



SUMMARY REPORT

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

January 23, 2004
Berkeley, California

Committee Members Present

Linda Gates, Chair
Christine Anderson
Stephanie Landregan
Anna Mendiola

Committee Members Absent

Dennis Otsuji

Staff Present

Doug McCauley, California Architects Board (CAB) Executive Officer
Mona Maggio, Landscape Architects Technical Committee (LATC) Program Manager
Mary Anderson, Examination Coordinator
Patricia Fay, Licensing Coordinator
Justin Sotelo, Enforcement/Special Projects Analyst
Terri Villareal, Enforcement Coordinator
Don Chang, Legal Counsel

Guests Present

Cynthia Choy Ong, CAB Liaison
Rick Ciradella
Richard Zwiefel, LATC Education Subcommittee Chair

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

Chair Linda Gates called the meeting to order at 9:40 a.m. and Mona Maggio, LATC Program Manager, called the roll. Three members of the LATC present constitute a quorum. There being four present, a quorum was established.

B. Chair's Remarks

Ms. Gates reported that the LATC's Sunset Review Hearing was held January 7, 2004 and that it went very well. She remarked that the LATC was scheduled to appear at 3:30 p.m.; however, staff received a call from the Joint Legislative Sunset Review Committee's (JLSRC) staff earlier in the morning requesting we be present at 1:00 p.m. She added that though the speakers were given a very limited amount of time to address the JLSRC, each speaker was able to emphasize the diverse scope of practice of the profession. She further remarked that having a majority of the LATC members and staff present at the hearing also underscored the commitment of the LATC. She thanked staff for being well prepared, for their time and efforts over the last two years in preparing for the hearing. She added that the final report to the JLSRC's 15 issues/questions will be submitted on February 7, 2004 and that the Department of Consumer Affairs (DCA) will submit its report to the JLSRC in March 2004. A vote by the legislature will be held in April 2004.

Ms. Gates announced that she, Stephanie Landregan and Ms. Maggio will attend the Council of Landscape Architectural Registration Boards' (CLARB) Spring Regional Meeting, February 27-28, 2004 in Chicago, Illinois.

Ms. Gates reported that the Student Chapter of the American Society of Landscape Architects (ASLA) at the University of California, Davis (UC Davis) has requested a presentation by the LATC. Mary Anderson will coordinate the presentation and the LATC's April 23, 2004 meeting at UC Davis.

C. Public Comment Session

Rick Ciradella former member of the California Board of Landscape Architects, DCA Advisory Council and LATC Sunset Review Task Force introduced himself.

D. Approve the November 24, 2003 LATC Summary Report

- ◆ **Christine Anderson moved to approve the November 24, 2003 LATC Summary Report.**
- ◆ **Stephanie Landregan seconded the motion.**
- ◆ **The motion carried unanimously.**

E. Program Manager's Report

Ms. Maggio reported that January 23, 2004 was the last day to submit requests for Approval of Proposed Legislation and that on January 22, 2004 she and Doug McCauley paid a visit to the Office of the Legislative Counsel to respond to any questions regarding the proposals previously submitted to amend Business and Professions Code sections 5641, Chapter Exceptions, Exemptions; 5651, Examination of Applicants; and 5659, Inclusion of License Number – Requirement. She added that the LATC would be contacted soon for names of prospective authors for the bill. Staff will work with Ms. Landregan in securing an author.

Ms. Maggio further reported that because the out-of-state-blanket has not been approved, that she, Ms. Gates and Ms. Landregan would pay out-of-pocket expenses to attend the CLARB Spring Regional Meeting and hope for reimbursement once the out-of-state-blanket is approved.

