

## **Meeting Minutes**

### **CALIFORNIA ARCHITECTS BOARD Landscape Architects Technical Committee**

February 10, 2016  
San Diego, California

#### Landscape Architects Technical Committee (LATC) Members Present

Andrew Bowden, Chair  
David Allan Taylor, Jr., Vice Chair (arrived at 10:37 a.m.)  
Patricia Trauth  
Marq Truscott

#### Staff Present

Doug McCauley, Executive Officer  
Vickie Mayer, Assistant Executive Officer  
Trish Rodriguez, Program Manager  
Rebecca Bon, Legal Counsel, Department of Consumer Affairs (DCA) (via teleconference)  
Richie Barnard, Special Projects Analyst  
Kourtney Nation, Examination Coordinator

#### Guests Present

Amelia Lima, Association of Professional Landscape Designers (APLD)  
Dustin T. Maxam, Nevada Registered Landscape Architect (RLA)  
Tim Smith, Adjunct Instructor, San Diego Mesa College

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

LATC Chair Andrew Bowden called the meeting to order at approximately 10:32 a.m. In the absence of Vice Chair David Taylor, member Patricia Trauth called roll. Three members of LATC were present, thus a quorum was established.

#### **B. Chair's Remarks and LATC Member Comments**

No remarks or comments were made.

### **C. Public Comment for Items Not on Agenda**

A public comment letter was received from Dustin T. Maxam dated January 31, 2016. Mr. Bowden directed the Committee to the letter under Attachment C.1, and stated that some of the issues in the letter are on the agenda and will be addressed at today's meeting.

### **D. Review and Approve November 17, 2015 LATC Meeting Minutes**

- **Marq Truscott moved to approve the November 17, 2015 LATC Meeting Minutes.**

**Patricia Trauth seconded the motion.**

**Members Trauth, Truscott, and Chair Bowden voted in favor of the motion. The motion passed 3-0. Member Taylor not present at time of vote.**

### **E. Program Manager's Report**

Trish Rodriguez presented the Program Manger's Report. She stated that, per the Committee's request, staff has been reviewing material provided at outreach presentations to ensure the information is up to date. She continued that a presentation is being planned at California Polytechnic State University, San Luis Obispo in April 2016.

Ms. Rodriguez reported that on January 19, 2016 Release 2 of the BreZE project was implemented, and DCA will conduct a cost-benefit analysis for the remaining boards and bureaus, as recommended by the State Auditor. She added that LATC is scheduled for Release 3, and DCA anticipates the development of the Release 3 project plan to begin in mid-2016. She added that additional topics regarding BreZE implementation could be discussed at the LATC Strategic Planning session in November 2016.

Ms. Rodriguez stated that on January 6, 2016 the DCA Budget Office requested that staff compile an Information Technology (IT) costing report to include all IT purchases in fiscal year (FY) 2014/2015 and purchased/projected IT purchases for FY 2015/2016. She noted that \$6,798 in IT purchases were made in FY 2014/2015 and forecasted an estimated \$1,550 in IT purchases for FY 2015/2016.

Ms. Rodriguez informed the Committee that at the December 10, 2015 Board meeting, the Board approved the revised *Disciplinary Guidelines* and that the Notice of Proposed Changes and Initial Statement of Reasons are being prepared for submission to the Office of Administrative Law (OAL).

Ms. Rodriguez directed the Committee to the enforcement statistics table located in the Program Manager's Report. She explained that the table now provides figures from the current month, prior month, FY to date, and the average of the past five FYs. She noted that the LATC's average age of pending complaints is at 186 days, which is within the time frame recommended by DCA.

Doug McCauley reported that he attended a hearing on occupational licensing held by the Little Hoover Commission (LHC) on February 4, 2016. He stated that the LHC had previously been

presented material regarding landscape architecture and LATC that was based on inaccurate information. He noted that he clarified the misinformation at the hearing, and it was well received by the LHC. He concluded that a letter outlining and correcting the inaccurate information is being prepared for the LHC.

