

LATC Members NOTICE OF TELECONFERENCE MEETING

Marq Truscott, Chair Andrew Bowden, Vice Chair Susan M. Landry Patricia M. Trauth Jon S. Wreschinsky

Landscape Architects Technical Committee

September 5, 2019

The Landscape Architects Technical Committee (LATC) will hold a meeting via teleconference at the following locations:

Eugene Brucker Education Center 4100 Normal Street B Wing, 3rd Floor, Room 3150 San Diego, CA 92103 (619) 725-7552

(619) 725-7552

Rick Engineering Company
5620 Friars Road
San Diego, CA 92110

(619) 291-0707

Campbell City Hall, Council Chambers 70 North 1st Street Campbell, CA 95008 (408) 866-2182

Landscape Architects Technical Committee 2420 Del Paso Road, Suite 105 Sacramento, CA 95834 (916) 575-7230

AGENDA

10:00 a.m. to 11:00 a.m. (or until completion of business)

Action may be taken on any item listed below on the agenda.

- A. Call to Order Roll Call Establishment of a Quorum
- B. Chair's Procedural Remarks and LATC Member Introductory Comments

(Continued)

- C. Public Comment on Items Not on the Agenda

 The Committee may not discuss or take action on any item raised during this public
 comment section, except to decide whether to refer the item to the Committee's next
 Strategic Planning session and/or place the matter on the agenda of a future
 meeting (Government Code sections 11125 and 11125.7(a)).
- D. Review and Possible Action on May 29, 2019 LATC Meeting Minutes
- E. Council of Landscape Architectural Registration Boards (CLARB)
 - 1. Review CLARB September 26-28, 2019 Annual Meeting Agenda
 - 2. Review and Possible Action on 2019 CLARB Board of Directors and Committee on Nominations Elections Ballot
 - 3. Review and Possible Action on Recommended Positions on CLARB Resolutions:
 - a. Resolution #1 General Updates, Voting & Meetings, Leadership Advisory Council and Board of Directors' Structure and Process
 - b. Resolution #2 Eligibility Requirements to Serve on the Board of Directors
 - c. Resolution #3 CLARB Bylaws 2015, Article V Membership; Section 3, Organizational Structure
- F. Review of Future LATC Meeting Dates
- G. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public. This meeting will not be webcast. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)).

(Continued)

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting:

Person: Blake Clark Mailing Address:

Telephone: (916) 575-7236 Landscape Architects Technical Committee

Email: Blake.clark@dca.ca.gov 2420 Del Paso Road, Suite 105

Telecommunication Relay Service: Dial 711 Sacramento, CA 95834

Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

Protection of the public shall be the highest priority for the LATC in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount (Business and Professions Code section 5620.1).

AGENDA ITEM A: CALL TO ORDER – ROLL CALL – ESTABLISHMENT OF A QUORUM

Roll is called by the Landscape Architects Technical Committee (LATC) Vice Chair or, in his/her absence, by an LATC member designated by the Chair.

Board Member Roster

Andrew Bowden

Susan M. Landry

Patricia Trauth

Marq Truscott

Jon Wreschinsky

AGENDA ITEM B: CHAIR'S PROCEDURAL REMARKS AND LATC MEMBER INTRODUCTORY COMMENTS

LATC Chair Marq Truscott or, in his absence, the Vice Chair will review the scheduled LATC actions and make appropriate announcements.

AGENDA ITEM C: PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Members of the public may address the Committee at this time.

The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Committee's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).

Public comments will also be taken on agenda items at the time the item is heard and prior to the Committee taking any action on said items. Total time allocated for public comment may be limited at the discretion of the Committee Chair.

AGENDA ITEM D: REVIEW AND POSSIBLE ACTION ON MAY 29, 2019 LATC MEETING MINUTES

Summary

The Committee is asked to review and take possible action on the minutes of the May 29, 2019 LATC meeting.

Action Requested

Approval of the May 29, 2019 LATC Meeting Minutes.

Attachment(s)

May 29, 2019 LATC Meeting Minutes (Draft)

Public Protection through Examination, Licensure, and Regulation



Gavin Newsom Governor

Minutes

CALIFORNIA ARCHITECTS BOARD Landscape Architects Technical Committee Meeting

May 29, 2019 Campbell, California

Landscape Architects Technical Committee (LATC) Members Present
Marq Truscott, Chair
Andrew Bowden, Vice Chair
Susan M. Landry
Patricia Trauth
Jon Wreschinsky

<u>California Architects Board (Board) Member Present</u>
Tian Feng, LATC Liaison, Board Vice President (arrived at 11:01 a.m.)

Staff Present

Laura Zuniga, Executive Officer (EO)
Trish Rodriguez, Program Manager
Kourtney Nation, Examination Coordinator
Tara Welch, Attorney III, Department of Consumer Affairs (DCA)
Deborah Dulay, Special Projects Analyst

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

LATC Chair Marq Truscott called the meeting to order at 10:30 a.m., and Vice Chair Andrew Bowden called roll. Five members of LATC were present, thus a quorum was established.

B. Chair's Procedural Remarks and LATC Member Introductory Comments

Mr. Truscott announced that a voluntary sign-in sheet was located near the entrance, and if attendees were to sign-in, they would be recorded in the official minutes of the meeting. Mr. Truscott stated the Committee would be recessing at approximately noon for a lunch break. Mr. Truscott thanked Susan M. Landry for hosting the meeting, and Ms. Landry welcomed the LATC, expressing that she was honored to have the meeting held in the City of Campbell.

Mr. Truscott announced that Mr. Bowden's term on the LATC ends on June 1, 2019, and a one-year grace period to continue to serve will be in effect. Mr. Bowden stated that he will continue to serve on the Committee during the grace period until the Governor makes a new appointment to the position. Mr. Truscott stated that his term would end in 2020, and he would not seek re-

appointment. Mr. Truscott encouraged licensed landscape architects to apply and serve on the Committee.

Mr. Truscott welcomed new member, Jon Wreschinsky. Mr. Wreschinsky introduced himself providing that he has been involved with LATC for subcommittee assignments, and that he currently works with the San Diego Unified School District as a facilities planner. Mr. Wreschinsky thanked the Senate Rules Committee for the LATC appointment.

