (BPC) section 5680.2 and California Code of Regulations section 2624, a landscape architect license which is not renewed within three years after its expiration, may not be renewed, restored, reissued, or reinstated thereafter; however, an applicant whose license has been expired for more than three years but less than five years shall be eligible for a new license if:

1. No fact, circumstance, or condition exists which, if the license were issued, would justify its revocation or suspension,

2. The applicant pays all of the fees which would be required of the applicant if the applicant were then applying for the license for the first time,

3. The applicant takes and passes the examination which would be required of the applicant if the applicant were then applying for the license for the first time, or otherwise establishes to the satisfaction of the Landscape Architects Technical Committee (LATC) that the applicant is qualified to practice landscape architecture, and

4. The applicant takes and passes the California Supplemental Examination (CSE).

In order for you to legally practice landscape architecture in California, it will be necessary to obtain a new landscape architect license. As outlined below, you may submit an eligibility application, CSE application, and portfolio for the LATC's review that demonstrates your knowledge and skills in landscape architecture. If this review demonstrates to the LATC's satisfaction that you are qualified to practice landscape architecture, the licensing examination or portions thereof, may be waived. This option is available only to those individuals whose license has been expired for more than three (3) years but less than five (5) years. Be advised that there are specific conditions associated with the portfolio review option.

The LATC requires that your portfolio include your <u>most current</u> work samples. If the samples are for work performed in California ***after*** the expiration of your license, such work may constitute unlicensed activity, a violation of BPC section 5640, and grounds for denial of a new license. However, where the unlicensed activity is not of a serious nature (e.g., does not involve consumer harm or a pattern of disregard for the licensing laws), the LATC may choose to address the unlicensed activity by issuance of an administrative citation and the imposition of a fine rather than denial of the license application.

If you believe you qualify for a new license under the portfolio review alternative, thoroughly read and follow the instructions on the subsequent pages. **Your portfolio packet must be complete when submitted**. Receipt of additional material after receipt of original packet will not be accepted.

INSTRUCTIONS FOR COMPLETING THE RE-LICENSURE APPLICATION PACKET

Portfolio packages must be received 60 days prior to the LATC meeting at which they will be considered. Visit www.latc.ca.gov for meeting schedule. Portfolio packets received after that time will be reviewed at the next scheduled LATC meeting. All materials submitted become the property of the LATC and will not be returned. You will be notified of the decision of the LATC within 30 days of the meeting at which your information was reviewed.

To be considered for a new license, you must submit the following fees and documents:

1. A completed Eligibility Application and CSE application.

2. A check payable to the LATC in the amount of $345, to cover the eligibility application fee ($35), the California Supplemental Examination (CSE) application fee ($35), and the CSE fee ($275).

3. A statement to explain the circumstances of your expired license.

4. Vitae/resume of relevant professional practice and educational experience to date. Please list in chronological order.

5. A minimum of two references from landscape architects licensed in California to verify the period of your work experience since your license expired.

6. Work samples that demonstrate your current knowledge and experience in the practice of landscape architecture. Please submit two copies of each work sample.

The work samples must be complete and meet the criteria listed below.

1. Please submit your <u>most recent</u> work. Work submitted must be your own work. If part of the work samples includes work other than your own, clearly identify the work you personally performed.

2. All work samples must be dated.

3. Each work sample must include a brief description and the content must be self-evident. Label, or in some manner, identify the category under which each work sample is to be considered.

4. Place your signature or initials on every page of each work sample submitted.

5. Submit work samples in a manner that demonstrates your knowledge, skills and abilities under each category as described below.

WORK SAMPLE CATEGORIES

Project and Construction Management

- Project Management
  - Determine Project Scope and Client Requirements
  - Establish and Monitor Project Budgets (or Statement of Probable Cost)
  - Establish Scope of Services and Required Outside Expertise
  - Develop Program
  - Prepare and Review Contractual Agreements
  - Coordinate Topographical Survey and Develop Project Base Map
  - Establish Project Schedule
  - Facilitate Meetings (e.g. staff, government regulations, consultants, clients)
  - Coordinate Other Discipline's Documents
  - Document Design Decisions and Project Base Map
  - Prepare Technical Memorandum and Graphics
  - Obtain Input from Stakeholders Regarding Project
  - Coordinate Construction Documents (internally, with clients, and with other consultants)
- Bidding and Construction
  - Respond to Bidder Requests for Information
  - Issue Addenda to Construction Documents
  - Participate in Construction Meetings
  - Respond to Contractor Requests for Information
  - Review and Respond to Shop Drawings
  - Prepare Change Orders
  - Conduct Construction Site Review and Documentation
  - Perform Substantial Completion Inspection
  - Perform Final Inspection

Inventory and Analysis

- Site Inventory
  - Determine Applicable Codes, Regulations, and Permitting Requirements
  - Conduct Onsite Investigation
  - Collect and Record Site Inventory
  - Identify Gaps and Deficiencies
- Analysis of Existing Conditions
  - Analyze Codes and Regulations for Design Impact
  - Perform Site Use Analysis
  - Perform Circulation Analysis
  - Interpret Utility Analysis
  - Perform View Analysis
  - Perform Microclimate Analysis
  - Interpret Floodplain Conditions
  - Perform Vegetation Analysis
  - Perform Solar Analysis
  - Interpret Ecological Analysis (e.g. habitat, biodiversity)
  - Perform a Slope Analysis
  - Interpret Soil Analysis
  - Interpret Geotechnical Analysis
  - Perform Small-Scale Surface Hydrological Analysis
  - Interpret Stakeholder Input
  - Analyze On and Offsite Relationships

Design

- Concept Development
  - Synthesize Site Opportunities and Constraints
  - Refine Program
  - Create Design Alternatives
  - Analyze Design Alternatives
  - Develop Concept Narrative
  - Refine Conceptual Design(s)

- Prepare Conceptual Renderings
- Design Development
  - Develop Master Plan Documents (e.g. land-use, circulation, phasing plan, and guidelines)
  - Perform Earthwork Analysis
  - Refine the Preferred Design Alternative
  - Develop Preliminary Site Plans, Sections, and Details
  - Prepare Illustrative Graphics (e.g. perspectives, elevations, plans, sections)
  - Investigate, Verify Availability, and Select Design Materials and Component

Grading, Drainage and Construction Documentation

- **Exam**
  - Prepare Existing Conditions Plan
  - Prepare Demolition and Removal Plan
  - Prepare Site Protection and Preservation Plans (e.g. soil, existing features, existing pavements, historic elements, vegetation)
  - Prepare Erosion and Sediment-Control Plan
  - Prepare Layout and Materials Plan
  - Prepare Grading Plan
  - Prepare Stormwater Management Plan
  - Prepare Planting Plans
  - Prepare Project Sections and Profiles
  - Prepare Construction Details
  - Prepare General Contract and Bidding Specifications
  - Prepare Technical Specifications

In accordance with BPC section 5640, it is a misdemeanor, punishable by a fine of not less than ($100) nor more than ($5,000) or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment, for any person, who, without possessing a valid, unrevoked license engages in the practice of landscape architecture or uses the title or term "landscape architect," "landscape architecture," "landscape architectural," or any other titles, words, or abbreviations that would imply or indicated that he or she is a landscape architect.

I, _____, declare under penalty of perjury under the laws of the State of California that all of the work samples submitted herein are exclusively my own work except where it is clearly identified which portion of the work samples is not my own.

_____ _____

Signature **Date**

DEPARTMENT OF CONSUMER AFFAIRS
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA ARCHITECTS BOARD
Public Protection through Examination, Licensure, and Regulation

Governor
Edmund G. Brown Jr.

Re-licensure Review

Date: _____ Reviewer:_____

Applicant's Name: _____ Date Application Received:_ _____

Expired license number: _____ Original Issue Date: _____ Expiration Date: _____

Instructions to Reviewer:

The following materials are included for your review:

- An Eligibility/Examination Application for First Time Candidates
- A statement explaining the circumstances pertaining to the expired license
- Vitae/resume of relevant professional practice and educational experience to date
- Two references from landscape architects licensed in California to verify the period of work experience since license expired
- Work samples that demonstrate applicant's current knowledge and experience in the practice of landscape architecture

List the date(s) of the work samples provided by the applicant:

_____

_____

Was landscape architectural work performed after license expired? ☐ Yes ☐ No

2420 Del Paso Road, Suite 105 • Sacramento, CA 95834 • P (916) 575-7230 • F (916) 575-7285
latc@dca.ca.gov • www.latc.ca.gov

Applicant: _____

Please check the appropriate box when indicating if work samples submitted demonstrate current knowledge and experience in the following categories (if required knowledge and experience in the specified category is clearly demonstrated, check 2; if it is met, check 1; if it is not met, check 0):

Project and Construction Management **Requirement Met** Yes ☐ No ☐

- Project Management 2 ☐ 1 ☐ 0 ☐
  - Determine Project Scope and Client Requirements
  - Establish and Monitor Project Budgets (or Statement of Probably Cost)
  - Establish Scope of Services and Required Outside Expertise
  - Develop Program
  - Prepare and Review Contractual Agreements
  - Coordinate Topographical Survey and Develop Project Base Map
  - Establish Project Schedule
  - Facilitate Meetings (e.g. staff, government regulators, consultants, clients)
  - Coordinate Other Discipline's Documents
  - Document Design Decisions and Project Communication
  - Prepare Technical Memorandum and Graphics
  - Obtain Input from Stakeholders Regarding Project
  - Coordinate Construction Documents (internally, with clients, and with other consultants)
- Bidding and Construction 2 ☐ 1 ☐ 0 ☐
  - Respond to Bidder Requests for Information
  - Issue Addenda to Construction Documents
  - Participate in Construction Meetings
  - Respond to Contractor Requests for Information
  - Review and Respond to Submittals
  - Review and Respond to Shop Drawings
  - Prepare Change Orders
  - Conduct Construction Site Review and Documentation
  - Perform Substantial Completion Inspection
  - Perform Final Inspection

Inventory and Analysis **Requirement Met** Yes ☐ No ☐

- Site Inventory 2 ☐ 1 ☐ 0 ☐
  - Determine Applicable Codes, Regulations, and Permitting Requirements
  - Conduct Onsite Investigation
  - Collect and Record Site Inventory
  - Identify Gaps and Deficiencies
- Analysis of Existing Conditions 2 ☐ 1 ☐ 0 ☐
  - Analyze Codes and Regulations for Design Impact
  - Perform Site Use Analysis
  - Perform Circulation Analysis
  - Interpret Utility Analysis
  - Perform View Analysis
  - Perform Microclimate Analysis
  - Interpret Floodplain Conditions
  - Perform Vegetation Analysis

- Perform Solar Analysis
- Interpret Ecological Analysis (e.g. habitat, biodiversity)
- Perform a Slope Analysis
- Interpret Soil Analysis
- Interpret Geotechnical Analysis
- Perform Small-Scale Surface Hydrological Analysis
- Interpret Stakeholder Input
- Analyze On and Offsite Relationships

Design **Requirement Met** Yes ☐ No ☐

♦ Concept Development 2 ☐ 1 ☐ 0 ☐
- Synthesize Site Opportunities and Constraints
- Refine Program
- Create Design Alternatives
- Analyze Design Alternatives
- Develop Concept Narrative
- Refine Conceptual Design(s)
- Prepare Conceptual Renderings

♦ Design Development 2 ☐ 1 ☐ 0 ☐
- Develop Master Plan Documents (e.g. land-use, circulation, phasing plan, and guidelines)
- Perform Earthwork Analysis
- Refine the Preferred Design Alternative
- Develop Preliminary Site Plans, Sections, and Details
- Prepare Illustrative Graphics (e.g. perspectives, elevations, plans, sections)
- Investigate, Verify Availability, and Select Design Materials and Component

Grading, Drainage and Construction Documentation **Requirement Met** Yes ☐ No ☐

♦ Exam 2 ☐ 1 ☐ 0 ☐
- Prepare Existing Conditions Plan
- Prepare Demolition and Removal Plan
- Prepare Site Protection and Preservation Plans (e.g. soil, existing features, existing pavements, historic elements, vegetation)
- Prepare Erosion and Sediment-Control Plan
- Prepare Layout and Materials Plan
- Prepare Grading Plan
- Prepare Stormwater Management Plan
- Prepare Planting Plans
- Prepare Project Sections and Profiles
- Prepare Construction Details
- Prepare General Contract and Bidding Specifications
- Prepare Technical Specifications

Applicant: _____

RECOMMENDATION

- Recommend the LATC approve the re-licensure application with the stipulation that the applicant take and pass the California Supplemental Examination. ☐

- Recommend the LATC deny the re-licensure application. Applicant must take and pass section(s) of the Landscape Architect Registration Examination as indicated below and the California Supplemental Examination. ☐

LARE Section(s) required if applicable: 1 _____ 2 _____ 3 _____ 4 _____

1: Project and Construction Management
2: Inventory and Analysis
3: Design
4: Grading, Drainage and Construction Documentation

Please list the basis for recommending section(s) of the LARE to be taken. (Use additional paper if necessary)

_____

_____

_____

_____

_____

_____

_____

Signature of Reviewer: _____ Date: _____

Agenda Item J

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS (CLARB)

1. Review and Ratification of CLARB Committee on Nominations Election Ballot
2. Review and Possible Action on Recommended Position on CLARB Board of Directors Election

At the May 13, 2015 LATC meeting, the Committee delegated voting authority for the 2015 CLARB Committee on Nominations election to the Committee Chair and Program Manager. On May 21, 2015, the LATC received a mail-in ballot and the final slate of candidates for this election. Ballots were due by July 17, 2015 and LATC voted for Dennis Bryers and Fred Ogram (attached).

On July 20, 2015, LATC received the attached final slate of candidates for the 2015 Board of Directors election. Votes for the Region 5 Director and Alternate Director must be cast during the August 10, 2015 Region 5 webcast. The ballot and credentials letter for President, President-Elect, Vice President and Treasurer may be mailed or emailed to CLARB no later than September 9, 2015 or submitted at the Annual Meeting no later than September 17, 2015.

Attached is the resolution to amend the CLARB Bylaws, which will also be voted on during the Annual Meeting. According to CLARB, the proposed changes represent the culmination of nearly two years of discussion, research, analysis, and feedback to ensure that CLARB's governance structure and processes are aligned to best practices.

LATC continues to track pass rates for the Landscape Architect Registration Examination (LARE). Pass rates for the April 6-18, 2015 LARE administration are attached. The next administration of the LARE is August 3-15, 2015 and LATC's eligibility deadline for this administration was June 19, 2015.

ATTACHMENTS:
1. CLARB 2015 Committee on Nominations Election Ballot
2. CLARB 2015 Board of Directors Final Slate Candidate Biographies
3. CLARB 2015-2016 Board of Directors Election Ballot
4. CLARB Bylaws (as Amended September 2013)
5. 2014-2015 CLARB Board of Directors
6. Resolution to Amend CLARB Bylaws
7. LARE California and National Pass Rates

Committee on Nominations Election

Ballot

MEMBER BOARD: California Landscape Architects Technical Committee

COMPLETED BY: Trish Rodriguez, Member Board Executive

(This ballot may be completed by the Member Board Executive or a Member Board Member. Only one ballot per jurisdiction please.)

There are three positions being elected to the Committee on Nominations. Your Board may vote for three of the following candidates. Please check the appropriate boxes to indicate how your Board wishes to vote.

Dennis Bryers	☒	Bob Gunderson	☐
Terry DeWan	☐	Fred Ogram	☒

Ballots must be received by Veronica Meadows at CLARB by Friday, July 17, 2015 (via mail or email) in order to be counted for this election.

CLARB
1840 Michael Faraday Drive
Suite 200
Reston, Virginia 20190
571-432-0332
vmeadows@clarb.org

RANDY D. WEATHERLY
CLARB BOD NOMINEE, PRESIDENT

GENERAL INFORMATION

Jurisdiction: Oklahoma

Firm Name: Ambler Architects

Position in Firm: Principal/Vice President in charge of operations

Education: BS in Landscape Architecture, Kansas State University

Licenses: LA - Kansas, North Dakota, Oklahoma, Texas
RA - Missouri, Oklahoma
LEED AP

CLARB Certified: Yes
Council Record Holder: Yes

QUESTIONS FROM THE NOMINATIONS COMMITTEE

What abilities and attributes will you bring to your role as your CLARB President?

- Personal Knowledge of CLARB
- Personal integrity / High Ethical Standards
- Responsiveness to Change
- Team Player Attitude
- Good communication and negotiation skills
- Sense of humor / Humbleness

How will you utilize these to contribute to the effectiveness of the Board of Directors they work to accomplish the organization's strategic goals?

During my time in CLARB, I have come to fully understand the interworking of the organization. I have overseen the organization's finances and worked as part of the team to developed and refine the Strategic Plan to allow CLARB to be become an innovative, nimble and responsive organization. I am ready to see CLARB continue to grow and evolve to be the leader in landscape architecture in the global arena.

In today's world, you have to adapt and respond to change. Over the last several years, I have seen many outside changes/challenges. In response, we have worked as a team to take on these challenges into a positive opportunity for this organization.

Being a team member means understanding the organization and individual strengths of the board, staff and members. We must pull together these strengths for the benefit of the whole. I am but one member of a great team. We need to continue to work toward an innovative, nimble and strategic organization. This is only accomplished only by working together to understand and achieve our strategic goals and direction.

As President, I will continue to be committed to our mission, vision and strategic goals and will continue work to achieve these goals to see this organization grow both internally and globally. With great honor and humbleness, I look forward to serving as your CLARB President.

STATE/PROVINCIAL BOARD SERVICE

Date(s) Appointed to Board: 2001–Present

Board Service:

- 2006–Present: Finance Committee Member
- 2006–Present: Rules and Act Committee Member
- 2006–2014: Chairman
- 2004–2006: Vice Chairman

CLARB SERVICE

- 2014–Present: President Elect
- 2013–2014: Vice President
- 2011–2013: Treasurer
- 2009: L.A.R.E. Grader
- 2008–2010: Regional Director
- 2008: Nomination Procedures Committee Member
- 2005–2006: Nomination Committee Member
- 2004–2006: Alternate Regional Director

OTHER SERVICE

Current:

- 2008–Present: AIA Member
- 2000–Present: ICC Member
- 1987–Present: ASLA Member
- Currently serving as Boy Scouts, Cherokee Council Vice President
- 2001–Present: Daybreak Rotary Chairman of Christmas Light Show

Past:

- Bartlesville Board of Adjustment Member and Vice Chairman
- Metropolitan Area Planning Commission Member and Vice Chairman
- MAPC Subcommittee on Parks Member
- MAPC Subcommittee on Pathfinder Parkway Design Guidelines Member
- MAPC Subcommittee on Home Occupation Zoning Regulations Member
- Bartlesville Certified Cities Committee Industrial Site Chairman
- Bartlesville Comprehensive Plan Review Committee Member

CHRISTOPHER B. HOFFMAN
CLARB BOD NOMINEE, PRESIDENT-ELECT

GENERAL INFORMATION

Jurisdiction: Mississippi

Firm Name: Christopher B. Hoffman, Landscape Architect (Est. 1994)

Position in Firm: Owner/Sole Proprietor

Education: Bachelor of Landscape Architecture, Texas Tech University

Licenses: Mississippi

CLARB Certified: Yes
Council Record Holder: Yes

QUESTIONS FROM THE NOMINATIONS COMMITTEE

What abilities and attributes will you bring to your role as President-elect?

Collaborator: As a sole proprietor, the majority of my experience is in a team-oriented environment. I have learned to work with others, most outside of my scope of control, to the successful completion of projects over the past 27 years.
Attitude: I bring a positive and enthusiastic approach in working with and listening to others and appreciate respective viewpoints. I strive to find common ground in fostering positive discussion on issues to develop a consensus for opportunities and appropriate direction on action items.
Willingness to Learn: I view the changing environment as a potential resource for continued CLARB relevancy and growth. On-going legislation, diversity and demographic changes present opportunities to inspire positive evolution.

My approach is one with; openness, flexibility, desire to listen & learn, as well as actively seeking to understand risk & reward factors before moving forward.

How will you utilize these to contribute to the effectiveness of the Board of Directors as they work to accomplish the organization's strategic goals?

Ambassadorship: Focus on building relationships –internal and external.
I will bring a positive energy to potential opportunities for collaboration with our stakeholders, allied professional organizations and non-traditional groups.
Organization Direction: Continue to build on past successes and ensure progression towards meeting strategically defined goals. Explore ways to leverage CLARB resources to expand CLARB influence.
Resource Allocation: Ensure that programs and activities are receiving adequate support in financial allocation and in terms of valuable staff and volunteer time and efforts.
Leadership: Continue the currently defined work scope in progress, with a "looking forward" vision of CLARB's future including; regulating welfare, leadership growth & development and potential for global standards.

STATE/PROVINCIAL BOARD SERVICE

Date(s) Appointed to Board: 1998–2011, 2014–Present

Board Service:

- 2001, 2006, 2011: Chairman
- 2000, 2005, 2010: Secretary
- 2012: Twin States Conference (MS/AL) Presenter: Landscape Architecture & Public Welfare

CLARB SERVICE

- 2014–2015: Vice President
- 2012–2014: Secretary
- 2009–2011: Regional Director
- 2007–2009: Alternate Regional Director
- 2012, 2011, 1999: LARE Grader
- 2010: Annual Meeting Co-Presenter, MBE Exchange Session "A Day in the Life of a Landscape Architect"
- 2007–2009: Communications Committee

OTHER SERVICE

Mississippi Chapter ASLA

- 2008–2015: Chapter Advocacy & Licensure Liaison Representative
- 2009: Vice President
- 1993–1994: Chapter President
- 1991–Present: Full Member
- 1988–Present: Leadership & Volunteer Activities
  1987–1988: Texas Tech University ASLA Student Chapter President

Community Service/Charettes

- "Come Alive Outside" Combat Obesity
- PLANET Day of Service Project
- Outdoor Classrooms, Nature Center

AWARDS

- Landscape Architect/Team Member on 14 Award-Winning Projects

CHRISTINE ANDERSON
CLARB BOD NOMINEE, VICE PRESIDENT

GENERAL INFORMATION

Jurisdiction: California

Firm Name: The Office of Christine A. Anderson ASLA

Position in Firm: Principal

Education: BS in Landscape Architecture, California Polytechnic State University San Luis Obispo

AS in Architecture, Bakersfield College

Licenses: California

CLARB Certified: No
Council Record Holder: No

QUESTIONS FROM THE NOMINATIONS COMMITTEE

What abilities and attributes will you bring to your role as Vice President?

Through my previous experiences with the LATC (Landscape Architects Technical Committee (California)), CLARB, and the Board of Directors, I bring an understanding of the issues facing licensure, a knowledge of CLARB, and a commitment to CLARB's strategic direction. Over the years, the Board of Directors has crafted a very detailed and definitive vision of CLARB based on our past successes, our learning moments and our goals for the future. Toward that end, we have realized the strength of our leadership and its policies to achieve one of our greatest successes to date: the ability to be financially self-sufficient. I plan on bringing that same ability to my role as CLARB Vice President.

How will you utilize these to contribute to the effectiveness of the Board of Directors as they work to accomplish the organization's strategic goals?

Through my various roles professionally and personally, I have found great skill in being a team leader by building relationships through active communication and the motivation of others. I have a positive attitude, even in the most trying of times, that helps me find the "light at the end of the tunnel". I make my best effort to listen for understanding of each issue and try to respond appropriately to the concern at hand. Through listening, I find that I gain great enthusiasm for my position because I find more creative solutions to the problems and can be responsive to change in a timely manner. I plan on using these skills to continue to enable the CLARB Board of Directors to remain nimble and innovative and reach the organization's goals and strategic vision.

STATE/PROVINCIAL BOARD SERVICE

Date(s) Appointed to Board: 2003–2012

Board Service:

- 2012–Present: Exceptions and Exemptions Task Force Vice-Chair
- 2011–Present: Extension Review Task Force Chair
- 2006,2009,2012: Board Chair
- 2005,2008,2010: Board Vice-Chair
- 2006–2007: Extension Review Task Force
- 2005–2009: Education Subcommittee
- 2007: Exceptions and Exemptions Task Force

CLARB SERVICE

- 2013–Present: Treasurer
- 2012–Present: CLARB Board Self-Assessment Workgroup
- 2011–2013: Regional Director
- 2010–2011: Task Analysis Focus Group

OTHER SERVICE

- 2013–Present: Elk Grove High School PTSA Secretary
- 2009–2011: Joseph Kerr Middle School Booster Club President
- 2010–2012: Laguna Creek Watershed Council Board Member and Special Projects Coordinator
- 2004–Present: Girl Scout Volunteer (Camp Programs Director, Service Unit Treasurer, Troop Leader)
- 2003–2007: Landscape Architecture Department Advisory Committee, California Polytechnic State University San Luis Obispo
- 1994–1995: ASLA, Sierra Chapter President

AWARDS

- 2013: Honor Pin, Girl Scouts
- 2012: President's Call to Service Award
- 2011: Outstanding Volunteer, Girl Scouts Heart of Central California, Elk Grove Service Unit

KAREN CESARE
CLARB BOD NOMINEE, VICE PRESIDENT

GENERAL INFORMATION

Jurisdiction: Arizona

Firm Name: Novak Environmental, Inc.

Position in Firm: President

Education: BLA, University of Arizona
MLA, University of Arizona

Licenses: Arizona, California

CLARB Certified: No
Council Record Holder: No

QUESTIONS FROM THE NOMINATIONS COMMITTEE

What abilities and attributes will you bring to your role as Vice President?

I am a proven and recognized consensus builder. The success of my firm has been built on collaboration. Collaboration involves listening, understanding and respecting a wide variety of ideas and opinions. If the group is committed around a common goal, then the collaborative process can result in a better outcome than just a single perspective. My ability to see the commonality in diverse opinions and bring forward ideas that move issues toward resolution is a key attribute I can bring to the position of Vice President.

Additionally, I have worked to help develop young professionals. Through teaching, career discovery activities and employing recent graduates, I help develop the next generation of landscape architects who understand and value the need for licensure of our profession.

How will you utilize these to contribute to the effectiveness of the Board of Directors as they work to accomplish the organization's strategic goals?

As owner of my own firm and at the point in my career where I can give back to the profession with my time and experience, I am fully available to take on the duties of Vice President. My understanding of CLARB, which has come through years of experience working in many difference roles with CLARB, provides me the background to be ready to serve in this leadership role.

Through attending and participating actively in meetings, I hope to help the Board of Directors move forward as it continues its work. The profession is facing more challenges in making sure licensure remains not only relevant but essential to the practice of Landscape Architecture. CLARB needs to be ready to support and assist all jurisdictions in this goal.

STATE/PROVINCIAL BOARD SERVICE

Date(s) Appointed to Board: 2007–2010

Board Service:

- 2008–2009: Vice Chair
- 2008–2010: Chairperson

CLARB SERVICE

- 2011–2013: Nominations Committee Member
- 2009–2011: Communications Committee Member (helped develop CLARB's first Social Media strategy)
- October 2012, February 2011 and July 2010: Cut Score Committee Member (both old and new sections of the LARE)
- 2007–2010: Region V Member
- 2007–2010: Attended all Spring and Annual Meetings

OTHER SERVICE

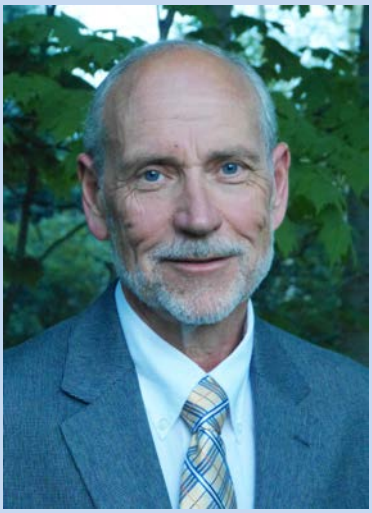
- 2015–2021: Central Arizona Water Conservation District Board of Directors Member
- 2014-2015: AZ ASLA Chapter President
- 2013–2014: AZASLA President-elect
- 2012: ASLA Annual Meeting Session Moderator (Phoenix, AZ)
- 1998–1999: ASLA Member, Southern Arizona Section Chair
- Pima County Parks and Recreation Commission Member
- Pima County Canoa Ranch Conservation Committee Member
- Science Olympiad Volunteer Event Sponsor

AWARDS

- Xeriscape Design Award for Public Works Project, Tucson, AZ
- Xeriscape Design Award for Single Family Residence, Tucson, AZ

PATRICK JAY BEAM
CLARB BOD NOMINEE, TREASURER

GENERAL INFORMATION



Jurisdiction: Ohio

Firm Name: Bassett Associates

Position in Firm: Co-owner/Principal

Education: BS in Landscape Architecture, The Ohio State University

Licenses: Ohio

CLARB Certified: Yes
Council Record Holder: Yes

QUESTIONS FROM THE NOMINATIONS COMMITTEE

What abilities and attributes will you bring to your role as Treasurer?