Mr. Bowden noted for the record that David Taylor arrived at the meeting at 10:37 a.m.

#### **F. Presentation and Introduction from the San Diego Mesa College Landscape Architecture Program**

Tim Smith gave a detailed presentation on the Mesa College landscape architecture program. He also explained that landscape architecture, architecture, interior design, and building construction materials courses are taught at the Design Center. He added that students in all the above-mentioned areas of study may also take landscape architecture courses.

Mr. Smith stated that Mesa College is currently undergoing major renovations to the main campus, but added that the department decided to remain at the Design Center to promote sustainability. He continued that, instead of the building being demolished, the Design Center, a former elementary school, was repurposed through interior renovations and new landscaping.

Mr. Smith described two Associate of Science degrees offered by the program: Landscape Architecture and Landscape Architecture Technician. He explained that the Landscape Architecture degree is designed for students who wish to transfer to a bachelor's program, and that the Landscape Architecture Technician degree is designed to prepare students to gain employment in landscape architecture.

Mr. Truscott asked how many students are enrolled in the landscape architecture program. Mr. Smith explained that it ranges from 15 to 20 students, and often times architecture students take landscape architecture courses. Mr. Bowden inquired if Mesa College has any agreements with a university to accept Mesa College graduates. Mr. Smith explained that Mesa College does not have any agreements, and that students must submit a portfolio for acceptance into a four-year university program and added that most graduates of the Landscape Architecture degree program at Mesa College go on to a university.

#### **G. Report on Council of Landscape Architectural Registration Boards (CLARB)**

Ms. Rodriguez reported that at the November 17, 2015 LATC meeting, the Committee delegated the task of submitting nominations for the 2016 CLARB Board of Directors and Committee on Nominations elections to the LATC Chair and Program Manager. She added that CLARB provided a list of eligible candidates and the LATC nominated Christine Anderson for President-Elect and Stephanie Landregan for the Committee on Nominations.

Ms. Rodriguez continued that CLARB recently updated the Exam Eligibility Standards for candidates testing under a jurisdiction that does not require board approval to take the Landscape Architect Registration Examination (LARE). She noted that new standard was first applied to the December 2015 LARE administration and now requires candidates who do not hold an accredited landscape architecture degree to obtain board approval prior to registering for the

LARE. She concluded that this new standard does not alter the current application process in California, as candidates are already required to obtain board approval prior to testing.

Ms. Rodriguez stated that there will be a Region 5 conference call on February 23, 2016. Mr. Bowden added, as the Region 5 Alternate Director, he will be participating on the call.

Mr. Bowden noted that additional members of the public had arrived to the meeting, and offered the new attendees an opportunity for public comment. Mr. Maxam introduced himself as a registered landscape architect in the state of Nevada and referred to his letter that was previously discussed under Agenda Item C. He noted that he works as a landscape architect in Nevada, but primarily as a landscape designer in California. He added that he passed the LARE in 2011 and has 15 years of experience in the industry. He stated he feels that current reciprocity requirements are unjust and applauds the Committee for reviewing reciprocity procedures and California Code of Regulations (CCR) 2615 (Forms of Examination). He added that he has additional comments regarding related degrees for educational credit under Agenda Item I.

#### **H. Discuss and Possible Action on Strategic Plan Objective to Review California Code of Regulations, Section 2624 (Expired License – Three Years After Expiration) and 2624.1 (Expired License – Five Years After Expiration) and Assess Whether Revisions are Needed to Regulation, Procedures, and Instructions for Expired License Requirements**

Ms. Rodriguez reported that at the August 6, 2015 LATC meeting the Committee directed staff to assess whether the Board's procedures for reviewing a request for re-licensure should be considered to be used by LATC. She stated that a summary of the re-licensure procedures was presented to the Committee at its November 17, 2015 meeting. She noted that after review the Committee directed staff to research re-licensure procedures of additional licensing boards, which is provided as Attachment H.1. She concluded that at today's meeting the LATC is asked to discuss the current re-licensure requirements of LATC, the Board, and other boards to determine if modifications to California's re-licensure regulations, procedures, and instructions should be considered.