C. Update on Department of Consumer Affairs (DCA)

Trish Rodriguez summarized a written update from Christopher Castrillo, DCA Deputy Director, Board and Bureau Relations. Ms. Rodriguez stated that (former Director) Dean Grafilo left his post, and the Governor's Office is working to identify a new successor. Ms. Rodriguez continued that the DCA executive team will work with the Governor's Office to ensure a smooth transition in preparation of the new leadership. She announced that the DCA would continue to host the Director's Quarterly Meetings with all EOs and Bureau Chiefs. Ms. Rodriguez reported that the DCA retained KH Consulting to conduct the EO Salary Study, and although originally scheduled to be completed around March 2019, the deadline to complete the study had been extended due to delays in getting timely responses regarding salaries in similar positions in other states, and the final report is expected to be released within the upcoming weeks.

Ms. Rodriguez stated that the DCA announced the public data portal for users to view trends and changes in licensing data up to three years. She advised that in the enforcement statistics section, users can access information including the number of complaints received, case aging, and processing times of initial examination and license applications. Ms. Rodriguez mentioned the DCA's Future Leadership Program where participants were given guidance by their mentors, presented team projects, and participated in networking events.

D. Public Comment on Items Not on the Agenda

Ms. Rodriguez informed the Committee that 11 public comment emails were received regarding the University of California (UC) Extension Certificate Program and she confirmed that the topic will be discussed under Agenda Item K.

E. Review and Possible Action on February 8, 2019 LATC Meeting Minutes

Patricia Trauth moved to approve the February 8, 2019 LATC Meeting Minutes.

Susan M. Landry seconded the motion.

There were no comments from the public.

Members Bowden, Landry, Trauth, and Chair Truscott voted in favor of the motion. Member Wreschinsky abstained. The motion passed 4-0-1.

F. Program Manager's Report – Update on LATC's Administrative/Management, Examination, Licensing, and Enforcement Programs

Ms. Rodriguez reviewed topics from the EO Report. She gave an update on the Business Modernization project and stated that staff have completed "as-is" business process mapping and are currently conducting weekly "could-be" workshops.

Ms. Rodriguez stated that the LATC implemented the online credit card renewal system on April 23, 2019, and to date 58 licensees renewed using the new online system. She stated that initial glitches with the online payment system have been resolved, suggesting that the new payment method appears to be a useful platform for licensees. She continued that staff will monitor the progress of the new system and provide updates to the Committee.

Ms. Rodriguez shared that the Executive Committee of the Board considered a new Board logo in January 2019 and directed the Committee members to the EO Report for an example of the new logo. Ms. Rodriguez suggested that the LATC logo may be discussed at a future Committee meeting.

Ms. Rodriguez welcomed Deborah Dulay, Special Projects Analyst, who started her employment at the LATC on April 2, 2019.

Ms. Rodriguez advised that the LATC approved the contract with the Office of Professional Examination Services (OPES) for development of the California Supplemental Examination (CSE), which was fully executed on March 8, 2019. She updated the members that the next Landscape Architect Registration Examination (LARE) will be administered August 5-17, 2019, and the application deadline is June 21, 2019.

Ms. Rodriguez thanked Ms. Landry for her outreach presentation at the University of California (UC), Berkeley on April 18, 2019, in which approximately 24 students attended. Ms. Rodriguez continued that at the end of the presentation, they received 11 surveys with positive feedback.

Ms. Rodriguez provided an update on the regulatory proposal to amend California Code of Regulations (CCR) sections 2615, Form of Examination, and 2620, Education and Training Credits. She advised that staff have completed the internal preparation process for the regulatory proposal, and the proposal should be sent to the DCA Legal Office for review this week.

Ms. Rodriguez stated that staff have drafted proposed amendments to CCR sections 2655, Substantial Relationship Criteria, and 2656, Criteria for Rehabilitation, in response to Assembly Bill (AB) 2138. She advised these amendments were approved by the Board on February 27, 2019, and the regulatory proposal went to the DCA Legal Office for review on March 12, 2019. Ms. Rodriguez said that staff are also updating the LATC's Disciplinary Guidelines and have started to prepare the justification for the proposed changes.

G. Review and Discuss 2019 Legislation

Laura Zuniga presented AB 312 (Cooley), which would require agencies to identify duplicative or overlapping regulations, report to the Legislature and Governor, and repeal outdated regulations.

Ms. Zuniga stated that because the bill was held in the Assembly Appropriations Committee, it will become a two-year bill due to the substantial cost to State agencies.

Ms. Zuniga reviewed AB 476 (B. Rubio), which would require DCA to establish a task force regarding foreign-trained professionals and report to the Legislature. Ms. Zuniga continued that this bill is progressing through the legislative process and is currently in the Senate awaiting referral to the Policy Committee. Mr. Wreschinsky asked whether the bill would focus on foreign-trained or foreign-born individuals. Ms. Zuniga confirmed that the bill would apply to foreign-trained individuals. Mr. Wreschinsky inquired if the bill would apply to an American-born professional who was educated and trained in a foreign jurisdiction. Ms. Zuniga confirmed that such an individual would fall within the scope of the bill.

Ms. Zuniga continued with AB 544 (Brough), which addresses inactive license fees, and accrued and unpaid renewal fees. She explained that this bill would limit the amount that boards could recover from delinquent licensees seeking to renew their license. Ms. Zuniga provided that this bill was held in the Assembly Appropriations Committee, which indicates that it is a two-year bill.

Ms. Zuniga reviewed AB 613 (Low), which would allow DCA boards to increase fees every four years according to the corresponding increase in the Consumer Price Index. She explained that this bill would allow for a modest fee increase to keep abreast of costs without the regulatory process or legislation. Ms. Zuniga stated that the Board supports this bill, and currently the bill is in the Senate, having already passed the Assembly. Ms. Landry acknowledged the public service history of Assemblyman Low, and Ms. Zuniga added that Assemblyman Low is the Chair of the Committee on Business and Professions, which has oversight over both the LATC and the Board.

Ms. Zuniga updated that AB 1076 (Ting) would require the Department of Justice to automatically initiate the process of expunging convictions. She continued that the bill would change the current practice where the individual has the burden to initiate the process of expunging convictions from their record. Ms. Zuniga explained that the bill would also impact the type of convictions that may be reviewed during the license application process. Ms. Zuniga confirmed that this bill is on the Assembly floor this week.

Ms. Zuniga reviewed Senate Bill (SB) 53 (Wilk), which would require any advisory committee comprised of at least two members to comply with the Open Meeting Act requirements. Mr. Bowden asked whether a subcommittee meeting comprised of two individuals would need to be advertised. Ms. Zuniga confirmed that the public would need to be notified 10 days prior to the meeting. Mr. Wreschinsky asked whether a subcommittee meeting would need to be held in a public location. Ms. Zuniga confirmed the accessibility requirement would apply, stating that the meeting would need to be public and accessible, even if the meeting were to be a teleconference meeting. Ms. Zuniga added that prior legislation was previously vetoed by former Governor Brown.