In my 39 years actively engaged in the profession of landscape architecture, I have had the opportunity to collaborate with architects, urban planners, engineers and environmental consultants—exchanging ideas and representing the contribution that landscape architects are educated, trained and licensed to provide. During my first seven years serving on the Ohio Landscape Architects Board, I have had the opportunity to expand my professional skills and experiences by participating in the support of the profession on the state and national level, participating in numerous CLARB Spring and Annual Meetings. I am currently serving as Region II Alternate Director.

As president of the Ohio Board in 2014, I assisted in the application for participation in the CLARB Welfare Pilot Project, and have subsequently been involved in the Ohio Welfare Pilot Project efforts. I feel my participation in the 2014 CLARB Annual Meeting discussions, and my ongoing participation in the Welfare Pilot Project, have given me a fresh perspective on the responsibilities of CLARB and its leadership.

How will you utilize these to contribute to the effectiveness of the Board of Directors as they work to accomplish the organization's strategic goals?

In my role as principal of a landscape architectural firm, I have served as a project lead on many projects where my duties include coordinating the efforts of multidisciplinary team members. The varying perspectives of the owner and team members require the assimilation of many points of view and stake holder goals, as well as encouraging the participation of all to achieve the stated results. My leadership experiences on numerous professional and volunteer boards and planning efforts have taught me many valuable lessons of how individuals can come together to accomplish great and complex goals through communication, cooperation and team work.

STATE/PROVINCIAL BOARD SERVICE

Date(s) Appointed to Board: 2006–Present

Board Service:

- Currently servicing second term as President through 2017
- 2008–Present: Represented Ohio at five CLARB Spring and Annual Meetings
- Ohio UNE Grading Team (three terms)
- Ohio Landscape Architect Practice Law Legislative Advocate Team
- Scenic Ohio Board of Directors
- Ohio Parks and Recreation Association

CLARB SERVICE

- 2015–Present: Alternate Regional Director
- 2014–Present: CLARB Welfare Pilot Project Ohio Board Participant

OHIO ASLA CHAPTER

- 1999–Present: ASLA National and Ohio Chapter Member
- ASLA Ohio Chapter Maumee Valley Section (two terms as Treasurer)
- 2014: ASLA Ohio Chapter Awards Jury
- Guest Studio Critic-Reclamation Planning, Michigan State University

COMMUNITY SERVICE

- Ottawa River Coalition Board
- Allen County Ohio, Phase II Stormwater Regulations Advisory Board
- Lima, Ohio Stormwater Appeals Board
- Lima YMCA Building Committee
- Allen County Soil & Water Conservation District Arbor Day School Program
- St. Gerard Church and School Development Campaign Co-Chairman
- St. Gerard Church and School Design Committee Chairman
- St. Gerard Parish Council
- Lima Central Catholic High School Development Convocation Committee
- LCC Development Committee Chairman

STANLEY N. WILLIAMS (STAN)
CLARB BOD NOMINEE, TREASURER

GENERAL INFORMATION

Jurisdiction: North Carolina

Firm Name: Stantec Consulting Services Inc.

Position in Firm: Senior Project Manager, Landscape Architect

Education: Bachelor in Landscape Architecture, North Carolina State University

Licenses: North Carolina, South Carolina, Virginia

CLARB Certified: No
Council Record Holder: No

QUESTIONS FROM THE NOMINATIONS COMMITTEE

What abilities and attributes will you bring to your role as Treasurer?

Having been actively involved in CLARB activities at increasingly higher levels for more than eight years, I have seen dramatic changes in CLARB and have worked hard to be a contributing member as those changes occurred. Across my 40-year career, I have gained an in-depth knowledge of financial reporting, terminology and requirements, which have been honed through successful management of small-to-large landscape architectural businesses and now as a manager for multi-disciplinary federal design contracts. I bring an understanding of and respect for the fiduciary responsibility that the Treasurer has to CLARB and to the work of the Board and Executive Committee. I will bring my eye for detail, methodical approach and ethical and honest approach to the role of Treasurer, and I commit to investing the time and energy required to be a meticulous, ethical and open Treasurer.

How will you utilize these to contribute to the effectiveness of the Board of Directors as they work to accomplish the organization's strategic goals?

As a member of the Executive Committee, the Treasurer has the responsibility to oversee the financial health of the organization, while at the same time being a sounding board for the benefit/expense of on-going, expanding and new programs or initiatives. My eye to detail and business experience will be valuable tools in those processes, and my experience in communication and interpersonal relationships will be valuable in presenting understandable accurate budget and program information to the Board and membership. I firmly believe that the Treasurer has a responsibility to actively participate in the planning and implementation of Board-directed issues – sharing cost benefit information and fostering cooperation. I will partner with staff and the Committee on Audit and Finance in a team approach, and work with our accountant and other professionals as needed to maintain the financial health and strength that my predecessors have worked so hard to create.

STATE/PROVINCIAL BOARD SERVICE

Date(s) Appointed to Board: 2005–Present

Board Service:

- 2009–2011: Chairman
- 2007–2009: Vice Chairman
- 2007–2013: Disciplinary Review Committee Vice Chairman and Chairman
- 2015: Co-author of N.C. Administrative Code Rules 21 NCAC 26 Revisions
- 2011: Co-author of Code of Professional Conduct
- 2010: Co-author of NCBLA Bylaws

CLARB SERVICE

- 2013–2015: Regional Director
- 2014–2015: Governance Enhancements Implementation Task Force
- 2011–2013: Alternate Regional Director
- 2005–Present: N.C. CLARB representative
- Subcommittee member for review of Public Welfare study

OTHER SERVICE

N.C. Chapter ASLA

- Annual Meetings presentations of NCBLA status, activities and new statutes
- Round-table licensure discussions facilitator and lecturer
- N.C. General Assembly Legislative Breakfasts (Four years)
- N.C. AIA and N.C. ASLA Community Assistance Teams: Chair and Co-Chair

Service to the Profession

- N.C. State University College of Design
  - 2009–2015: Student Mentor Program
  - 2009–2015: Landscape Architecture Advisory Council
  - Guest lecturer and juror/critic
  - NCARB Panel Member: Intern Development Program evaluation
  - Dean of College of Design Panel Member: Doctorate in Architecture
  - Landscape Architecture Accreditation Board interview teams for LA programs
- Wake Technical Community College Juror/critic for Associate Degree candidates
- City of Raleigh Parks, Recreation and Greenway Advisory Board (Five years)

CARY K. BAIRD
CLARB BOD NOMINEE, REGION V DIRECTOR

GENERAL INFORMATION

Jurisdiction: Nevada

Firm Name: Stantec Consulting, Inc.

Position in Firm: Senior Associate

Education: BS in Design/Urban Planning

Licenses: AZ, CA, ID, MO, ND, NV, NM, TX, UT

CLARB Certified: Yes
Council Record Holder: Yes

What abilities and attributes will you bring to your role as Region V Director?

As a seasoned professional from the private sector, I successfully lead and manage a diverse multi-disciplined staff located in several offices that work on both private and public opportunities with agencies. I have collaborated on multiple projects at international locales including Canada, Asia, Mexico and the Middle East. I have led heated contentious meetings and successfully resolved differences through problem solving methods and consensus building.

Having raised two millennials and seeing how technology has embraced their lives, I will bring insight on how young professionals are impacted by the regulations enforced today. I understand the challenges, including changing technologies, which new landscape architects entering the business world face.

My attributes which will foster my tenure include the following: I encourage discussion and synergy; I thrive on challenge and seek out opportunities to build on; I am an energetic team player who gives 110%; and I am a big picture thinker looking beyond the whole as the sum of the parts.

When elected, I plan to personally reach out to each Region V Member Board with the goal to understand local issues and build on identified successes thereby fostering stronger regional dialogue to the benefit of all Member Boards.

How will you utilize these to contribute to the effectiveness of the Board of Directors as they work to accomplish the organization's strategic goals?

CLARB has been successful in achieving many goals during my time on the Nevada Board and involvement with CLARB. Some of the goals seemed almost impossible but are now commonplace in the world of CLARB. Going forward, I see that the goals set forth by CLARB in regard to regulation of international landscape architects through the creation and enforcement of licensure standards could ensure consistency in competency of our profession. This strategic goal is one near and dear to my heart as I work with international professionals on a regular basis. Region V has, during my tenure, had an international flair with British Columbia. I feel that with my experience, abilities and attributes, I can lead CLARB into the future as it fosters the public health, safety and welfare of our profession.

STATE/PROVINCIAL BOARD SERVICE

Date(s) Appointed to Board: 2006–Present

Board Service:

- Currently serving as President
- Implemented an active agenda to build a 5-year strategic plan with its purpose to enhance transparency with registrants and the community

CLARB SERVICE

- 2013–Present: Alternate Regional Director
- 2007: LARE Grader, Sections C and E
- 2006–Present: Participated in Annual Meeting
- 2011: Participated in the Spring Meeting
- 100% participation in CLARB's "In-the-Know" Webinar Series

OTHER SERVICE

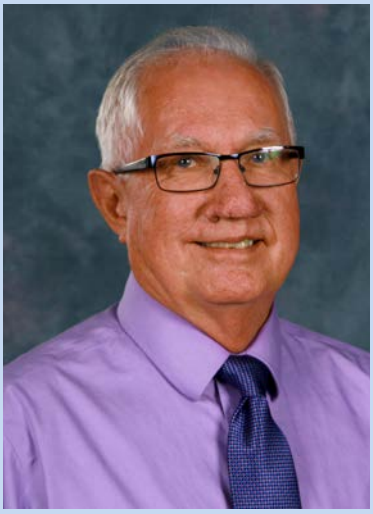
- Participation in ASLA's licensure forum with a goal of 100% Practice and Title Act Licensure Laws in place in all 50 states by 2010
- Volunteer with local Water Authority providing lectures that promote water and native landscape sustainability practices to landscape professionals

AWARDS

- 2014: Nominated twice as State of Nevada's ASLA Landscape Architect of the Year for contributions made to the profession

E. LEROY BRADY
CLARB BOD NOMINEE, REGION V DIRECTOR

GENERAL INFORMATION



Jurisdiction: Arizona

Firm Name: Arizona Department of Transportation

Position in Firm: Chief Landscape Architect, Manager Roadside Development Section

Education: BFA, Utah State University

Licenses: Arizona RLA

CLARB Certified: No
Council Record Holder: No

QUESTIONS FROM THE NOMINATIONS COMMITTEE

What abilities and attributes will you bring to your role as Region V Director?

Involvement over the last 48 years in landscape architecture with other design professions on public works and private sector projects has provided me with a recognition and conviction of the importance of regulation of landscape architects for the protection of the health, safety and welfare of the public.

Since registration as a landscape architect with the Arizona Board of Technical Registration (BTR), a multidisciplinary board, I have had the privilege of serving on various committees, including organizing study sessions, grading exams and for several decades on the BTR Enforcement Advisory Committee evaluating complaints as well as developing recommendations to the BTR. Serving on the Board as the landscape architect member the last four years has provided an opportunity to attend and become more familiar with NCARB and NCEES and the directions these related professions are taking with registration. In comparison, the leadership direction CLARB has taken in regulation is the reason I am excited to be considered as Region V Director.

The Arizona Board of Technical Registration was selected by CLARB as multidisciplinary board to develop a Board Relevancy Model, and we are looking forward to collaborating with CLARB on this special project.

How will you utilize these to contribute to the effectiveness of the Board of Directors as they work to accomplish the organization's strategic goals?

My experience, knowledge and background as well as my years attending CLARB regional and annual meetings, provide a strong basis to represent the region and to participate as a director on the Board. Representing Region V 's diverse members and contributing to CLARB's great efforts leading in exam relevancy and supporting the Region's Boards as collaborators in stewardship for the protection of the health, safety and welfare would be a great honor and privilege.

STATE/PROVINCIAL BOARD SERVICE

- 2010–Present: Arizona Board of Technical Registration, Landscape Architect Member
- 1973–1974: Idaho Board of Landscape Architects Chairman

CLARB SERVICE

- 2010–Present: Member Board Member

OTHER SERVICE

- 2010–Present: Boyce Thompson Arboretum Board of Director
- 2000–Present: Mesa Community College Rose Garden Board of Directors
- 1976–2001: Transportation Research Board Landscape and Environmental Design Committee (1994–2001: Chairman)
- 1974–Present: Chief Landscape Architect, Manager Roadside Development Arizona Department of Transportation
- 1966–1974: Landscape Architect - Environmental Planning Manager Idaho Transportation Department
- ASLA Arizona Chapter Trustee
- Mesa City Design Review Board (Nine years)
- Mesa City Parks Board (Six years)
- Arizona Capital Mall Commission (15 years)
- Three Legislative Landscape Architect Sunset Reviews Chairman and Participant

AWARDS

- 2014: Arizona Consulting Engineers Association Award
- 2008: Arizona Department of Transportation Guidelines for Highways on BLM and U.S. Forest Lands
- 2000: Landscape Architects Legacy Award
- 1989: ASLA Fellow
- Numerous Design Awards

ANDREW BOWDEN (ANDY)
CLARB BOD NOMINEE, REGION V ALTERNATE DIRECTOR

GENERAL INFORMATION

Jurisdiction: California

Firm Name: Land Concern, LTD.

Position in Firm: Principal, Landscape Architect

Education: BSLA in Landscape Architecture, Cal Poly Pomona

Licenses: California, Colorado

CLARB Certified: No
Council Record Holder: No

QUESTIONS FROM THE NOMINATIONS COMMITTEE

What abilities and attributes will you bring to your role as Region V Alternate Director?

I have very good communication and organization skills and am able to work with varying personalities and opinions. To that end, I have been elected to chair many different Boards of Directors and Committees both on a local and national level. I am very comfortable in representing the views of those I represent whether it be from the National ASLA Board of Trustees, the local Chapter of the ASLA or in the case of the California Landscape Architects Technical Committee, those of the Governor and the people of California. If elected as the Region V Alternate Director, I would provide assistance to the Regional Director and represent the views of our region to Board in the event that they were unable to do so.

How will you utilize these to contribute to the effectiveness of the Board of Directors as they work to accomplish the organization's strategic goals?

Good communication skills are vitally important to any organization. There needs to be an open dialogue between those individuals who are responsible for the management of any group, as well as an accurate reporting back to those that are being represented. I believe that I have the necessary skills to be able to effectively communicate the views of the Member Boards of Region V to the Board and to be able to provide insight, views and opinions when reporting back to the Region. I tend to be very organized and will bring those organization skills to the table to assist the Regional Director.

STATE/PROVINCIAL BOARD SERVICE

Date(s) Appointed to Board: 2007–Present (two terms), (currently pending reappointment for a third term)

Board Service:

- 2009–2010, 2013–2014: Chair
- 2012–2013: Vice Chair

CLARB SERVICE

- Attended two Annual Meetings while in first term (prior to travel restrictions)
- Participated in Region V conference calls and have reported as to the status of licensure in California during those calls

OTHER SERVICE

- 2014: ASLA National Board Performance Committee Member
- 2011–Present: UCLA Landscape Architecture Extension Program Guidance Committee Member (Chair since 2013)
- 2009–2012: Councils for the Building Industry Association of Southern California Vice President
- 2009: ASLA Member Services Committee National Chair
- Southern California Chapter of the ASLA President (2007) and Trustee (2008–2014)
- 50+ Housing Council of the Southern California Building Industry Association (BIASC) (2007 & 2008: President)
- 2005–2006: California Council of Landscape Architects of the American Society of Landscape Architects (2006: President)
- 1993–2013: Orange Coast College Architecture Technology Advisory Board Member
- 1991–Present: California Landscape Architectural Student Scholarship Fund Board Member (2002: Chair)

AWARDS

- 2014: Ruth Shellhorn Outstanding Service Award, the Southern California Chapter of ASLA
- 2009: California Landscape Architects Student Scholarship Fund Life Member Award for Leadership and Dedication Support

1840 Michael Faraday Drive ~ Suite 200 ~ Reston, VA 20190 ~ Phone: 571-432-0332

2015-2016 CLARB Board of Directors Election Ballot

MEMBER BOARD:_____

COMPLETED BY:_____

(Please note: this ballot must be completed by a Member Board Member who has been designated on the credentials letter as being authorized to cast the Board's ballot. Member Board Executives and staff are not eligible to complete this ballot.)

The Committee on Nominations has put forth a final slate of candidates for the 2015-2016 CLARB Board of Directors. Each Member Board may vote for one candidate per office. Please check the appropriate boxes.

President
Randy Weatherly ☐

President-Elect
Chris Hoffman ☐

Vice President
Christine Anderson ☐
Karen Cesare ☐

Treasurer
Patrick Beam ☐
Stan Williams ☐

Only one ballot may be submitted per Member Board and each ballot must be accompanied by a credentials letter.

You have three options for returning your Board's ballot to CLARB:

- Mail – Mail your Board's ballot and credentials letter so that they are received in the CLARB office **by Wednesday, September 9, 2015.**
- Email – Email your Board's ballot and credentials letter to **Veronica Meadows** **by Wednesday, September 9, 2015.**
- In-person – Turn in your Board's ballot and credentials letter at the registration table at the 2015 CLARB Annual Meeting in New Orleans, Louisiana **no later than Noon on Thursday, September 17, 2015.**

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS
BYLAWS
(As Amended September 2013)

ARTICLE I — NAME

The name of this organization shall be the Council of Landscape Architectural Registration Boards, Incorporated.

ARTICLE II — DEFINITIONS

The following terms shall have the following meanings when used in these bylaws:

A. "CLARB" shall mean the Council of Landscape Architectural Registration Boards, Incorporated;
B. "Member Board" shall mean the body that is a legally authorized to examine, register, or discipline landscape architects in a political jurisdiction and a member of CLARB;
C. "Examination(s)" shall mean any examination(s) prepared by CLARB.

ARTICLE III — RULES OF ORDER

CLARB shall be governed by Robert's Rules of Order Newly Revised when not in conflict with these bylaws.

ARTICLE IV — MISSION

The mission of the Council of Landscape Architectural Registration Boards as an organization of member boards is to foster the public health, safety and welfare related to the use and protection of the natural and built environment affected by the practice of landscape architecture.

To accomplish this mission, the organization:

A. Provides programs and services that ensure the competency of Landscape Architects and others involved in making decisions affecting the development and conservation of land by:

    1. Establishing and promoting consistent standards for their professional competency and conduct, and
    2. Examining and certifying their competency.

B. Provides information and resources to those affected by the practice and regulation of landscape architecture, thereby assuring that they are well-informed, educated and empowered regarding the value and benefits of the licensed practice of landscape architecture.

ARTICLE V — MEMBERSHIP

The membership of CLARB shall be the legally constituted member boards in good standing. Membership in the Council may be attained through approval by the CLARB Board of Directors.

Section 1. Qualifications and Eligibility
Member boards maintain good standing by abiding by the CLARB Bylaws and paying all dues or other financial obligations to CLARB in a timely manner.

Every member board shall be required to accept the actions and decisions of CLARB and the CLARB Board of Directors. This acceptance shall extend to all CLARB services provided to member boards to the greatest extent permitted within the context of the laws of their jurisdiction.

Section 2. Removal
If, after written notification from the CLARB Board of Directors, a member board fails to pay its dues or other financial obligations to CLARB or shall persistently refuse to abide by these bylaws or the policies enacted by CLARB, the CLARB Board of Directors may recommend that such member board be removed from CLARB membership. Upon such recommendation, the member board may be removed from membership in CLARB by an affirmative vote of not less than two-thirds of all member boards voting at an annual meeting where a quorum is present.

Section 3. Organizational Structure
In order to establish closer communications between member boards and the Board of Directors, and further to assist CLARB in achieving its stated objectives, five regions of CLARB are hereby established.

There shall be an annual meeting of the member boards of each region. Each member board shall be required to be a member of its region. Regional membership shall be composed of member boards as defined in Article IV, Section 1 of these bylaws. A guideline for the membership of the regions is as follows; new members may be added to the regions by the Board of Directors as required.

REGION I: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ontario, Pennsylvania, Rhode Island, Vermont, Virginia.

REGION II: Indiana, Illinois, Iowa, Kentucky, Ohio, Michigan, Minnesota, Missouri, West Virginia, and Wisconsin.

REGION III: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Puerto Rico.

REGION IV: Alberta, Colorado, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Wyoming.

REGION V: Alaska, Arizona, British Columbia, California, Hawaii, Idaho, Montana, Nevada, Northern Mariana Islands, Oregon, Utah, Washington.

Section 4. Member Services
Services provided to members of CLARB shall include, but not be limited to, the following:

A. Examination

CLARB shall produce examinations designed to test the knowledge, skills and abilities required for the practice of landscape architecture and shall issue appropriate descriptive material on the examination for use by the member boards and candidates. The procedures and charges shall be established by the CLARB Board of Directors.

B. Council Record and CLARB Certification

A Council Record is provided as a detailed, authenticated personal record of the activities and accomplishments in the landscape architectural profession, and by means of this record, to facilitate the process of reciprocal recognition of registration between jurisdictions.

CLARB shall, upon request of individual members of the landscape architectural profession, secure, authenticate and record factual data of the applicant's education, training, practice and character and compile the results. This record shall be forwarded to any jurisdiction upon the request of the applicant and payment of the fees stipulated therein.

The Council Record is to be distinguished from CLARB Certification in that it makes no statements regarding the extent, character or quality of any examination taken by the applicant, nor of the grades that person received thereon.

CLARB Certification carries the recommendation that an applicant, because of having demonstrated competence, be accorded favorable consideration by any jurisdiction to which that person may apply for licensure/registration.

C. International Relations

CLARB may engage in the exploration and formulation of agreements with foreign countries to allow landscape architects to practice in countries other than their own.

ARTICLE VI — MEETINGS

Section 1. Annual Meeting
CLARB's annual meeting shall be held at a time and place determined by the CLARB Board of Directors. Notice of meetings shall be made to the board administrator of each member board ninety (90) days prior to such meeting.

Section 2. Special Meetings
Special meetings may be called by the president, with the approval of the CLARB Board of Directors, or by a majority of the member boards. Notice of the meetings shall be made to the board administrator of each member board sixty (60) days prior to such meeting. The bylaws pertaining to procedures and conduct of business of the annual meeting shall apply to Special Meetings.

Section 3. Delegates and Credentials
Each member board is entitled to be represented at CLARB meetings by one or more official delegates of that board. The delegate must be a member of the member board. A letter of credential from the delegate's board shall identify a delegate attending the annual meeting or any Special Meeting of CLARB. As many delegates as are able to attend may represent a member board, but only one vote may be cast on each motion for each member board by its delegates.

Section 4. Quorum
A quorum for the transaction of business at the CLARB annual meeting shall be the majority of the member boards represented by one or more delegates present.

Section 5. Resolutions and Other Motions
Resolutions are the substantive matters placed on the agenda for a CLARB meeting in accordance with this section. All resolutions to be considered at the CLARB annual meeting except those submitted by special committees and laudatory resolutions shall be submitted to the CLARB Board of Directors at a time determined by the CLARB Board of Directors.

The CLARB Board of Directors shall review each resolution for conformity with the CLARB bylaws and may recommend to the author of any resolution such changes as are deemed advisable for the purpose of consistency, clarity and to avoid duplication. The CLARB Board of Directors shall publish and distribute all resolutions, except laudatory resolutions, to the member boards, not less than 60 days prior to the annual meeting. If the CLARB Board of Directors takes a position on any resolution, they shall provide a position statement to be published with the resolution.

Only member boards or regions and the CLARB Board of Directors may offer resolutions to be presented at a CLARB meeting, amendments to resolutions to be presented at a CLARB meeting or amendments to resolutions. All other motions permitted under Robert's Rules of Order Newly Revised may be made by any delegate or CLARB officer or director.

Section 6. Order of Business
An agenda outlining the order of business shall be prepared for all CLARB meetings. The agenda shall be prepared under the direction of the CLARB Board of Directors and provided to all member boards at least 30 days before the date set for the particular meeting.

Section 7. Voting
The affirmative vote of the majority of the member boards represented at any CLARB meeting is required to pass any resolution except to amend the bylaws. Resolutions to amend the bylaws are governed by Article XII–Amendments. There shall be no voting by proxy. Voting by letter ballot is permitted only for the election of officers and for members of the Nominating Committee. See Article VII – Officers, Section 4. Election of Officers.

Section 8. Other Participants
CLARB officers and directors, member board staffs, persons designated by the Board of Directors, and persons designated by the presiding officer shall have the privilege of the floor at CLARB meetings and may take part in the discussion and perform all functions of the delegates except to vote, or, except as provided in Article V, Section 5 with respect to officers and directors, to initiate action.

ARTICLE VII — OFFICERS

Section 1. Officers
The officers of CLARB shall be a president, a president-elect, a vice president, a secretary, a treasurer, and the immediate past president. All officers, except for the immediate past-president, shall be elected by CLARB as specified in Article VII, Section 4.

Section 2. Qualifications and Limitations
To be eligible for elective office in CLARB, the candidate shall

A. Have attended at least two meetings of the membership prior to the time of nomination; and
B. Be a member of the CLARB Board of Directors or a member or past member of a member board at the time of election; or
C. Have participated in a combined total of four sessions of a Standing Committee, or a Grading Session as a Grader or Master Grader, or as a Cut Score Committee member.

Section 3. Nomination of Officers
A nominating committee shall be composed of a chairperson who shall be the immediate past president of CLARB and six members elected at large, each serving a 2 year term of office. Nominating committee members shall be ineligible for nomination to office for the full term, regardless of whether they serve the full term

Nominating committee members shall be elected as follows:

A. No later than 30 days prior to the spring meeting, each region may submit to the board of directors a list of up to six candidates either from their region or at large, meeting the eligibility requirements set forth in the bylaws. In the event the regions do not submit the names of sufficient qualified candidates to fill all available positions, the board of directors may submit additional candidates.

B. At the spring meeting, the board of directors shall present the complete list of eligible candidates. Following the spring meeting, each member board shall be allowed to cast a single vote for up to six candidates for the first year of election and for as many as three candidates for each subsequent election year. In the first election, the six candidates receiving the greatest number of votes shall serve as the nominating committee.

C. In the event balloting results in a tie or multiple ties among more than six candidates (in the first year) or three candidates (in subsequent years) additional balloting shall occur for those with the lowest vote count until a clear hierarchy is established with single candidate for each available seat on the committee.

The nominating committee shall be charged with creating and maintaining a complete list of all eligible candidates for office and with identifying qualified nominees for elected office. The nominating committee shall publish an updated list of candidates eligible for office within 30 days of the close of the annual meeting.

The chair of the nominating committee shall collect the names of all potential candidates identified by the committee members and distribute this information to the Board of Directors and nominating committee members no later than fourteen (14) days prior to the spring meeting. The nominating committee shall distribute the final list of nominations to all member boards no later than 30 days prior to the annual meeting. The regions will consider the list of potential candidates and identify any additional candidates.

