CALIFORNIA ARCHITECTS BOARD
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State of California
Department of Consumer Affairs
Gray Davis, Governor

SUMMARY REPORT
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

August 17, 2001
San Diego, California

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

Chair Sandra Gonzalez called the meeting to order at 9:31 a.m. and Gretchen Kjose called the roll.

Committee Members Present
Sandra Gonzalez, Chair
Linda Gates, Vice-Chair
David Tatsumi

Guests Present
Richard Zweifel, LATC Education Subcommittee Chair
Dennis Otsuji, LATC Sunset Review Task Force Chair
Jeffrey Craft, CCASLA Sierra Chapter, President Elect
Nick DeLorenzo, CCASLA San Diego Chapter
Dwight DeMay, CCASLA San Francisco Chapter, President Elect
Greg Hauser, CCASLA Sierra Chapter Representative
Norman Hertz, Office of Examination Resources
Jim Leatzow, Leatzow & Associates
Dave Mitchell, CCASLA Northern California Chapter President
Cassandra O. Nguyen, CCASLA Sierra Chapter
Niles Nordquist, Landscape Architect
Betty Pharris, CCASLA / CCASLA San Diego Chapter
Julie Riley, CCASLA Southern California Chapter
Pieter Severynen, CCASLA Los Angeles Chapter
Larry Sheehan, CCASLA San Diego Chapter, Past President
Alexis Slafer, Program Director, UCLA Extension Certificate Program
Terri Thomas, Neff/Thomas, Inc., CCASLA
Larry Wight, CCASLA Northern California Chapter

Staff Present
Doug McCauley, Executive Officer
Anita Scuri, Legal Counsel
Gretchen Kjose, Program Manager
Marc Sandstrom, CAB, LATC Liaison
Mary Anderson, Examination Coordinator
Justin Sotelo, Enforcement Coordinator

B. Chair's Remarks

Ms. Gonzalez thanked Doug McCauley, executive officer of the California Architects Board (CAB), and landscape architect Niles Nordquist for attending the meeting.

C. Review of the April 24, 2001 Summary Report

The April 24, 2001 LATC meeting summary report was reviewed.

- **Linda Gates moved to approve the April 24, 2001 Landscape Architects Technical Committee Summary Report.**
- **David Tatsumi seconded the motion.**
- **The motion carried unanimously.**

D. Public Comment Session

There were no public comments.

E. Program Manager's Report

Ms. Kjose reported that a Budget Change Proposal (BCP) in the amount of $70,000, for fiscal year 2002/03 and ongoing was submitted requesting additional expenditure authority to cover the cost of purchasing and administering the Landscape Architect Registration Examination (LARE). She indicated that the Department of Finance would make a decision on whether to approve or reject the BCP by November 2001.

She advised that she and Ms. Gonzalez will be attending the Council of Landscape Architectural Registration Boards' (CLARB) Annual Meeting in Salt Lake City, Utah, September 13-15, 2001.

Ms. Kjose reported that a new contract, in the amount of $360,752, to purchase the LARE from CLARB has been established, covering the period from April 2001 to April 2003.

She indicated that there are still two vacancies on the LATC.

Ms. Kjose announced that the posters have been printed and will be mailed to schools as soon as the next semester or quarter starts. Two of the four posters were submitted to *Landscape Architecture* magazine with awards given to both. She also advised that, in collaboration with the CAB's outreach program to building officials, a roster of all licensees and the posters would soon be distributed to building officials throughout the state.

Ms. Kjose advised the LATC that they need to complete the Ethics Training, coordinated through the Department of Consumer Affairs (DCA), and noted that the pertinent forms for doing so were included with their agenda packets. She also pointed out that this training could be completed on-line.

She said that the Summer newsletter was mailed on June 21, 2001 and that the Fall issue will be mailed at the end of October. She also said that participants from the Focus Groups agreed to write articles for future newsletters.

Ms. Kjose stated that bids to facilitate the 2001/02 and the 2002/03 Strategic Planning Sessions were solicited in June, with seven received by the July deadline. She noted that the proposals are under review and that the contract will be awarded in early September.

She summarized exam activities by indicating that the LARE was given in June to 259 candidates. Results should be available in early September. Ms. Kjose reported that the regulations to increase exam fees to cover the additional cost of purchasing the LARE took effect June 7, 2001 and that candidates will be paying the new fee amounts for the December exam.

Ms. Kjose advised that the LATC's proposed regulations to correct the Education Code reference, change the required semester/quarter units for extension certificate programs, and to delete the requirement that a licensee include his or her license number in advertisements, are currently under review by the State and Consumer Services Agency. Once approved, they will be reviewed by DCA's director and then submitted to the Office of Administrative Law (OAL) for review and final approval.