Ms. Maggio reported that the LATC has one disciplinary case scheduled for an administrative hearing on Feb 5, 2004 with David Tatsumi, former LATC member serving as the expert witness. She added that staff has identified that more enforcement cases are requiring review by a technical expert. Over the last two years Dennis Otsuji has served as this functionary. However, with his recent appointment to the LATC, Ms. Maggio asked if the LATC should consider one of the following: 1) hire a landscape architect consultant; 2) continue using LATC members as technical experts, (member(s) would have to reclude himself/herself if case he/she reviewed came before the LATC); or 3) select individuals to serve as technical experts from the pool of landscape architects who volunteered to serve as technical experts from the licensee survey. Don Chang suggested the latter and that he along with a deputy attorney general, and LATC staff would need to conduct a training session(s) for the technical experts. It was decided to discuss this matter in more detail during the strategic planning session.

Ms. Landregan inquired as to the DCA Board Member Orientation, dates were identified but not specific locations. Ms. Maggio stated that she contacted the DCA's Training Office and was told that due to budgetary constraints the training may be cancelled. She asked LATC members to provide their preference of training of date(s) so she could inform DCA. Mr. Chang added that last year the legislature passed Business and Professions Code Section 453, which states:

"Every newly appointed board member shall, within one year of assuming office, complete a training and orientation program offered by the department regarding, among other things, his or her functions, responsibilities, and obligations as a member of a board."

G. Update and Possibly Take Action on the Council of Landscape Architectural Registration Boards' (CLARB) Proposed Changes in the Administration of the Landscape Architectural Registration Examination (LARE)

Ms. Maggio reported that at the December 12, 2003 LATC meeting, staff was directed to send out the poll approved by the LATC that same day, to CLARB member jurisdictions to determine the effects of CLARB's change in the administration of the Landscape Architectural Registration Examination (LARE). As of the meeting date, staff had received four responses to the poll. Ms. Maggio stated that states of Nevada and Washington had contacted the LATC to say that their boards would be meeting in February and that they would respond to us after their respective meetings. Ms. Maggio stated that contrary to CLARB's statement that only two states have concerns with CLARB's changes, three of the four states who have responded to the poll have serious concerns and possible conflicts with their laws and will be working with CLARB to resolve the issues. Additionally, she has spoken to representatives from South Carolina and Maryland who reported they have received our poll and have determined that they too will continue to determine eligibility for their candidates and require CLARB to continue sending candidate results to them. Ms. Maggio shared that states are thanking California for opening up the dialog between states which did not occur prior to CLARB implementing this change to the exam administration. She added that states that have informed CLARB of their intent to maintain their mandate to approve candidates to sit for the LARE have been sent a Letter of Understanding (LOU) from CLARB. The LOU is for the purpose of amending the current examination contract with CLARB in regards to the multiple-choice exam sections. So far staff

has spoken with representatives from South Carolina, Maryland, Texas and Virginia who have offered to share their edits of the LOU with us and asked that we do the same.

Ms. Maggio directed the LATC to a copy of the California LOU drafted by and received from CLARB in the meeting packet. Ms. Maggio shared that she received a call from Clarence Chaffee, Executive Director of CLARB inquiring if we had received the LOU and if it met our approval. She informed him that the LATC and Board would need to review and approve the LOU before it would be returned to CLARB. The LATC began reviewing the terms and conditions of the LOU; however, due to this meeting being scheduled to conduct strategic planning, and the time necessary to review the LOU, the LATC determined the best course of action would be to appoint a task force to review and make suggested edits to the LOU. Christine Anderson and Anna Mendiola volunteered to take this charge and send their suggestions back to Ms. Maggio. A meeting via telephone conference will be scheduled prior to the CLARB 2004 Spring Regional Meeting to review the revised LOU and discuss the Regional Meeting Agenda.

Ms. Maggio added that another concern is that neither the CLARB Board of Directors (BOD) nor the member boards voted on implementing the change in the exam. During a telephone conversation earlier in the month, Mr. Chaffee told Ms. Maggio that CLARB's strategic plan directed it to proceed with computerization of the examination when it was feasible. He determined that since the membership approved the strategic plan, in essence it had approved the implementation of the computer administration. Ms. Maggio asked if the LATC wished to sponsor a resolution to amend CLARB's bylaws to specify when a vote was required by the BOD and by the membership. After discussion, it was determined that this issue would best be discussed by CLARB's Governance Committee during the Regional Meeting. Ms. Gates is a member of the Governance Committee and will bring this issue forward during the Committee meeting.