Mr. Bowden asked whether the Open Meeting Act requirements would apply if two committee members went to lunch and discussed topics related to the Committee. Ms. Zuniga explained that the example would not be directly covered by the bill. Ms. Welch clarified that, although the intent of the bill pertains to a formal subcommittee or taskforce, committee members should be careful about discussing substantive issues related to the LATC. Ms. Landry inquired whether the term subcommittee would be included in the definition of committee. Ms. Welch affirmed that it

would, and Ms. Trauth added that the language of the bill was consistent with this interpretation of the term subcommittee.

Mr. Wreschinsky inquired whether a committee or subcommittee comprised of at least three individuals would need to satisfy the Open Meeting Act requirements. Ms. Zuniga stated that although boards are able to appoint two-member committees, currently the Open Meeting Act requirements would not apply. However, Ms. Zuniga stated that under the proposed bill, the Open Meeting Act requirements would apply when more than one committee member is present. Ms. Welch also stated that under existing law the Open Meeting Act applies to committees or subcommittees comprised of three or more individuals, however, the bill seeks to change this requirement. Ms. Zuniga added that under the proposed language, any advisory body that is part of the state body and supported by state funds would be subject to the Open Meeting Act requirements, and the language of the bill did not specify a minimum number of committee members. Ms. Zuniga commented that this bill passed out of the Senate and is in the Committee on Governmental Organization of the Assembly.

Ms. Zuniga presented SB 601 (Morrell), which would authorize any state agency that issues a license to waive the replacement or renewal fee for anyone who was displaced by a declared Federal or proclaimed State emergency. Ms. Zuniga added that the bill had passed the Senate and is in the Assembly awaiting assignment.

Ms. Zuniga reviewed SB 608 (Glazer), which extends the sunset date for the Board and LATC, and makes the requested changes, including changes to the written contract requirements. Ms. Zuniga explained that the bill would require the LATC to fingerprint applicants for licensure. Ms. Landry stated that she was in support of the fingerprinting requirement, and Mr. Truscott asked whether the fingerprint requirement would apply to applicants or current licensees. Ms. Zuniga replied that the bill currently applies to applicants; however, legislative staff would still need to work on the implementation of the bill and address whether all licensees would also need to be fingerprinted.

H. Discuss and Possible Action on the California Department of Water Resources, Model Water Efficient Landscape Ordinance (MWELO)

Ms. Rodriguez stated that staff have been monitoring the activity related to MWELO. She continued that Department of Water Resources (DWR) did not anticipate an update to the MWELO until 2023. Ms. Landry advised that staff should also monitor whether other state-wide programs pertaining to mandatory municipal composting programs will affect any updates to MWELO. Ms. Zuniga stated that she is getting updates regarding the implementation and the regulatory process for MWELO, and an update can be provided to the LATC in the future.

Mr. Bowden inquired whether MWELO was tested on the CSE. Ms. Rodriguez said that water management is tested on the CSE and comprises 12% of the exam. Kourtney Nation added that the 2015 MWELO is tested on the CSE even though it is not listed on the CSE Candidate Guide. Ms. Landry asked whether the Guide will be updated to reflect that MWELO is tested on the CSE. Ms. Nation responded that the exam development staff determined that MWELO did not need to be specified on the Guide, and the CSE Test Plan in the Candidate Guide was sufficient.

Tian Feng asked about the jurisdiction of MWELO and whether the ordinance applied to any agency or entity that receives state funding. Ms. Trauth explained that MWELO applies to all new landscapes that satisfy a certain square footage requirement. Mr. Feng clarified his question about the jurisdiction of MWELO, specifically asking whether any organization, public or private, must comply with the ordinance. Ms. Trauth replied that each municipality may alter the MWELO language to suit their needs, and if no changes are implemented, then the standards outlined by the model ordinance would be in effect. Mr. Truscott added that private associations would not be within the jurisdiction of the ordinance; however, the agency that supplies water to residents or private associations would be subject to the ordinance and would need to comply with MWELO requirements. Mr. Truscott continued that agencies that supply water to residents may adopt their own standards based on the MWELO standards. Ms. Landry gave an example where new projects above a minimum square footage would require individual residents to comply with MWELO. Mr. Truscott stated that in his experience, the implementation of MWELO has not been consistent, and therefore staff should monitor the activity relating to MWELO and report back to the LATC when appropriate.

Mr. Feng asked whether the City of Campbell has adopted MWELO. Ms. Landry confirmed that the City of Campbell has adopted MWELO as well as all the cities in Santa Clara County and the water districts. She conceded that implementation of MWELO has been inconsistent.

Ms. Trauth asked who is permitted to prepare MWELO calculations. Ms. Landry responded that an individual homeowner may prepare the calculations provided that the project is over a certain size, and landscape architects and irrigation designers may also prepare the calculations. Mr. Truscott stated that individuals who may prepare the calculations are defined under the Practice Act rather than in the MWELO ordinance itself. He commented that it is the intention to continue deferring to the Practice Act for the definition of individuals who may prepare the MWELO calculations. Ms. Trauth asked whether the individuals qualified to make the calculations should be referenced in the MWELO. Ms. Landry referenced language in the MWELO that identified the individuals qualified to make the calculations. Mr. Wreschinsky added that when MWELO was revised, there was a section that identified individuals qualified to make calculations. He continued that another issue is the qualifications of those tasked to review the calculations and that the purpose of MWELO was not to weaken current licensing law.

I. Discuss and Possible Action on 2019-2021 Strategic Plan Objective to Research the Feasibility of Requiring a License Number on All Correspondence and Advertisement Platforms to Inform and Protect Consumers and Proposed Amendments to California Code of Regulations (CCR), Title 16, Division 26, Section 2671 Public Presentments and Advertising Requirements

Ms. Rodriguez stated that the proposed changes in CCR section 2671 would require landscape architects to include their license number on public presentments and all forms of advertising. Mr. Wreschinsky stated that he believed this requirement was already in effect, and Mr. Bowden responded that the license number requirement had previously been in effect, but somehow was no longer required. Mr. Bowden continued that he supported the changes to CCR section 2671, suggesting that the requirements would help the public verify a licensed landscape architect. Ms. Trauth asked whether architects are required to include their license number on communications. Mr. Bowden stated that contractors are required to include their license numbers on documents, and he reiterated that it would be helpful for the public to verify a landscape

architect's license number by having it listed on advertisements and other documents. Mr. Feng stated that the proposed regulation would apply to advertisements and correspondence. However, Mr. Bowden clarified that the regulation would require a license number on all documents including plans, specifications, and correspondence. Ms. Landry concurred and stated that the changes in CCR section 2671 would apply to all presentations made to the public including business cards. Ms. Landry went on to ask whether online advertisement listings are required to enforce the license number requirement. Ms. Zuniga clarified that the burden of enforcement is on the licensee which means that LATC may ask advertisement listing services to require that the landscape architect include their license number on their platform; however, LATC cannot enforce the requirement on the listing service. She reiterated that LATC may cite the individual licensee if they fail to include their license number. Ms. Zuniga also commented that the Board does require architects to include their license number on contracts.