The nominating committee may identify one or more nominees for each office and shall distribute its recommendations to all member boards no later than 60 days prior to the annual meeting. Additional nominations ‘from the floor’ may be made by any region, member board or member board member by notifying the chairperson of the nominating committee in writing no later than 45 days prior to the annual meeting, at which time the nominations shall be closed. The nominating committee shall distribute the final list of nominations including ‘nominations from the floor’ to all member boards no later than 30 days prior to the annual meeting.

Section 4. Election of Officers

A. Election of Officers at Annual Meeting.
All elections of officers shall be by written ballot at the annual meeting unless by a majority vote CLARB shall agree to waive the provision. A majority vote of the member boards represented and voting shall elect an officer. Where a majority vote has not been obtained on a ballot, the candidate receiving the least number of votes shall be eliminated prior to the next ballot. If there is a single nominee for each open office, the slate of nominees may be elected by acclamation of the membership without a formal vote.

Member boards that are not represented at the annual meeting by a delegate may submit their votes for officers by letter ballot. All letter ballots must be sent in a sealed envelope, signed by an officer of the Board and received at the CLARB office at least five days before the start of the annual meeting. Letter ballots shall be counted on the first ballot only.

B. Election of Officers in the Absence of an Annual Meeting.
In the event that CLARB is unable to conduct an annual meeting before the end of a fiscal year, the following procedures shall apply:

1) Where there is a single nominee for an office whose election is uncontested by the membership, that person shall assume the office on the first day of the first month of the next fiscal year.
2) If there is more than one nominee for an office, the chairman of the nominating committee shall conduct the election for that office by letter ballot no later than the last day of the first month of the fiscal year as set forth in Section 4, Item A, above, or as soon thereafter as practicable, time being of the essence.

C. Election of Officers in the Event of Catastrophe.
In the event of a catastrophe where there are no officers able to conduct an election, the executive director shall convene a nominating committee as set forth in Section 3 above as soon as practicable and conduct an election by written ballot as set forth in Section 4, Item A above, time being of the essence. If the executive director is unable to conduct such election, the statutory agent for CLARB shall conduct nominations and election as set forth herein.

Section 5. Terms of Office

A. The president-elect shall automatically assume the office of president and serve as such from the adjournment of the annual meeting or from the beginning of the fiscal year, whichever shall first occur, until the adjournment of the following annual meeting, or the end of the fiscal year, whichever shall first occur.

B. The president-elect shall serve as such from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until the adjournment of the following annual meeting, the end of the fiscal year, or a successor is duly elected, whichever shall first occur.

C. The vice president shall serve from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until a successor is duly elected.

D. The secretary shall serve for two years from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until a successor is duly elected. Elections for the office of secretary shall be held in even-numbered years.

E. The treasurer shall serve for two years from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until a successor is duly elected. Elections for the office of treasurer shall be held in odd-numbered years.

F. The immediate past president shall serve as such from the adjournment of the annual meeting at which such person assumes the office or from the beginning of the fiscal year, whichever shall first occur, until the adjournment of the following annual meeting, or the end of the fiscal year, whichever shall first occur.

No incumbent shall serve for more than one year in succession as president, president-elect, or vice president provided, however, that an officer shall be eligible for re-election for the full term of office if during the period immediately prior thereto such officer had succeeded to or been elected to fill a vacancy.

Section 6. Vacancies and Removal from Office
A vacancy in the office of president shall be filled by the president-elect assuming the office. A vacancy in the office of president-elect shall be filled by the vice president assuming the office.
A vacancy in the office of vice president, secretary, or treasurer shall be filled by an appointee designated by the CLARB Board of Directors to complete the unexpired term.

An officer, director or alternate director who is found guilty of malfeasance, misfeasance or nonfeasance in the exercise of the duties and responsibilities as an officer or director, found guilty of sexual harassment or of conduct deemed to be detrimental or unbecoming to the Council may be removed from office by a two-thirds majority of the CLARB Board of Directors.

Section 7. The President
The president shall:

A. Preside at all meetings;
B. Appoint all standing committees subject to the approval of the CLARB Board of Directors;
C. Present to CLARB at the annual meeting a report of activities during the term of office as president;
D. Appoint all members of special committees subject to the approval of the CLARB Board of Directors, unless a specific action of the Council names the personnel of the committees;
E. Be an ex officio member of all committees;
F. Interpret these bylaws and the rules of order in the conduct of meetings;
G. Perform all duties pertaining to the office of president.

Section 8. President-elect and Vice President
The president-elect and vice president, in order shall, in the absence or incapacity of the president, exercise the duties of and possess all the powers of the president.

Section 9. Secretary

A. General Duties. The secretary shall perform the duties usual and incidental to the office and the duties that are required to be performed by law and by these bylaws; and the duties that are properly assigned by the CLARB Board of Directors.

B. Reports. The secretary shall ensure that a progress report is presented to the membership in conjunction with its annual meeting and, if required, special reports at other CLARB meetings or to the CLARB Board of Directors.

C. Delegation of Duties of the Secretary. The secretary may, with the approval of the CLARB Board of Directors, delegate to the executive director and other assistants the actual performance of any or all of the appropriate duties and authorize such executive director and other assistants to sign under their respective titles the correspondence conducted by them; provided, however, that the secretary shall not delegate the signing of any minutes or official reports which are assigned to the secretary by the CLARB Board of Directors.

Section 10. Treasurer

A. General Duties. The treasurer shall exercise general supervision of CLARB's financial affairs, shall have the custody of its monies and securities except as otherwise provided in these bylaws. The treasurer shall oversee the collection of all monies due CLARB and all disbursements of money of CLARB and may purchase, sell, assign, and transfer such of its securities as are placed in the treasurer's charge. The treasurer shall supervise the keeping of the records and books of accounts of financial transactions of CLARB, and shall sign all instruments of CLARB whereon the signature of the office is required, and perform all duties required to be performed by law and these bylaws, and the duties that are properly assigned by the CLARB Board of Directors.

The treasurer shall ensure the performance of an annual financial audit or review by a certified public accountant.

B. Reports. The treasurer shall make a written report to CLARB at its annual meeting and at other CLARB meetings or CLARB Board of Directors, as required.

C. Delegation of Duties of the Treasurer. The treasurer shall not authorize any person to sign any financial instrument, notice or agreement of CLARB that requires the signature of the treasurer, unless such delegation or authorization is expressly permitted by action of the CLARB Board of Directors. The treasurer may delegate to the executive director and other assistants the actual performance of the clerical, bookkeeping, statistical, collecting and recording work of the office and may authorize the executive director or any other officer to sign checks of CLARB within the practices and policies prescribed by the CLARB Board of Directors.

D. Liability of the Treasurer. The treasurer shall not be personally liable for any decrease in the capital, surplus, income balance, or reserve of any funds or account resulting from any actions performed in good faith in conducting the usual business of the office.

Section 11. Bonding
The CLARB Board of Directors shall determine who shall be bonded, and the cost of such bond shall be paid from the funds of the Council.

ARTICLE VIII — THE CLARB BOARD OF DIRECTORS

Section 1. Membership
The CLARB Board of Directors shall be composed of the officers of CLARB as designated in Section 1 of Article VII, and one director from each region.

Section 2. Qualifications and Limitations
To be eligible for election to the Board of Directors, the candidate shall meet the same criteria as described in Article VII, Section 2 of these Bylaws. Members of the CLARB Board of Directors shall serve without compensation.

Section 3. Terms of Office
The terms of office of the directors shall be as provided in Section 5 of Article VII and directors shall be elected as provided in Section 4 of this Article below. Directors shall be elected only by their respective region's member boards and shall serve for two years from adjournment of the annual meeting or from the beginning of the fiscal year, whichever shall first occur, until their successors are duly elected. No person shall serve more than two successive terms as director, provided, however, that a person shall be eligible for re-election for a full term of office if, during the period immediately prior thereto, that person has succeeded to, or been elected to the office to fill a vacancy. Regions I, III, and V shall elect a director for election in the odd-numbered years and Regions II and IV shall elect a director for election in the even-numbered years.

Section 4. Directors
Each region shall elect its director at the region's meeting. A majority vote of the member boards represented and voting shall elect a director. The elections shall be announced by the appropriate directors at the CLARB annual meeting.

Directors shall actively participate in the governance of the organization, including assimilating information, attending meetings of the Board of Directors and participating in the decision-making process of the Board.

Directors are also responsible for bringing issues from the membership to the Board and for communicating the Board's decisions to the membership. Directors shall discharge their duties in good faith and in a manner that is in the best interests of the organization.

Section 5. Alternate Directors
Each region shall have an alternate director to serve or represent that region in the event the director cannot be present. The duties of the alternate director shall be the same as for the director with the exception that each region shall have but one vote in all business matters if both director and alternate director attend the meetings of the Board of Directors.

Section 6. Vacancies
A vacancy in the office of a director shall be filled by the alternate director. In the event that the alternate director cannot fill such vacancy, the CLARB president shall conduct an election to fill the vacancy.

Section 7. Duties
The CLARB Board of Directors shall have the full control of the property, affairs, and business of CLARB. It shall carry the responsibility for all activities of CLARB. It shall exercise all authority, rights, and power granted to it by the laws of the District of Columbia and shall perform all duties required by said laws and these bylaws, in accordance therewith. It shall not delegate any of the authority, rights, or power or any other duties imposed upon it by these bylaws or otherwise, unless said delegation is specifically provided for in these bylaws.

Section 8. Meetings of the CLARB Board of Directors
The CLARB Board of Directors shall meet in order to transact business, and shall hold at least two meetings each year. One meeting shall be held in conjunction with the annual meeting.

A special meeting or meetings may be held upon the call of the president, or upon written request of the majority of the CLARB Board of Directors. All members shall be given due notice in writing of the time and place of the meeting, although notice in writing may be waived by any member. A majority of the membership of the CLARB Board of Directors shall constitute a quorum for the transaction of business. In the event that a director is unable to attend a meeting of the CLARB Board of Directors, the alternate director shall have the responsibility of participating in the meeting with the authority of the director.

ARTICLE IX — EXECUTIVE DIRECTOR

Section 1. Appointment
The Council Board of Directors may employ a person to be known and designated as executive director who shall be the chief executive officer of CLARB. The salary and term of office shall be established by the CLARB Board of Directors.

Section 2. Duties
The executive director shall be and act as the executive officer of CLARB and as such shall have management and administrative responsibility for the CLARB office and staff, and other CLARB affairs, subject to general direction and control of the CLARB Board of Directors.

The executive director shall be responsible for the hiring, supervision, compensation, promotion, demotion, termination, and management of all other employees of CLARB, as well as all vendors, consultants, and contractors of CLARB, within general budgetary guidelines determined by the Board of Directors. The executive director shall serve as spokesperson on established policy and positions. The executive director shall be supervised by the President and shall serve at the pleasure of the Board of Directors. The executive director shall serve on the CLARB Board of Directors as an ex officio director, without vote.

Section 3. Review
The executive committee shall conduct a performance review of the executive director annually with input from the Board of Directors.

ARTICLE X — COMMITTEES

Section 1. Authorization and Appointment of Committees
Committees may be established to perform services for CLARB. Except as may be herein specifically provided, all committees shall be appointed as provided by Section 7 of Article VII of these bylaws and shall be under the jurisdiction of the CLARB Board of Directors, reporting to it when directed.

The CLARB Board of Directors may delegate to any of its officers the authority to supervise the work of any of the committees. The president shall have the power to make appointments of any unfulfilled or vacant committee membership.

The CLARB Board of Directors may at any time discontinue a committee, other than a standing committee established in the bylaws, or make any changes in a committee's personnel without regard to the terms of appointment of the committee members.

Section 2. Reports of Committees
Each committee shall report in writing annually to the CLARB Board of Directors at least sixty (60) days prior to the annual meeting and shall make interim reports to the CLARB Board of Directors as directed.

Section 3. General Procedure of Committees
Every committee shall perform in accordance with these bylaws and with the directions of the Council Board of Directors. No committee, or any member or chairperson thereof, shall incur financial obligations unless funds have been properly appropriated therefore as provided elsewhere herein and specific authorization has been given by the Council Board of Directors. No member or chairperson, or any committee, shall commit CLARB orally or otherwise to any matter unless specifically authorized to do so.

Section 4. Terms of Committee Appointments
The term of committee appointments shall expire at the adjournment of the annual meeting, or at the end of the fiscal year, whichever shall first occur, except as otherwise provided by these bylaws.

Section 5. Standing Committees
The following committees are hereby authorized as basic to proper functioning of the Council:

A. Executive Committee
The executive committee shall be chaired by the president and composed of the president-elect, immediate past-president, vice president, treasurer, and secretary. The executive director shall serve on the executive committee as an ex officio member without vote. Four voting members of the executive committee shall constitute a quorum.
The executive committee shall act on behalf of the Board of Directors to govern the affairs of CLARB between meetings of the Board of Directors, subject to general policies established by the Board of Directors. All actions of the executive committee must be ratified at the next meeting of the Board of Directors. The executive committee shall be responsible for providing a written review of the executive director’s performance in accordance with Article IX, Section 3.

B. Committee on Examinations
The committee shall be responsible for the development of the examination and other duties as determined by the Board of Directors. The Chair of this committee shall be a licensed, registered or certified landscape architect.

C. Committee on Audit and Finance
The committee shall prepare budgets; maintain financial policies and procedures; arrange for financial audits; and perform other duties as determined by the Board of Directors.

D. Committee on Nominations
The committee shall be composed and perform the duties as described in Article VII, Section 3 herein.

Section 6. Committees of Special and Limited Function
Such committees may be appointed from time to time to perform special and limited functions as assigned. The president shall appoint these committees subject to the approval of the CLARB Board of Directors.

ARTICLE XI — FINANCES, FUNDS, ACCOUNTING AND INVESTMENTS

Section 1. Dues and Fees

A. Membership Dues. The annual membership dues for each member board shall be established by the CLARB Board of Directors.

B. Fees. The fees for the examination shall be established by the Board of Directors.

Section 2. Fiscal Year
CLARB's fiscal year shall begin October 1 and end September 30, beginning October 1, 1993.

Section 3. Operating and Reserve Funds
The CLARB Board of Directors shall have charge of the investment of all funds of CLARB. It shall sell, purchase, transfer, and convey securities and exercise all rights of proxy, or participation in reorganizations, of depositing securities and similar rights of CLARB with respect to its securities, or it may authorize such purchase, sales, transfers, conveyances and the exercise of any or all of said right.

The members of the CLARB Board of Directors shall not be personally liable for any decrease of the capital, surplus, income, balance, or reserve of any fund or account resulting from any of their acts performed in good faith. The accounts of such investments shall be incorporated into the annual report to CLARB.

ARTICLE XII — AMENDMENTS

These bylaws may be amended by an affirmative vote of three-fourths of member boards voting at an annual meeting where a quorum is present. All amendments so adopted shall become effective immediately. There shall be no voting by proxy.

ARTICLE XIII — INDEMNIFICATION

Except as provided below, the Council shall indemnify in full:

A. Any director, officer, executive director, consultant, or former director, officer, consultant, or employee of CLARB or any subsidiary of CLARB;

B. Any member or former member of any CLARB committee against expenses, including attorney's fees, and against the amount of any judgment, money decree, fine, or penalty, or against the amount of any settlement deemed reasonable by the CLARB Board of Directors, necessarily paid or incurred by such person in connection with or arising out of any claim made, or any civil or criminal action, suit, or proceeding of whatever nature brought against such person, or in which such person is made a party, or having been such director, officer, executive employee, or committee member of or for CLARB. Such indemnification shall apply to any such person even though at the time of such claim, action, suit, or proceeding, such person is no longer a director, officer, executive secretary, director, consultant, or committee member of or for CLARB.

No indemnification shall be provided for any person with respect to any matter as to which such person shall have been grossly negligent or to have engaged in intentional misconduct. If such person has not been so adjudicated, such person shall be entitled to indemnification unless the CLARB Board of Directors decides that such person did not act in good faith in reasonable belief that his or her action was in the best interests of CLARB. Expenses incurred of the character described in the preceding paragraph may, with the approval of the CLARB Board of Directors, be advanced by CLARB in advance of the final disposition of the action or proceeding involved, whether civil or criminal, upon receipt of any undertaking by the recipient to repay all such advances in the event such person is adjudged to have engaged in intentional misconduct, or in the event the CLARB Board of Directors decides that such person is not entitled to indemnification.

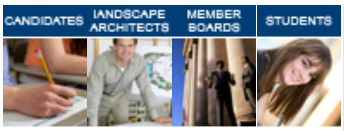
CLARB shall have the power to purchase and maintain insurance on behalf of any person who is or was a director, officer, executive director, consultant, or a committee member of CLARB, or is or was serving at the request of CLARB or of the CLARB Board of Directors as a director or officer of another corporation, whether non profit or for profit, against any liability incurred by such person in any such person's status as such, whether or not CLARB would have the power to indemnify that person against such liability under this article or otherwise.

Any rights of indemnification hereunder shall not be exclusive, and shall accrue to the estate of the person indemnified.

Any other present or former employee or agent of or for CLARB may be indemnified in like manner by vote of the CLARB Board of Directors.

# # #

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS



BOARD OF DIRECTORS

REGIONS

ELECTIONS

BYLAWS

PAST PRESIDENTS

2014-2015 CLARB Board of Directors

CLARB is governed by a volunteer Board of Directors made up of the best and brightest leaders in the landscape architecture community. Each year, the CLARB membership elects officers who provide oversight and direction to the organization.

President	Jerany Jackson
President-Elect	Randy Weatherly
Vice President	Christopher Hoffman
Secretary	Phil Meyer
Treasurer	Christine Anderson
Past President	Stephanie Landregan
Region I Director	Terry DeWan
Region II Director	Thomas Nieman
Region III Director	Stan Williams
Region IV Director	Allison Fleury
Region V Director	Karen Kiest
Executive Director (ex officio)	Joel Albizo

Also, Dawne Broadfield, Executive of the Rhode Island Board, will attend the 2014-2015 CLARB Board meetings as the Member Board Executive (MBE) Observer.

Regions and Directors

Discover in which region your jurisdiction is so you know who your Regional Director is.

Review the February 2015 regional webcast summaries.

BOD Meeting Minutes

- **November 2014 (final)**

Upcoming BOD Meetings

- **May 4-5 in Branson, MO**
- **June (date TBD) via webcast**
- **September 16 in New Orleans, LA**

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Resolution

WHEREAS, the CLARB Board of Directors has conducted a comprehensive assessment of the organization's governance structures and processes and developed a set of recommended enhancements;

WHEREAS, the results of the assessment and recommendations have been shared with the membership and opportunities for input have been provided;

WHEREAS, the Board of Directors assigned a Task Force to review the bylaws and propose revisions necessary to implement the recommended enhancements to CLARB's governance structure and processes;

WHEREAS the Board of Directors has considered the Task Force's report and agrees with its recommendations and the additional changes suggested by the Board;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby approves the amendment of Articles I, II, IV,V, VI, VII, VIII, IX, X, XI and XII of the bylaws as shown on the attached red-lined versions of those articles, and approves the submission of those amendments to the Members, in accordance with Article XII of the bylaws;

AND BE IT FURTHER RESOLVED that the amendments be published and submitted to the Members for their approval, in accordance with Section Article 6, Section 5 of the bylaws.

Council of Landscape Architectural Registration Boards – May 2015

Statement in Support

The proposed changes to the bylaws represent the culmination of nearly two years of discussion, research, analysis and feedback to ensure that CLARB's governance structure and processes are aligned to best support our organization, our members and our stakeholders in a changing world.

In accordance with our legal duty of care as Board members and our desire to be good and faithful stewards for the organization, we reviewed best practices for organizations of our kind and reflected on our unique and valued culture. We also considered the evolving legal, social, political, technological and economic environment. At the end of this lengthy, thorough process, we concluded that our governance structure must evolve in order to ensure effective future leadership—and these changes represent a reasoned, practical and sound approach.

While the following changes promote nimbleness, efficiency and alignment with strategic direction, perhaps the most critical concept embodied in the new language is that of competency vs. service-based selection of future leaders. We strongly believe this will help ensure that, going forward, the organization has the talents, skills and perspectives necessary to continue our journey from good to great.

Supporting Materials

- Summary of proposed changes by article
- Bylaws with proposed changes – color coded by source/type of change
- Redlined bylaws

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Suite 100
Reston, VA 20190
www.clarb.org

Summary of Changes to CLARB Bylaws
April 2015

As a result of the Board of Directors assessment of CLARB's governance structure and processes, they developed a set of recommended enhancements that require changes to the organization's bylaws. The Board is proposing the following changes:

1. Modest clean up and housekeeping
    - The name of the organization was changed throughout the document to "Council of Landscape Architectural Registration Boards Inc." the organization's legal name
    - Standard capitalization of titles was corrected throughout
    - Official title "Committee on Nominations" was corrected throughout
    - Consistent use of spelling numbers out followed by the numeric characters in parenthesis i.e. "two (2)" was corrected throughout
    - Other minor edits

2. Provide all detail (qualifications, terms, nomination and election process, etc.) on every member of the Board of Directors within the same article of the bylaws (much of the content from Article VIII is unchanged, just relocated into Article VII)

3. Codify the new practice for Committee on Nominations involvement in the vetting of all elected positions, officers and directors

4. Bring the bylaws into alignment with best practices (According to Robert's Rules)

5. Implement recommended enhancements to CLARB's governance structure and processes

Below is a summary of the substantive changes to the bylaws that support the Board of Director's recommendations for enhancing CLARB's governance structure and process:

Article V – Membership

- Section 3. Organizational Structure – Added "The Board of Directors may also adjust regional boundaries as needed" to the last paragraph

Article VII – Officers

- Changed title to "Board of Directors and Officers" and moved all relevant content from Article VIII into this article
- Proposed "Section 2. Members"
    - Identifies all members of the Board of Directors including proposed position of Member Board Executive Director

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- Proposed "Section 4. Qualifications"
    - Qualifications updated to reflect competency based selection criteria – licensed landscape architect, experience on a regulatory board and current knowledge and understanding of CLARB

- Proposed "Section 5. Nomination of Officers and Regional Directors"
    - Codifies nominations and elections process for all officer and regional director positions
    - Deleted transitional language in paragraphs 1-5 that supported the transition for the previous Committee on Nominations elections process
    - Paragraphs 6-8 updated to reflect current duties and practices of the Committee on Nominations
    - Relocated committee on nominations structure and eligibility requirements to proposed "Article IX – Committees. Section 5D Standing Committees"
    - Removed language to support nominations from the floor process

- Proposed "Section 6. Election of Officers and Regional Directors"
    - Added language to reflect that the qualifications to serve as a regional director and the nominations process for the regional director position is the same as the officer positions. Ensures all members of the Board meet the same standards and are vetted in a consistent way

- Proposed "Section 7. Terms of Office"
    - Proposed Item F contains new content that provides term of service and appointment process for the proposed MBE director position

- Proposed "Section 8. Vacancies and Removal from Office"
    - Added "or member board executive director" in the first paragraph to recognize proposed MBE director position
    - Paragraph 2 - Added revised content from Article VIII Section 6 that describes the new vacancy process for regional director position which supports the proposed elimination of the alternate regional director position
    - Paragraph 3 – removed "or alternate regional director" to support proposed elimination of the position

Article VIII – The CLARB Board of Directors – Deleted and all content has been incorporated into Article VII

Article X – Committees

- Section 5. Standing Committees, Item D Committee on Nominations – Committee structure and qualifications added

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS, INC.
BYLAWS
(As Proposed April 2015)

ARTICLE I — NAME

The name of this organization shall be the Council of Landscape Architectural Registration Boards, Inc.

ARTICLE II — DEFINITIONS

The following terms shall have the following meanings when used in these bylaws:

A. "CLARB" shall mean the Council of Landscape Architectural Registration Boards, Inc.;
B. "Member Board" shall mean the body that is a legally authorized to examine, register, or discipline landscape architects in a political jurisdiction and a member of CLARB;
C. "MBE" shall mean Member Board Executive, defined as a staff member who is broadly responsible for the management and administration of the member board;
D. "Examination(s)" shall mean any examination(s) prepared by CLARB.

ARTICLE III — RULES OF ORDER

CLARB shall be governed by Robert's Rules of Order Newly Revised when not in conflict with these bylaws.

ARTICLE IV — MISSION

The mission of the Council of Landscape Architectural Registration Boards as an organization of member boards is to foster the public health, safety and welfare related to the use and protection of the natural and built environment affected by the practice of landscape architecture.

To accomplish this mission, CLARB:

A. Provides programs and services that ensure the competency of landscape architects and others involved in making decisions affecting the development and conservation of land by:

   1. Establishing and promoting consistent standards for their professional competency and conduct, and
   2. Examining and certifying their competency.

B. Provides information and resources to those affected by the practice and regulation of landscape architecture, thereby assuring that they are well-informed, educated and empowered regarding the value and benefits of the licensed practice of landscape architecture.

ARTICLE V — MEMBERSHIP

The membership of CLARB shall be the legally constituted member boards in good standing. Membership in the Council may be attained through approval by the CLARB Board of Directors.

Color Key of Changes:

- **Blue = Relocation /renumbering change**
- **Red = Cleanup/housekeeping change**
- **Green = Supports recommendation to add the MBE Director position to the Board of Directors**
- **Purple = Supports recommendation to change the structure and processes of the committee on nominations to better align with organizational goals**
- **Aqua = Supports recommendation to move from serviced based eligibility requirement to competency based eligibility requirements.**
- **Orange = Supports the recommendation to provide the Board of Directors with the authority to adjust regional boundaries**
- **Pink = Supports recommendation to eliminate the alternate regional director position**

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CLARB BYLAWS 2015

Section 1. Qualifications and Eligibility
Member boards maintain good standing by abiding by the CLARB Bylaws and paying all dues or other financial obligations to CLARB in a timely manner.

Every member board shall be required to accept the actions and decisions of CLARB and the CLARB Board of Directors. This acceptance shall extend to all CLARB services provided to member boards to the greatest extent permitted within the context of the laws of their jurisdiction.

Section 2. Removal
If, after written notification from the CLARB Board of Directors, a member board fails to pay its dues or other financial obligations to CLARB or shall persistently refuse to abide by these bylaws or the policies enacted by CLARB, the CLARB Board of Directors may recommend that such member board be removed from CLARB membership. Upon such recommendation, the member board may be removed from membership in CLARB by an affirmative vote of not less than two-thirds (2/3) of all member boards voting at an annual meeting where a quorum is present.

Section 3. Organizational Structure
In order to establish closer communications between member boards and the Board of Directors, and further to assist CLARB in achieving its stated objectives, five regions of CLARB are hereby established.

REGION I: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ontario, Pennsylvania, Rhode Island, Vermont, Virginia.

REGION II: Indiana, Illinois, Iowa, Kentucky, Ohio, Michigan, Minnesota, Missouri, West Virginia, and Wisconsin.

REGION III: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Puerto Rico.

REGION IV: Alberta, Colorado, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Wyoming.

REGION V: Alaska, Arizona, British Columbia, California, Hawaii, Idaho, Montana, Nevada, Northern Mariana Islands, Oregon, Utah, Washington.

There shall be an annual meeting of the member boards of each region. Each member board shall be required to be a member of its region. Regional membership shall be composed of member boards as defined in Article IV, Section 1 of these bylaws. New members may be added to the regions by the Board of Directors as required. The Board of Directors may also adjust regional boundaries as needed.

Section 4. Member Services

Services provided to members of CLARB shall include, but not be limited to, the following:

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A. Examination

CLARB shall produce examinations designed to test the knowledge, skills and abilities required for the practice of landscape architecture and shall issue appropriate descriptive material on the examination for use by the member boards and candidates. The procedures and charges shall be established by the CLARB Board of Directors.

B. Council Record and CLARB Certification

A Council Record is provided as a detailed, authenticated personal record of the activities and accomplishments in the landscape architectural profession, and by means of this record, to facilitate the process of reciprocal recognition of registration between jurisdictions.

CLARB shall, upon request of individual members of the landscape architectural profession, secure, authenticate and record factual data of the applicant's education, training, practice and character and compile the results. This record shall be forwarded to any jurisdiction upon the request of the applicant and payment of the fees stipulated therein.