Mr. Zweifel and Mr. Ciradella both shared their opinions that the LATC has maintained a good working relationship with CLARB and that we should continue in that vein. Mr. Zweifel suggested that possibly CLARB's Communication Committee could come up with ideas on improving communication between CLARB staff, the BOD, the membership and board administrators. He added that both he and Ms. Maggio are on the Committee and can work on improving the lines of communication. Ms. Gates suggested that we table this discussion until strategic planning when the LATC could focus on the goals and objectives of working with CLARB and the changes to the LARE. The LATC concurred.

H. Review and Approve New Design of Web Site Conforming to Statewide Portal Requirements

Justin Sotelo stated that the LATC's 2003 Strategic Plan directed the LATC to update its Web site to conform to the new statewide portal requirements and expand on-line services. The target date for completion is January 2004. Mr. Sotelo presented sample site designs for the LATC's review and approval. The Committee voiced their approval of the gray scale design, elimination of the logo "LATC," and replacing it with "Landscape Architects Technical Committee," in blue and "Public Protection Through Examination, Licensure and Regulation" in gray.

I. Review and Consider Request for Re-licensure

Stephanie Landregan presented her findings of the re-licensure request and work sample portfolio submitted by David Roy Fox former license number LA 1966 – issued November 1980 – expired August 2000.

Ms. Landregan reported that the work samples submitted by Mr. Fox demonstrated current knowledge and minimal competency for entry-level practice. However, she also noted that Mr. Fox's license had expired on two previous occasions prior to cancellation yet he continued to perform the services of a landscape architect, which is in violation of California law. Ms. Landregan stated that this might be an indication that Mr. Fox does not fully understand the importance of licensure to protect the health, safety and welfare of consumers and the general public. Therefore Ms. Landregan recommended that Mr. Fox take and pass LARE section A Legal and Administrative Aspects of Practice and the California Supplemental Examination (CSE). Upon successful completion of both LARE section A and the CSE, Mr. Fox be granted a new license. The LATC concurred with Ms. Landregan's recommendation.

- ◆ **Stephanie Landregan moved to grant David Roy Fox a new license upon successful completion of LARE section A - Legal and Administrative Aspects of Practice and the California Supplemental Examination and pays all required fees.**
- ◆ **Anna Mendiola seconded the motion.**
- ◆ **The motion carried unanimously.**

I. Strategic Planning Session

Ms. Gates introduced Daniel Iacofano of Moore Iacofano Goltsman, Inc. as the facilitator for the strategic planning session.

Mr. Iacofano reviewed the agenda and explained the purpose of the planning session. The session began with discussion of the findings and key issues of his telephone interviews with LATC stakeholders and his conference call with staff on December 8, 2003. Mr. Iacofano commented on staff's insights into the trends and major issues facing the profession of landscape architecture and that the stakeholders reiterated much of the same information during the interview process. He also commented on the fact that the LATC is functioning as a full Committee for the first time since 2000.

The participants shared that preparation of the 2003 Sunset Review Report took most of staff's efforts in the past year so some of the objectives were not completed. The LATC completed its update of the plan for the upcoming year.

A draft of the updated plan will be presented to the LATC at its meeting on April 23, 2004.

J. Announcement of Future Meetings

Ms. Maggio reported that the California Council of the ASLA cancelled its State Conference scheduled for April 2004. The LATC had planned on conducting its spring meeting in

conjunction with the State Conference. The LATC members elected to meet April 23, 2004 at the University of California, Davis; August 27, 2004 at the University of California, Los Angeles and November 19, 2004 at the California State Polytechnic University, Pomona. Patricia Fay will contact each landscape architectural program to secure space and schedule a student presentation with the landscape architectural students.

K. Adjournment

The meeting adjourned at 5:00 p.m.