Ms. Welch noted that the proposed language for CCR section 2671 is listed as blue text in the meeting materials. Mr. Feng added that although the proposed regulation may create a discrepancy in that landscape architects would be required to put their license numbers on all communications whereas architects are not required to do so, he did not foresee a potential harm to the public. Ms. Rodriguez stated that architects are required to inform clients that they are licensed by displaying their license in a public area or providing a letter stating that they are licensed. Mr. Feng added that it is common practice for architects to post their license on the wall in their offices.

Susan M. Landry moved to approve the proposed amendments to CCR, Title 16, Division 26, section 2671 Public Presentments and Advertising Requirements.

Andrew Bowden seconded the motion.

There were no comments from the public.

Members Bowden, Landry, Trauth, Wreschinsky, and Chair Truscott voted in favor of the motion. The motion passed 5-0.

J. Review and Possible Action on Assessment of Individual Landscape Architect License Fee

Ms. Rodriguez stated the license fee assessment stemmed from a public comment from the previous February 2019 meeting. She explained that the results of the assessment showed a large disparity among the license fees for all jurisdictions, and therefore, the assessment was further narrowed to focus on the Council of Landscape Architects Registration Boards (CLARB) Region 5 jurisdictions and larger jurisdictions, including California, New York, Florida, and Texas. Ms. Rodriguez also mentioned that the data presented in the meeting packet was annualized to make it easier to compare fees on a yearly basis. Lastly, Ms. Rodriguez stated that input by DCA Budget Office staff would be needed to assess the initial license fees provided that the LATC wished to pursue the issue further.

Ms. Trauth inquired about how the initial license fee was determined. Ms. Rodriguez discussed the renewal fees as an illustrative example, stating that the LATC had to work with Budget Office staff to develop the renewal fee reduction to prevent reaching the fund statutory limit under Business and Professions Code (BPC) section 128.5. Ms. Rodriguez explained that analysis from

the Budget Office was required to determine whether a fee reduction was feasible. Mr. Wreschinsky asked whether a newly licensed individual would have to pay the initial license fee and a renewal fee when the requisite timeframe had expired. Ms. Rodriguez confirmed, and Mr. Truscott inquired whether the renewal period was for two years. Ms. Rodriguez confirmed this as well. Mr. Wreschinsky went on to ask about the fiscal impact of a reduction in initial license fees, however, Ms. Rodriguez stated that the purpose of the fee assessment was to compare the initial license fees to other jurisdictions. Ms. Rodriguez said consultation with the Budget Office would be necessary to assess the feasibility of a reduction in initial license fees.

Mr. Truscott prompted the LATC to discuss whether the issue should be pursued further, in which case, budget staff would need to be consulted to assess the impact on the LATC's budget, or whether no further action was necessary. Mr. Bowden asked whether adjustment to the initial license fee was necessary given that this amount has been in place for several years. He commented that the initial license fees for California are not the highest nor the lowest among comparable jurisdictions. Continuing, Mr. Bowden noted that California has the highest number of licensed landscape architects compared to other states. Given the information he cited, Mr. Bowden asked whether the initial license fee needed to be changed at all. Ms. Trauth commented that new graduates are having a difficult time becoming licensed due to fees. Based on the comments of the Committee members, Mr. Truscott stated that the issue of initial license fees could be agenized for a future meeting to assess the feasibility of a possible fee reduction. Ms. Zuniga stated that the initial license fees could be discussed at the November 2019 meeting when the budget staff are present and accurate budget data are available.

Mr. Bowden asked whether evidence was available to demonstrate that people are not able to become licensed due to the initial license fee given that candidates pay several examination fees. Mr. Bowden asked whether a cost breakdown was needed to assess the legitimacy of the initial license fee amount, and he continued that the initial license fee includes items such as the wall certificate and pocket certificate. Mr. Truscott inquired whether a cost breakdown for the initial licensing fee could be addressed by budget staff. Ms. Rodriguez confirmed this, and she reiterated that the purpose of the initial license fee assessment currently before the LATC was to evaluate whether Committee members wished to pursue the issue further, and any discussion of the feasibility of a fee reduction could be discussed at a future time. Ms. Zuniga commented that the LATC's budget is fixed, which implies that if the fees in one area are modified, then other fees may need to be changed as well to make up the difference in the budget. Mr. Feng inquired how long the initial license fee had been in place and assumed that the amount had remained the same for several years. Ms. Zuniga agreed that Mr. Feng's assumption was a reasonable assertion. Mr. Feng continued and asked how much the initial license fee was for architects, and Ms. Zuniga said she would verify the amount. Mr. Feng concluded that if the fee amount had been in place for some time, and the cost of living has been increasing, then relative to the costs of other items and expenses, the initial license fee would have, in effect, been decreasing by comparison.

K. Review and Possible Action on the University of California Extension Certificate Program Subcommittee's Recommendation to Amend CCR, Title 16, Division 26, Section 2620.5 Requirements for an Approved Extension Certificate Program

Mr. Bowden expressed a possible conflict of interest due to his membership as the Chair of the University of California, Los Angeles (UCLA) Landscape Architecture Program Guidance Committee and recused himself from this agenda item.

Ms. Rodriguez explained that at its meeting on February 8, 2019, the LATC reviewed a list of recommended changes to CCR section 2620.5 provided by the Extension Certificate Program Subcommittee. She added that at that time, the LATC directed staff to prepare proposed regulatory language to amend CCR section 2620.5 to reflect the Subcommittee's recommendations. Ms. Rodriguez advised the Committee that proposed changes were included within the meeting materials along with clarifying comments provided by DCA Legal Counsel. She shared that LATC had received 11 public comments in support of the proposed regulatory changes and deferred to Ms. Welch for an overview of the proposal and legal comments received.

Ms. Welch began by noting that the proposed revisions to section 2620.5 subdivision (a) are primarily clarifying language. She continued that the proposal would revise subdivision (a)(2) to remove the unnecessary phrase "the program's literature shall fully and accurately describe the program's philosophy and objectives." Mr. Wreschinsky questioned what was included in the term 'literature.' Ms. Welch responded that it is currently unclear as it could possibly refer to literature meant to entice new students or material provided on the first day of school. Mr. Truscott clarified, as member of the Subcommittee, that the term referred to all literature related to the program.

