



SUMMARY REPORT
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

January 26 - 27, 2001
Berkeley, California

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

Chair David Tatsumi called the meeting to order at 10:00 a.m. and called the roll.

Committee Members Present

David Tatsumi, Chair
Sandra Gonzalez, Vice-Chair
Linda Gates
Dennis Otsuji

Guests Present

Ric Ciardella, Landscape Architect (present January 26, 2001)
Alexis Slafer, University of California at Los Angeles (UCLA), Landscape Architecture
Extension Certificate Program (present January 26, 2001)
Jonathan Villet, OneWorld Communications (present January 27, 2001)
Richard Zweifel, LATC Education Subcommittee Chair

Staff Present

Don Chang, Legal Counsel (present January 27, 2001)
Gretchen Kjose, Program Manager
Mary Anderson, Examination Coordinator
Justin Sotelo, Enforcement Coordinator

B. Chair's Remarks

Mr. Tatsumi reported that he visited the December 2000 administration of the Landscape Architect Registration Examination (LARE) in Riverside, California and an American Society of Landscape Architects (ASLA) function in Southern California.

C. Review of the November 16, 2000 Summary Report

The November 16, 2000 LATC meeting summary report was reviewed. Sandra Gonzalez suggested that, as a regular agenda item for future meetings, Dennis Otsuji report on the monthly telephone conferences he has with the California Council of the ASLA. Mr. Otsuji agreed to submit a report to Gretchen Kjose upon completion of each telephone conference.

- ◆ **Linda Gates moved to approve the November 16, 2000 Landscape Architects Technical Committee Summary Report.**
- ◆ **Sandra Gonzalez seconded the motion.**
- ◆ **The motion carried unanimously.**

D. Public Comment Session

Mr. Tatsumi asked the audience to introduce themselves.

Alexis Slafer, Director of the UCLA Extension Certificate Program in Landscape Architecture, stated that she attended a meeting of Professional Women in Landscape where there were many inquiries about the future of the licensing in California.

After discussion, the Committee agreed to include a sunset review article in all future newsletters discussing the status of licensing for landscape architects in this State.

E. Program Manager's Report

Ms. Kjose reported there is one vacancy on the LATC and one member is in the grace period. She advised that the Governor's office has begun making appointments and it is hoped that the vacancy will be filled in the near future.

Ms. Kjose reported that the bid request for a facilitator to conduct the market conditions assessment was sent to seventeen vendors in early January, with a deadline of January 18, 2001. Eight bids were received and three were selected for interviews to be conducted on January 31, 2001 and February 5, 2000. She advised that a vendor would be selected immediately following the interviews.

Ms. Kjose announced that as a result of an article in the Fall 2000 newsletter, several volunteers have been recruited for the upcoming market conditions assessment focus groups. She also indicated that the Winter newsletter will be published in late February or early March, 2001.

Ms. Kjose introduced Justin Sotelo, who took over as the enforcement coordinator in October 2000, and advised that Patricia Fay was hired to fill the office technician vacancy effective January 31, 2001.

Ms. Kjose reported that the Web site was updated to include the latest legislative changes and the Fall newsletter. She also indicated that the LATC would be changing web servers to the Health and Human Services Agency Data Center, the same server used by the California Architects Board.

Ms. Kjose reported that staff is preparing a new exam contract to purchase the LARE through 2003 to replace the current contract which expires on April 1, 2001. She stated that the Council of Landscape Architectural Registration Boards (CLARB) increased the cost of red line reviews for LARE section C from \$100 to \$140 without advance notice to the LATC. The Committee discussed the fact that the fee is set in regulation and cannot be changed immediately to reflect the increase. Ms. Gonzalez suggested that staff prepare a letter to CLARB requesting an exemption from the increase until the appropriate regulatory change can be made and cautioning them to give more notice before raising any fees.

Ms. Kjose stated that 55 candidates participated in red line reviews following the June 2000 LARE and many commented that the reviews were helpful in identifying the amount of detail CLARB is looking for in each vignette. She advised that 155 candidates took the December LARE and that results would be available in late February or early March.

Ms. Kjose noted that the CLARB regional meeting would be held on March 3 - 5, 2001 in Denver, Colorado and that she and Ms. Gonzalez would be attending.

Ms. Kjose reported that proposed regulations setting five-year timeframes for applying for licensure after passing the examination and re-licensure after allowing a license to lapse, have been sent to the Department of Finance for review. She indicated that the regulation should be in place by March or April 2001.