The Council Record is to be distinguished from CLARB Certification in that it makes no statements regarding the extent, character or quality of any examination taken by the applicant, nor of the grades that person received thereon.

CLARB Certification carries the recommendation that an applicant, because of having demonstrated competence, be accorded favorable consideration by any jurisdiction to which that person may apply for licensure/registration.

C. International Relations

CLARB may engage in the exploration and formulation of agreements with foreign countries to allow landscape architects to practice in countries other than their own.

ARTICLE VI — MEETINGS

Section 1. Annual Meeting
CLARB's annual meeting shall be held at a time and place determined by the CLARB Board of Directors. Notice of meetings shall be made to the board administrator of each member board ninety (90) days prior to such meeting.

Section 2. Special Meetings
Special meetings may be called by the president, with the approval of the CLARB Board of Directors, or by a majority of the member boards. Notice of the meetings shall be made to the board administrator of each member board sixty (60) days prior to such meeting. The bylaws pertaining to procedures and conduct of business of the annual meeting shall apply to Special Meetings.

Section 3. Delegates and Credentials
Each member board is entitled to be represented at CLARB meetings by one or more official delegates of that board. The delegate must be a member of the member board.

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A letter of credential from the delegate's board shall identify a delegate attending the annual meeting or any Special Meeting of CLARB. As many delegates as are able to attend may represent a member board, but only one vote may be cast on each motion for each member board by its delegates.

Section 4. Quorum
A quorum for the transaction of business at the CLARB annual meeting shall be the majority of the member boards represented by one or more delegates present.

Section 5. Resolutions and Other Motions
Resolutions are the substantive matters placed on the agenda for a CLARB meeting in accordance with this section. All resolutions to be considered at the CLARB annual meeting except those submitted by special committees and laudatory resolutions shall be submitted to the CLARB Board of Directors at a time determined by the CLARB Board of Directors.

The CLARB Board of Directors shall review each resolution for conformity with the CLARB bylaws and may recommend to the author of any resolution such changes as are deemed advisable for the purpose of consistency, clarity and to avoid duplication. The CLARB Board of Directors shall publish and distribute all resolutions, except laudatory resolutions, to the member boards, not less than sixty (60) days prior to the annual meeting. If the CLARB Board of Directors takes a position on any resolution, they shall provide a position statement to be published with the resolution.

Only member boards or regions and the CLARB Board of Directors may offer resolutions to be presented at a CLARB meeting, amendments to resolutions to be presented at a CLARB meeting or amendments to resolutions. All other motions permitted under Robert's Rules of Order Newly Revised may be made by any delegate or CLARB officer or director.

Section 6. Order of Business
An agenda outlining the order of business shall be prepared for all CLARB meetings. The agenda shall be prepared under the direction of the CLARB Board of Directors and provided to all member boards at least thirty (30) days before the date set for the particular meeting.

Section 7. Voting
The affirmative vote of the majority of the member boards represented at any CLARB meeting is required to pass any resolution except to amend the bylaws. Resolutions to amend the bylaws are governed by Article XII–Amendments. There shall be no voting by proxy.

Voting by letter ballot is permitted only for the election of officers and for members of the Committee on Nominations. See Article VII – Board of Directors and Officers, Section 6.Election of Officers and Regional Directors.

Section 8. Other Participants
CLARB officers and directors, member board staffs, persons designated by the Board of Directors, and persons designated by the presiding officer shall have the privilege of the floor at CLARB meetings and may take part in the discussion and perform all functions of the delegates except to vote, or, except as provided in Article VI, Section 5 with respect to officers and directors, to initiate action.

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ARTICLE VII — BOARD OF DIRECTORS AND OFFICERS

Section 1. Duties

The CLARB Board of Directors shall have the full control of the property, affairs, and business of CLARB. It shall carry the responsibility for all activities of CLARB. It shall exercise all authority, rights, and power granted to it by the laws of the District of Columbia and shall perform all duties required by said laws and these bylaws, in accordance therewith. It shall not delegate any of the authority, rights, or power or any other duties imposed upon it by these bylaws or otherwise, unless said delegation is specifically provided for in these bylaws.

Section 2. Members

The CLARB Board of Directors shall consist of the officers as set forth in Section 3, one regional director from each region and a MBE director.

Section 3. Officers

The officers of CLARB shall be a president, a president-elect, a vice president, a secretary, a treasurer and the immediate past president. All officers, except for the immediate past president, shall be elected by CLARB as specified in Article VII, Section 6.

Section 4. Qualifications

A. Officers and regional directors. To be eligible for elective office in CLARB, the candidate shall:

   i. Be a licensed landscape architect; and
   ii. Have current or past service on a licensure/regulatory board; and
   iii. Have actively participated in CLARB in the last eighteen (18) months at the time of nomination.

B. MBE director. One (1) year of service on the member board executives committee within the past eighteen (18) months at the time of nomination.

Members of the CLARB Board of Directors shall serve without compensation

Section 5. Nomination of Officers and Regional Directors

The committee on nominations shall be charged with creating and maintaining a complete list of all eligible candidates and with identifying qualified nominees for service on the CLARB Board of Directors and on the committee on nominations. The committee on nominations shall publish an updated list of candidates eligible to serve on the Board of Directors and on the committee on nominations within thirty (30) days of the close of the annual meeting.

The chair of the committee on nominations shall collect the names of potential candidates for all positions on the board of directors and on the committee on nominations. In the event that there are not a sufficient number of nominations made by the membership the committee on nominations may identify one or more additional nominees for each position and shall distribute the final list of nominations to all member boards no later than thirty (30) days prior to the annual meeting.

Color Key of Changes:

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Section 6. Election of Officers and Regional Directors

A. Election of Officers at Annual Meeting.

All elections of officers shall be by written ballot at the annual meeting unless by a majority vote CLARB shall agree to waive the provision. A majority vote of the member boards represented and voting shall elect an officer. Where a majority vote has not been obtained on a ballot, the candidate receiving the least number of votes shall be eliminated prior to the next ballot. If there is a single nominee for each open office, the slate of nominees may be elected by acclamation of the membership without a formal vote.

Member boards that are not represented at the annual meeting by a delegate may submit their votes for officers by letter ballot. All letter ballots must be sent in a sealed envelope, signed by an officer of the Board and received at the CLARB office at least five days before the start of the annual meeting. Letter ballots shall be counted on the first ballot only.

B. Election of Officers in the Absence of an Annual Meeting.

In the event that CLARB is unable to conduct an annual meeting before the end of a fiscal year, the following procedures shall apply:

1) Where there is a single nominee for an office whose election is uncontested by the membership, that person shall assume the office on the first day of the first month of the next fiscal year.
2) If there is more than one nominee for an office, the chair of the committee on nominations shall conduct the election for that office by letter ballot no later than the last day of the first month of the fiscal year as set forth in Section 6, Item A, above, or as soon thereafter as practicable, time being of the essence.

C. Election of Officers in the Event of Catastrophe.

In the event of a catastrophe where there are no officers able to conduct an election, the executive director shall convene a meeting of the committee on nominations as set forth in Section 5 above as soon as practicable and conduct an election by written ballot as set forth in Section 6, Item A above, time being of the essence. If the executive director is unable to conduct such election, the statutory agent for CLARB shall conduct nominations and election as set forth herein.

D. Election of Regional Directors

Regional directors must meet the eligibility requirements set forth in Section 4 of this article and are nominated following the processes established in Section 5 of this article. Each region shall elect its director at the region's meeting. A majority vote of the member boards represented and voting shall elect a director.

Section 7. Terms of Office

A. The president-elect shall automatically assume the office of president and serve as such from the adjournment of the annual meeting or from the beginning of the fiscal year, whichever shall first occur, until the adjournment of the following annual meeting, or the end of the fiscal year, whichever shall first occur.

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- **Red = Cleanup/housekeeping change**
- **Green = Supports recommendation to add the MBE Director position to the Board of Directors**
- **Purple = Supports recommendation to change the structure and processes of the committee on nominations to better align with organizational goals**
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B. The president-elect shall serve as such from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until the adjournment of the following annual meeting, the end of the fiscal year, or a successor is duly elected, whichever shall first occur.

C. The vice president shall serve from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until a successor is duly elected.

D. The secretary shall serve for two (2) years from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until a successor is duly elected. Elections for the office of secretary shall be held in even-numbered years.

E. The treasurer shall serve for two (2) years from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until a successor is duly elected. Elections for the office of treasurer shall be held in odd-numbered years.

F. The immediate past president shall serve as such from the adjournment of the annual meeting at which such person assumes the office or from the beginning of the fiscal year, whichever shall first occur, until the adjournment of the following annual meeting, or the end of the fiscal year, whichever shall first occur.

G. The regional directors shall serve for two (2) years from adjournment of the annual meeting or from the beginning of the fiscal year, whichever shall first occur, until their successors are duly elected.

   No person shall serve more than two successive terms as director, provided, however, that a person shall be eligible for re-election for a full term of office if, during the period immediately prior thereto, that person has succeeded to, or been elected to the office to fill a vacancy. Regions I, III, and V shall elect a director for election in the odd-numbered years and Regions II and IV shall elect a director for election in the even-numbered years.

H. The MBE director is appointed by the president in even years and shall serve for two (2) years from adjournment of the annual meeting or from the beginning of the fiscal year, whichever shall first occur, until their successors are duly appointed.

No incumbent shall serve for more than one (1) year in succession as president, president-elect, or vice president provided, however, that an officer shall be eligible for re-election for the full term of office if during the period immediately prior thereto such officer had succeeded to or been elected to fill a vacancy.

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Section 8. Vacancies and Removal from Office

A vacancy in the office of president shall be filled by the president-elect assuming the office. A vacancy in the office of president-elect shall be filled by the vice president assuming the office. A vacancy in the office of vice president, secretary, treasurer or MBE director shall be filled by an appointee designated by the CLARB Board of Directors to complete the unexpired term.

In the event of a vacancy in the office of regional director, the chair of the committee on nominations shall conduct an election in that region as soon as practicable, time being of the essence.

An officer or director who is found guilty of malfeasance, misfeasance or nonfeasance in the exercise of the duties and responsibilities as an officer or director, found guilty of sexual harassment or of conduct deemed to be detrimental or unbecoming to the Council may be removed from office by a two-thirds (2/3) majority of the CLARB Board of Directors.

Section 9. The President

The president shall:

A. Preside at all meetings;
B. Appoint all standing committees subject to the approval of the CLARB Board of Directors;
C. Present to CLARB at the annual meeting a report of activities during the term of office as president;
D. Appoint all members of special committees subject to the approval of the CLARB Board of Directors, unless a specific action of the Council names the personnel of the committees;
E. Be an ex officio member of all committees;
F. Interpret these bylaws and the rules of order in the conduct of meetings;
G. Perform all duties pertaining to the office of president.

Section 10. President-elect and Vice President

The president-elect and vice president, in order shall, in the absence or incapacity of the president, exercise the duties of and possess all the powers of the president.

Section 11. Secretary

A. General Duties. The secretary shall perform the duties usual and incidental to the office and the duties that are required to be performed by law and by these bylaws; and the duties that are properly assigned by the CLARB Board of Directors.

B. Reports. The secretary shall ensure that a progress report is presented to the membership in conjunction with its annual meeting and, if required, special reports at other CLARB meetings or to the CLARB Board of Directors.

C. Delegation of Duties of the Secretary. The secretary may, with the approval of the CLARB Board of Directors, delegate to the executive director and other assistants the actual performance of any or all of the appropriate duties and authorize such executive director and other assistants to sign under their respective titles the correspondence conducted by them; provided, however, that the secretary shall not delegate the signing of any minutes or official reports which are assigned to the secretary by the CLARB Board of Directors.

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Section 12. Treasurer

A. General Duties. The treasurer shall exercise general supervision of CLARB's financial affairs, shall have the custody of its monies and securities except as otherwise provided in these bylaws. The treasurer shall oversee the collection of all monies due CLARB and all disbursements of money of CLARB and may purchase, sell, assign, and transfer such of its securities as are placed in the treasurer's charge. The treasurer shall supervise the keeping of the records and books of accounts of financial transactions of CLARB, and shall sign all instruments of CLARB whereon the signature of the office is required, and perform all duties required to be performed by law and these bylaws, and the duties that are properly assigned by the CLARB Board of Directors. The treasurer shall ensure the performance of an annual financial audit or review by a certified public accountant.

B. Reports. The treasurer shall make a written report to CLARB at its annual meeting and at other CLARB meetings or CLARB Board of Directors, as required.

C. Delegation of Duties of the Treasurer. The treasurer shall not authorize any person to sign any financial instrument, notice or agreement of CLARB that requires the signature of the treasurer, unless such delegation or authorization is expressly permitted by action of the CLARB Board of Directors. The treasurer may delegate to the executive director and other assistants the actual performance of the clerical, bookkeeping, statistical, collecting and recording work of the office and may authorize the executive director or any other officer to sign checks of CLARB within the practices and policies prescribed by the CLARB Board of Directors.

D. Liability of the Treasurer. The treasurer shall not be personally liable for any decrease in the capital, surplus, income balance, or reserve of any funds or account resulting from any actions performed in good faith in conducting the usual business of the office.

Section 13. Directors. Directors shall actively participate in the governance of CLARB, including assimilating information, attending meetings of the board of directors and participating in the decision-making process of the board.

Directors are also responsible for bringing issues from the membership to the Board and for communicating the Board's decisions to the membership. Directors shall discharge their duties in good faith and in a manner that is in the best interests of the organization.

Section 14. Bonding

The CLARB Board of Directors shall determine who shall be bonded, and the cost of such bond shall be paid from the funds of the Council.

Section 15. Meetings of the CLARB Board of Directors

The CLARB Board of Directors shall meet in order to transact business, and shall hold at least two (2) meetings each year. One meeting shall be held in conjunction with the annual meeting.

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A special meeting or meetings may be held upon the call of the president, or upon written request of the majority of the CLARB Board of Directors. All members shall be given due notice in writing of the time and place of the meeting, although notice in writing may be waived by any member. A majority of the membership of the CLARB Board of Directors shall constitute a quorum for the transaction of business.

ARTICLE VIII — EXECUTIVE DIRECTOR

Section 1. Appointment
The Council Board of Directors may employ a person to be known and designated as executive director who shall be the chief executive officer of CLARB. The salary and term of office shall be established by the CLARB Board of Directors.

Section 2. Duties
The executive director shall be and act as the executive officer of CLARB and as such shall have management and administrative responsibility for the CLARB office and staff, and other CLARB affairs, subject to general direction and control of the CLARB Board of Directors.

The executive director shall be responsible for the hiring, supervision, compensation, promotion, demotion, termination, and management of all other employees of CLARB, as well as all vendors, consultants, and contractors of CLARB, within general budgetary guidelines determined by the Board of Directors. The executive director shall serve as spokesperson on established policy and positions. The executive director shall be supervised by the president and shall serve at the pleasure of the Board of Directors. The executive director shall serve on the CLARB Board of Directors as an ex officio director, without vote.

Section 3. Review
The executive committee shall conduct a performance review of the executive director annually with input from the Board of Directors.

ARTICLE IX — COMMITTEES

Section 1. Authorization and Appointment of Committees
Committees may be established to perform services for CLARB. Except as may be herein specifically provided, all committees shall be appointed as provided by Section 7 of Article IX of these bylaws and shall be under the jurisdiction of the CLARB Board of Directors, reporting to it when directed.

The CLARB Board of Directors may delegate to any of its officers the authority to supervise the work of any of the committees. The president shall have the power to make appointments of any unfulfilled or vacant committee membership.

The CLARB Board of Directors may at any time discontinue a committee, other than a standing committee established in the bylaws, or make any changes in a committee's personnel without regard to the terms of appointment of the committee members.

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Section 2. Reports of Committees
Each committee shall report in writing annually to the CLARB Board of Directors at least sixty (60) days prior to the annual meeting and shall make interim reports to the CLARB Board of Directors as directed.

Section 3. General Procedure of Committees
Every committee shall perform in accordance with these bylaws and with the directions of the Council Board of Directors. No committee, or any member or chairperson thereof, shall incur financial obligations unless funds have been properly appropriated therefore as provided elsewhere herein and specific authorization has been given by the Council Board of Directors. No member or chairperson, or any committee, shall commit CLARB orally or otherwise to any matter unless specifically authorized to do so.

Section 4. Terms of Committee Appointments
The term of committee appointments shall expire at the adjournment of the annual meeting, or at the end of the fiscal year, whichever shall first occur, except as otherwise provided by these bylaws.

Section 5. Standing Committees
The following committees are hereby authorized as basic to proper functioning of the Council:

A. Executive Committee
The executive committee shall be chaired by the president and composed of the president-elect, immediate past-president, vice president, treasurer, and secretary. The executive director shall serve on the executive committee as an ex officio member without vote. Four (4) voting members of the executive committee shall constitute a quorum.

The executive committee shall act on behalf of the Board of Directors to govern the affairs of CLARB between meetings of the Board of Directors, subject to general policies established by the Board of Directors. All actions of the executive committee must be ratified at the next meeting of the Board of Directors. The executive committee shall be responsible for providing a written review of the executive director's performance in accordance with Article VIII, Section 3.

B. Committee on Examinations
The committee shall be responsible for the development of the examination and other duties as determined by the Board of Directors. The chair of this committee shall be a licensed, registered or certified landscape architect.

C. Committee on Audit and Finance
The committee shall prepare budgets; maintain financial policies and procedures; arrange for financial audits; and perform other duties as determined by the Board of Directors.

D. Committee on Nominations
The immediate past president of CLARB will chair the committee on nominations and four (4) members, one of which can be a member board executive, will be elected at large, each serving a two-year (2) term. Committee on nominations members shall be ineligible for nomination to serve on the CLARB board of directors for the full term, regardless of whether they serve the full term.

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To be eligible for election to the committee on nominations the candidate shall:

I. Be a licensed landscape architect or member board executive; and
II. Have current or past service on a licensure/regulatory board; and
III. Have actively participated in CLARB in the last eighteen (18) months at the time of nomination

The committee shall perform the duties as described in Article VII, Section 5 herein.

Section 6. Committees of Special and Limited Function
Such committees may be appointed from time to time to perform special and limited functions as assigned. The president shall appoint these committees subject to the approval of the CLARB Board of Directors.

ARTICLE X — FINANCES, FUNDS, ACCOUNTING AND INVESTMENTS

Section 1. Dues and Fees

A. **Membership Dues.** The annual membership dues for each member board shall be established by the CLARB Board of Directors.

B. **Fees.** The fees for the examination shall be established by the Board of Directors.

Section 2. Fiscal Year
CLARB's fiscal year shall begin October 1 and end September 30, beginning October 1, 1993.

Section 3. Operating and Reserve Funds
The CLARB Board of Directors shall have charge of the investment of all funds of CLARB. It shall sell, purchase, transfer, and convey securities and exercise all rights of proxy, or participation in reorganizations, of depositing securities and similar rights of CLARB with respect to its securities, or it may authorize such purchase, sales, transfers, conveyances and the exercise of any or all of said right.

The members of the CLARB Board of Directors shall not be personally liable for any decrease of the capital, surplus, income, balance, or reserve of any fund or account resulting from any of their acts performed in good faith. The accounts of such investments shall be incorporated into the annual report to CLARB.

ARTICLE XI — AMENDMENTS

These bylaws may be amended by an affirmative vote of three-fourths (3/4) of member boards voting at an annual meeting where a quorum is present. All amendments so adopted shall become effective immediately. There shall be no voting by proxy.

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ARTICLE XII — INDEMNIFICATION

Except as provided below, the Council shall indemnify in full:

A. Any director, officer, executive director, consultant, or former director, officer, consultant, or employee of CLARB or any subsidiary of CLARB;

B. Any member or former member of any CLARB committee against expenses, including attorney's fees, and against the amount of any judgment, money decree, fine, or penalty, or against the amount of any settlement deemed reasonable by the CLARB Board of Directors, necessarily paid or incurred by such person in connection with or arising out of any claim made, or any civil or criminal action, suit, or proceeding of whatever nature brought against such person, or in which such person is made a party, or having been such director, officer, executive employee, or committee member of or for CLARB.

Such indemnification shall apply to any such person even though at the time of such claim, action, suit, or proceeding, such person is no longer a director, officer, executive secretary, director, consultant, or committee member of or for CLARB.

No indemnification shall be provided for any person with respect to any matter as to which such person shall have been grossly negligent or to have engaged in intentional misconduct. If such person has not been so adjudicated, such person shall be entitled to indemnification unless the CLARB Board of Directors decides that such person did not act in good faith in reasonable belief that his or her action was in the best interests of CLARB. Expenses incurred of the character described in the preceding paragraph may, with the approval of the CLARB Board of Directors, be advanced by CLARB in advance of the final disposition of the action or proceeding involved, whether civil or criminal, upon receipt of any undertaking by the recipient to repay all such advances in the event such person is adjudged to have engaged in intentional misconduct, or in the event the CLARB Board of Directors decides that such person is not entitled to indemnification.

CLARB shall have the power to purchase and maintain insurance on behalf of any person who is or was a director, officer, executive director, consultant, or a committee member of CLARB, or is or was serving at the request of CLARB or of the CLARB Board of Directors as a director or officer of another corporation, whether nonprofit or for profit, against any liability incurred by such person in any such person's status as such, whether or not CLARB would have the power to indemnify that person against such liability under this article or otherwise.

Any rights of indemnification hereunder shall not be exclusive, and shall accrue to the estate of the person indemnified.

Any other present or former employee or agent of or for CLARB may be indemnified in like manner by vote of the CLARB Board of Directors.

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Landscape Architect Registration Examination (LARE)
California and National Pass Rates

LARE Sections

1 - Project and Construction Administration
2 - Inventory and Analysis
3 - Design
4 - Grading, Drainage and Construction Documentation

2013	April 8-20							August 19-30							December 1-13							Total						
	California			National				California			National				California			National				California			National			
Section	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.
1	56	44	79%	352	289	82%	-3%	35	23	66%	248	191	77%	-11%	40	30	75%	281	196	69%	6%	131	97	74%	881	676	77%	-3%
2	48	30	63%	320	222	69%	-6%	42	29	69%	258	191	74%	-5%	42	24	57%	249	162	65%	-8%	132	83	63%	827	575	70%	-7%
3	36	23	64%	253	178	70%	-6%	27	20	74%	213	160	75%	-1%	24	15	63%	249	179	72%	-9%	87	58	67%	715	517	72%	-5%
4	52	27	52%	325	186	57%	-5%	31	22	71%	254	140	55%	16%	22	8	36%	298	164	55%	-19%	105	57	54%	877	490	56%	-2%

2014	March 31-April 12							August 18-30							December 1-13							Total						
	California			National				California			National				California			National				California			National			
Section	Total	Pass	%	Total	Pass	%	Diff	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.
1	46	33	72%	351	260	74%	-2%	59	40	68%	303	203	67%	1%	53	39	74%	296	219	74%	0%	158	112	71%	950	682	72%	-1%
2	47	26	55%	326	222	68%	-13%	46	32	70%	271	192	71%	-1%	58	40	69%	314	223	71%	-2%	151	98	65%	911	637	70%	-5%
3	28	22	79%	275	215	78%	1%	34	17	50%	251	175	70%	-20%	37	28	76%	250	180	72%	4%	99	67	68%	776	570	73%	-5%
4	48	28	58%	338	210	62%	-4%	46	24	52%	271	159	59%	-7%	37	14	38%	301	163	54%	-16%	131	66	50%	910	532	58%	-8%

2015	April 6-18							August 3-15							November 30 - December 13						
	California			National				California			National				California			National			
Section	Total	Pass	%	Total	Pass	%	Diff	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.
1	61	41	67%	420	327	77%	-10%														
2	64	37	58%	380	269	70%	-12%														
3	50	37	74%	343	260	75%	-1%														
4	50	25	50%	348	201	57%	-7%														

New LARE first administration September 2012.
Section 1 and 2 only were administrated in September 2012.
Section 3 and 4 only were administrated in December 2012.
All Sections were administered beginning in April 2013.

The next administration of the LARE will be held on August 3-15, 2015.

Agenda Item K

REVIEW AND APPROVE PROPOSED REGULATIONS TO AMEND CALIFORNIA CODE OF REGULATIONS, TITLE 16, SECTION 2620 (EDUCATION AND TRAINING CREDITS)

The Landscape Architects Technical Committee's (LATC) Strategic Plan contains an objective to "Review the table of equivalents for training and experience and consider expanding eligibility requirements to allow credit for teaching under a licensed landscape architect."

At its February 10, 2015 meeting, LATC discussed the issue and noted that several states grant experience/training credit for teaching in a landscape architectural degree program. Credit ranges from one to six years and most states require that to be eligible for credit, teaching must be under the supervision of a licensed landscape architect in a program accredited by the Landscape Architectural Accreditation Board or approved by the jurisdiction.

LATC also reviewed the California Architects Board's table of equivalents [California Code of Regulations (CCR), Title 16, Division 2, section 117(14)(B)] that grants up to one year of experience credit to candidates with teaching and/or research experience. The teaching and/or research must be in a National Architectural Accrediting Board or Canadian Architectural Certification Board accredited architectural curriculum verified by the college or university.

Following discussion, LATC agreed that up to one year of experience/training credit should be granted for teaching under the supervision of a licensed landscape architect in a landscape architect degree program. Staff was directed to draft proposed regulatory language for LATC's review at its next meeting.

At its May 13, 2015 meeting, LATC discussed the meaning of "supervision" as it is used in the proposed regulatory language. The Committee determined that a supervising licensed landscape architect should have oversight of the individual seeking credit for teaching and should be able to validate the qualifications of the teacher. Following this discussion, LATC approved proposed regulatory language to allow up to one year of credit for teaching under the supervision of a licensed landscape architect in an approved or non-approved landscape architecture degree program or an associate landscape architecture degree program from a community college.

Attached is the Proposed Regulatory Language to amend CCR 2620, the Notice of Proposed Changes in the Regulations, and the Initial Statement of Reasons. At today's meeting, the Committee is asked to review and approve the proposed regulation and delegate authority to the Executive Officer to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical changes to the language, if needed.

<u>Attachments</u>
1. Notice of Proposed Changes in the Regulations
2. Initial Statement of Reasons
3. Proposed Regulatory Language CCR Section 2620

STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

California Architects Board
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, California 95834
[DATE TBD]
[TIME TBD]

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on **[HEARING DATE TBD]** or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the Board. Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret, or make specific section 5681 of the BPC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

A. Informative Digest

Amend Title 16 CCR Section 2620 – Education and Training Credits

Section 5650 of the BPC requires candidates seeking licensure in landscape architecture to have six years of training and educational experience in landscape architecture to qualify for the licensing examination.

Currently, CCR section 2620(c) requires candidates to have a minimum of two years of training/practice in landscape architecture and CCR section 2620(a) lists the amount of credit given for various degree programs and specific training/practice settings.

This proposal would retain the Board's existing education and training credits and add subsection 2620(a)(13) to allow candidates to gain up to one year of training/practice credit for teaching in an approved or non-approved landscape architecture degree program or an associate landscape architecture degree program.

B. Policy Statement Overview/Anticipated Benefits of Proposal

By adding a setting in which training/practice credit can be earned, this proposed regulation expands eligibility opportunities for candidates for licensure, which compliments the Department of Consumer Affairs' "Licensing for Job Creation Initiative."

C. Consistency and Compatibility with Existing State Regulations

After conducting a review for any regulations that would relate to or affect this area, the Board has evaluated this regulatory proposal and it is neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement: None

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination:
N/A

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses as it only affects landscape architect applicants.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/Businesses:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation:

The Board has determined that this regulatory proposal will have the following benefits to health and welfare of California residents, worker safety, and state's environment: N/A

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Architects Board, Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 or by telephoning the contact person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below (or by accessing the website listed below).

