



SUMMARY REPORT

CALIFORNIA ARCHITECTS BOARD LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

May 9, 2006
Sacramento, CA

LATC Members Present

Stephanie Landregan, Chair
Christine Anderson
Linda Gates (arrived at 10:15 a.m.)
Dennis Otsuji

Staff Present

Doug McCauley, Executive Officer, California Architects Board (Board)
Mary Ann Aguayo, Program Manager, LATC
Ethan Mathes, Special Project Analyst
Mary Anderson, Exam Coordinator
Terri Villareal, Enforcement Coordinator
Patricia Fay, Licensing Coordinator
Don Chang, Legal Counsel

Guests Present

Iris Cochlan, California Architects Board Liaison
Alexis Joan Slafer, University of California Los Angeles (UCLA) Extension
Richard Zweifel, LATC Education Subcommittee Chair

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

Chair's Remarks

Public Comment Session

LATC Chair Stephanie Landregan called the meeting to order at 10:05 a.m. and called roll. Three members of the LATC were present and thus a quorum was established.

There were no Chair's Remarks.

Ms. Landregan opened the floor to public comment; there was no public comment.

B. January 19-20, 2006 LATC Meeting Summary Report – *Review and Approval*

Richard Zweifel noted that he attended the January 20, 2006 LATC Strategic Planning Session and the January 19-20, 2006 LATC Meeting Summary Report should reflect his attendance on January 20, 2006.

- **Dennis Otsuji moved to approve the January 19-20, 2006 LATC Meeting Summary Report.**
- **Christine Anderson seconded the motion.**
- **The motion carried unanimously.**

C. Program Manager’s Report

Mary Ann Aguayo introduced Ethan Mathes, the new Special Project Analyst and Iris Cochlan, the Board Liaison to the LATC.

Ms. Aguayo provided an overview of the Program Manager’s report. She reported that the 2006/2007 Fiscal Year budget has been approved by the Senate and Assembly Subcommittees. A full description of the LATC budget and the budget process will be provided at the August LATC meeting. Additionally, two concept papers have been submitted for “budget change proposals.” One is to increase the enforcement position from part time to full time and the other is to add funds for the ongoing analysis of the California Supplemental Exam. Ms. Aguayo stated these budget items would not be finalized until next December or January.

Ms. Aguayo reported the Spring Newsletter is tentatively set to go out by the end of May.

Ms. Aguayo explained the state has developed a public records request training process. Mr. McCauley added that the Department of Consumer Affairs (DCA) was recently subjected to a public records request audit conducted by the First Amendment Coalition and therefore the DCA has instituted additional staff training.

Ms. Aguayo reported that Senate Bill 1476 was amended to extend the Sunset Review process due date by two years. Mr. McCauley explained the Sunset Review process starts two years before reports are due, and in light of the proposed extension, reports for the LATC Sunset Review process are set to start in 2008 for a 2011 review.

Mary Anderson briefed the LATC on the number of Landscape Architect Registration Exam (LARE) applications received for the June administration. She reported that the LARE graphic examination application numbers are trending up after having decreased for two consecutive administrations. Ms. Landregan suggested staff generate, for review at the next LATC meeting, statistics on the failure rate of candidates that take the examination multiple times. Ms. Landregan mentioned this could be a discussion item to help with the Education Subcommittee; the LATC members and staff discussed how this information would be captured in the new Applicant Tracking System. Staff agreed to include in subsequent meetings the pass/failure rate of first-time and retake candidates.

Ms. Aguayo notified the LATC that California Code of Regulations (CCR) Section 2608, Complaint Information System, Section 2670, Issuance of Citations and Section 2630.1, Assessment of Administrative Fines was recently approved by the Office of Administrative Law (OAL) and will be sent to the Secretary of State, becoming effective within 30 days. Further, Ms. Aguayo reported CCR Section 2670 Rules of Professional Conduct would be submitted to OAL to initiate the regulatory process sometime in the month.

Ms. Aguayo reminded the LATC to complete their ethics training.

D. Council of Landscape Architectural Registration Boards (CLARB)

1. CLARB Region V Online Meeting 2-9-06 - Summary

Ms. Landregan pointed out that in the online meeting it was noted that the population of exam takers is increasingly repeat candidates who have failed the LARE and that their pass rate is low. Ms. Landregan commented that this is why analyzing data regarding California repeat test takers and their pass rates on the LARE are important.

2. CLARB Spring Meeting 2-24&25-06 - Summary

The LATC discussed the process and the importance of electing CLARB officers.

E. Appointments and Election of Officers

1. Terms – Review

Ms. Landregan noted she is currently working on her appointment for an additional term. Mr. McCauley pointed out there was a new DCA Deputy Director of Board Relations, Antonette Sorrick, and Appointment Secretary with the Governor, Timothy Simon.