She reported that the LATC's regulations specifying that an applicant apply for licensure within five years after passing the examination and requiring anyone whose license has lapsed for more than five years to retake the licensing examination took effect on June 16, 2001.

Ms. Kjose indicated that, as a result of a citation issued in May, a licensee requested an informal conference with the CAB's executive officer, which was held July 9, 2001. She noted that the citation was upheld.

Finally, Ms. Kjose announced that she had been offered the position of Executive Officer with the new Board of Occupational Therapy and that her last day with the LATC would be September 21, 2001.

F. Meeting with the California Council of the American Society of Landscape Architects; Report on Conference Calls

Ms. Gonzalez welcomed members of the California Council of the American Society of Landscape Architects (CCASLA) and thanked them for attending today's meeting. Dennis Otsuji provided an update of the monthly conference calls and stated that he felt communication between the two groups over the past year had been extremely important. Dave Mitchell, CCASLA president, said the organization is very supportive of the LATC and would like to participate in preparing the Sunset Review report due in 2002. Mr. Otsuji suggested that CCASLA appoint a subcommittee to work in conjunction with the LATC's sunset review task force and agreed to provide CCASLA with the 1996 sunset report prepared by the former Board of Landscape Architects, as a starting point.

Ms Gonzalez asked whether there were any other issues the CCASLA wanted to discuss. Mr. Mitchell advised that CCASLA sent a letter to the Governor regarding the re-appointment of Mr. Otsuji and Richard Zweifel. Nick DeLorenzo stated that the issue of storm water management had surfaced at the State level, which is an important issue that affords landscape architects the opportunity to partner with other environmental professions, i.e., civil engineers.

G. Market Conditions Assessment, Focus Group Report

Ms. Gonzalez reported that the LATC received a draft of the Market Conditions Assessment Focus Group report on August 13, 2001 and felt there had been insufficient time to review it before today's meeting. She suggested that this agenda item be tabled until the next LATC meeting, that the Committee members review the report, and send their comments to staff by August 31, 2001. She asked staff to summarize the comments for presentation at the next meeting.

- **Linda Gates moved to table the Market Conditions Assessment Focus Group Report until the next meeting.**

- **David Tatsumi seconded the motion**.

- **The motion carried unanimously.**

H. Report on Site Visits of Extension Certificate Programs in Landscape Architecture

1. **Recommendation on UC Berkeley Extension Certificate Program**
2. **Recommendation on UCLA Extension Certificate Program**

Ms. Gonzalez presented a summary of the UC Berkeley Extension Certificate Program site visit held on May 17-18, 2001, and stated that the program is out of compliance with California Code of Regulations (CCR) section 2620.5, in three areas. First, section 2620.5(d) requires the program to be a discrete program in landscape architecture. She noted that UC Berkeley's program is combined with a garden design program and, as such, does not appear to be a discrete program in landscape architecture. Secondly, section 2620.5(h) requires the faculty to have primary responsibility for developing policies and procedures, curriculum, etc. Ms. Gonzalez reported that the faculty has very little responsibility outside of developing their own course content. She advised that the faculty needs to establish regular meetings with a minimum agenda that includes standard discussions of the curriculum, trends of the profession, the need to stay involved and keep the program current. Finally, section 2620.5(i)(6) requires the program to provide a course in Professional Practice Methods, a course that is not offered at UC Berkeley.

Anita Scuri, Legal Counsel, stated that an "Order to Show Cause" as to why approval should not be denied, should be sent to UC Berkeley, with a response deadline of 30 days. Ms. Gonzalez agreed and recommended that UC Berkeley be asked to present an action plan to correct the deficiencies at the next LATC meeting. In the interim, Ms. Scuri noted that the program's approval should be extended pending the response.

- **David Tatsumi moved to send an "Order to Show Cause", with a 30 day deadline for response, to the director of the UC Berkeley Extension Certificate Program, and that the director be advised to present an action plan to correct the deficiencies to the LATC at its next meeting.**

- **Linda Gates seconded the motion.**

- **The motion carried unanimously.**

Mr. Otsuji reported on the UCLA Extension Certificate Program site visit that was conducted on May 10-11, 2001. He stated that UCLA is in compliance with CCR section 2620.5, noting that everyone involved appeared to be very committed to developing and maintaining an excellent academic program. He commented that the facilities were found to be lacking during the 1995 site visit, but that UCLA addressed the problem and is moving into new facilities shortly. He also recommended that the program continue to work on developing its long-range plans and asked the director to present those plans to the LATC when they are completed.

Mr. Otsuji recommended that the UCLA Extension Certificate Program be approved through 2006.