Ms. Welch continued with the next substantial change under subparagraph (a)(9)(I), as requested by the Subcommittee, to expand the list of required program curriculum areas to include "Current California statutes and regulations covering the environment, landscape architecture, and water conservation." She explained that this addition would presumably help prepare students as license candidates in taking any California-specific license examinations. Ms. Welch clarified that proposed subparagraph (a)(10) is an existing provision that she recommends reorganizing within the regulation, as specified, to make clear that it is a separate term. She added that the proposal expands on this term to allow for a program to revise their curriculum in order to correct deficiencies identified by the Board. Ms. Welch further explained that this change would provide sufficient authority to the program to revise the curriculum to address deficiencies that the Board has identified. She mentioned that proposed subdivision (b) would clarify what is required by a program to apply for program review and that proposed subdivision (c) would provide the procedure for the site visit itself based on what was included in the Subcommittee's recommendations. Ms. Welch expressed concern regarding the Subcommittee's recommended requirements pertaining to the site visit timeframe and designated makeup of the site visit review team. Specifically, she questioned if the regulation should specify a time requirement for the site visit. She added that LATC does not have any real reason to require an entire day for the site visit and listing out specific members of the site visit review team may be difficult to comply with. Ms. Welch shared that when providing for similar program approvals, other boards have provided for "a board designee" rather than explicitly listing out individuals within regulation. She suggested an alternative version of subdivision (c) which would remove the one-day site visit requirement, authorize a Board designee who shall not be personally affiliated with the educational program, so as to avoid a conflict of interest, to complete a site review of the educational program prior to granting Board approval or renewal of approval. Ms. Welch added that this change would allow for the Board designees to consist of one LATC member and one faculty member from a California school accredited by the Landscape Architectural Accreditation Board (LAAB). She expanded that while the Subcommittee recommended including a faculty member from an LAAB-accredited program, she has concerns with doing so because the extension certificate programs are in direct competition with the LAAB-accredited programs. She clarified that she could not see any justification for requiring a faculty member from an LAABaccredited program who may or may not have any affiliation with the LAAB accreditation process.

Ms. Welch then directed the Committee to proposed subdivision (d) and explained that this new addition would require the Board designee to review the educational program's self-evaluation report and site inspection, and submit a written report to the LATC which shall contain findings as to whether the educational program's application, supporting documents, and site inspection comply with the approval requirements, outlined in CCR section 2620.5, and make a recommendation to the Committee regarding approval. She explained that proposed subdivision (e) provides what the Committee may do with that recommendation. Ms. Welch continued to proposed subdivision (f) and explained that it provides for the Board to grant approval, provisional approval, or denial of the program under review.

Mr. Feng asked how many programs are currently subject to CCR section 2620.5. Ms. Rodriguez responded that there is currently one program within UCLA. Mr. Feng asked whether the program grants a degree or certificate. Mr. Truscott clarified that the program grants an extension certificate in landscape architecture. Mr. Feng questioned the value of the certificate in the context of a candidate's qualifications for taking the licensing examination. Mr. Truscott explained that credit is established in regulation for such certificates. Ms. Rodriguez expanded that it is one of the available pathways to licensure and that California is the only state that accepts the extension certificate toward licensure. Mr. Feng asked if LAAB is involved in accreditation of the extension certificate program. Mr. Truscott responded that LAAB is not able to accredit an extension certificate, but rather undergraduate and graduate degrees only. Mr. Feng asked if LAAB has raised any concerns with the extension certificate programs. Ms. Rodriguez responded that we have not received any concerns; however, LATC has approached LAAB twice in the past to inquire if they could accredit the certificate programs but both times LAAB responded that they were unable to do so. Mr. Wreschinsky added that he does not believe LAAB could take an official position on the programs. He added that some individual members of LAAB had expressed concern about accepting an extension program as qualifying to sit for the licensing examination as they viewed it as a threat to existing accredited programs.

Mr. Feng asked if the regulatory requirement would apply to another school who is interested in establishing an extension certificate program. Ms. Landry clarified that the regulatory change is not specific to UCLA but rather could apply to all qualified programs across the state.

Mr. Wreschinsky added that he agrees with Ms. Welch's recommendation to change the site visit terminology so as to not specify a timeframe. Mr. Truscott added that the Subcommittee's intent with specifying a one-day site visit was to accommodate the visiting team's schedule, but he is in support with not addressing the time factor for the site visit. Mr. Feng agreed not to specify a time length.

Ms. Trauth added that she is hopeful that LAAB will reconsider approving the extension certificate programs. She expressed that she believes it is important to have some kind of LAAB representation on the site review teams. Ms. Trauth asked who would determine the makeup of the site visit review team and stated that it may need to be clarified in regulation. Ms. Welch explained that the Committee may not need to specify how the Board designees are determined because the intent of this regulatory proposal is to accomplish several big picture items including establishing an approval and renewal process, specifying the time frame in which program approval is valid, and clarifying for the site reviewer the LATC evaluation criteria and how those standards are meant to protect students of these programs. Ms. Welch added that she does not know how to incorporate

LAAB experience within the review team without creating a conflict of interest. She reiterated that she recommends keeping the regulatory language broad so that the LATC and the Board can determine the number of individuals as needed. She added that if at some point the LATC determines that a change is necessary, it can be made at that time. Ms. Landry suggested including regulatory language that mentions the potential conflict of interest related to having a LAAB faculty member on a site review team. Ms. Welch clarified that removing reference to LAAB does not ensure that there is not a conflict of interest and asked the Committee to clarify what language is necessary to limit the scope so that there is not a potential conflict of interest. Mr. Feng recommended that as a state entity, LATC must be cautious of being in direct conflict of LAAB within the regulation. He added that when the Board appoints designees to conduct a site visit it may include an individual affiliated with LAAB even if that is not specified in regulation. Ms. Trauth added that she would like to keep the requirements broad but include some type of LAAB representation. Ms. Welch clarified that a faculty member from a LAAB-accredited program, who may or may not be subject to the rigors and direct review of LAAB, may not be connected to the LAAB process enough to ensure that they are a qualified reviewer of the extension certificate program.