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Kourtney Nation
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7237
Fax No.: (916) 575-7285
E-Mail Address: kourtney.nation@dca.ca.gov

The backup contact person is:

Name: Trish Rodriguez
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7231
Fax No.: (916) 575-7285
E-Mail Address: trish.rodriguez@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
INITIAL STATEMENT OF REASONS

Hearing Date: **TBD**

Subject Matter of Proposed Regulation: **Education and Training Credits**

Section Affected: California Code of Regulations (CCR), Title 16, Division 26, Section 2620

As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the California Architects Board (Board). Business and Professions Code (BPC) section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary in order to carry out the provisions under the Landscape Architects Practice Act.

1. PURPOSE

BPC section 5650 requires candidates seeking licensure in landscape architecture to have six years of training and educational experience in landscape architecture to qualify for the licensing examination.

Currently, CCR section 2620(b) requires candidates to have at least one year of education in landscape architecture and identifies the qualifying degree programs. CCR section 2620(c) requires candidates to have a minimum of two years training/practice in landscape architecture and identifies the settings in which training/practice can be earned. CCR section 2620(a) lists the amount of credit given for various degree programs and specific training/practice settings.

This proposal would retain the Board's existing education and training credits and add subsection 2620(a)(13) to allow candidates to gain up to one year of training/practice credit for teaching in a landscape architecture degree program as specified in subdivisions (a)(1),(2), and (4) of this section, under the supervision of a licensed landscape architect.

FACTUAL BASIS/RATIONALE

The Joint Legislative Sunset Review Committee's (JLSRC) 2004, 2010, and 2014* Recommendations and the LATC's subsequent Strategic Plans direct LATC to review the existing six-year training and education requirements for examination, identify eligibility issues and propose solutions that not only protect the public health, safety and welfare of the consumer, but also ensure that there are no barriers to the landscape architect profession for qualified individuals.

In 2013, LATC began consideration of whether credit should be given for teaching in an accredited or approved landscape architectural degree program, under the supervision of a licensed landscape architect. Several states (New York, Florida, Texas, Arizona, Hawaii,

* The 2014 Sunset Review hearings and recommendations were conducted via a joint effort of the Senate Committee on Business, Professions, and Economic Development and the Assembly Committee on Business and Professions.

Nevada, New Mexico, Oregon, and Washington) with similar landscape architect licensing populations grant such credit. Further, the California Architects Board (CAB) and the California Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG), related professions, allow up to one year of training/experience credit for teaching in accredited architectural or professional engineering degree programs.

LATC recognizes that teaching, which typically includes research, addresses the application of new ideas, theories and technologies to actual practice. The applied research creates a collaborative and mentoring situation between academia and the profession and addresses a measure of critical thinking and technical skills related to the practice of landscape architecture. While "teaching" is not the same as "working in the field," its importance in imparting the skills and knowledge tested for in the LARE and required for safe practice, is immeasurable. As such, LATC agreed that up to one-year of training/practice credit should be granted for teaching in a landscape architecture degree program, under the supervision of a licensed landscape architect.

By adding a setting in which training/practice credit can be earned, this proposed regulation expands eligibility opportunities for candidates for licensure which compliments the Department of Consumer Affairs' "Licensing for Job Creation Initiative."

At its meeting on May 13, 2015, the LATC voted to approve an amendment to CCR section 2620(a)(13) to provide up to one year of training/practice credit for teaching under the supervision of a licensed landscape architect in an approved or non-approved landscape architecture degree program or an associate landscape architecture degree program from a community college.

UNDERLYING DATA

1. JLSRC 2010 and 2014 Recommendations
2. LATC Strategic Plans – 2012/13, 2013/14, 2014/15 and 2015/16
3. Professional Engineers Act – BPC Section 6753
4. Summary Report – LATC Meeting, November 7, 2013
5. Summary Report – LATC Meeting, February 10, 2015
6. Summary Report – LATC Meeting, May 13, 2015

BUSINESS IMPACT

This regulation will not have a significant adverse economic impact on directly affecting business, including the ability of California businesses to compete with business in other states, because it affects only candidates for examination and licensure.

ECONOMIC IMPACT ASSESSMENT

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects candidates for examination and licensure.

- It will not create new business or eliminate existing businesses within the State of California because it only affects candidates for examination and licensure.

- It will not affect the expansion of businesses currently doing business within the State of California because it only affects candidates for examination and licensure.

- This regulatory proposal does not affect the health and welfare of California residents because the proposed changes will not be of sufficient magnitude to have such an effect.

- This regulatory proposal does not affect worker safety because it is not related to worker safety in any manner.

- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

This regulation does not mandate the use of specific technologies or equipment.

CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
PROPOSED REGULATORY LANGUAGE

Proposed language to amend California Code of Regulations section 2620 as follows :

§ 2620 Education and Training Credits

The Board's evaluation of a candidate's training and educational experience is based on the following table:

Experience Description	Education Max. Credit Allowed	Training and/ or Practice Max. Credit Allowed
(a) Experience Equivalent:		
(1) Degree in landscape architecture from an approved school.	4 years	
(2) Degree in landscape architecture from a non-approved school.	3 years	
(3) Extension certificate in landscape architecture from an approved school.	2 years	
(4) Associate degree in landscape architecture from a community college which consists of at least a 2-year curriculum.	1 year	
(5) Extension certificate as specified in subdivision (a)(3) and a degree from a university or college which consists of a 4-year curriculum.	4 years	
(6) Associate degree from a college specified in subdivision (a)(4) and an extension certificate as specified in subdivision (a)(3) of this section.	3 years	
(7) Partial completion of a degree in landscape architecture from an approved school.	1 year	
(8) Partial completion of an extension certificate in landscape architecture from an approved school where the applicant has a degree from a university or college which consists of a four-year curriculum.	1 year	
(9) A degree in architecture which consists of at least a four-year curriculum that has been accredited by the National Architectural Accrediting Board.	1 year	
(10) Self-employment as, or employment by, a landscape architect licensed in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.		5 years
(11) Self-employment as, or employment by, a licensed architect or registered civil engineer in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.		1 year

(12) Self-employment as a California licensed landscape contractor or a licensed landscape contractor in another jurisdiction where the scope of practice for landscape contracting is equivalent to that allowed in this State pursuant to Business and Professions Code Section 7027.5 and Cal. Code Regs. Title 16, Section 832.27 shall be granted credit on a 100% basis.		4 years
(13) Teaching in a landscape architecture degree program as specified in subdivisions (a)(1),(2), and (4) of this section, under the supervision of a licensed landscape architect.		1 year

(b) Education credits……

Authority cited: Section 5630, Business and Professions Code. Reference: Section 5650, Business and Professions Code.

RATIFY COMMENTS PREVIOUSLY SUBMITTED TO DEPARTMENT OF WATER RESOURCES REGARDING PROPOSED REGULATIONS TO AMEND CCR, TITLE 23, DIVISION 2, CHAPTER 2.7 MODEL WATER EFFICIENT LANDSCAPE ORDINANCE

On April 1, 2015, Governor Brown issued Executive Order B-29-15, directing the Department of Water Resources (DWR) to update the State's Model Water Efficient Landscape Ordinance (MWELO) through an expedited regulation.

On June 16, 2015, DWR held a public meeting inviting stakeholders and interested parties to submit public comments for proposed changes to the current MWELO. LATC was made aware of the proposed changes to the MWELO on June 25, 2015. LATC Vice Chair, Andy Bowden, worked with staff to draft the attached response which was submitted to DWR on June 26, 2015. In addition, Mr. Bowden and Executive Officer Doug McCauley participated in a July 1, 2015, teleconference requested by Julie Saare-Edmonds, Senior Environmental Scientist for Department of Water Resources, wherein they were able to provide additional feedback on LATC's concerns.

On July 10, 2015, the DWR notified stakeholders and interested parties, including the LATC that a new draft of the Revised MWELO was to be presented to the California Water Commission on July 15, 2015. The California Water Commission approved the draft MWELO at the July 15th meeting. Due to the expedited process and the number of comments, DWR plans to establish a Landscape Stakeholder Committee to provide guidance to DWR on future revisions and assist in the evaluation of statewide ordinance implementation and enforcement in early 2016.

The Committee is asked to review and ratify the attached comments submitted on behalf of the LATC on June 26, 2015 regarding the proposed changes.

Attachments
1. LATC Comments on Proposed Changes Dated June 26, 2015
2. Proposed Revisions to the Model Water Efficient Landscape Ordinance Based on Public Comments Received on the June 12th Draft
3. Model Water Efficient Landscape Ordinance, July 9, 2015 Draft
4. Appendix B Example for Residential Landscape
5. Appendix B Example for Commercial Landscape

DEPARTMENT OF CONSUMER AFFAIRS
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA ARCHITECTS BOARD
Public Protection through Examination, Licensure, and Regulation

Governor
Edmund G. Brown Jr.

June 26, 2015

Ms. Julie Saare-Edmonds, Senior Environmental Scientist
California Department of Water Resources
Urban Water Use Efficiency Unit
P.O. Box 942836
Sacramento, CA 94236-0001

Dear Ms. Saare-Edmonds:

The Landscape Architects Technical Committee (LATC) is pleased to have the opportunity to comment on the proposed changes to the Model Water Efficient Landscape Ordinance.

LATC is concerned that the regulations as drafted will cause confusion among consumers, contractors, agencies, etc. The Landscape Architect Practice Act clearly defines the professional services that may be provided by landscape architects, as well as the "exempt area of practice" for unlicensed individuals. The proposed regulations require professional services that can be beyond the exempt area of practice. Should unlicensed individuals provide such services, consumers may be put at risk, as unlicensed individuals do not possess appropriate education, experience, and knowledge (as verified via a valid occupational examination developed pursuant to established national psychometric standards) to protect the public health, safety, and welfare. Accordingly, we urge the Department of Water Resources (DWR) to modify the proposed language to be consistent with current statutory provisions commencing with Business and Professions Code section 5615 et seq.

LATC is also aware that industry technical experts have reported that the standards in the regulations are such that compliance may be difficult if not impossible to adhere to. DWR may wish to hold a special workshop or use some other means to collect additional feedback as to the technical standards defined in the regulations.

Thank you, again, for the opportunity to comment. Should you have questions, please feel free to contact Executive Officer Doug McCauley at (916) 575-7230

Sincerely,

ANDY BOWDEN
Vice Chairman

2420 Del Paso Road, Suite 105 • Sacramento, CA95834 • P (916) 575-7230 • F (916) 575-7285
latc@dca.ca.gov • www.latc.ca.gov

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., *Governor*

DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

July 10, 2015

To all Stakeholders and Interested Parties

Subject: Proposed Revisions to the Model Water Efficient Landscape Ordinance based on public comment received on the June 12th draft

Governor Brown's Drought Executive Order B-29-15 of April 1, 2015 (EO B-29-15) directed DWR to update the State's Model Water Efficient Landscape Ordinance (MWELO or Ordinance) through an expedited regulation. The directive specifically lists five items to address in revising the ordinance:

- More efficient irrigation systems
- Greywater usage
- Onsite stormwater capture
- Limiting the percentage of turf planted in landscapes
- Require reporting on the implementation and enforcement of the ordinance by local agencies

The revised ordinance addresses each of required items of the Executive Order. DWR released a public draft of the revised ordinance on June 12th and held public meetings on June 16th and 19th with written comments submitted by June 26th. Comments were submitted by approximately 170 individuals, companies and organizations.

DWR has reviewed all comments and made revisions to the public draft. This letter lists significant changes to the MWELO proposed in the public draft and then describes revisions made to the ordinance in the July 9th public draft in response to public comments. The California Water Commission will consider the draft Ordinance at their July 15 meeting. They may approve the Ordinance at the July or August meeting.

Proposed Revisions to the MWELO

Landscape Size Threshold

June 12th Draft: Proposed reducing the landscape size threshold (the square footage above which landscape projects are subject to the ordinance) from 2500 sq. ft. to 500 sq. ft. for new residential, commercial, industrial and institutional (CII) projects..

July 9th Revisions: DWR is proposing to keep the 500 sq. ft. as a threshold, but is including a prescriptive checklist approach as an option for compliance for landscapes under 2500 sq. ft. (See Appendix D of the Ordinance). The checklist specifies key items that must be installed or completed as part of the landscape project but does not require the submittal of soil tests, irrigation audits and grading plans. The checklist will significantly reduce compliance costs while ensuring the installations of efficient low water-use plants and irrigation systems.

Efficient Irrigation Systems

June 12th Draft: DWR proposed the following requirements to the ordinance:

- Dedicated landscape water meters or submeters for residential landscapes over 5000 sq. ft. and non-residential landscapes over 1000 sq. ft.
- Pressure regulators and master shut-off valves.
- Irrigation systems must be designed so that a precipitation rate of one inch per hour is not exceeded in any portion of the landscape. (This precludes the installation of standard spray heads which are often the cause of water waste and run off.)
- Flow sensors that detect and report high flow conditions due to broken pipes and/or popped sprinkler heads.
- An increase in the minimum width of turf from 8 feet to 10 feet that can be irrigated with overhead irrigation (sprinkler). Areas of turf below this threshold would have to be irrigated with subsurface drip or other technology that produces no over spray or runoff.

July 9th Revisions: DWR decided that further study is needed before requiring lower precipitation rates and removed the one inch per hour limitation from the draft revised Ordinance. In lieu of the one inch precipitation rate and to increase the efficiency of spray nozzles, DWR has proposed that all irrigation emission devices meet the American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 landscape irrigation sprinkler and emitter standard and that sprinklers have a low quarter distribution uniformity over 0.65. These requirements will ensure that only high efficiency sprinklers are installed in California landscapes. Finally, the flow sensor requirement was modified in the draft revised Ordinance to only require flow sensors for landscape areas greater than 5000 sq. ft. except systems with valve-in-head rotors.

In addition to the reduction in water allocation, DWR proposed not allowing turf in median strips or in parkways, unless the parkway is next to a parking strip and a flat surface is required to enter and exit vehicles.

Finally, DWR proposed increasing the irrigation efficiency (IE) from .71 to .85 for residential landscapes and from .71 to .92 for non-residential (Irrigation efficiency is defined as water taken up by the plant(s) divided by the water applied. Irrigation systems with high efficiencies have high values.)

July 9th Revisions: In regards to irrigation efficiency, DWR has made two changes in response to public comment. First DWR lowered the irrigation efficiency from the value proposed in the June 12th draft to levels suggested by public comment, but still higher than the existing MWELO. Secondly, instead of having one default irrigation efficiency value for all landscape sites, DWR revised the ordinance worksheets to allow the irrigation efficiency to be entered for each area of the landscape. This will permit landscapes that have a high proportion of drip to document the higher efficiencies. The irrigation efficiency of drip has been defined as 0.81 and for overhead spray as 0.75.

As noted above, the water allowance for a landscape project in the MWELO is based on a percentage of the reference evapotranspiration. This percentage is the ratio of the plant factor divided by irrigation efficiency, and is known as the evapotranspiration adjustment factor (ETAF). By reducing the required irrigation efficiency from what was proposed initially, the water allowance for residential landscapes increased from 0.50 to 0.55 of reference evapotranspiration and from 0.40 to 0.45 for nonresidential, or CII landscapes. These values still represent significant reductions in water use over the existing MWELO which has a water allowance based on 0.70 of reference evapotranspiration.

Median strips cannot be landscaped with high water use plants, which will preclude the use of cool season turf. The ordinance also requires landscape areas less than ten feet wide to be irrigated with subsurface irrigation, or other means that produces no runoff or overspray.

Reporting

June 12th Draft: Per EO (B-29-15), DWR proposed requirements for local agencies to report to DWR on the implementation and enforcement of the Ordinance by December 31, 2015 and then by January 31st in subsequent years. Section 495 lists 11 specific items that have to be addressed as part of the annual reporting.

Graywater Usage

June 12th Draft: DWR added a proposed Section 492.15 to encourage the installation of graywater systems to provide onsite landscape irrigation water. All graywater systems would be required to conform to the California Plumbing Code (Title 24, Part 5, Chapter 16A) and any applicable local ordinance standards.

July 9th Revisions: To incentivize graywater use, DWR proposes to allow landscapes that are under 2500 sq. ft. and irrigated only with graywater or captured rainwater to not be subject to the entire ordinance but only meet a simple irrigation checklist.

Onsite Stormwater Capture

June 12th Draft: DWR revised the Stormwater Management section (§492.16) to require friable soil in landscape areas to maximize water retention and infiltration and included additional recommended measures for increasing onsite stormwater retention. The draft also required the application and incorporation of four yards of compost per 1000 sq. ft. of area. The addition of organic matter and tillage increases the ability of soil to capture and hold stormwater.

July 9th Revisions: DWR made minor revisions to the stormwater section, but did not revise the stormwater section to require the implementation of best management practices as there is not enough time in the current expedited revision process to write the detailed regulations required for onsite stormwater management and receive adequate public input. Secondly, it may be more appropriate to address detailed stormwater requirements in other California statutory regulations rather than in the landscape ordinance.

Changes to the Maximum Applied Water Allowance

June 12th Draft: To limit landscape water requirements, DWR proposed reducing the maximum applied water allowance from 70% of the reference evapotranspiration (ETo) to 50% for residential landscape projects, and 40% of ETo for CII projects.

A water allowance based on a 50% adjustment factor would reduce the landscape area that can be planted to turf in the residential landscapes from 33% to 25%, while a water allowance based on a 40% adjustment factor for CII landscapes would effectively limit the planting of for specific purposes such as sports fields and recreational areas. The landscape ordinance provides extra water allowances for specific functions (sports, recreational, picnic areas and areas irrigated with recycled water).

July 9th Draft: DWR added language allowing the existing ordinances of agencies developing regional ordinances to remain in effect until February 1, 2016. Local agencies adopting a regional ordinance would still report to DWR by December 31, 2015 and state that they are revising a regional ordinance. Additionally they would be required to report to DWR by March 1, 2016 on the adopted regional ordinance.

Landscape Stakeholder Committee

Given the expedited revision process, there are a number of landscape issues that could not be addressed in the short time period. DWR plans to establish a Landscape Stakeholder Committee to provide guidance to DWR on future revisions and assist the Department in evaluation of statewide ordinance implementation and enforcement. DWR plans to establish the committee in early 2016.

In the fall of 2015, DWR will be providing workshops and guidance on the revised ordinance implementation and enforcement.

For further information, please contact me at (916) 651-7034 or Julie Saare-Edmonds, Senior Environmental Scientist, at (916) 651-9676.

Peter Brostrom, Manager
Water Use Efficiency Section

Attachments: example landscape worksheets for residential and commercial landscapes

Model Water Efficient Landscape Ordinance

~~**September 10, 2009**~~

July 9, 2015 (Draft to California Water Commission)

California Code of Regulations
Title 23. Waters
Division 2. Department of Water Resources
Chapter 2.7. Model Water Efficient Landscape Ordinance

§ 490. Purpose.

(a) The State Legislature has found:

(1) that the waters of the state are of limited supply and are subject to ever increasing demands;

(2) that the continuation of California's economic prosperity is dependent on the availability of adequate supplies of water for future uses;

(3) that it is the policy of the State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;

(4) that landscapes are essential to the quality of life in California by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development; ~~and~~

(5) that landscape design, installation, maintenance and management can and should be water efficient; and

(6) that Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use.

(b) Consistent with these legislative findings, the purpose of this model ordinance is to:

(1) promote the values and benefits of landscaping practices that integrate and go beyond the conservation and efficient use of water; ~~landscapes while recognizing the need to invest water and other resources as efficiently as possible;~~

(2) establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects by encouraging the use of a watershed approach that requires cross-sector collaboration of industry, government and property owners to achieve the many benefits possible;

(3) establish provisions for water management practices and water waste prevention for existing landscapes;

(4) use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount;

(5) promote the benefits of consistent landscape ordinances with neighboring local and regional agencies;

(6) encourage local agencies and water purveyors to use economic incentives that promote the efficient use of water, such as implementing a tiered-rate structure; and

(7) encourage local agencies to designate the necessary authority that implements and enforces the provisions of the Model Water Efficient Landscape Ordinance or its local landscape ordinance.

(c) Landscapes that are planned, designed, installed, managed and maintained with the watershed based approach can improve California's environmental conditions and provide benefits and realize sustainability goals. Such landscapes will make the urban environment resilient in the face of climatic extremes. Consistent with the legislative findings and purpose of the Ordinance, conditions in the urban setting will be improved by:

(1) Creating the conditions to support life in the soil by reducing compaction, incorporating organic matter that increases water retention, and promoting productive plant growth that leads to more carbon storage, oxygen production, shade, habitat and esthetic benefits.

(2) Minimizing energy use by reducing irrigation water requirements, reducing reliance on petroleum based fertilizers and pesticides, and planting climate appropriate shade trees in urban areas.
(3) Conserving water by capturing and reusing rainwater and graywater wherever possible and selecting climate appropriate plants that need minimal supplemental water after establishment.
(4) Protecting air and water quality by reducing power equipment use and landfill disposal trips, selecting recycled and locally sourced materials, and using compost, mulch and efficient irrigation equipment to prevent erosion.
(5) Protecting existing habitat and creating new habitat by choosing local native plants, climate adapted non-natives and avoiding invasive plants. Utilizing integrated pest management with least toxic methods as the first course of action.
.

Note: Authority cited: Section 65593, Government Code. Reference: Sections 65591, 65593, 65596, Government Code.

§ 490.1 Applicability

(a) After ~~January 1, 2010~~ December 1, 2015, and consistent with Executive Order No. B-29-15, this ordinance shall apply to all of the following landscape projects:

(1) new development projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;
(2) rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;
~~(1) new construction and rehabilitated landscapes for public agency projects and private development projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review;~~
~~(2) new construction and rehabilitated landscapes which are developer-installed in single-family and multi-family projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;~~
~~(3) new construction landscapes which are homeowner-provided and/or homeowner-hired in single-family and multi-family residential projects with a total project landscape area equal to or greater than 5,000 square feet requiring a building or landscape permit, plan check or design review;~~
(3) ~~(4)~~ existing landscapes limited to Sections 493, 493.1 and 493.2; and
(4) ~~(5)~~ cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 492.4, 492.11 and 492.12; and existing cemeteries are limited to Sections 493, 493.1 and 493.2.

(b) For local land use agencies working together to develop a regional water efficient landscape ordinance, the reporting requirements of this ordinance shall become effective December 1, 2015 and the remainder of this ordinance shall be effective no later than February 1, 2016.
(c) Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this ordinance or conform to the prescriptive measures contained in Appendix D.
(d) For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2500 sq. ft of landscape and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix D section (5).
(~~b~~e) This ordinance does not apply to:

(1) registered local, state or federal historical sites;
(2) ecological restoration projects that do not require a permanent irrigation system;

(3) mined-land reclamation projects that do not require a permanent irrigation system; or
(4) existing plant collections, as part of botanical gardens and arboretums open to the public.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 491. Definitions.
The terms used in this ordinance have the meaning set forth below:
(a) "applied water" means the portion of water supplied by the irrigation system to the landscape.
(b) "automatic irrigation controller" means a~~n automatic~~ timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.
(c) "backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
(d) "Certificate of Completion" means the document required under Section 492.9.
(e) "certified irrigation designer" means a person certified to design irrigation systems by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.
(f) "certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.
(g) "check valve" or "anti-drain valve" means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.
(h) "common interest developments" means community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.
(i) "compost" means the safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.
(~~i~~j) "conversion factor (0.62)" means the number that converts acre-inches per acre per year to gallons per square foot per year.
(k) "distribution uniformity" means the measure of the uniformity of irrigation water over a defined area.
(~~j~~l) "drip irrigation" means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
(~~k~~m) "ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
(~~l~~n) "effective precipitation" or "usable rainfall" (Eppt) means the portion of total precipitation which becomes available for plant growth.
(~~m~~o) "emitter" means a drip irrigation emission device that delivers water slowly from the system to the soil.
(~~n~~p) "established landscape" means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.
(~~o~~q) "establishment period of the plants" means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.
(~~p~~r) "Estimated Total Water Use" (ETWU) means the total water used for the landscape as described in Section 492.4.

(~~q~~s) “ET adjustment factor” (ETAF) means a factor of ~~0.7~~0.55 for residential areas and 0.45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. ~~A combined plant mix with a site-wide average of 0.5 is the basis of the plant factor portion of this calculation. For purposes of the ETAF, the average irrigation efficiency is 0.71. Therefore, the ET Adjustment Factor is (0.7)=(0.5/0.71).~~ The ETAF for ~~a~~ new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.
(~~r~~t) “evapotranspiration rate” means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.
(~~s~~u) “flow rate” means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
(v) “flow sensor” means an inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or submeter.
(w) “friable” means a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.
(x) “Fuel Modification Plan Guideline” means guidelines from a local fire authority to assist residents and businesses that are developing land or building structures in a fire hazard severity zone.
(y) "graywater" means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. Health and Safety Code Section 17922.12.
~~(t~~z~~)~~ “hardscapes” means any durable material (pervious and non-pervious).
~~(u) “homeowner-provided landscaping” means any landscaping either installed by a private individual for a single family residence or installed by a licensed contractor hired by a homeowner. A homeowner, for purposes of this ordinance, is a person who occupies the dwelling he or she owns. This excludes speculative homes, which are not owner-occupied dwellings.~~
(aa) ~~(v)~~ “hydrozone” means a portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.
(bb) ~~(w)~~ “infiltration rate” means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).
(cc) ~~(x)~~ “invasive plant species” means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. ~~“Noxious weeds” means any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list.~~ Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.
(dd) ~~(y)~~ “irrigation audit” means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association’s Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency “Watersense” labeled auditing program.
(ee) ~~(z)~~ “irrigation efficiency” (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates

of irrigation system characteristics and management practices. The ~~minimum average~~ irrigation efficiency~~ies~~ for purposes of this ordinance are 0.75 for overhead spray devices and 0.81 for drip systems. ~~is 0.71. Greater irrigation efficiency can be expected from well designed and maintained systems~~.

(ff) ~~(aa)~~ "irrigation survey" means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.

(gg) ~~(bb)~~ "irrigation water use analysis" means a review of water use data based on meter readings and billing data.

(hh) ~~(cc)~~ "landscape architect" means a person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.

(ii) ~~(dd)~~ "landscape area" means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

(jj) ~~(ee)~~ "landscape contractor" means a person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

(kk) ~~(ff)~~ "Landscape Documentation Package" means the documents required under Section 492.3.

(ll) ~~(gg)~~ "landscape project" means total area of landscape in a project as defined in "landscape area" for the purposes of this ordinance, meeting requirements under Section 490.1.

(mm) "landscape water meter" means an inline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.

(nn) ~~(hh)~~ "lateral line" means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

(oo) ~~(ii)~~ "local agency" means a city or county, including a charter city or charter county, that is responsible for adopting and implementing the ordinance. The local agency is also responsible for the enforcement of this ordinance, including but not limited to, approval of a permit and plan check or design review of a project.

(pp) ~~(jj)~~ "local water purveyor" means any entity, including a public agency, city, county, or private water company that provides retail water service.

(qq) ~~(kk)~~ "low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

(rr) ~~(ll)~~ "main line" means the pressurized pipeline that delivers water from the water source to the valve or outlet.

(ss) "master shut-off valve" is an automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.

(tt) ~~(mm)~~ "Maximum Applied Water Allowance" (MAWA) means the upper limit of annual applied water for the established landscaped area as specified in Section 492.4. It is based upon the area's reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0. MAWA = (ETo) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)],

(uu) "median" is an area between opposing lanes of traffic that may be unplanted or planted with trees, shrubs, perennials, and ornamental grasses.