2. Election of Officers - Nomination and Selection

- **Stephanie Landregan moved to nominate Christine Anderson to serve as Chair of the LATC.**
- **Dennis Otsuji seconded the motion.**
- **The motion carried unanimously.**

- **Christine Anderson moved to nominate Stephanie Landregan to serve as Vice-Chair of the LATC.**
- **Linda Gates seconded the motion.**
- **The motion carried unanimously.**

3. Extension Certificate Program - *Approval of Site Team Selection*

Dennis Otsuji expressed that a new LATC member would be a preferable choice to oversee the extension program site team and not someone who has done the site review previously. Ms. Gates volunteered to head the site review team for the UCLA Extension. Mary Anderson briefed the LATC on the timeline of the extension program review process. Christine Anderson volunteered to head the University of California, Berkeley Extension site review team. The LATC went on to discuss potential site team members from a provided list of volunteers. Don Chang clarified conflict of interest requirements. Mr. Zweifel recommended the site team names be sent to the extension programs for review and response; the LATC and Mr. Chang agreed. Ms. Anderson and Ms. Gates decided to meet and select names from the volunteer list.

- **Dennis Otsuji moved to approve the Extension Program Site Team leaders Christine Anderson and Linda Gates and delegate authority to select the site team.**
- **Linda Gates seconded the motion.**
- **The motion carried unanimously.**

4. Occupational Analysis/California Exam Redevelopment - *Review of Subject Matter Experts Selection Process*

Ms. Anderson explained the California Exam redevelopment process and the volunteer list. Ms. Aguayo clarified the process of soliciting for volunteers. The LATC members commented that they would help implore some of the newer licensees from the new-licensee contact list. Ms. Gates suggested that Ms. Aguayo and Mr. Mathes should assign the volunteer licensees to the applicable workshop session dates. The LATC offered suggestions to help solicit licensees for the California Exam redevelopment.

5. Sunset Review - *Subcommittee Membership Selection*

The LATC discussed and agreed to form a small Sunset Review Implementation Committee consisting of LATC members rather than a larger group at this time. This committee will review the recommendations, measure progress and report back at each subsequent meeting in order to determine future efforts.

- **Linda Gates moved to appoint Dennis Otsuji and Stephanie Landregan to the Sunset Review Implementation Committee.**
- **Stephanie Landregan seconded the motion.**
- **The motion carried unanimously.**

F. Occupational Analysis/California Supplemental Exam Redevelopment – *Update*

Ms. Aguayo briefed the LATC on the occupational analysis efforts. Ms. Aguayo also stated some areas of concern will be the process for handling examination failure and the possibility out-of-state testing.

The LATC discussed and agreed that the important issues facing the occupational analysis are focusing on the difference between the national examination and the California Supplemental Exam (CSE), the examination not creating a barrier to enter the profession, and making the CSE easily available for out-of-state testing.

G. 2006 Strategic Plan - *Review and Approval*

The LATC provided comments, clarification, and suggested edits to staff for the 2006-07 Strategic Plan. Staff will incorporate the edits into the Plan to be presented to the Board for its approval on June 7, 2006. This includes changing the effective dates to reflect a fiscal year period from July 1, 2006 to June 30, 2007.

- **Linda Gates moved to approve the 2006-07 Strategic Plan with discussed changes and delegate to staff the authority to make changes to reflect the addition of “Employers” to the Communications Plan.**
- **Dennis Otsuji seconded the motion.**
- **The motion carried unanimously.**

H. Proposal to Amend California Code of Regulations, Title 16, Division 26, Section 2649, Fees - *Review and Preliminary Approval*

Ms. Aguayo presented the item; it was brought back from the last meeting by request. She noted the shortfall in examination costs versus fees collected and the downward trend of examinees. Ms. Aguayo also briefed the LATC on the fee comparison made between selected states.

Ms. Gates asked and Mr. McCauley confirmed the applicant has been asked by the Sunset Review Committee to assure that applicants for licensure pay the full costs of the examination. Upon a request by members for the fee increase to be announced in advance, Mr. Chang indicated the filing of the regulation would be an eight-month process and the increase in fees could be made effective upon filing of the regulation into law. The LATC discussed options regarding the increase in fees, they agreed to “Option 3” which increases the LARE Sections C and E fees by \$60, CSE fee by \$20, the Standard Review fee by \$35, the LARE Sections C and E Red Line Review fee by \$40.

- **Christine Anderson moved to approve the amendment to California Code of Regulations, Title 16, Division 26, Section 2649, Fees using “Option 3” including a modification to the effective dates of the regulation that makes the regulation effective upon publication.**
- **Linda Gates seconded the motion.**
- **The motion carried unanimously.**

I. Education Subcommittee Final Recommendations on California's Eligibility Requirements for Examination

1. Review of previous discussion and LATC action

Ms. Landregan presented the item.