Mr. Bowden referred to Attachment H.1 that outlines the re-licensure requirements of other states and boards and stated that several have continuing education requirements. He noted that none of the states listed required applicants to retake a national examination for re-licensure. He also reiterated that the Board does not require applicants to retake the Architect Registration Examination (ARE) for re-licensure.

Mr. Truscott questioned staff if the Board is satisfied with its re-licensure procedures in regards to not requiring an applicant to retake the ARE. Mr. McCauley stated that he was not aware of the Board reconsidering its re-licensure procedures in the last ten years or longer. Mr. McCauley continued that the reasoning is that once an individual has passed the national examination the individual has shown competence in the profession based upon an objective measure. Vickie Mayer added that it is common for individual boards to not require an applicant to retake a national examination, but do require applicants up to five years after expiration to pay all accrued fees to gain re-licensure. Mr. Bowden questioned what the Board requires of an applicant after five years of expiration. Ms. Mayer explained that an applicant must reapply as if applying for the first time. She added that the applicant after five years of expiration would be

required to pass the California Supplemental Examination (CSE), but would not be required to retake the national examination (ARE).

Mr. Bowden asked staff to iterate LATC's current re-licensure procedures. Ms. Rodriguez explained that if an applicant's license has expired for more than three years but less than five, the applicant must submit a portfolio containing work samples since the licensure has lapsed, pay the required fees, and pass the CSE. She continued that the LATC then reviews the portfolio to determine if the applicant must retake any sections of the LARE. She added that if a license has expired for more than five years, the applicant must reapply as if they are applying for the first time, which would require passing the LARE and CSE.

Mr. McCauley noted, in reference to the LATC's current re-licensure procedures, that it is difficult to defend the procedures due to the level of subjectivity involved in determining what sections of the LARE must be passed based on a work sample portfolio. He also added that, as a deterrent, when an individual's license expires and they continue to practice they become subject to a citation for unlicensed practice.

Mr. Bowden questioned whether an amendment would be required for a regulation or statute. Rebecca Bon, DCA Legal Counsel, suggested that BPC 5680.2 (License Renewal-Three Years After Expiration) may require an amendment to remove the portfolio review process. Mr. Truscott stated that he is in favor of aligning the LATC's re-licensure procedures with the Board's even if it means having to amend a statute through the legislative process. Ms. Bon added that amending the statute would be the best way for the LATC to align its re-licensure procedures with the Board.

Ms. Mayer suggested that staff could work with the Committee and legal counsel to determine what regulations or statutes would need to be amended to achieve the Committee's desired results. Ms. Bon agreed that would be a good approach since there are multiple regulations that may require amendments to achieve alignment with the Board.

Ms. Trauth and Mr. Taylor stated that they are in favor of aligning the LATC's re-licensure procedures with the Board's. Mr. Bowden stated that he has concerns about an individual allowing his or her license to lapse for five years, but that since the CSE is updated every five to seven years with an occupational analysis that the examination should be sufficient verification for licensure. Mr. Bowden also stated that the LARE does not change much over a ten year period and for those reasons he agrees with aligning the LATC's re-licensure procedures with the Board's.

- **Marq Truscott moved to direct staff to draft proposed language to amend the LATC's re-licensure procedures to require an individual whose license has expired for more than three years but less than five to pay all accrued fees, and to require an applicant whose license has expired more than five years to reapply for licensure and retake the CSE.**

**Patricia Trauth seconded the motion.**

**Members Trauth, Truscott, Taylor, and Chair Bowden voted in favor of the motion. The motion passed 4-0.**

## **I. Discuss and Possible Action on Strategic Plan Objective to Review California Code of Regulations, Section 2620 (Education and Training Credits) to Expand Credit for Education Experience to Include Degrees in Related Areas of Study**

Kourtney Nation reported that LATC's Strategic Plan contains an objective that directs it to review CCR 2620 (Education and Training Credits) to expand credit for education experience to include degrees in related areas of study. She continued that currently credit is granted for degrees or approved extension certificates in landscape architecture and architecture degrees accredited by the National Architectural Accreditation Board (NAAB).