(vv) ~~(nn)~~ “microclimate” means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.
(ww) ~~(oo)~~ “mined-land reclamation projects” means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.
(xx) ~~(pp)~~ “mulch” means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, ~~and~~ or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.
(yy) ~~(qq)~~ “new construction” means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.
(zz~~xx~~)”non-residential landscape” means landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.
(aaa) ~~(rr)~~ “operating pressure” means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.
(bbb) ~~(ss)~~ “overhead sprinkler irrigation systems” means systems that deliver water through the air (e.g., spray heads and rotors).
(ccc) ~~(tt)~~ “overspray” means the irrigation water which is delivered beyond the target area.
(ddd) ~~(uu)~~ “permit” means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.
(eee) ~~(vv)~~ “pervious” means any surface or material that allows the passage of water through the material and into the underlying soil.
(fff) ~~(ww)~~ “plant factor” or “plant water use factor” is a factor, when multiplied by ETo, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for very low water use plants is 0 to 0.1, the plant factor range for low water use plants is ~~0~~0.1 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the ~~Department of Water Resources 2000~~ publication “Water Use Classification of Landscape Species”. Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).
~~(xx) “precipitation rate” means the rate of application of water measured in inches per hour.~~
(ggg) ~~(yy)~~ “project applicant” means the individual or entity submitting a Landscape Documentation Package required under Section 492.3 to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.
(hhh) ~~(zz)~~ “rain sensor” or “rain sensing shutoff device” means a component which automatically suspends an irrigation event when it rains.
(iii) ~~(aaa)~~ “record drawing” or “as-builts” means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.
(jjj) ~~(bbb)~~ “recreational area” means areas, excluding private single family residential areas, ~~dedicated~~ designated ~~to~~ for active play, recreation or public assembly ~~such as~~ in parks, sports fields, picnic grounds, amphitheaters ~~and~~ or golf course~~s~~ tees, fairways, roughs, surrounds and greens.
(kkk) ~~(ccc)~~ “recycled water”, “reclaimed water”, or “treated sewage effluent water” means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.
(lll) ~~(ddd)~~ “reference evapotranspiration” or “ETo” means a standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year as represented in Appendix A ~~Section 495.1~~, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as

the basis of determining the Maximum Applied Water Allowance so that regional differences in climate can be accommodated.
(mmm) Regional Water Efficient Landscape Ordinance" means a local Ordinance adopted by two or more local agencies, water suppliers and other stakeholders for implementing a consistent set of landscape provisions throughout a geographical region. Regional ordinances are strongly encouraged to provide a consistent framework for the landscape industry and applicants to adhere to.
(nnn) ~~(eee)~~ "rehabilitated landscape" means any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Section 490.1, and the modified landscape area is equal to or greater than 2,500 square feet~~. is 50% of the total landscape area, and the modifications are completed within one year.~~
(ooo) "residential landscape" means landscapes surrounding single or multifamily homes.
(ppp) ~~(fff)~~ "runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.
(qqq) ~~(ggg)~~ "soil moisture sensing device" or "soil moisture sensor" means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.
(rrr) ~~(hhh)~~ "soil texture" means the classification of soil based on its percentage of sand, silt, and clay.
(sss) ~~(iii)~~ "Special Landscape Area" (SLA) means an area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water ~~and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface~~.
(ttt) ~~(jjj)~~ "sprinkler head" means a device which delivers water through a nozzle.
(uuu) ~~(kkk)~~ "static water pressure" means the pipeline or municipal water supply pressure when water is not flowing.
(vvv) ~~(lll)~~ "station" means an area served by one valve or by a set of valves that operate simultaneously.
(www) ~~(mmm)~~ "swing joint" means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.
(xxx) "submeter" means a metering device to measure water applied to the landscape that is installed after the primary utility water meter.
(yyy) ~~(nnn)~~ "turf" means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.
(zzz) ~~(ooo)~~ "valve" means a device used to control the flow of water in the irrigation system.
(aaaa) ~~(ppp)~~ "water conserving plant species" means a plant species identified as having a very low or low plant factor.
(bbbb) ~~(qqq)~~"water feature" means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.
(cccc) ~~(rrr)~~ "watering window" means the time of day irrigation is allowed.
(dddd) ~~(sss)~~ "WUCOLS" means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension~~,~~ and the Department of Water Resources ~~and the Bureau of Reclamation, 2000~~ 2014.

Note: Authority Cited: Section 65595, Government Code. Reference: Sections 65592, 65596, Government Code.

§ 492. Provisions for New Construction or Rehabilitated Landscapes.
(a) A local agency may designate by mutual agreement, another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.1 Compliance with Landscape Documentation Package.
(a) Prior to construction, the local agency shall:
(1) provide the project applicant with the ordinance and procedures for permits, plan checks, or design reviews;
(2) review the Landscape Documentation Package submitted by the project applicant;
(3) approve or deny the Landscape Documentation Package;
(4) issue a permit or approve the plan check or design review for the project applicant; and
(5) upon approval of the Landscape Documentation Package, submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.
(b) Prior to construction, the project applicant shall:
(1) submit a Landscape Documentation Package to the local agency.
(c) Upon approval of the Landscape Documentation Package by the local agency, the project applicant shall:
(1) receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion;
(2) submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and
(3) submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.2 Penalties.
(a) A local agency may establish and administer penalties to the project applicant for non-compliance with the ordinance to the extent permitted by law.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.3 Elements of the Landscape Documentation Package.
(a) The Landscape Documentation Package shall include the following six (6) elements:
(1) project information;
(A) date
(B) project applicant
(C) project address (if available, parcel and/or lot number(s))
(D) total landscape area (square feet)
(E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
(F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
(G) checklist of all documents in Landscape Documentation Package
(H) project contacts to include contact information for the project applicant and property owner

(I) applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package".

(2) Water Efficient Landscape Worksheet;

(A) water budget calculations

1. Maximum Applied Water Allowance (MAWA)
2. Estimated Total Water Use (ETWU)

(3) soil management report;

(4) landscape design plan;

(5) irrigation design plan; and

(6) grading design plan.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.4 Water Efficient Landscape Worksheet.

(a) A project applicant shall complete the Water Efficient Landscape Worksheet in Appendix B which contains information on the plant factor, irrigation method, irrigation efficiency, and area associated with each hydrozone. Calculations are then made to show that the evapotranspiration adjustment factor (ETAF) for the landscape project does not exceed a factor of 0.55 for residential areas and 0.45 for non-residential areas, exclusive of Special Landscape Areas. The ETAF for a landscape project is based on the plant factors and irrigation methods selected. The Maximum Applied Water Allowance is calculated based on the maximum ETAF allowed (0.55 for residential areas and 0.45 for non-residential areas) and expressed as annual gallons required. The Estimated Total Water Use (ETWU) is calculated based on the plants used and irrigation method selected for the landscape design. ETWU must be below the MAWA. ~~two sections (see sample worksheet in Appendix B):~~

~~(1) a hydrozone information table (see Appendix B, Section A) for the landscape project; and~~

~~(2) a water budget calculation (see Appendix B, Section B) for the landscape project. For the calculation of the~~

(1) In calculating the Maximum Applied Water Allowance and Estimated Total Water Use, a project applicant shall use the ETo values from the Reference Evapotranspiration Table in Appendix A. For geographic areas not covered in Appendix A, use data from other cities located nearby in the same reference evapotranspiration zone, as found in the CIMIS Reference Evapotranspiration Zones Map, Department of Water Resources, 1999.

(b) Water budget calculations shall adhere to the following requirements:

(1) The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.

(2) All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.

(3) All Special Landscape Areas shall be identified and their water use calculated as shown in Appendix B ~~described below~~.

(4) ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

~~(c) Maximum Applied Water Allowance~~

~~The Maximum Applied Water Allowance shall be calculated using the equation:~~

~~MAWA = (ETo) (0.62) [(0.70.5 x LA) + (0.3 x SLA)]~~

~~The example calculations below are hypothetical to demonstrate proper use of the equations and do not represent an existing and/or planned landscape project. The ETo values used in these calculations are from the Reference Evapotranspiration Table in Appendix A, for planning purposes only. For actual irrigation scheduling, automatic irrigation controllers are required and shall use current reference evapotranspiration data, such as from the California Irrigation Management Information System (CIMIS), other equivalent data, or soil moisture sensor data.~~

~~(1) Example MAWA calculation for a residential landscape project: a hypothetical landscape project in Fresno, CA with an irrigated landscape area of 50,000 square feet without any Special Landscape Area (SLA= 0, no edible plants, recreational areas, or use of recycled water). To calculate MAWA, the annual reference evapotranspiration value for Fresno is 51.1 inches as listed in the Reference Evapotranspiration Table in Appendix A.~~
~~MAWA = (ETo) (0.62) [(0.7 x LA) + (0.3 x SLA)]~~
~~MAWA = Maximum Applied Water Allowance (gallons per year)~~
~~ETo = Reference Evapotranspiration (inches per year)~~
~~0.62 = Conversion Factor (to gallons)~~
~~0.7 = ET Adjustment Factor (ETAF)~~
~~LA = Landscape Area including SLA (square feet)~~
~~0.3 = Additional Water Allowance for SLA~~
~~SLA = Special Landscape Area (square feet)~~
~~MAWA = (51.1 inches) (0.62) [(0.7 x 50,000 square feet) + (0.3 x 0)]~~
~~= 1,108,870 gallons per year~~
~~To convert from gallons per year to hundred-cubic-feet per year:~~
~~= 1,108,870 /748 = 482 hundred-cubic-feet per year~~
~~(100 cubic feet = 748 gallons)~~

~~(2) In this next hypothetical example, the landscape project in Fresno, CA has the same ETo value of 51.1 inches and a total landscape area of 50,000 square feet. Within the 50,000 square foot project, there is now a 2,000 square foot area planted with edible plants. This 2,000 square foot area is considered to be a Special Landscape Area.~~
~~MAWA = (ETo) (0.62) [(0.7 x LA) + (0.3 x SLA)]~~
~~MAWA = (51.1 inches) (0.62) [(0.7 x 50,000 square feet) + (0.3 x 2,000 square feet)]~~
~~= 31.68 x [35,000 + 600] gallons per year~~
~~= 31.68 x 35,600 gallons per year~~
~~=1,127,808 gallons per year or 508 hundred-cubic-feet per year~~

~~(d) Estimated Total Water Use.~~
~~The Estimated Total Water Use shall be calculated using the equation below. The sum of the Estimated Total Water Use calculated for all hydrozones shall not exceed MAWA.~~

$$\cancel{ETWU = (ETo)(0.62)\left(\frac{PF\ x\ HA}{IE} + SLA\right)}$$

~~Where:~~

~~ETWU = Estimated Total Water Use per year (gallons)~~
~~ETo = Reference Evapotranspiration (inches)~~
~~PF = Plant Factor from WUCOLS (see Section 491)~~
~~HA = Hydrozone Area [high, medium, and low water use areas] (square feet)~~
~~SLA = Special Landscape Area (square feet)~~
~~0.62 = Conversion Factor~~

~~IE = Irrigation Efficiency (minimum 0.71)~~

~~(1) Example ETWU calculation: landscape area is 50,000 square feet; plant water use type, plant factor, and hydrozone area are shown in the table below. The ETo value is 51.1 inches per year. There are no Special Landscape Areas (recreational area, area permanently and solely dedicated to edible plants, and area irrigated with recycled water) in this example.~~

~~Hydrozone~~	~~Plant Water Use Type(s)~~	~~Plant Factor (PF)*~~	~~Hydrozone Area (HA) (square feet)~~	~~PF x HA (square feet)~~
~~1~~	~~High~~	~~0.8~~	~~7,000~~	~~5,600~~
~~2~~	~~High~~	~~0.7~~	~~10,000~~	~~7,000~~
~~3~~	~~Medium~~	~~0.5~~	~~16,000~~	~~8,000~~
~~4~~	~~Low~~	~~0.3~~	~~7,000~~	~~2,100~~
~~5~~	~~Low~~	~~0.2~~	~~10,000~~	~~2,000~~
			~~Sum~~	~~24,700~~

~~*Plant Factor from WUCOLS~~

$$\cancel{ETWU = (51.1)(0.62)\left(\frac{17{,}500}{0.85} + 0\right)}$$

= ~~1,102,116~~ ~~gallons per year~~

~~Compare ETWU with MAWA: For this example MAWA = (51.1) (0.62) [(0.7 x 50,000) + (0.3 x 0)] = 1,108,870 gallons per year. The ETWU (1,102,116 gallons per year) is less than MAWA (1,108,870 gallons per year). In this example, the water budget complies with the MAWA.~~

~~(2) Example ETWU calculation: total landscape area is 50,000 square feet, 2,000 square feet of which is planted with edible plants. The edible plant area is considered a Special Landscape Area (SLA). The reference evapotranspiration value is 51.1 inches per year. The plant type, plant factor, and hydrozone area are shown in the table below.~~

~~Hydrozone~~	~~Plant Water Use Type(s)~~	~~Plant Factor (PF)*~~	~~Hydrozone Area (HA) (square feet)~~	~~PF x HA (square feet)~~
~~1~~	~~High~~	~~0.8~~	~~7,000~~	~~5,600~~
~~2~~	~~High~~	~~0.7~~	~~9,000~~	~~6,300~~
~~3~~	~~Medium~~	~~0.5~~	~~15,000~~	~~7,500~~
~~4~~	~~Low~~	~~0.3~~	~~7,000~~	~~2,100~~
~~5~~	~~Low~~	~~0.2~~	~~10,000~~	~~2,000~~
			~~Sum~~	~~23,500~~
~~6~~	~~SLA~~	~~1.0~~	~~2,000~~	~~2,000~~

~~*Plant Factor from WUCOLS~~

$$\cancel{ETWU = (51.1)(0.62)\left(\frac{16{,}300}{0.85} + 2{,}000\right)}$$

~~= (31.68) (33,099 + 2,000)~~

~~= 1,111,936 gallons per year~~

~~Compare ETWU with MAWA. For this example:~~

~~MAWA = (51.1) (0.62) [(0.7 x 50,000) + (0.3 x 2,000)]~~
~~= 31.68 x [35,000 + 600]~~
~~= 31.68 x 35,600~~
~~= 1,127,808gallons per year~~

~~The ETWU (1,111,936 gallons per year) is less than MAWA (1,127,808 gallons per year). For this example, the water budget complies with the MAWA.~~

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.5 Soil Management Report.
(a) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:

(1) Submit soil samples to a laboratory for analysis and recommendations.

(A) Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.

(B) The soil analysis ~~may~~ shall include:

1. soil texture;
2. infiltration rate determined by laboratory test or soil texture infiltration rate table;
3. pH;
4. total soluble salts;
5. sodium;
6. percent organic matter; and
7. recommendations

(C) In projects with multiple landscape installations (i.e. production home developments) a soil sampling rate of 1 in 7 lots or approximately 15% will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to 1 in 7 lots.

(2) The project applicant, or his/her designee, shall comply with one of the following:

(A) If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the Landscape Documentation Package; or

(B) If significant mass grading is planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.

(3) The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.

(4) The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the local agency with Certificate of Completion.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.6 Landscape Design Plan.
(a) For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

(1) Plant Material

(A) Any plant may be selected for the landscape providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. ~~To~~

~~encourage the efficient use of water, the following is highly recommended~~ Methods to achieve water efficiency shall include one or more of the following:

1. protection and preservation of native species and natural vegetation;
2. selection of water-conserving plant, tree and turf species, especially local native plants;
3. selection of plants based on local climate suitability, disease and pest resistance;
4. selection of trees based on applicable local tree ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area; and
5. selection of plants from local and regional landscape program plant lists.
6. selection of plants from local Fuel Modification Plan Guidelines.

(B) Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 492.7(a)(2)(D).

(C) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. ~~To encourage the efficient use of water, the following is highly recommended~~ Methods to achieve water efficiency shall include one or more of the following:

1. use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
2. recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; allow for adequate soil volume for healthy root growth and
3. consider the solar orientation for plant placement to maximize summer shade and winter solar gain.

(D) Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).

(E) High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.

(F) ~~(E)~~ A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per Public Resources Code Section 4291(a) and (b). Avoid fire-prone plant materials and highly flammable mulches. Refer to the local Fuel Modification Plan guidelines.

(G) ~~(F)~~ The use of invasive ~~and/or noxious~~ plant species, such as those listed by the California Invasive Plant Council, is strongly discouraged.

(H) ~~(G)~~ The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

(2) Water Features

(A) Recirculating water systems shall be used for water features.

(B) Where available, recycled water shall be used as a source for decorative water features.

(C) Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.

(D) Pool and spa covers are highly recommended.

(3) Soil Preparation, Mulch and Amendments

(A) Prior to the planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.

(B) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 492.5).

(C) For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.

(D) ~~(A)~~ A minimum ~~two~~ three inch (~~2~~3″) layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to 5 % of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.

(E) ~~(B)~~ Stabilizing mulching products shall be used on slopes that meet current engineering standards.

(F) ~~(C)~~ The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.

(G) Organic mulch materials made from recycled or post-consumer shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.

~~(D) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 492.5).~~

(b) The landscape design plan, at a minimum, shall:

(1) delineate and label each hydrozone by number, letter, or other method;

(2) identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;

(3) identify recreational areas;

(4) identify areas permanently and solely dedicated to edible plants;

(5) identify areas irrigated with recycled water;

(6) identify type of mulch and application depth;

(7) identify soil amendments, type, and quantity;

(8) identify type and surface area of water features;

(9) identify hardscapes (pervious and non-pervious);

(10) identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project applicants shall refer to the local agency or regional Water Quality Control Board for information on any applicable stormwater technical requirements. Stormwater best management practices are encouraged in the landscape design plan and examples ~~include, but are not limited to:~~ are provide in Section 492.16.

~~(A) infiltration beds, swales, and basins that allow water to collect and soak into the ground;~~

~~(B) constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants; and~~

~~(C) pervious or porous surfaces (e.g., permeable pavers or blocks, pervious or porous concrete, etc.) that minimize runoff.~~

(11) identify any applicable rain harvesting or catchment technologies ~~(e.g., rain gardens, cisterns, etc.)~~ as discussed in Section 492.16 and their 24-hour retention or infiltration capacity;
(12) identify any applicable graywater discharge piping, system components and area(s) of distribution;
(13) ~~(12)~~ contain the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and
(14) ~~(13)~~ bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title16 of the California Code of Regulations, and Section 6721 of the Food and Agriculture Code.)

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code and Section 1351, Civil Code.

§ 492.7 Irrigation Design Plan.
(a) This section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

(1) System

(A) ~~Dedicated~~ Landscape water meters, defined as either a dedicated water service meter or private submeter, ~~are highly recommended on landscape areas smaller than 5,000 square feet to facilitate water management~~ shall be installed for all non-residential irrigated landscapes of 1,000 sq. ft. but not more than 5,000 sq.ft. (the level at which *Water Code* 535 applies) and residential irrigated landscapes of 5,000 sq. ft. or greater. A landscape water meter may be either:

1. a customer service meter dedicated to landscape use provided by the local water purveyor; or
2. a privately owned meter or submeter.

(B) Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for irrigation scheduling in all irrigation systems.

(C) If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required ~~The irrigation systems shall be designed~~ to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.

2. Static water pressure, dynamic or operating pressure and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

(D) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.
(E) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.
(F) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency code (i.e., public health) for additional backflow prevention requirements.
(G) ~~High~~ F~~f~~low sensors that detect ~~and report~~ high flow conditions created by system damage or malfunction are ~~recommended~~ required for all on non-residential landscapes and residential landscapes of 5000 sq. ft. or larger.
(H) Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.
(I) ~~(H)~~ The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
(J) ~~(I)~~ Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.
(K) ~~(J)~~ The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
(L) ~~(K)~~ The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 492.4 regarding the Maximum Applied Water Allowance.
(M) All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard, All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

(N) ~~(L)~~ It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
(O) ~~(M)~~ In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
(P) ~~(N)~~ Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.
(Q) ~~(O)~~ Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
(R) ~~(P)~~ Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass.
(S) ~~(Q)~~ Check valves or anti-drain valves are required ~~for all irrigation systems~~ on all sprinkler heads where low point drainage could occur.
(T) ~~(R)~~ ~~Narrow or irregularly shaped areas, including turf,~~ Areas less than ten~~eight~~ (~~8~~10) feet in width in any direction shall be irrigated with subsurface irrigation or ~~low volume irrigation system.~~ other means that produces no runoff or overspray.

(U) ~~(S)~~ Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:

1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
3. the irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 492.7 (a)(1)(I~~H~~). Prevention of overspray and runoff must be confirmed during the irrigation audit.

(V) Slopes greater than 25% shall not be irrigated with an irrigation system with a ~~precipitation~~ application rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.

(2) Hydrozone

(A) Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

(B) Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.

(C) Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.

(D) Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:

1. plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
2. the plant factor of the higher water using plant is used for calculations.

(E) Individual hydrozones that mix high and low water use plants shall not be permitted.

(F) On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table (see Appendix B Section A). This table can also assist with the irrigation audit and programming the controller.

(b) The irrigation design plan, at a minimum, shall contain:

(1) location and size of separate water meters for landscape;

(2) location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;

(3) static water pressure at the point of connection to the public water supply;

(4) flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;

(5) recycled water irrigation systems as specified in Section 492.14;

(6) the following statement: “I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan”; and

(7) the signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system. (See Sections

5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code.)

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.8 Grading Design Plan.

(a) For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other local agency permits satisfies this requirement.

(1) The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:

(A) height of graded slopes;
(B) drainage patterns;
(C) pad elevations;
(D) finish grade; and
(E) stormwater retention improvements, if applicable.

(2) To prevent excessive erosion and runoff, it is highly recommended that project applicants:

(A) grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
(B) avoid disruption of natural drainage patterns and undisturbed soil; and
(C) avoid soil compaction in landscape areas.

(3) The grading design plan shall contain the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the grading design plan" and shall bear the signature of a licensed professional as authorized by law.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.9 Certificate of Completion.

(a) The Certificate of Completion (see Appendix C for a sample certificate) shall include the following six (6) elements:

(1) project information sheet that contains:

(A) date;
(B) project name;
(C) project applicant name, telephone, and mailing address;
(D) project address and location; and
(E) property owner name, telephone, and mailing address;

(2) certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package;

(A) where there have been significant changes made in the field during construction, these "as-built" or record drawings shall be included with the certification;
<u>(B) A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.</u>

(3) irrigation scheduling parameters used to set the controller (see Section 492.10);
(4) landscape and irrigation maintenance schedule (see Section 492.11);
(5) irrigation audit report (see Section 492.12); and
(6) soil analysis report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Section 492.5).

(b) The project applicant shall:

(1) submit the signed Certificate of Completion to the local agency for review;

(2) ensure that copies of the approved Certificate of Completion are submitted to the local water purveyor and property owner or his or her designee.

(c) The local agency shall:

(1) receive the signed Certificate of Completion from the project applicant;

(2) approve or deny the Certificate of Completion. If the Certificate of Completion is denied, the local agency shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.10 Irrigation Scheduling.

(a) For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:

(1) Irrigation scheduling shall be regulated by automatic irrigation controllers.

(2) Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

(3) For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.

(4) Parameters used to set the automatic controller shall be developed and submitted for each of the following:

(A) the plant establishment period;

(B) the established landscape; and

(C) temporarily irrigated areas.

(5) Each irrigation schedule shall consider for each station all of the following that apply:

(A) irrigation interval (days between irrigation);

(B) irrigation run times (hours or minutes per irrigation event to avoid runoff);

(C) number of cycle starts required for each irrigation event to avoid runoff;

(D) amount of applied water scheduled to be applied on a monthly basis;

(E) application rate setting;

(F) root depth setting;

(G) plant type setting;

(H) soil type;

(I) slope factor setting;

(J) shade factor setting; and

(K) irrigation uniformity or efficiency setting.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.11 Landscape and Irrigation Maintenance Schedule.

(a) Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.

(b) A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing, adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost, replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing ~~and~~ obstructions to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
(c) Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.
(d) A project applicant is encouraged to implement established landscape industry sustainable Best Practices ~~or environmentally-friendly practices~~ for ~~overall~~ all landscape maintenance activities.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.12 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.
(a) All landscape irrigation audits shall be conducted by a local agency landscape irrigation auditor or a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape
(b) In large projects or projects with multiple landscape installations (i.e. production home developments) an auditing rate of 1 in 7 lots or approximately 15% will satisfy this requirement.
~~(b)~~ (c)For new construction and rehabilitated landscape projects installed after ~~January 1, 2010~~December 1, 2015, as described in Section 490.1:

(1) the project applicant shall submit an irrigation audit report with the Certificate of Completion to the local agency that may include, but is not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming;
(2) the local agency shall administer programs that may include, but not be limited to, irrigation water use analysis, irrigation audits, and irrigation surveys for compliance with the Maximum Applied Water Allowance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.13 Irrigation Efficiency.
(a) For the purpose of determining ~~Maximum Applied Water Allowance~~ Estimated Total Water Use, average irrigation efficiency is assumed to be 0.75~~ 0.71~~ for overhead spray devices and 0.81 for drip system devices. ~~Irrigation systems shall be designed, maintained, and managed to meet or exceed a site-wide~~n ~~average landscape irrigation efficiency of 0.71.~~

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.14 Recycled Water.
(a) The installation of recycled water irrigation systems shall allow for the current and future use of recycled water~~, unless a written exemption has been granted as described in Section 492.14(b)~~.
~~(b) Irrigation systems and decorative water features shall use recycled water unless a written exemption has been granted by the local water purveyor stating that recycled water meeting all public health codes and standards is not available and will not be available for the foreseeable future.~~
~~(c)~~ (b) All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.
~~(d)~~ (c) Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.15 Graywater Systems.

(a) Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable local ordinance standards. Refer to § 490.1 (d) for the applicability of this ordinance to landscape areas less than 2,500 square feet with the Estimated Total Water Use met entirely by graywater.

§ 492.16~~5~~ Stormwater Management and Rainwater Retention.

(a) Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration are encouraged.

(b) Project applicants shall refer to the local agency or Regional Water Quality Control Board for information on any applicable stormwater technical requirements ~~ordinances and stormwater management plans~~.

(c) All planted landscape areas are required to have friable soil to maximize water retention and infiltration. Refer to § 492.6(a)(3).

(d) It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e. roof and paved areas) from either: the one inch, 24-hour rain event or (2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, state or federal regulation.

(e) It is recommended that storm water projects incorporate any of the following elements to improve on-site storm water and dry weather runoff capture and use:

- Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.
- Minimize the area of impervious surfaces such as paved areas, roof and concrete driveways.
- Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.
- Direct runoff from paved surfaces and roof areas into planting beds or landscaped areas to maximize site water capture and reuse.
- Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
- Incorporate infiltration beds, swales, basins and drywells to capture storm water and dry weather runoff and increase percolation into the soil.
- Consider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.

~~(c) Rain gardens, cisterns, and other landscapes features and practices that increase rainwater capture and create opportunities for infiltration and/or onsite storage are recommended.~~

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.17~~6~~ Public Education.

(a) Publications. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the community.

(1) A local agency or water supplier/purveyor shall provide information to owners of permitted renovations and new single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes based on a water budget.

(b) Model Homes. All model homes shall be landscaped and ~~that are landscaped shall~~ use signs and written information to demonstrate the principles of water efficient landscapes described in this ordinance.

(1) Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme. Signage shall include information about the site water use as designed per the local ordinance; specify who designed and installed the water efficient landscape; and demonstrate low water use approaches to landscaping such as using native plants, graywater systems, and rainwater catchment systems.

(2) Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.18~~7~~ Environmental Review.

(a) The local agency must comply with the California Environmental Quality Act (CEQA), as appropriate.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Sections 21080, 21082, Public Resources Code.

§ 493. Provisions for Existing Landscapes.

(a) A local agency may by mutual agreement, designate another agency such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 493.1 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

(a) This section, 493.1, shall apply to all existing landscapes that were installed before ~~January 1, 2010~~ December 1, 2015 and are over one acre in size.

(1) For all landscapes in 493.1(a) that have a water meter, the local agency shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance for existing landscapes. The Maximum Applied Water Allowance for existing landscapes shall be calculated as: MAWA = (0.8) (ETo)(LA)(0.62).

(2) For all landscapes in 493.1(a), that do not have a meter, the local agency shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.

(b) All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 493.2 Water Waste Prevention.

(a) Local agencies shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. Penalties for violation of these prohibitions shall be established locally.

(b) Restrictions regarding overspray and runoff may be modified if:

(1) the landscape area is adjacent to permeable surfacing and no runoff occurs; or
(2) the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

Note: Authority cited: Section 65594, Government Code. Reference: Section 65596, Government Code.