F. Review and Preliminary Approval of Proposed Legislation to Amend Business and Professions Code Sections 5657, Business Address Change - Notice Requirement; 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

Section 5657 - Ms. Kjose explained that current statutes require a licensee to provide both a business name and address and a mailing address and to notify the Board of any changes within a specified period of time. Current regulations require the licensee to provide his/her mailing address. She informed the Committee that there are laws that require public entities such as the Department of Consumer Affairs, to disclose certain information about licensees, including their address of record. In an effort to protect the privacy of its licensees, while still complying with disclosure laws, the LATC recommended amending section 5657 to require licensees to provide their mailing address and asked staff to ensure that licensees are advised that their mailing address is a matter of public record.

- ◆ **Linda Gates moved to preliminarily approve proposed legislation to amend the statute to require licensees to notify the Board of their current mailing address.**
- ◆ **Sandra Gonzalez seconded the motion.**
- ◆ **The motion carried unanimously.**

Sections 5678.5 and 5679.5 - Ms. Kjose gave a brief summary of current statutes that require a licensee to notify the Board of arbitration or settlement awards exceeding \$5,000. She explained that, over the years, the cost of litigation has risen to the point that licensees settle claims under certain dollar

amounts for their nuisance value, rather than incur the high cost of defending themselves in situations where they may have had no involvement in the alleged damages. She advised that legal counsel, Don Chang, recommended raising the reporting amount to \$20,000 to reflect a more realistic award based on liability rather than nuisance value. Mr. Otsuji commented that \$20,000 might be too low a threshold in today's market. Ms. Kjose explained that the LATC should not set the mark at a point where it might miss instances where the licensee was truly at fault. The Committee concurred.

- ◆ **Linda Gates moved to preliminarily approve proposed amendments to raise the reporting amount from \$5,000 to \$20,000.**
- ◆ **Sandra Gonzalez seconded the motion.**
- ◆ **The motion carried unanimously.**

G. Review and Preliminary Approval of Proposed Regulations to Amend Title 16, Division 26, California Code of Regulations Sections 2611, Application for Temporary Certificate; 2620.5, Requirements for an Approved Extension Certificate Program; 2649, Fees; 2655, Substantial Relationship Criteria; 2671, License Number Required in Public Presentments and Advertising

Sections 2611 and 2649 - Ms. Kjose advised that these two regulations which address temporary certificates need to be repealed since the statute allowing out-of-state practitioners to practice in this state with temporary certificates was repealed effective January 1, 2001.

- ◆ **Linda Gates moved to preliminarily approve proposed regulations to repeal section 2611 and amend section 2649.**
- ◆ **Sandra Gonzalez seconded the motion.**
- ◆ **The motion carried unanimously.**

Section 2620.5 - Ms. Kjose reminded the Committee that section 2620.5(a) contains an incorrect reference to Education Code section 94310 that needs to be changed to section 94901.

She then gave a summary of past discussions regarding California Code of Regulations section 2620.5(j), the regulation that requires extension certificate programs to contain at least 110 quarter units or 72 semester units. She stated that the Committee needs to determine whether it is appropriate to set the number of semester or quarter units in regulation or leave it up to the individual programs to determine how many units are needed to complete curriculum requirements. She advised that the extension program at the University of California, Berkeley (UCB) currently consists of 60 semester units, well below the required 72 and indicated that the proposed amendments show a change to 60 quarter units. Ms. Gonzalez indicated that she is uncomfortable with changing current requirements without better justification than simply the fact UCB is out of compliance with the regulations. Richard Zweifel voiced his opinion that the Committee should set the number of units in regulation, and that they might be based, as closely as possible, on the number of semester and quarter units required for core curricula in undergraduate programs. He suggested that the Committee set the

minimum standard at 60 semester and 110 quarter units and revisit this issue during the next approval process. Ms. Slafer pointed out that the formula normally used for converting quarter units to semester units would set quarter units at 90 rather than 110. To be consistent, Mr. Otsuji recommended that the regulations be amended to reflect the requirements of 60 semester or 90 quarter units.

- ◆ **Dennis Otsuji moved to preliminarily approve proposed regulations to amend section 2620.5(a) to reflect the appropriate Education Code section 94901 and section 2620(j) to require 60 semester or 90 quarter units.**

- ◆ **Linda Gates seconded the motion.**

- ◆ **The motion carried unanimously.**

Section 2655 - Ms. Kjose indicated that this regulation contains an inappropriate reference to “certificate” rather than “license” and omits the word “her” in reference to a landscape architect. She stated that the proposed amendments will correct these references.