2. Retain Six-Year Education/Experience Requirement - *Review and Approve Recommendation*

The LATC discussed the continued importance of the education component in the education and experience requirement necessary to sit for the LARE. Mr. Zweifel stated the Education Subcommittee evaluated the importance of the education component and found that education was an invaluable component of licensure process. Ms. Aguayo noted that at the time of the last regulation change regarding this matter, it was determined education was identified as an important part of the requirements to sit for the LARE. Mr. Chang added any changes made to regulation of this nature need to be appropriately justified; in addition, Business and Professions Code (BPC) Section 5650 specifically states education and experience as a requirement for examination and licensure.

Ms. Landregan questioned whether the education component was important for licensure based on the lack of specificity in the matters of health, safety and welfare. The LATC went on to discuss the importance of universities and colleges to teach and stress landscape architecture specific to the licensure concerns that effect the public's health safety and welfare

3. Eligibility for Examination with Experience Only - *Review and Approve Recommendation*

The LATC and Mr. Zweifel discussed what education adds to the profession and if it is a necessary component for LARE eligibility. The LATC also discussed its role in determining eligibility for examination with experience only.

Mr. McCauley suggested looking into accrediting standards and determining how schools are measured in order to understand if they are meeting a baseline.

The LATC agreed to move forward on the Education Subcommittee recommendations and look into education standards as it relates to health, safety and welfare concerns.

- **Linda Gates moved to approve Education Subcommittee recommendation 7 and 11 with an amendment to clarify recommendation 4 to initiate tracking upon candidacy to be ratified at a subsequent meeting with and amendment to report to the Department of Consumer Affairs and Legislature of these changes.**
- **Christine Anderson seconded the motion.**
- **The first amendment clarifying recommendation 4 to initiate tracking upon candidacy to be ratified at a subsequent meeting carried unanimously.**

- **The second amendment to report to the Department of Consumer Affairs and Legislature of the changes carried unanimously.**
- **The motion carried unanimously.**

The LATC agreed to defer discussion on changes to CCR 2620, Education and Training Credits, and the preparation of “guidelines” for examination experience requirements. Mr. McCauley noted that the Sunset Review process was a couple of years away, so deferring this item would not be problematic.

Subsequent to the review of Agenda Item M, the LATC readdressed this item to include additional comments provided by Mr. Zweifel. Ms. Anderson noted that “and” should be substituted in place of “prior to” in recommendation 11. The members agreed.

- **Linda Gates moved to reopen Education Subcommittee recommendation 7 and 11 to include written comments made by Richard Zweifel with an amendment to add a correction to recommendation 11.**
- **Dennis Otsuji seconded the motion.**
- **The first amendment to add a correction to recommendation 11 carried unanimously.**
- **The motion carried unanimously.**

J. Legislative Proposal to Amend Business and Professions Code (BPC) Sections 5678.5 - Board Receipt of Report on Insurer’s Settlement or Arbitration Award, and 5679.5 Report to Board on Settlement or Arbitration Award; Compliance with Section by Counsel - *Discussion and Possible Action*

Mr. McCauley briefed the LATC on this item; the proposed amendments were incorporated into Assembly Bill 2256 on April 25, 2006. The members concurred with the proposed language. Mr. McCauley also reviewed the Frequently Asked Questions (FAQ) and requested the LATC bring any suggestions or additions to the next meeting. The LATC agreed and the FAQ were continued to the next meeting.

K. Legislative Proposal to Amend BPC Section 5616, Landscape Architecture Contract - Contents, Notice Requirements – *Review and Approval*

Mr. McCauley briefed the LATC on this item. He stated that the unique beneficial elements of the architects and engineers respective statutes are being added.

- **Linda Gates moved to approve amendment to BPC Section 5616, Landscape Architecture Contract - Contents, Notice Requirements.**
- **Dennis Otsuji seconded the motion.**
- **The motion carried unanimously.**

L. Enforcement Report

1. Update

Terri Villareal briefed the LATC on current enforcement cases.

2. Data/Trends - Draft Complaint Analysis Report – *Review and Comment*

Ms. Villareal briefed the LATC on the item and the attached History of Enforcement Statistics. She inquired whether this information should be in the packet at subsequent meetings. The LATC agreed this should be included once a year, perhaps prior to the annual Strategic Planning meeting, and current update summaries provided within the program manager's report.

M. LATC Volunteer Recognition Program 2006 - *Review Procedure, Nominate and Select Award Recipient(s)*

The LATC suggested edits to the LATC Award Recognition Program Guidelines. A discussion was held on the Volunteer Recognition Program and the award recipients were selected.

- **Linda Gates moved to nominate Richard Zweifel and Sandra Gonzalez for the Landscape Architects Technical Committee's Volunteer Award.**
- **Dennis Otsuji seconded the motion.**
- **The motion carried unanimously.**

N. Tentative Schedule and Future LATC Meeting Dates - *Review and Modify*

Future meetings will be tentatively held:

August 25, 2006
November 7, 2006

- **Linda Gates moved to adjourn.**
- **Stephanie Landregan seconded the motion.**
- **The motion carried unanimously.**

The meeting adjourned at 4:25 p.m.