Ms. Nation stated that in August 2004 an Education Subcommittee was formed and charged with evaluating California's eligibility requirements for the LARE to ensure that applicants have appropriate education and training/work experience before the examination is taken. She continued that the Subcommittee discussed the acceptance of various related degrees and recommended that LATC accept accredited bachelor's degrees in architecture and civil engineering to satisfy the education requirement for examination eligibility. She explained that those degrees emphasize the acquisition of critical thinking and technical skills that are necessary to address health, safety, and welfare issues and are essential to the practice of landscape architecture. She reported that the LATC made the recommendation to the Board and ultimately education credit was only approved for an accredited degree in architecture.

Ms. Nation concluded that at today's meeting the Committee is asked to review the information presented and determine if any degrees in related areas of study should be considered to meet California's education requirement.

Mr. Bowden asked which related degrees were considered by the Subcommittee. Ms. Nation responded that the Subcommittee evaluated degrees in architecture; civil engineering/engineering; urban planning; environmental planning; landscape horticulture; ornamental horticulture; environmental design; and landscape design. Mr. Bowden asked what justification the Subcommittee gave for not accepting the other degrees. Ms. Nation stated that the Subcommittee determined the other degrees either had insufficient curriculums and/or a lack of accreditation standards.

Ms. Trauth stated that when she became licensed various degrees were accepted for credit, and questioned when the requirements changed. Mr. Bowden stated that he is aware of several California landscape architects who do not have landscape architecture degrees, but is unsure when the requirements changed. He continued, referring to CCR 2620 (Education and Training Credits), that it does not seem reasonable to accept one year of practice credit for employment as a registered civil engineer, but not allow education credit for engineering related degrees.

Mr. Bowden asked if forming a new education subcommittee to research and review current related degrees is the direction the Committee would like to take. Mr. Truscott noted that the emergence of sustainability degrees, along with other various related degrees, warrants a further consideration by the LATC. Ms. Trauth agreed that additional consideration should be given for related degrees. Mr. McCauley noted that prior to the sunset of the California Board of Landscape Architects, that board had increased the educational requirements for licensure. He added that the LATC may want to consider the California Architects Board's educational requirements and take into consideration market and legislative support for reducing barriers of entry into the profession and opening additional pathways to licensure.

Mr. Truscott suggested that the Committee review and research current educational degree programs to discuss at a future meeting. Mr. Bowden noted the Committee does not have the educational expertise or knowledge base and that an education subcommittee would be better suited for the task. Mr. Truscott agreed with Mr. Bowden and added that the previous Education Subcommittee put a lot of time and resources into research and that supplemental research may be all that is required to reach and make an informed decision.

Mr. Bowden suggested that the Committee table the discussion until the upcoming LATC Strategic Planning session in November 2016.

- **Patricia Trauth moved to table further discussion on the acceptance of related degrees for the LATC's educational requirements until the Strategic Planning session in November 2016.**

**Marq Truscott seconded the motion.**

There was one comment from the public. Mr. Maxam commented that many licensing bodies accept related degrees of study for licensure in various professions. He continued that his degree in geography is relevant to certain areas of landscape architecture practice, and added that many other qualified individuals with related degrees are excluded from licensure due to narrow educational requirements. He concluded that he is dismayed with the current requirements, but is pleased the LATC is considering credit for related degrees.