§ 494. Effective Precipitation.
(a) A local agency may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate Maximum Applied Water Allowance:
MAWA= (ETo - Eppt) (0.62) [(~~0.7~~0.55 x LA) + (~~0.3~~0.45 x SLA)] for residential areas.
MAWA= (ETo - Eppt) (0.62) [(0.45 x LA) + (0.55 x SLA)] for non-residential areas.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 495. Reporting.
(a) Local agencies shall report on implementation and enforcement by December 31, 2015. Local agencies responsible for administering individual ordinances shall report on their updated ordinance, while those agencies developing a regional ordinance shall report in their existing ordinance. Those agencies crafting a regional ordinances shall also report on their new ordinance by March 1, 2016. Subsequently, reporting for all agencies will be due by January 31st of each year. Reports should be submitted as follows.
(b) Local agencies are to address the following:

(1) State whether you are adopting a single agency ordinance or a regional agency alliance ordinance, and the date of adoption or anticipated date of adoption.
(2) Define the reporting period. The reporting period shall commence on December 1, 2015 and the end on December 28, 2015. For local agencies crafting regional ordinances with other agencies, there shall be an additional reporting period commencing on February 1, 2016 and ending on February 28, 2016. In subsequent years, all local agency reporting will be for the calendar year.
(3) State if using a locally modified Water Efficient Landscape Ordinance (WELO) or the MWELO. If using a locally modified WELO, how is it different than MWELO, is it at least as efficient as MWELO, and are there any exemptions specified?
(4) State the entity responsible for implementing the ordinance.
(5) State number and types of projects subject to the ordinance during the specified reporting period.
(6) State the total area (in square feet or acres) subject to the ordinance over the reporting period, if available.
(7) Provide the number of new housing starts, new commercial projects, and landscape retrofits during the reporting period.
(8) Describe the procedure for review of projects subject to the ordinance.
(9) Describe actions taken to verify compliance. Is a plan check performed; if so, by what entity? Is a site inspection performed; if so, by what entity? Is a post-installation audit required; if so, by whom?
(10) Describe enforcement measures.
(11) Explain challenges to implementing and enforcing the ordinance.
(12) Describe educational and other needs to properly apply the ordinance.

Appendices.

Appendix A. Reference Evapotranspiration (ETo) Table.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
ALAMEDA													
Fremont	1.5	1.9	3.4	4.7	5.4	6.3	6.7	6.0	4.5	3.4	1.8	1.5	47.0
Livermore	1.2	1.5	2.9	4.4	5.9	6.6	7.4	6.4	5.3	3.2	1.5	0.9	47.2
Oakland	1.5	1.5	2.8	3.9	5.1	5.3	6.0	5.5	4.8	3.1	1.4	0.9	41.8
Oakland Foothills	1.1	1.4	2.7	3.7	5.1	6.4	5.8	4.9	3.6	2.6	1.4	1.0	39.6
Pleasanton	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
Union City	1.4	1.8	3.1	4.2	5.4	5.9	6.4	5.7	4.4	3.1	1.5	1.2	44.2
ALPINE													
Markleeville	0.7	0.9	2.0	3.5	5.0	6.1	7.3	6.4	4.4	2.6	1.2	0.5	40.6
AMADOR													
Jackson	1.2	1.5	2.8	4.4	6.0	7.2	7.9	7.2	5.3	3.2	1.4	0.9	48.9
Shanandoah Valley	1.0	1.7	2.9	4.4	5.6	6.8	7.9	7.1	5.2	3.6	1.7	1.0	48.8
BUTTE													
Chico	1.2	1.8	2.9	4.7	6.1	7.4	8.5	7.3	5.4	3.7	1.7	1.0	51.7
Durham	1.1	1.8	3.2	5.0	6.5	7.4	7.8	6.9	5.3	3.6	1.7	1.0	51.1
Gridley	1.2	1.8	3.0	4.7	6.1	7.7	8.5	7.1	5.4	3.7	1.7	1.0	51.9
Oroville	1.2	1.7	2.8	4.7	6.1	7.6	8.5	7.3	5.3	3.7	1.7	1.0	51.5
CALAVERAS													
San Andreas	1.2	1.5	2.8	4.4	6.0	7.3	7.9	7.0	5.3	3.2	1.4	0.7	48.8
COLUSA													
Colusa	1.0	1.7	3.4	5.0	6.4	7.6	8.3	7.2	5.4	3.8	1.8	1.1	52.8
Williams	1.2	1.7	2.9	4.5	6.1	7.2	8.5	7.3	5.3	3.4	1.6	1.0	50.8
CONTRA COSTA													
~~Benicia~~	~~1.3~~	~~1.4~~	~~2.7~~	~~3.8~~	~~4.9~~	~~5.0~~	~~6.4~~	~~5.5~~	~~4.4~~	~~2.9~~	~~1.2~~	~~0.7~~	~~40.3~~
Brentwood	1.0	1.5	2.9	4.5	6.1	7.1	7.9	6.7	5.2	3.2	1.4	0.7	48.3
Concord	1.1	1.4	2.4	4.0	5.5	5.9	7.0	6.0	4.8	3.2	1.3	0.7	43.4
Courtland	0.9	1.5	2.9	4.4	6.1	6.9	7.9	6.7	5.3	3.2	1.4	0.7	48.0
Martinez	1.2	1.4	2.4	3.9	5.3	5.6	6.7	5.6	4.7	3.1	1.2	0.7	41.8
Moraga	1.2	1.5	3.4	4.2	5.5	6.1	6.7	5.9	4.6	3.2	1.6	1.0	44.9
Pittsburg	1.0	1.5	2.8	4.1	5.6	6.4	7.4	6.4	5.0	3.2	1.3	0.7	45.4
Walnut Creek	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
DEL NORTE													
Crescent City	0.5	0.9	2.0	3.0	3.7	3.5	4.3	3.7	3.0	2.0	0.9	0.5	27.7
EL DORADO													
Camino	0.9	1.7	2.5	3.9	5.9	7.2	7.8	6.8	5.1	3.1	1.5	0.9	47.3
FRESNO													
Clovis	1.0	1.5	3.2	4.8	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Coalinga	1.2	1.7	3.1	4.6	6.2	7.2	8.5	7.3	5.3	3.4	1.6	0.7	50.9
Firebaugh	1.0	1.8	3.7	5.7	7.3	8.1	8.2	7.2	5.5	3.9	2.0	1.1	55.4
FivePoints	1.3	2.0	4.0	6.1	7.7	8.5	8.7	8.0	6.2	4.5	2.4	1.2	60.4
Fresno	0.9	1.7	3.3	4.8	6.7	7.8	8.4	7.1	5.2	3.2	1.4	0.6	51.1
Fresno State	0.9	1.6	3.2	5.2	7.0	8.0	8.7	7.6	5.4	3.6	1.7	0.9	53.7
Friant	1.2	1.5	3.1	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Kerman	0.9	1.5	3.2	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.2
Kingsburg	1.0	1.5	3.4	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.6
Mendota	1.5	2.5	4.6	6.2	7.9	8.6	8.8	7.5	5.9	4.5	2.4	1.5	61.7
Orange Cove	1.2	1.9	3.5	4.7	7.4	8.5	8.9	7.9	5.9	3.7	1.8	1.2	56.7

Appendix A. Reference Evapotranspiration (ETo) Table.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
Panoche	1.1	2.0	4.0	5.6	7.8	8.5	8.3	7.3	5.6	3.9	1.8	1.2	57.2
Parlier	1.0	1.9	3.6	5.2	6.8	7.6	8.1	7.0	5.1	3.4	1.7	0.9	52.0
Reedley	1.1	1.5	3.2	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Westlands	0.9	1.7	3.8	6.3	8.0	8.6	8.6	7.8	5.9	4.3	2.1	1.1	58.8
GLENN													
Orland	1.1	1.8	3.4	5.0	6.4	7.5	7.9	6.7	5.3	3.9	1.8	1.4	52.1
Willows	1.2	1.7	2.9	4.7	6.1	7.2	8.5	7.3	5.3	3.6	1.7	1.0	51.3
HUMBOLDT													
Eureka	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Ferndale	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Garberville	0.6	1.2	2.2	3.1	4.5	5.0	5.5	4.9	3.8	2.4	1.0	0.7	34.9
Hoopa	0.5	1.1	2.1	3.0	4.4	5.4	6.1	5.1	3.8	2.4	0.9	0.7	35.6
IMPERIAL													
Brawley	2.8	3.8	5.9	8.0	10.4	11.5	11.7	10.0	8.4	6.2	3.5	2.1	84.2
Calipatria/Mulberry	2.4	3.2	5.1	6.8	8.6	9.2	9.2	8.6	7.0	5.2	3.1	2.3	70.7
El Centro	2.7	3.5	5.6	7.9	10.1	11.1	11.6	9.5	8.3	6.1	3.3	2.0	81.7
Holtville	2.8	3.8	5.9	7.9	10.4	11.6	12.0	10.0	8.6	6.2	3.5	2.1	84.7
Meloland	2.5	3.2	5.5	7.5	8.9	9.2	9.0	8.5	6.8	5.3	3.1	2.2	71.6
Palo Verde II	2.5	3.3	5.7	6.9	8.5	8.9	8.6	7.9	6.2	4.5	2.9	2.3	68.2
Seeley	2.7	3.5	5.9	7.7	9.7	10.1	9.3	8.3	6.9	5.5	3.4	2.2	75.4
Westmoreland	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Yuma	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
INYO													
Bishop	1.7	2.7	4.8	6.7	8.2	10.9	7.4	9.6	7.4	4.8	2.5	1.6	68.3
Death Valley Jct	2.2	3.3	5.4	7.7	9.8	11.1	11.4	10.1	8.3	5.4	2.9	1.7	79.1
Independence	1.7	2.7	3.4	6.6	8.5	9.5	9.8	8.5	7.1	3.9	2.0	1.5	65.2
Lower Haiwee Res.	1.8	2.7	4.4	7.1	8.5	9.5	9.8	8.5	7.1	4.2	2.6	1.5	67.6
Oasis	2.7	2.8	5.9	8.0	10.4	11.7	11.6	10.0	8.4	6.2	3.4	2.1	83.1
KERN													
Arvin	1.2	1.8	3.5	4.7	6.6	7.4	8.1	7.3	5.3	3.4	1.7	1.0	51.9
Bakersfield	1.0	1.8	3.5	4.7	6.6	7.7	8.5	7.3	5.3	3.5	1.6	0.9	52.4
Bakersfield/Bonanza	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Bakersfield/Greenlee	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Belridge	1.4	2.2	4.1	5.5	7.7	8.5	8.6	7.8	6.0	3.8	2.0	1.5	59.2
Blackwells Corner	1.4	2.1	3.8	5.4	7.0	7.8	8.5	7.7	5.8	3.9	1.9	1.2	56.6
Buttonwillow	1.0	1.8	3.2	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.5	0.9	52.0
China Lake	2.1	3.2	5.3	7.7	9.2	10.0	11.0	9.8	7.3	4.9	2.7	1.7	74.8
Delano	0.9	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.4	0.7	52.0
Famoso	1.3	1.9	3.5	4.8	6.7	7.6	8.0	7.3	5.5	3.5	1.7	1.3	53.1
Grapevine	1.3	1.8	3.1	4.4	5.6	6.8	7.6	6.8	5.9	3.4	1.9	1.0	49.5
Inyokern	2.0	3.1	4.9	7.3	8.5	9.7	11.0	9.4	7.1	5.1	2.6	1.7	72.4
Isabella Dam	1.2	1.4	2.8	4.4	5.8	7.3	7.9	7.0	5.0	3.2	1.7	0.9	48.4
Lamont	1.3	2.4	4.4	4.6	6.5	7.0	8.8	7.6	5.7	3.7	1.6	0.8	54.4
Lost Hills	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
McFarland/Kern	1.2	2.1	3.7	5.6	7.3	8.0	8.3	7.4	5.6	4.1	2.0	1.2	56.5
Shafter	1.0	1.7	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.5	0.9	52.1
Taft	1.3	1.8	3.1	4.3	6.2	7.3	8.5	7.3	5.4	3.4	1.7	1.0	51.2
Tehachapi	1.4	1.8	3.2	5.0	6.1	7.7	7.9	7.3	5.9	3.4	2.1	1.2	52.9

Appendix A. Reference Evapotranspiration (ETo) Table.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
KINGS													
Caruthers	1.6	2.5	4.0	5.7	7.8	8.7	9.3	8.4	6.3	4.4	2.4	1.6	62.7
Corcoran	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Hanford	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.2	5.4	3.4	1.4	0.7	51.5
Kettleman	1.1	2.0	4.0	6.0	7.5	8.5	9.1	8.2	6.1	4.5	2.2	1.1	60.2
Lemoore	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.4	0.7	51.7
Stratford	0.9	1.9	3.9	6.1	7.8	8.6	8.8	7.7	5.9	4.1	2.1	1.0	58.7
LAKE													
Lakeport	1.1	1.3	2.6	3.5	5.1	6.0	7.3	6.1	4.7	2.9	1.2	0.9	42.8
Lower Lake	1.2	1.4	2.7	4.5	5.3	6.3	7.4	6.4	5.0	3.1	1.3	0.9	45.4
LASSEN													
Buntingville	1.0	1.7	3.5	4.9	6.2	7.3	8.4	7.5	5.4	3.4	1.5	0.9	51.8
Ravendale	0.6	1.1	2.3	4.1	5.6	6.7	7.9	7.3	4.7	2.8	1.2	0.5	44.9
Susanville	0.7	1.0	2.2	4.1	5.6	6.5	7.8	7.0	4.6	2.8	1.2	0.5	44.0
LOS ANGELES													
Burbank	2.1	2.8	3.7	4.7	5.1	6.0	6.6	6.7	5.4	4.0	2.6	2.0	51.7
Claremont	2.0	2.3	3.4	4.6	5.0	6.0	7.0	7.0	5.3	4.0	2.7	2.1	51.3
El Dorado	1.7	2.2	3.6	4.8	5.1	5.7	5.9	5.9	4.4	3.2	2.2	1.7	46.3
Glendale	2.0	2.2	3.3	3.8	4.7	4.8	5.7	5.6	4.3	3.3	2.2	1.8	43.7
Glendora	2.0	2.5	3.6	4.9	5.4	6.1	7.3	6.8	5.7	4.2	2.6	2.0	53.1
Gorman	1.6	2.2	3.4	4.6	5.5	7.4	7.7	7.1	5.9	3.6	2.4	1.1	52.4
Hollywood Hills	2.1	2.2	3.8	5.4	6.0	6.5	6.7	6.4	5.2	3.7	2.8	2.1	52.8
Lancaster	2.1	3.0	4.6	5.9	8.5	9.7	11.0	9.8	7.3	4.6	2.8	1.7	71.1
Long Beach	1.8	2.1	3.3	3.9	4.5	4.3	5.3	4.7	3.7	2.8	1.8	1.5	39.7
Los Angeles	2.2	2.7	3.7	4.7	5.5	5.8	6.2	5.9	5.0	3.9	2.6	1.9	50.1
Monrovia	2.2	2.3	3.8	4.3	5.5	5.9	6.9	6.4	5.1	3.2	2.5	2.0	50.2
Palmdale	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2
Pasadena	2.1	2.7	3.7	4.7	5.1	6.0	7.1	6.7	5.6	4.2	2.6	2.0	52.3
Pearblossom	1.7	2.4	3.7	4.7	7.3	7.7	9.9	7.9	6.4	4.0	2.6	1.6	59.9
Pomona	1.7	2.0	3.4	4.5	5.0	5.8	6.5	6.4	4.7	3.5	2.3	1.7	47.5
Redondo Beach	2.2	2.4	3.3	3.8	4.5	4.7	5.4	4.8	4.4	2.8	2.4	2.0	42.6
San Fernando	2.0	2.7	3.5	4.6	5.5	5.9	7.3	6.7	5.3	3.9	2.6	2.0	52.0
Santa Clarita	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Santa Monica	1.8	2.1	3.3	4.5	4.7	5.0	5.4	5.4	3.9	3.4	2.4	2.2	44.2
MADERA													
Chowchilla	1.0	1.4	3.2	4.7	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Madera	0.9	1.4	3.2	4.8	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.5
Raymond	1.2	1.5	3.0	4.6	6.1	7.6	8.4	7.3	5.2	3.4	1.4	0.7	50.5
MARIN													
Black Point	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
Novato	1.3	1.5	2.4	3.5	4.4	6.0	5.9	5.4	4.4	2.8	1.4	0.7	39.8
Point San Pedro	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
San Rafael	1.2	1.3	2.4	3.3	4.0	4.8	4.8	4.9	4.3	2.7	1.3	0.7	35.8
MARIPOSA													
Coulterville	1.1	1.5	2.8	4.4	5.9	7.3	8.1	7.0	5.3	3.4	1.4	0.7	48.8
Mariposa	1.1	1.5	2.8	4.4	5.9	7.4	8.2	7.1	5.0	3.4	1.4	0.7	49.0
Yosemite Village	0.7	1.0	2.3	3.7	5.1	6.5	7.1	6.1	4.4	2.9	1.1	0.6	41.4
MENDOCINO													

Appendix A. Reference Evapotranspiration (ETo) Table.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
Fort Bragg	0.9	1.3	2.2	3.0	3.7	3.5	3.7	3.7	3.0	2.3	1.2	0.7	29.0
Hopland	1.1	1.3	2.6	3.4	5.0	5.9	6.5	5.7	4.5	2.8	1.3	0.7	40.9
Point Arena	1.0	1.3	2.3	3.0	3.7	3.9	3.7	3.7	3.0	2.3	1.2	0.7	29.6
Sanel Valley	1.0	1.6	3.0	4.6	6.0	7.0	8.0	7.0	5.2	3.4	1.4	0.9	49.1
Ukiah	1.0	1.3	2.6	3.3	5.0	5.8	6.7	5.9	4.5	2.8	1.3	0.7	40.9
MERCED													
Kesterson	0.9	1.7	3.4	5.5	7.3	8.2	8.6	7.4	5.5	3.8	1.8	0.9	55.1
Los Banos	1.0	1.5	3.2	4.7	6.1	7.4	8.2	7.0	5.3	3.4	1.4	0.7	50.0
Merced	1.0	1.5	3.2	4.7	6.6	7.9	8.5	7.2	5.3	3.4	1.4	0.7	51.5
MODOC													
Modoc/Alturas	0.9	1.4	2.8	3.7	5.1	6.2	7.5	6.6	4.6	2.8	1.2	0.7	43.2
MONO													
Bridgeport	0.7	0.9	2.2	3.8	5.5	6.6	7.4	6.7	4.7	2.7	1.2	0.5	43.0
MONTEREY													
Arroyo Seco	1.5	2.0	3.7	5.4	6.3	7.3	7.2	6.7	5.0	3.9	2.0	1.6	52.6
Castroville	1.4	1.7	3.0	4.2	4.6	4.8	4.0	3.8	3.0	2.6	1.6	1.4	36.2
Gonzales	1.3	1.7	3.4	4.7	5.4	6.3	6.3	5.9	4.4	3.4	1.9	1.3	45.7
Greenfield	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
King City	1.7	2.0	3.4	4.4	4.4	5.6	6.1	6.7	6.5	5.2	2.2	1.3	49.6
King City-Oasis Rd.	1.4	1.9	3.6	5.3	6.5	7.3	7.4	6.8	5.1	4.0	2.0	1.5	52.7
Long Valley	1.5	1.9	3.2	4.1	5.8	6.5	7.3	6.7	5.3	3.6	2.0	1.2	49.1
Monterey	1.7	1.8	2.7	3.5	4.0	4.1	4.3	4.2	3.5	2.8	1.9	1.5	36.0
Pajaro	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.1
Salinas	1.6	1.9	2.7	3.8	4.8	4.7	5.0	4.5	4.0	2.9	1.9	1.3	39.1
Salinas North	1.2	1.5	2.9	4.1	4.6	5.2	4.5	4.3	3.2	2.8	1.5	1.2	36.9
San Ardo	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
San Juan	1.8	2.1	3.4	4.6	5.3	5.7	5.5	4.9	3.8	3.2	2.2	1.9	44.2
Soledad	1.7	2.0	3.4	4.4	5.5	5.4	6.5	6.2	5.2	3.7	2.2	1.5	47.7
NAPA													
Angwin	1.8	1.9	3.2	4.7	5.8	7.3	8.1	7.1	5.5	4.5	2.9	2.1	54.9
Carneros	0.8	1.5	3.1	4.6	5.5	6.6	6.9	6.2	4.7	3.5	1.4	1.0	45.8
Oakville	1.0	1.5	2.9	4.7	5.8	6.9	7.2	6.4	4.9	3.5	1.6	1.2	47.7
St Helena	1.2	1.5	2.8	3.9	5.1	6.1	7.0	6.2	4.8	3.1	1.4	0.9	44.1
Yountville	1.3	1.7	2.8	3.9	5.1	6.0	7.1	6.1	4.8	3.1	1.5	0.9	44.3
NEVADA													
Grass Valley	1.1	1.5	2.6	4.0	5.7	7.1	7.9	7.1	5.3	3.2	1.5	0.9	48.0
Nevada City	1.1	1.5	2.6	3.9	5.8	6.9	7.9	7.0	5.3	3.2	1.4	0.9	47.4
ORANGE													
Irvine	2.2	2.5	3.7	4.7	5.2	5.9	6.3	6.2	4.6	3.7	2.6	2.3	49.6
Laguna Beach	2.2	2.7	3.4	3.8	4.6	4.6	4.9	4.9	4.4	3.4	2.4	2.0	43.2
Santa Ana	2.2	2.7	3.7	4.5	4.6	5.4	6.2	6.1	4.7	3.7	2.5	2.0	48.2
PLACER													
Auburn	1.2	1.7	2.8	4.4	6.1	7.4	8.3	7.3	5.4	3.4	1.6	1.0	50.6
Blue Canyon	0.7	1.1	2.1	3.4	4.8	6.0	7.2	6.1	4.6	2.9	0.9	0.6	40.5
Colfax	1.1	1.5	2.6	4.0	5.8	7.1	7.9	7.0	5.3	3.2	1.4	0.9	47.9
Roseville	1.1	1.7	3.1	4.7	6.2	7.7	8.5	7.3	5.6	3.7	1.7	1.0	52.2
Soda Springs	0.7	0.7	1.8	3.0	4.3	5.3	6.2	5.5	4.1	2.5	0.7	0.7	35.4
Tahoe City	0.7	0.7	1.7	3.0	4.3	5.4	6.1	5.6	4.1	2.4	0.8	0.6	35.5

Appendix A. Reference Evapotranspiration (ETo) Table.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
Truckee	0.7	0.7	1.7	3.2	4.4	5.4	6.4	5.7	4.1	2.4	0.8	0.6	36.2
PLUMAS													
Portola	0.7	0.9	1.9	3.5	4.9	5.9	7.3	5.9	4.3	2.7	0.9	0.5	39.4
Quincy	0.7	0.9	2.2	3.5	4.9	5.9	7.3	5.9	4.4	2.8	1.2	0.5	40.2
RIVERSIDE													
Beaumont	2.0	2.3	3.4	4.4	6.1	7.1	7.6	7.9	6.0	3.9	2.6	1.7	55.0
Blythe	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Cathedral City	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Coachella	2.9	4.4	6.2	8.4	10.5	11.9	12.3	10.1	8.9	6.2	3.8	2.4	88.1
Desert Center	2.9	4.1	6.4	8.5	11.0	12.1	12.2	11.1	9.0	6.4	3.9	2.6	90.0
Elsinore	2.1	2.8	3.9	4.4	5.9	7.1	7.6	7.0	5.8	3.9	2.6	1.9	55.0
Indio	**3.1**	3.6	6.5	8.3	10.5	11.0	10.8	9.7	8.3	5.9	3.7	2.7	83.9
RIVERSIDE													
La Quinta	2.4	2.8	5.2	6.5	8.3	8.7	8.5	7.9	6.5	4.5	2.7	2.2	66.2
Mecca	2.6	3.3	5.7	7.2	8.6	9.0	8.8	8.2	6.8	5.0	3.2	2.4	70.8
Oasis	2.9	3.3	5.3	6.1	8.5	8.9	8.7	7.9	6.9	4.8	2.9	2.3	68.4
Palm Desert	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
Palm Springs	2.0	2.9	4.9	7.2	8.3	8.5	11.6	8.3	7.2	5.9	2.7	1.7	71.1
Rancho California	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
Rancho Mirage	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Ripley	2.7	3.3	5.6	7.2	8.7	8.7	8.4	7.6	6.2	4.6	2.8	2.2	67.8
Salton Sea North	2.5	3.3	5.5	7.2	8.8	9.3	9.2	8.5	6.8	5.2	3.1	2.3	71.7
Temecula East II	2.3	2.4	4.1	4.9	6.4	7.0	7.8	7.4	5.7	4.1	2.6	2.2	56.7
Thermal	2.4	3.3	5.5	7.6	9.1	9.6	9.3	8.6	7.1	5.2	3.1	2.1	72.8
Riverside UC	2.5	2.9	4.2	5.3	5.9	6.6	7.2	6.9	5.4	4.1	2.9	2.6	56.4
Winchester	2.3	2.4	4.1	4.9	6.4	6.9	7.7	7.5	6.0	3.9	2.6	2.1	56.8
SACRAMENTO													
Fair Oaks	1.0	1.6	3.4	4.1	6.5	7.5	8.1	7.1	5.2	3.4	1.5	1.0	50.5
Sacramento	1.0	1.8	3.2	4.7	6.4	7.7	8.4	7.2	5.4	3.7	1.7	0.9	51.9
Twitchell Island	1.2	1.8	3.9	5.3	7.4	8.8	9.1	7.8	5.9	3.8	1.7	1.2	57.9
SAN BENITO													
Hollister	1.5	1.8	3.1	4.3	5.5	5.7	6.4	5.9	5.0	3.5	1.7	1.1	45.1
San Benito	1.2	1.6	3.1	4.6	5.6	6.4	6.9	6.5	4.8	3.7	1.7	1.2	47.2
San Juan Valley	1.4	1.8	3.4	4.5	6.0	6.7	7.1	6.4	5.0	3.5	1.8	1.4	49.1
SAN BERNARDINO													
Baker	2.7	3.9	6.1	8.3	10.4	11.8	12.2	11.0	8.9	6.1	3.3	2.1	86.6
Barstow NE	2.2	2.9	5.3	6.9	9.0	10.1	9.9	8.9	6.8	4.8	2.7	2.1	71.7
Big Bear Lake	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Chino	2.1	2.9	3.9	4.5	5.7	6.5	7.3	7.1	5.9	4.2	2.6	2.0	54.6
Crestline	1.5	1.9	3.3	4.4	5.5	6.6	7.8	7.1	5.4	3.5	2.2	1.6	50.8
Lake Arrowhead	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Lucerne Valley	2.2	2.9	5.1	6.5	9.1	11.0	11.4	9.9	7.4	5.0	3.0	1.8	75.3
Needles	3.2	4.2	6.6	8.9	11.0	12.4	12.8	11.0	8.9	6.6	4.0	2.7	92.1
Newberry Springs	2.1	2.9	5.3	8.4	9.8	10.9	11.1	9.9	7.6	5.2	3.1	2.0	78.2
San Bernardino	2.0	2.7	3.8	4.6	5.7	6.9	7.9	7.4	5.9	4.2	2.6	2.0	55.6
Twentynine Palms	2.6	3.6	5.9	7.9	10.1	11.2	11.2	10.3	8.6	5.9	3.4	2.2	82.9
Victorville	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2