Ms. Landry opined that the current regulatory proposal is vague when referring to the number of required reviewers and she expressed that there should be a minimum of three. She added that one should be a licensed landscape architect. Ms. Welch clarified that if an LATC member is specified then there would be at least one licensed landscape architect. She added that should the Committee decide to specify in regulation who may be a Board designee, it must also specify that each designee is not personally affiliated in a conflict of interest way. Ms. Landry added that the regulation should specify that none of the reviewers have any explicit or implied conflict. Ms. Welch asked if it is outlined in the Administrative Manual. Ms. Rodriguez responded that she did not believe so. Ms. Welch proposed that the LATC could specify who may serve on a site visit review team within the Manual rather than outlining this information in regulation. She expanded that this option would allow LATC to easily adjust the composition of the reviewing team as needed, rather than having to update the regulation. Mr. Wreschinsky opined that it will be difficult not to have some bias in the review process because there is a limited number of schools and practitioners are familiar with each other. He shared that when he previously served as a member of a site visit review team during the last review of the UCLA program, the three members of the team were all extremely professional. Mr. Wreschinsky also expressed that he would like LATC to continue to request that LAAB recognize these alternative ways to licensure. He added that he is a member of the American Society of Landscape Architects (ASLA) National Policy Committee and is aware of ASLA commencing discussions on recognizing extension certificate programs and alternative paths to licensure. He added that LATC should join that conversation if it will benefit the public as far as increasing the number of licensees that are delivering services. Ms. Trauth asked for clarification on how the Committee could specify the required makeup of the site visit review teams in the Manual. Ms. Welch explained that any changes made to the Manual are always made at public meetings so there is public participation and confirmed that the Committee could choose to specify within the Manual possible conflict of interest parameters pertaining to any three-member committees. Ms. Landry questioned if the Committee could make a vote on final approval or make a motion about reviewing these comments and coming back for approval. Mr. Truscott responded that because a proposal was presented based on the Subcommittee's recommendations he was comfortable with the changes discussed. He added that the Committee could craft a motion and move forward with the proposal. Ms. Trauth agreed and stated that she hesitates to unnecessarily prolong this issue. She recommended that subdivision (a)(7) be amended to require a licensed landscape architect.

Ms. Landry asked if that requirement is already implied by default due to the Landscape Architects Practice Act. Ms. Welch asked if it should instead specify a California licensed landscape architect.

Susan M. Landry moved to recommend to the Board approval of the proposed amendments to CCR section 2620.5 including the substantive changes outlined in the provided DCA legal comments, the changes of removing the specific titles of the people on the review board, specifying a site review team of three individuals, and adding the term "California licensed" to subdivision (a)(7).

Ms. Welch questioned if Ms. Landry was moving 'Alternative (c)' with changes to remove the site reviewer titles but to require a minimum number of three designees for a site visit. Ms. Landry confirmed. Ms. Welch clarified that the Committee intends to specify that no more than one site review designee shall be affiliated with the educational program and then leave the other two silent. She added that this change could give an idea that the group of three should be diverse. Ms. Landry agreed and confirmed that the motion would include a minimum of three members, one of which is an LATC member and another could be associated with the program. Mr. Wreschinsky added that they would like to drop the designation for how many days are required for a site visit. Ms. Landry clarified that was included in her motion as it is part of the referenced legal comments. Ms. Welch confirmed that the Committee had discussed adopting 'Alternative (c)' which does not contain the one-day terminology.

Patricia Trauth seconded the motion.

Ms. Trauth asked if a second motion is necessary to develop a better description of the site review team designees in the Manual. Ms. Welch responded that it may not be necessary at this time as the Committee agreed to clarify in regulation that a site visit review team will be made up of at least three individuals, including an LATC member and specifying that only one individual can be affiliated with the program, possibly as a recipient of an extension certificate or otherwise affiliated. She expanded that this designation would allow for the third person to possibly be affiliated with an LAAB-accredited program. She added that once the proposal is approved by the Board, the LATC could revise the Manual if additional clarification is necessary.

Members Landry, Trauth, Wreschinsky, and Chair Truscott voted in favor of the motion. Member Bowden abstained. The motion passed 4-0-1.

L. Review and Ratification of Contract With Cedars Business Services, LLC for Debt Collection Services to Collect Outstanding Administrative Fines and Cost Recoveries

Ms. Rodriguez stated that per the 2017-2018 LATC Strategic Plan, the Board and LATC sought debt collection services to collect outstanding administrative fines and cost recoveries. Ms. Rodriguez explained that staff worked with the DCA Budget Office to develop the scope of work to be performed by the debt collection agency, and staff requested quotes from seven vendors, three of which responded, and the lowest bid was accepted. Ms. Rodriguez stated that under this combined contract, the vendor will provide services for the Board and LATC. Lastly, Ms. Rodriguez stated that the contract would be in effect from April 9, 2019 through April 8, 2022, and the Committee is asked to ratify the contract.

Andrew Bowden moved to approve the contract with Cedars Business, LLC for debt collection services to collect outstanding administrative fines and cost recoveries.

Patricia Trauth seconded the motion.

There were no comments from the public.

Members Bowden, Landry, Trauth, Wreschinsky, and Chair Truscott voted in favor of the motion. The motion passed 5-0.

M. Review of Future LATC Meeting Dates

Ms. Rodriguez announced tentative future meeting dates as:

Tuesday, August 13, 2019, in Chula Vista Friday, November 8, 2019, in Sacramento

Ms. Rodriguez also stated that the Board has an upcoming meeting on June 12, 2019, and she invited members of the LATC to attend. She stated that the August 13, 2019 meeting will be held at Southwestern University in Chula Vista, California.

N. Adjournment

The meeting adjourned at 1:04 p.m.

AGENDA ITEM E.1: REVIEW CLARB SEPTEMBER 26-28, 2019 ANNUAL MEETING AGENDA

Summary

The 2019 Council of Landscape Architectural Registration Boards (CLARB) Annual Meeting will be held in St. Louis, Missouri, on September 26-28, 2019. At the meeting, member boards will elect new CLARB leadership, as well as vote on resolutions one of which includes proposed changes to the CLARB Bylaws which, if passed, will modify its governance structure.

Action Requested

None

Attachment(s)

2019 CLARB Annual Meeting Agenda



"Gateway to the Future"

2019 CLARB Annual Meeting

September 26-28

Four Seasons Hotel

St. Louis, Missouri

Note: meeting attendees may attend everything. Paid guests may attend meals and events marked with *.

Wednesday, September 25

1:00 p.m. – 6:30 p.m. *6*th *Floor Ballroom Lobby*

Registration*

5:30 p.m. – 6:30 p.m. *6*th *Floor Gateway*

(NEW) How do Landscape Architects Protect the Public?*

Hear directly from landscape architects about the work they do and how the solutions they create protect the public's health, safety and welfare. While this session is ideal for public board members, non-landscape architect board members, and board executives looking to learn more about the licensed scope of landscape architectural practice, it's open to everyone. (Adult beverages will be served.)