- ◆ **Linda Gates moved to preliminarily approve proposed regulations to amend section 2655 by changing the word “certificate” to “license” and including the word “her” in reference to a landscape architect.**

- ◆ **Sandra Gonzalez seconded the motion.**

- ◆ **The motion carried unanimously.**

Section 2671 - Ms. Kjose advised the Committee that, although they voted at their last meeting to preliminarily approve proposed regulations deleting the requirement that a licensee include his/her license number in all forms of advertisements, Ms. Gonzalez asked that this issue be revisited at today’s meeting. Ms. Gonzalez stated that since she was unable to attend the last LATC meeting, she wanted the opportunity to express her opinion on this issue. She indicated that she believes the license number should be included in all forms of advertising so consumers know that the landscape architect is licensed. Ms. Kjose stated that many telephone companies refuse to include license numbers in advertisements, something that is out of the licensee’s control. She also advised that this requirement is very hard, if not impossible to enforce. Mr. Otsuji commented that since the license number is required in all contracts, it is not necessary in other forms of advertising. Ms. Kjose added that neither architects nor engineers are required to include a license number in advertisements.

- ◆ **Linda Gates moved to reaffirm the LATC’s November 16, 2000 vote to preliminarily approve proposed regulations to amend section 2671 by deleting the requirement that the license number be included in all forms of advertisement.**

- ◆ **Dennis Otsuji seconded the motion.**

- ◆ **The motion carried 3 - 1.**

H. Discussion of Approved Extension Certificate Programs

Ms. Kjose reported that the Self Evaluation Report (SER) had been finalized and sent to UCLA and UCB on January 2, 2001 with instructions to the directors of both programs to complete the evaluation process by April 1, 2001. She indicated the LATC would have the month of April to review the reports, that site visits would be conducted in May and the review and approval process completed by June 30, 2001, the target date stated in the LATC's strategic plan.

Ms. Slafer asked whether an extension on the due date would be possible if they are unable to complete the SER by April 1. The Committee agreed to a 30-day extension, if needed, but indicated the site visits should be conducted by the end of May.

Mr. Zweifel suggested that the LATC appoint two site visit teams, consisting of one LATC member and two licensed individuals. He will provide staff with a list of potential volunteers as well as model standards for the site teams to follow. Ms. Gonzalez volunteered for the UCB site team and Mr. Otsuji agreed to be on the UCLA team. Ms. Gates will be the alternate.

I. Review of Requests for Re-Licensure

The LATC reviewed requests for re-licensure from William Tucker, former license number LA 1251, and Cristina Blanco-Kraus, former license number LA 3071. Ms. Kjose advised that, in the interest of streamlining the review process, the LATC retained the services of two technical experts to evaluate the work products submitted by both applicants and determine whether they demonstrated minimal competence to be licensed without examination. The technical experts reported that both candidates had demonstrated minimal competence.

The Committee agreed that this process was valuable but asked staff to develop a set of evaluation standards, based on the current knowledge, skills and abilities tested for on the LARE, for use by the experts in the review process. The Committee appointed Ms. Gates and Mr. Tatsumi to review the applications and give their opinions on the applicants' competency. After review, it was recommended that Mr. Tucker be re-licensed with the stipulation that he pass the California Supplemental Examination, and that Ms. Blanco-Kraus be re-licensed without further examination.

- ◆ **Dennis Otsuji moved to approve the recommendations.**
- ◆ **Sandra Gonzalez seconded the motion.**
- ◆ **The motion carried unanimously.**

J. Scope of Practice

The Committee recommended that this agenda item be included under agenda item K.

K. Strategic Plan

Daniel Iacofano facilitated the strategic planning session beginning with a review of the LATC's prior year activities and accomplishments. The LATC revised its vision statement; discussed the environmental scan, the action and communication plans, outreach efforts, scope of practice issues, sunset review, and the upcoming market conditions assessment; and developed an outline for its goals and objectives.

The meeting adjourned at 4:50 p.m. and reconvened on January 27, 2001 at 8:10 a.m.

The Committee finalized its goals and objectives, discussed enforcement activities, and suggested that a task force be appointed at the April 2001 LATC meeting to address scope of practice issues. Mr. Iacofano indicated that he will provide a draft of the updated strategic plan within 30 days so that it can be finalized and presented to the LATC at the April meeting.

L. Announcement of Future Meetings

Ms. Kjose reported that the DCA Board Relations Office has asked all boards, bureaus and committees to set a tentative schedule for the remainder of the year. The Committee selected the following dates for future meetings: April 27, 2001 - Davis; July 20, 2001 - San Diego; October 19, 2001 - Pomona; and December 14, 2001 - Sacramento.

M. Adjournment

The meeting adjourned at 12:30 p.m.