**Members Trauth, Truscott, Taylor, and Chair Bowden voted in favor of the motion. The motion passed 4-0.**

#### **J. Discuss and Possible Action on Strategic Plan Objective to Review California Code of Regulations, Sections 2620 (Education and Training Credits) to Clarify Credit and Experience Combinations and Provide Justification for Consistent Staff Interpretation of Exam Eligibility for Potential Licensees**

Ms. Nation reported that LATC's Strategic Plan contains an objective to review CCR 2620 (Education and Training Credits) to clarify credit and experience combinations and provide justification for consistent staff interpretation of exam eligibility for potential licensees. She added, specifically, clarification is needed to reduce the years of experience required as a landscape contractor from four years to two years (if a candidate has an extension certificate plus a four-year degree). This change would make the pathway equitable to the approved degree and two-years of experience under a landscape architect pathway.

Ms. Nation noted that CCR 2620 (Education and Training Credits) subdivision (c)(1)(B) does not specify (a)(9) (A degree in architecture which consists of at least a four-year curriculum that has been accredited by the NAAB) as a possible prerequisite to the required one year of training/practice credit under the direct supervision of a landscape architect. She added that the omission was likely an oversight following the addition of subdivision (a)(9) to CCR 2620 (Education and Training Credits).

Ms. Nation directed the Committee to Attachment J.2 to view the proposed language to amend CCR 2620 (Education and Training Credits). She concluded that at today's meeting, the LATC is asked to discuss this objective and consider staff's recommendation to amend CCR 2620 (Education and Training Credits) and take possible action.

Mr. Bowden stated that requiring two years of experience instead of four as a landscape contractor and not including subdivision (a)(9) under (c)(1)(B) of CCR 2620 (Education and Training Credits) were likely inadvertent omissions and clearly intended to be included as pathways to licensure.

- **David Taylor moved to approve the proposed regulations to amend CCR 2620 (Education and Training Credits) to clarify the required years of experience as a landscape contractor and include subdivision (a)(9) under (c)(1)(B), delegate authority to the EO to make minor technical or non-substantive changes to the language, if needed, and authorize staff to initiate the rulemaking process.**

**Patricia Trauth seconded the motion.**

**Members Trauth, Truscott, Taylor, and Chair Bowden voted in favor of the motion. The motion passed 4-0.**

#### **K. Discuss and Possible Action on Draft *Consumer's Guide to Hiring a Landscape Architect***

Ms. Rodriguez reported that at LATC's November 17, 2015 meeting, staff presented a draft *Consumer's Guide to Hiring a Landscape Architect*, which was based on the Board's guide. She added that the Committee agreed to appoint a subcommittee to make additional revisions to the guide. She noted that the revised guide is attached with deleted text shown in red strikethrough, new text shown in blue underline, and edits provided by the subcommittee are highlighted in yellow. She stated that the guide still requires review by DCA Legal Counsel and Public Affairs.

Mr. Bowden noted the majority of the red strikethrough deletions are a result of modifying the Board's guide to make it pertinent to the practice of landscape architecture. He added that he worked with Ms. Trauth and staff to revise the guide, and that the goal is to make the guide available to the public as soon as possible.

Ms. Trauth suggested adding a matrix to the guide that outlines different landscape professions and that includes the qualifications of those different professions. Ms. Mayer recommended adding an introductory paragraph to explain the matrix, and to determine the best placement of the matrix in the guide.

Mr. Truscott also suggested adding information regarding drought conditions and the Model Water Efficient Landscape Ordinance (MWELo). Mr. McCauley noted that documents outlining information on drought and MWELo are being prepared for the LHC and that the information could be incorporated into the guide. Mr. Truscott agreed to work with Mr. McCauley to prepare MWELo and drought information to be included in the guide.

- **Patricia moved to table further discussion on the guide until the next LATC meeting to give the Committee and staff time to make additional revisions.**

**David Taylor seconded the motion.**

**Members Trauth, Truscott, Taylor, and Chair Bowden voted in favor of the motion.  
The motion passed 4-0.**

**L. Review Tentative Schedule and Confirm Future LATC Meeting Dates**

The next LATC meeting is tentatively scheduled for May 2016.

**M. Adjourn**

The meeting adjourned at 12:32 p.m.