6:30 p.m. – 8:30 p.m. *8*th *Floor Terrace*

Welcome Reception*

Join us as President Phil Meyer officially welcomes everyone to the Gateway City! During this relaxed event, you'll network with peers, meet new attendees, and experience some of the best St. Louis has to offer. Don't forget your drink tickets!

Thursday, September 26

8:00 a.m. – 4:00 p.m. 6th Floor Ballroom Lobby **Hospitality Area Open***

8:00 a.m. – 8:55 a.m. 6th Floor Ballroom Lobby Breakfast*

8:55 a.m. – 9:05 a.m. 6th Floor Ballroom Pre-Function

(NEW) 3-2-1 Blastoff!

Jumpstart the day with an upbeat, fun and interactive mini-event that's sure to get your energy flowing!

9:05 a.m. - 9:30 a.m.

6th Floor Ballroom

Welcome!

CLARB President Phil Meyer will open the meeting with an overview of what we will accomplish during our time together as well as introduce special guests. The Missouri Board (our host board) will share some fun facts about landscape architecture licensure and regulation in the state and suggestions on what not to miss while in St. Louis.

9:30 a.m. – 10:15 a.m. *6th Floor Ballroom*

(NEW) Keynote Presentation: Questioning Orthodoxy

As CLARB continues to navigate the disruption created by the forces of societal transformation, intentional learning is among our top priorities. One of the most important areas of learning we must pursue is "deep <u>un</u>learning," the active identification, examination, and challenging of the myriad orthodox beliefs, i.e., the deep-seated assumptions we make about how the world works, that have guided the organization, our stakeholders, and landscape architecture regulation for decades. Orthodoxy can exert an invisible yet profound influence that we must better understand as disruption forces us to reconsider our traditional ways of thinking and acting. In this interactive session, facilitated by <u>Jeff De Cagna of Foresight First LLC</u>, you will participate in this critical deep <u>un</u>learning process and make an invaluable contribution to building CLARB and our stakeholders to thrive in the future.

10:15 a.m. – 10:30 a.m. *6*th *Floor Ballroom Lobby*

Break*

10:30 a.m. – 12:00 p.m. 6th Floor Ballroom

(NEW) Diversity and Inclusion Training

Our unconscious biases impact everything we do from how we talk to people to decisions we make. With the help of Myla DeLoatch, a seasoned facilitator and speaker with Business Training Works, Inc., you'll discover what your unconscious biases are, explore how you came to have those biases, understand how your biases impact you and those with whom you interact, and explore strategies for mitigating bias influence. CLARB has committed to becoming a more diverse and inclusive organization and is making this available to you so you're prepared to make better and more purposeful, impactful decisions that can positively impact diversity and inclusion in your own boards.

12:00 p.m. – 1:30 p.m. *6*th *Floor Ballroom Lobby*

Lunch*

Enjoy this unstructured lunch time as you have a delicious meal, chat with old friends and make new ones, catch up on work, explore the hotel, whatever! It's your time — enjoy!

1:30 p.m. – 3:30 p.m. *6*th *Floor Ballroom*

Board Best Practices

Still reviewing/approving almost all licensure applications at your board meeting? Having a problem with quorums due to disengaged board members or lack of substantive business? Performing tasks that are better left to your administrative staff? During this training, Dave Bergeson from AMC Institute will highlight what board best practices look like and how your board and stakeholders can benefit from incorporating them (think shorter time to

licensure, more engaging conversations, more time to focus on non-administrative tasks).

3:45 p.m. – 5:00 p.m. *Offsite – bring your walking shoes and an umbrella*

(NEW) Site Tour

A walking tour is great for pointing out examples of landscape architecture projects, but a site tour is specifically designed to connect the dots between landscape architecture projects and how licensure/regulation of the profession protects the public. We will break down the crucial elements needed to give an effective site tour, so you have a new way to engage with legislators, the media, and the general public.

Friday, September 27

8:00 a.m. – 4:45 p.m. 6th Floor Ballroom Lobby **Hospitality Area Open***

8:00 a.m. – 8:55 a.m. 6th Floor Ballroom Lobby Breakfast*

8:55 – 9:05 a.m. 6th Floor Ballroom Pre-Function

(NEW) 3-2-1 Blastoff!

Jumpstart the day with an upbeat, fun and interactive mini-event that's sure to get your energy flowing!

9:05 a.m. – 12:00 p.m. *6*th *Floor Ballroom*

A 15-minute break will be held from 10:30 – 10:45 a.m. and as always, guests are invited to the break.

Rethink Regulation Workshop—Help Design Regulation 4.0

Following up on the 2018 friction analysis findings, CLARB conducted additional research to learn more about time to licensure, duplication of documentation and varying licensure requirements. Hear an update on our 2019 research to address these friction points and help shape a collaborative approach for achieving shared licensure standards, a universal licensure application, and utilization of administrative approval to improve the licensure process for you and your licensees.

12:00 p.m. – 1:30 p.m. *6th Floor Ballroom Lobby*

Lunch*

During this "create your own lunch" experience, you will build your own lunch from a variety of food items. Also, you may choose to engage with regional peers or enjoy an unstructured lunch time. It's your time – enjoy!

1:30 p.m. – 3:00 p.m. *6*th *Floor Ballroom*

Why We Need "Smart Regulation"

The licensure reform movement continues to gain momentum across North America. In this session we will review effective messaging tactics, better understand the public's perceptions of licensure and regulation, and hear how CLARB and other national regulatory associations and professional societies have partnered to work together on a multi-year public relations campaign to change the narrative and build public understanding of the need for "smart regulation." Additionally, you will have an opportunity to work with your peers on effectively communicating to the public about the value of licensure and boards using talking points designed to be effective and persuasive.

3:00 p.m. - 3:15 p.m.

Break*

6th Floor Ballroom Lobby

3:15 p.m. – 4:45 p.m. *MBEs – 6th Floor Gateway MBMs – 6th Floor Laclede*

Member Board Executive (MBE) + Member Board Member (MBM) Sessions As Fleetwood Mac says, you can go your own way! MBEs will meet in one room and MBMs will meet in another. During your time together with your peers, you'll be able to freely discuss a variety of regulatory and/or board-specific topics and possibly create and/or identify new resources to help you do your job more efficiently. (You'll identify your discussion topics/create your own session this summer via a survey; stay tuned for more details!)

6:00 p.m. – 9:00 p.m. Stay tuned for an announcement!

President's Dinner*

Enjoy a St. Louis-themed evening filled with music, food and more! Learn more about St. Louis' history including how it came to have its nickname and what cultures have influenced the city we know and love today.