SAN DIEGO													
Chula Vista	2.2	2.7	3.4	3.8	4.9	4.7	5.5	4.9	4.5	3.4	2.4	2.0	44.2
Escondido SPV	2.4	2.6	3.9	4.7	5.9	6.5	7.1	6.7	5.3	3.9	2.8	2.3	54.2
Miramar	2.3	2.5	3.7	4.1	5.1	5.4	6.1	5.8	4.5	3.3	2.4	2.1	47.1
Oceanside	2.2	2.7	3.4	3.7	4.9	4.6	4.6	5.1	4.1	3.3	2.4	2.0	42.9
Otay Lake	2.3	2.7	3.9	4.6	5.6	5.9	6.2	6.1	4.8	3.7	2.6	2.2	50.4
Pine Valley	1.5	2.4	3.8	5.1	6.0	7.0	7.8	7.3	6.0	4.0	2.2	1.7	54.8
Ramona	2.1	2.1	3.4	4.6	5.2	6.3	6.7	6.8	5.3	4.1	2.8	2.1	51.6
San Diego	2.1	2.4	3.4	4.6	5.1	5.3	5.7	5.6	4.3	3.6	2.4	2.0	46.5
Santee	2.1	2.7	3.7	4.5	5.5	6.1	6.6	6.2	5.4	3.8	2.6	2.0	51.1
Torrey Pines	2.2	2.3	3.4	3.9	4.0	4.1	4.6	4.7	3.8	2.8	2.0	2.0	39.8
Warner Springs	1.6	2.7	3.7	4.7	5.7	7.6	8.3	7.7	6.3	4.0	2.5	1.3	56.0
SAN FRANCISCO													
San Francisco	1.5	1.3	2.4	3.0	3.7	4.6	4.9	4.8	4.1	2.8	1.3	0.7	35.1
SAN JOAQUIN													
Farmington	1.5	1.5	2.9	4.7	6.2	7.6	8.1	6.8	5.3	3.3	1.4	0.7	50.0
SAN JOAQUIN													
Lodi West	1.0	1.6	3.3	4.3	6.3	6.9	7.3	6.4	4.5	3.0	1.4	0.8	46.7
Manteca	0.9	1.7	3.4	5.0	6.5	7.5	8.0	7.1	5.2	3.3	1.6	0.9	51.2
Stockton	0.8	1.5	2.9	4.7	6.2	7.4	8.1	6.8	5.3	3.2	1.4	0.6	49.1
Tracy	1.0	1.5	2.9	4.5	6.1	7.3	7.9	6.7	5.3	3.2	1.3	0.7	48.5
SAN LUIS OBISPO													
Arroyo Grande	2.0	2.2	3.2	3.8	4.3	4.7	4.3	4.6	3.8	3.2	2.4	1.7	40.0
Atascadero	1.2	1.5	2.8	3.9	4.5	6.0	6.7	6.2	5.0	3.2	1.7	1.0	43.7
Morro Bay	2.0	2.2	3.1	3.5	4.3	4.5	4.6	4.6	3.8	3.5	2.1	1.7	39.9
Nipomo	2.2	2.5	3.8	5.1	5.7	6.2	6.4	6.1	4.9	4.1	2.9	2.3	52.1
Paso Robles	1.6	2.0	3.2	4.3	5.5	6.3	7.3	6.7	5.1	3.7	2.1	1.4	49.0
San Luis Obispo	2.0	2.2	3.2	4.1	4.9	5.3	4.6	5.5	4.4	3.5	2.4	1.7	43.8
San Miguel	1.6	2.0	3.2	4.3	5.0	6.4	7.4	6.8	5.1	3.7	2.1	1.4	49.0
San Simeon	2.0	2.0	2.9	3.5	4.2	4.4	4.6	4.3	3.5	3.1	2.0	1.7	38.1
SAN MATEO													
Hal Moon Bay	1.5	1.7	2.4	3.0	3.9	4.3	4.3	4.2	3.5	2.8	1.3	1.0	33.7
Redwood City	1.5	1.8	2.9	3.8	5.2	5.3	6.2	5.6	4.8	3.1	1.7	1.0	42.8
Woodside	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
SANTA BARBARA													
Betteravia	2.1	2.6	4.0	5.2	6.0	5.9	5.8	5.4	4.1	3.3	2.7	2.1	49.1
Carpenteria	2.0	2.4	3.2	3.9	4.8	5.2	5.5	5.7	4.5	3.4	2.4	2.0	44.9
Cuyama	2.1	2.4	3.8	5.4	6.9	7.9	8.5	7.7	5.9	4.5	2.6	2.0	59.7
Goleta	2.1	2.5	3.9	5.1	5.7	5.7	5.4	5.4	4.2	3.2	2.8	2.2	48.1
Goleta Foothills	2.3	2.6	3.7	5.4	5.3	5.6	5.5	5.7	4.5	3.9	2.8	2.3	49.6
Guadalupe	2.0	2.2	3.2	3.7	4.9	4.6	4.5	4.6	4.1	3.3	2.4	1.7	41.1
Lompoc	2.0	2.2	3.2	3.7	4.8	4.6	4.9	4.8	3.9	3.2	2.4	1.7	41.1
Los Alamos	1.8	2.0	3.2	4.1	4.9	5.3	5.7	5.5	4.4	3.7	2.4	1.6	44.6
Santa Barbara	2.0	2.5	3.2	3.8	4.6	5.1	5.5	4.5	3.4	2.4	1.8	1.8	40.6
Santa Maria	1.8	2.3	3.7	5.1	5.7	5.8	5.6	5.3	4.2	3.5	2.4	1.9	47.4
Santa Ynez	1.7	2.2	3.5	5.0	5.8	6.2	6.4	6.0	4.5	3.6	2.2	1.7	48.7
Sisquoc	2.1	2.5	3.8	4.1	6.1	6.3	6.4	5.8	4.7	3.4	2.3	1.8	49.2
Solvang	2.0	2.0	3.3	4.3	5.0	5.6	6.1	5.6	4.4	3.7	2.2	1.6	45.6

SANTA CLARA													
Gilroy	1.3	1.8	3.1	4.1	5.3	5.6	6.1	5.5	4.7	3.4	1.7	1.1	43.6
Los Gatos	1.5	1.8	2.8	3.9	5.0	5.6	6.2	5.5	4.7	3.2	1.7	1.1	42.9
Morgan Hill	1.5	1.8	3.4	4.2	6.3	7.0	7.1	6.0	5.1	3.7	1.9	1.4	49.5
Palo Alto	1.5	1.8	2.8	3.8	5.2	5.3	6.2	5.6	5.0	3.2	1.7	1.0	43.0
San Jose	1.5	1.8	3.1	4.1	5.5	5.8	6.5	5.9	5.2	3.3	1.8	1.0	45.3
SANTA CRUZ													
De Laveaga	1.4	1.9	3.3	4.7	4.9	5.3	5.0	4.8	3.6	3.0	1.6	1.3	40.8
Green Valley Rd	1.2	1.8	3.2	4.5	4.6	5.4	5.2	5.0	3.7	3.1	1.6	1.3	40.6
Santa Cruz	1.5	1.8	2.6	3.5	4.3	4.4	4.8	4.4	3.8	2.8	1.7	1.2	36.6
Watsonville	1.5	1.8	2.7	3.7	4.6	4.5	4.9	4.2	4.0	2.9	1.8	1.2	37.7
Webb	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.2
SHASTA													
Burney	0.7	1.0	2.1	3.5	4.9	5.9	7.4	6.4	4.4	2.9	0.9	0.6	40.9
Fall River Mills	0.6	1.0	2.1	3.7	5.0	6.1	7.8	6.7	4.6	2.8	0.9	0.5	41.8
Glenburn	0.6	1.0	2.1	3.7	5.0	6.3	7.8	6.7	4.7	2.8	0.9	0.6	42.1
McArthur	0.7	1.4	2.9	4.2	5.6	6.9	8.2	7.2	5.0	3.0	1.1	0.6	46.8
Redding	1.2	1.4	2.6	4.1	5.6	7.1	8.5	7.3	5.3	3.2	1.4	0.9	48.8
SIERRA													
Downieville	0.7	1.0	2.3	3.5	5.0	6.0	7.4	6.2	4.7	2.8	0.9	0.6	41.3
Sierraville	0.7	1.1	2.2	3.2	4.5	5.9	7.3	6.4	4.3	2.6	0.9	0.5	39.6
SISKIYOU													
Happy Camp	0.5	0.9	2.0	3.0	4.3	5.2	6.1	5.3	4.1	2.4	0.9	0.5	35.1
MacDoel	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
Mt Shasta	0.5	0.9	2.0	3.0	4.5	5.3	6.7	5.7	4.0	2.2	0.7	0.5	36.0
Tule lake FS	0.7	1.3	2.7	4.0	5.4	6.3	7.1	6.4	4.7	2.8	1.0	0.6	42.9
Weed	0.5	0.9	2.0	2.5	4.5	5.3	6.7	5.5	3.7	2.0	0.9	0.5	34.9
Yreka	0.6	0.9	2.1	3.0	4.9	5.8	7.3	6.5	4.3	2.5	0.9	0.5	39.2
SOLANO													
Benicia	1.3	1.4	2.7	3.8	4.9	5.0	6.4	5.5	4.4	2.9	1.2	0.7	40.3
Dixon	0.7	1.4	3.2	5.2	6.3	7.6	8.2	7.2	5.5	4.3	1.6	1.1	52.1
Fairfield	1.1	1.7	2.8	4.0	5.5	6.1	7.8	6.0	4.8	3.1	1.4	0.9	45.2
Hastings Tract	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Putah Creek	1.0	1.6	3.2	4.9	6.1	7.3	7.9	7.0	5.3	3.8	1.8	1.2	51.0
Rio Vista	0.9	1.7	2.8	4.4	5.9	6.7	7.9	6.5	5.1	3.2	1.3	0.7	47.0
Suisun Valley	0.6	1.3	3.0	4.7	5.8	7.0	7.7	6.8	5.3	3.8	1.4	0.9	48.3
Winters	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
SONOMA													
Bennett Valley	1.1	1.7	3.2	4.1	5.5	6.5	6.6	5.7	4.5	3.1	1.5	0.9	44.4
Cloverdale	1.1	1.4	2.6	3.4	5.0	5.9	6.2	5.6	4.5	2.8	1.4	0.7	40.7
Fort Ross	1.2	1.4	2.2	3.0	3.7	4.5	4.2	4.3	3.4	2.4	1.2	0.5	31.9
Healdsburg	1.2	1.5	2.4	3.5	5.0	5.9	6.1	5.6	4.5	2.8	1.4	0.7	40.8
Lincoln	1.2	1.7	2.8	4.7	6.1	7.4	8.4	7.3	5.4	3.7	1.9	1.2	51.9
Petaluma	1.2	1.5	2.8	3.7	4.6	5.6	4.6	5.7	4.5	2.9	1.4	0.9	39.6
Santa Rosa	1.2	1.7	2.8	3.7	5.0	6.0	6.1	5.9	4.5	2.9	1.5	0.7	42.0
Valley of the Moon	1.0	1.6	3.0	4.5	5.6	6.6	7.1	6.3	4.7	3.3	1.5	1.0	46.1
Windsor	0.9	1.6	3.0	4.5	5.5	6.5	6.5	5.9	4.4	3.2	1.4	1.0	44.2
STANISLAUS													
Denair	1.0	1.9	3.6	4.7	7.0	7.9	8.0	6.1	5.3	3.4	1.5	1.0	51.4
La Grange	1.2	1.5	3.1	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Modesto	0.9	1.4	3.2	4.7	6.4	7.7	8.1	6.8	5.0	3.4	1.4	0.7	49.7

Newman	1.0	1.5	3.2	4.6	6.2	7.4	8.1	6.7	5.0	3.4	1.4	0.7	49.3
Oakdale	1.2	1.5	3.2	4.7	6.2	7.7	8.1	7.1	5.1	3.4	1.4	0.7	50.3
Patterson	1.3	2.1	4.2	5.4	7.9	8.6	8.2	6.6	5.8	4.0	1.9	1.3	57.3
Turlock	0.9	1.5	3.2	4.7	6.5	7.7	8.2	7.0	5.1	3.4	1.4	0.7	50.2
SUTTER													
Nicolaus	0.9	1.6	3.2	4.9	6.3	7.5	8.0	6.9	5.2	3.4	1.5	0.9	50.2
Yuba City	1.3	2.1	2.8	4.4	5.7	7.2	7.1	6.1	4.7	3.2	1.2	0.9	46.7
TEHAMA													
Corning	1.2	1.8	2.9	4.5	6.1	7.3	8.1	7.2	5.3	3.7	1.7	1.1	50.7
Gerber	1.0	1.8	3.5	5.0	6.6	7.9	8.7	7.4	5.8	4.1	1.8	1.1	54.7
Gerber Dryland	0.9	1.6	3.2	4.7	6.7	8.4	9.0	7.9	6.0	4.2	2.0	1.0	55.5
Red Bluff	1.2	1.8	2.9	4.4	5.9	7.4	8.5	7.3	5.4	3.5	1.7	1.0	51.1
TRINITY													
Hay Fork	0.5	1.1	2.3	3.5	4.9	5.9	7.0	6.0	4.5	2.8	0.9	0.7	40.1
Weaverville	0.6	1.1	2.2	3.3	4.9	5.9	7.3	6.0	4.4	2.7	0.9	0.7	40.0
TULARE													
Alpaugh	0.9	1.7	3.4	4.8	6.6	7.7	8.2	7.3	5.4	3.4	1.4	0.7	51.6
Badger	1.0	1.3	2.7	4.1	6.0	7.3	7.7	7.0	4.8	3.3	1.4	0.7	47.3
Delano	1.1	1.9	4.0	4.9	7.2	7.9	8.1	7.3	5.4	3.2	1.5	1.2	53.6
Dinuba	1.1	1.5	3.2	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Lindcove	0.9	1.6	3.0	4.8	6.5	7.6	8.1	7.2	5.2	3.4	1.6	0.9	50.6
Porterville	1.2	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.3	3.4	1.4	0.7	52.1
Visalia	0.9	1.7	3.3	5.1	6.8	7.7	7.9	6.9	4.9	3.2	1.5	0.8	50.7
TUOLUMNE													
Groveland	1.1	1.5	2.8	4.1	5.7	7.2	7.9	6.6	5.1	3.3	1.4	0.7	47.5
Sonora	1.1	1.5	2.8	4.1	5.8	7.2	7.9	6.7	5.1	3.2	1.4	0.7	47.6
VENTURA													
Camarillo	2.2	2.5	3.7	4.3	5.0	5.2	5.9	5.4	4.2	3.0	2.5	2.1	46.1
Oxnard	2.2	2.5	3.2	3.7	4.4	4.6	5.4	4.8	4.0	3.3	2.4	2.0	42.3
Piru	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Port Hueneme	2.0	2.3	3.3	4.6	4.9	4.9	4.9	5.0	3.7	3.2	2.5	2.2	43.5
Thousand Oaks	2.2	2.6	3.4	4.5	5.4	5.9	6.7	6.4	5.4	3.9	2.6	2.0	51.0
Ventura	2.2	2.6	3.2	3.8	4.6	4.7	5.5	4.9	4.1	3.4	2.5	2.0	43.5
YOLO													
Bryte	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
Davis	1.0	1.9	3.3	5.0	6.4	7.6	8.2	7.1	5.4	4.0	1.8	1.0	52.5
Esparto	1.0	1.7	3.4	5.5	6.9	8.1	8.5	7.5	5.8	4.2	2.0	1.2	55.8
Winters	1.7	1.7	2.9	4.4	5.8	7.1	7.9	6.7	5.3	3.3	1.6	1.0	49.4
Woodland	1.0	1.8	3.2	4.7	6.1	7.7	8.2	7.2	5.4	3.7	1.7	1.0	51.6
Zamora	1.1	1.9	3.5	5.2	6.4	7.4	7.8	7.0	5.5	4.0	1.9	1.2	52.8
YUBA													
Browns Valley	1.0	1.7	3.1	4.7	6.1	7.5	8.5	7.6	5.7	4.1	2.0	1.1	52.9
Brownsville	1.1	1.4	2.6	4.0	5.7	6.8	7.9	6.8	5.3	3.4	1.5	0.9	47.4

* The values in this table were derived from:

1) California Irrigation Management Information System (CIMIS);
2) Reference EvapoTranspiration Zones Map, UC Dept. of Land, Air & Water Resources and California Dept of Water Resources 1999; and
3) Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922,
4) Determining Daily Reference Evapotranspiration, Cooperative Extension UC Division of Agriculture and Natural Resources (1987), Publication Leaflet 21426

~~Appendix B – Sample Water Efficient Landscape Worksheet.~~

~~WATER EFFICIENT LANDSCAPE WORKSHEET~~

~~This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.~~
~~Please complete all sections (A and B) of the worksheet.~~

~~SECTION A. HYDROZONE INFORMATION TABLE~~

~~Please complete the hydrozone table(s) for each hydrozone. Use as many tables as necessary to provide the square footage of landscape area per hydrozone.~~

~~Hydrozone*~~	~~Zone or Valve~~	~~Irrigation Method**~~	~~Area (Sq. Ft.)~~	~~% of Landscape Area~~
	~~**Total**~~			~~**100%**~~

~~* Hydrozone~~
~~HW = High Water Use Plants~~
~~MW = Moderate Water Use Plants~~
~~LW = Low Water Use Plants~~

~~**Irrigation Method~~
~~MS = Micro-spray~~
~~S = Spray~~
~~R = Rotor~~
~~B= Bubbler~~
~~D= Drip~~
~~O = Other~~

~~SECTION B. WATER BUDGET CALCULATIONS~~

~~Section B1. Maximum Applied Water Allowance (MAWA)~~

~~The project's Maximum Applied Water Allowance shall be calculated using these~~is equations~~:~~

~~MAWA = (ETo) (0.62) [(0.~~5~~7 x LA) + (0.3 x SLA)]~~
~~where:~~

~~MAWA = Maximum Applied Water Allowance (gallons per year)~~
~~ETo = Reference Evapotranspiration from Appendix A (inches per year)~~
~~0.7 = ET Adjustment Factor (ETAF)~~
~~LA = Landscaped Area includes Special Landscape Area (square feet)~~
~~0.62 = Conversion factor (to gallons per square foot)~~
~~SLA = Portion of the landscape area identified as Special Landscape Area (square feet)~~
~~0.3 = the additional ET Adjustment Factors for Special Landscape Area in residential and non-residential areas, respectively (1.0 - 0.7 = 0.3)~~

~~Maximum Applied Water Allowance = _____gallons per year~~

~~Show calculations.~~

~~Effective Precipitation (Eppt)~~

~~If considering Effective Precipitation, use 25% of annual precipitation. Use the following equation to calculate Maximum Applied Water Allowance:~~

~~MAWA= (ETo – Eppt) (0.62) [(0.70.5 x LA) + (0.3 x SLA)]~~

~~Maximum Applied Water Allowance = _____gallons per year~~

~~Show calculations.~~

~~Section B2. Estimated Total Water Use (ETWU)~~

~~The project's Estimated Total Water Use is calculated using the following formula:~~

$$\cancel{ETWU = (ETo)(0.62)\left(\frac{PF\ x\ HA}{IE} + SLA\right)}$$

~~where:~~

~~ETWU = Estimated total water use per year (gallons per year)~~
~~ETo = Reference Evapotranspiration (inches per year)~~
~~PF = Plant Factor (see Definitions)~~
~~HA = Hydrozone Area [high, medium, and low water use areas] (square feet)~~
~~SLA = Special Landscape Area (square feet)~~
~~0.62 = Conversion Factor (to gallons per square foot)~~
~~IE = Irrigation Efficiency (minimum 0.71~~

~~Hydrozone Table for Calculating ETWU~~

~~Please complete the hydrozone table(s). Use as many tables as necessary.~~

~~Hydrozone~~	~~Plant Water Use Type(s)~~	~~Plant Factor (PF)~~	~~Area (HA) (square feet)~~	~~PF x HA (square feet)~~
			~~Sum~~	
	~~SLA~~			

~~Estimated Total Water Use~~ – _____ ~~gallons~~

~~Show calculations.~~

Appendix B – Sample Water Efficient Landscape Worksheet.

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ETo) _____

Hydrozone # /Planting Description[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (sq, ft,)	ETAF x Area	Estimated Total Water Use (ETWU)[e]
Regular Landscape Areas							
				Totals	(A)	(B)	
Special Landscape Areas							
				1			
				1			
				1			
				Totals	(C)	(D)	
						ETWU Total	
						Maximum Allowed Water Allowance (MAWA)[e]	

[a]***Hydrozone #/Planting Description***
E.g
1.) front lawn
2.) low water use plantings
3.) medium water use planting

[b]***Irrigation Method***
overhead spray
or drip

[c]***Irrigation Efficiency***
0.75 for spray head
0.81 for drip

[d]***ETWU* (Annual Gallons Required) =**
Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year.

[e]***MAWA (Annual Gallons Allowed) = (****Eto) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]*
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet,
and ETAF is .55 for residential areas and 0.45 for non-residential areas.

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	(B)
Total Area	(A)
Average ETAF	**B ÷ A**

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas

Total ETAF x Area	(B+D)
Total Area	(A+C)
Sitewide ETAF	**(B+D) ÷ (A+C)**

Appendix C – Sample Certificate of Completion.

CERTIFICATE OF COMPLETION

This certificate is filled out by the project applicant upon completion of the landscape project.

PART 1. PROJECT INFORMATION SHEET

Date		
Project Name		
Name of Project Applicant	Telephone No.	
	Fax No.	
Title	Email Address	
Company	Street Address	
City	State	Zip Code

Project Address and Location:

Street Address		Parcel, tract or lot number, if available.
City		Latitude/Longitude (optional)
State	Zip Code	

Property Owner or his/her designee:

Name	Telephone No.	
	Fax No.	
Title	Email Address	
Company	Street Address	
City	State	Zip Code

Property Owner

"I/we certify that I/we have received copies of all the documents within the Landscape Documentation Package and the Certificate of Completion and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule."

_____

Property Owner Signature Date

Please answer the questions below:

1. Date the Landscape Documentation Package was submitted to the local agency_____
2. Date the Landscape Documentation Package was approved by the local agency_____
3. Date that a copy of the Water Efficient Landscape Worksheet (including the Water Budget Calculation) was submitted to the local water purveyor_____

PART 2. CERTIFICATION OF INSTALLATION ACCORDING TO THE LANDSCAPE DOCUMENTATION PACKAGE

"I/we certify that based upon periodic site observations, the work has been ~~substantially~~ completed in accordance with the ordinance and that the landscape planting and irrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package."

Signature*	Date	
Name (print)	Telephone No.	
	Fax No.	
Title	Email Address	
License No. or Certification No.		
Company	Street Address	
City	State	Zip Code

*Signer of the landscape design plan, signer of the irrigation plan, or a licensed landscape contractor.

PART 3. IRRIGATION SCHEDULING

Attach parameters for setting the irrigation schedule on controller per ordinance Section 492.10.

PART 4. SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE

Attach schedule of Landscape and Irrigation Maintenance per ordinance Section 492.11.

PART 5. LANDSCAPE IRRIGATION AUDIT REPORT

Attach Landscape Irrigation Audit Report per ordinance Section 492.12.

PART 6. SOIL MANAGEMENT REPORT

Attach soil analysis report, if not previously submitted with the Landscape Documentation Package per ordinance Section 492.6~~5~~.

Attach documentation verifying implementation of recommendations from soil analysis report per ordinance Section 492.6~~5~~.

Appendix D – Sample Water Efficient Landscape Worksheet.

Appendix D – Prescriptive Compliance Option

(a) This appendix contains prescriptive requirements which may be used as a compliance option to the Model Water Efficient Landscape Ordinance.

(b)Compliance with the following items is mandatory and must be documented on a landscape plan in order to use the prescriptive compliance option:

(1) Submit a Landscape Documentation Package which includes the following elements:

(A) date

(B) project applicant

(C) project address (if available, parcel and/or lot number(s))

(D) total landscape area (square feet), including a breakdown of turf and plant material

(E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)

(F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well

(G) contact information for the project applicant and property owner

(H) applicant signature and date with statement, "I agree to comply with the requirements of the prescriptive compliance option to the MWELO".

(2) Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contra-indicated by a soil test);

(3) Plant material shall comply with all of the following;

(A) For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water;

(B) A minimum three inch (3″) layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.

(4) Turf shall comply with all of the following:

(A) Turf shall not exceed 25% of the landscape area in residential areas, and there shall be no turf in non-residential areas;

(B) Turf shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet of horizontal length;

(C) Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.

(5) Irrigation systems shall comply with the following:

(A) Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data.

(B) Irrigation controllers shall be of a type which does not lose programming date in the event the primary power source is interrupted.

(C) Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.

(D) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.

(E) All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014. "Landscape Irrigation Sprinkler and Emitter Standard," All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

(c) At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

EXAMPLE for Residential Landscape

Appendix B – Sample Water Efficient Landscape Worksheet.

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ETo) 50

Hydrozone # /Planting Description[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (sq, ft,)	ETAF x Area	Estimated Total Water Use (ETWU)[e]
Regular Landscape Areas							
1. Front lawn	0.8	overhead spray	0.75	1.07	200	214	6615.4
2. Low water use plantings	0.2	drip	0.81	.25	550	137.5	4262.5
3. Medium water use plantings	0.5	drip	0.81	.62	250	155	4805
				Totals	1000	506.5	
Special Landscape Areas							
				1			
				Totals			
						ETWU Total	**15,683**
						Maximum Allowed Water Allowance (MAWA)[e]	**17,050**

[a]***Hydrozone #/Planting Description***
E.g
1.) front lawn
2.) low water use plantings
3.) medium water use planting

[b]***Irrigation Method***
overhead spray
or drip

[c]***Irrigation Efficiency***
0.75 for spray
0.81 for drip

[d]***ETWU* (Annual Gallons Required) =**
Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year.

[e]***MAWA (Annual Gallons Allowed) = (****Eto) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]*
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet,
and ETAF is .55 or residential areas and 0.45 for non-residential areas.

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	506.5
Total Area	1000
Average ETAF	**0.51**

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas

Total ETAF x Area	506.5
Total Area	1000
Sitewide ETAF	**0.51**

EXAMPLE for Commercial Landscape

Appendix B – Sample Water Efficient Landscape Worksheet.

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ETo) 50

Hydrozone # /Planting Description[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (sq, ft,)	ETAF x Area	Estimated Total Water Use (ETWU)[e]
Regular Landscape Areas							
1. Low water use plantings	0.2	drip	0.81	.25	5500	1375	42,625
2. Medium water use plantings	0.5	drip	0.81	.62	4500	2790	86,490
				Totals	10,000	4165	
Special Landscape Areas							
1. Picnic Area				1	5,000	5,000	155,000
				1			
				1			
				Totals	5,000	5,000	
						ETWU Total	**284,115**
						Maximum Allowed Water Allowance (MAWA)[e]	**294,500**

[a]***Hydrozone #/Planting Description***
E.g
1.) front lawn
2.) low water use plantings
3.) medium water use planting

[b]***Irrigation Method***
overhead spray
or drip

[c]***Irrigation Efficiency***
0.75 for spray
0.81 for drip

[d]***ETWU*** **(Annual Gallons Required) =**
Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year.

[e]***MAWA (Annual Gallons Allowed) = (****Eto) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]*
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet,
and ETAF is .55 or residential areas and 0.45 for non-residential areas.

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	4,165
Total Area	10,000
Average ETAF	**0.42**

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas

Total ETAF x Area	9,535
Total Area	15,000
Sitewide ETAF	**0.64**

Agenda Item M

REVIEW TENTATIVE SCHEDULE AND CONFIRM FUTURE LATC MEETING DATES

<u>August</u>		
3-15	Landscape Architect Registration Examination (LARE) Administration	Various
<u>September</u>		
7	*Labor Day*	*Office Closed*
10	Board Meeting	San Francisco
16-19	Council of Landscape Architectural Registration Boards Annual Meeting	New Orleans, LA
<u>November</u>		
TBD	LATC Meeting	TBD
6-9	American Society of Landscape Architects Annual Meeting	Chicago, IL
11	*Veterans Day*	*Office Closed*
26-27	*Thanksgiving Holiday*	*Office Closed*
<u>December</u>		
1-13	LARE Administration	Various
10	Board Meeting & Strategic Planning Session	Sacramento
25	*Christmas*	*Office Closed*

Agenda Item N

ADJOURNMENT

Time: _____