- **Linda Gates moved to approve the UCLA Extension Certificate Program in Landscape Architecture through 2006.**

- **David Tatsumi seconded the motion.**

- **The motion carried unanimously.**

Following the vote, both Ms. Gonzalez and Mr. Otsuji recommended that the LATC develop a standard format for the next review process and that the site visits be conducted over three, rather than two, days.

I. <u>Council of Landscape Architectural Registration Boards' Annual Meeting</u>

1. **Review of Region V Meeting Minutes**
2. **Review Annual Meeting Agenda**
3 **Review and Approval of Recommended Positions on Resolutions**

Ms. Kjose announced that Ms. Gonzalez was nominated as the Region V Director for the upcoming year and elections will be held at the annual meeting. She also mentioned that CLARB's budget, exam costs, pass rates, regional test centers, and continuing education were topics of discussion at the regional meeting held in March 2001.

Ms. Kjose advised that she and Ms. Gonzalez will attend the CLARB annual meeting in Salt Lake City, Utah, on September 13-15, 2001. She noted that the same issues discussed at the regional meeting will be on the annual meeting agenda, along with strategic planning and CLARB's C2Education venture, an online program that offers continuing education courses.

Ms. Gonzalez reported that there are two resolutions to be voted on at the annual meeting, the first being the adoption of Model Law and Model Regulations, a project CLARB has been working on for over six years. Following discussion, the Committee agreed that, in theory, it would serve as a guideline for individual member states. However, there are many issues in the Model Law and Regulations that are contrary to California laws and regulations and the Committee felt they could not vote to adopt it at this time.

- **David Tatsumi moved to oppose adoption of Model Law and Model Regulations.**

- **Linda Gates seconded the motion.**

- **The motion carried unanimously.**

Ms. Gonzalez reported that the second resolution concerns continuing education standards and requirements. After discussion, the Committee concurred that, while it is important for licensed professionals to keep abreast of current trends in the industry, since California does not have mandated continuing education requirements, it would be contrary to its laws and regulations to vote to adopt CLARB's continuing education standards.

- **Linda Gates moved to oppose CLARB's Uniform Standards for Continuing Education.**
- **David Tatsumi seconded the motion.**
- **The motion carried unanimously.**

J. Enforcement Briefing

Justin Sotelo provided an overview of complaints received over the past ten years, as well as a separate report of current activities. He stated that these reports include the number of complaints received and pending, nature of alleged violations, and the actions taken. He reported that there has been an increase in the number of complaints filed and citations issued in the last fiscal year in comparison to previous fiscal years.

Following Mr. Sotelo's presentation, Marc Sandstrom asked about the number of insurance settlements reported to the LATC. Ms. Kjose explained that, while the LATC does receive a few, according to participants in recent focus groups, most settlements are not reported. Jim Leatzow, an insurance representative, volunteered that there is confusion in the industry as to what must be reported because many times, a claim will be settled with no admission of guilt. Ms. Scuri pointed out that the Landscape Architects Practice Act requires insurance companies to report settlements in excess of $5,000 for claims or actions for damages caused by a licensee's fraud, deceit, negligence, incompetency, or recklessness in practice. She specified that there need not be a finding or admission of guilt, only that the lawsuit was based on a "claim" that the licensee was involved in wrongdoing. Mr. Leatzow suggested that the Committee educate licensees and insurance companies on the reporting requirements. Ms. Gonzalez stated that this is an important topic and asked that it be included as an agenda item for the Sunset Review Task Force.

K. Discussion of the California Landscape Architects Licensing Examination [Closed Session Pursuant to Government Code Section 11126 (c)]

Closed Session Pursuant to Government Code Section 11126 (c).

L. Review of Action and Communications Plans

Ms. Kjose gave an overview of the newly formatted Action and Communications plans, noting that they are now displayed in chart form for easier reading. She advised that, as the LATC's goals and objectives are met, the charts will be updated accordingly.

M. Discussion of Sunset Review Process

Ms. Kjose presented an overview of the sunset review process and indicated that the LATC's report to the Joint Sunset Legislative Review Committee is due in September 2002. She pointed out that the CAB is under the same schedule as the LATC, and suggested that the reports be done in conjunction with one another. Ms. Gonzalez asked Mr. Otsuji to chair a Sunset Review Task Force. Mr. Zweifel volunteered to participate as well. Mr Otsuji asked the entire LATC to be involved and requested CCASLA to develop a subcommittee to work collaboratively in this effort. Ms. Gonzalez stated that the first task force agenda should include basic complaint, enforcement and budget information.

N. Announcement of Future Meetings

The first Sunset Review Task Force meeting was scheduled for September 4, 2001 in Danville. The next meeting of the full Committee was set for October 25-26, 2001, on the campus of California Polytechnic University, Pomona, and the last meeting of 2001 was scheduled for December 14th in Sacramento.

O. Adjournment

The meeting adjourned at 1:45 p.m.