Saturday, September 28

8:30 a.m. – 3:00 p.m. 6th Floor Ballroom Lobby

Hospitality Area Open*

8:30 a.m. – 9:30 a.m. *6th Floor Ballroom Lobby*

Breakfast* (note: you get an extra 30 minutes of sleep today!)

9:35 a.m. – 9:45 a.m. 6th Floor Ballroom Pre-Function (NEW) 3-2-1 Blastoff!

Jumpstart the final day with an upbeat, fun and interactive mini-event that's sure to get your energy flowing!

9:45 a.m. – 10:45 a.m. *6th Floor Ballroom*

Reframing Landscape Architecture

The practice of landscape architecture is poorly understood by the public and policy makers. This creates vulnerability and often is the primary reason the profession is proposed for deregulation. Members of the President's Council (ASLA, CELA, CLARB, CSLA, LAAB and LAF) have partnered on a multi-year project to "reframe" how the public views and understands the profession. You will hear the results of the first phase of the project that identifies the gaps between the "expert story" (what landscape architects think about their work) and the public's understanding. The research also uncovers cultural assumptions and values the public holds that influence their understanding (or lack of understanding) of the profession. Additionally, we will share the next steps in the project and when we expect to have new tools and resources to help you more effectively educate the public you protect on the profession and the need to regulate it.

10:45 a.m. – **12:00** p.m. 6th Floor Ballroom

General Business Session

Hear the results of this year's leadership elections and cast your board's vote on the bylaws resolution which, if passed, will modify CLARB's governance structure. (Your board must have a credentialed Member Board Member present during this session if your board wishes to cast a vote on the bylaws resolution.)

12:00 p.m. – 1:30 p.m. Lunch*

6th Floor Ballroom Lobby Enjoy this unstructured lunch time as you have a delicious meal, chat with

old friends and make new ones, catch up on work, explore the hotel,

whatever! It's your time – enjoy!

1:30 p.m. – 2:30 p.m. Evolution of the L.A.R.E.

6th Floor Ballroom She's baa-aaaaack! Adrienne Cadle, CLARB's psychometrician and one of

our most popular and engaging presenters each year, will talk about the future of the exam (vendor dependencies, new trends in testing, new technologies, etc.) so the exam remains uniform and defensible but is also

more agile and accessible.

2:30 p.m. – 3:00 p.m. Closing Session

6th Floor Ballroom Congratulate and thank outgoing and incoming volunteers; find out who

will receive the Presidential Recognition Award; help recognize those who are on track to complete the first-ever "Foresight First" certificate program; look ahead to the 2020 Annual Meeting (and CLARB's 50th anniversary) in New York City; and find out where future Annual Meetings

will be held through 2024!

3:00 p.m. Meeting Adjourns

Glossary of Acronyms

CLARB Council of Landscape Architectural Registration Boards

ASLA American Society of Landscape Architects
CSLA Canadian Society of Landscape Architects

IFLA International Federation of Landscape Architects
FARB Federation of Associations of Regulatory Boards
CELA Council of Educators in Landscape Architecture
LAAB Landscape Architecture Accreditation Board (U.S.)
LAAC Landscape Architecture Accreditation Council (Canada)
LA CES Landscape Architecture Continuing Education System

LAF Landscape Architecture Foundation

President's Council CLARB + ASLA + CSLA + CELA + LAAB + LAF

NCARB National Council of Architectural Registration Boards

NCEES National Council of Examiners for Engineering and Surveying

CIDQ Council for Interior Design Qualification

ICOR CLARB + NCARB + NCEES + CIDQ

MBE Member Board Executive (an executive with a board/agency)
MBM Member Board Member (a board member on a board/agency)

Important Registration and Travel Information

- The deadline to register for this meeting is **Friday**, **August 30**.
- Member Board Executives, please contact <u>Missy Sutton</u> to register all attendees. The registration fee is \$975 (US) per person. To help your Board get the most benefit from attending the meeting, we are once again offering a 50% discount (\$487.50 US) on one registration if a Board Executive <u>and</u> Board Member from your jurisdiction attend together (one discount per jurisdiction). The registration fee includes the meeting registration; all sessions and special events; breakfast and lunch on September 26, 27, 28; and dinner on September 27.
- Once attendees have been registered, each will receive a confirmation email from Missy with details about what to do next.
- Some boards have travel \$\$ on file with CLARB (we call this \$\$ "Participation Credits" or "PCs"). The confirmation email from Missy will tell you if your board does or does not have PCs.
 - o If your board has PCs, CLARB will make your hotel reservation and you will use the CLARB travel agency to book your flights. (Flight booking info will be provided.)
 - If your board does <u>not</u> have "Participation Credits," you will need to book your own flights.
 Confirm with your Member Board Executive if you should do this on your own or if someone at your board/agency will do this for you.
 - o If your board does <u>not</u> have "Participation Credits," you will need to make your own hotel reservation. Confirm with your Member Board Executive if you should do this on your own or if someone at your board/agency will do this for you.
 - If you plan to check in on Wednesday, September 25 and check out on Saturday, September 28 – this link should be used to make your reservation: https://book.passkey.com/e/49511488
 - If you plan to check in on Wednesday, September 25 and check out on Sunday, September 29, please <u>contact Missy Sutton</u> as soon as possible for assistance with your reservation.
- The meeting will be held at the Four Seasons Hotel in St. Louis, Missouri. The room rate per night is \$205 + tax (currently 15.929%). Check-in time is 4 p.m. CT. Check-out time is 12:00 p.m. CT. The deadline to make a hotel reservation is **Friday**, **August 30**. The hotel cancellation policy is 48 hours prior to scheduled check-in. Cancellations or no-shows made less than 48 hours prior to scheduled check-in will be charged to the credit card on file for the reservation in the amount of the entire stay that was booked. If you need to cancel your hotel reservation:
 - Please cancel via the hotel first (call 314-881-5800), then email Missy Sutton (if CLARB made your reservation).

- o Please contact the hotel directly at 314-881-5800 (if you/your board made your reservation).
- Did you know? If the hotel has availability, you may reserve rooms at the CLARB rate for up to three days before and after the meeting. To take advantage of this, once your reservation has been made for the Annual Meeting and you have a reservation confirmation #, you will need to call the hotel at 314-881-5757 to add additional nights (this cannot be done online).
- For general information about the Four Seasons, please visit the hotel's <u>main website</u> (do not make room reservations via the main website). During your stay, you'll have complimentary wi-fi, daily newspaper, and twice-daily housekeeping + access to the 1) locker rooms, whirlpool and saunas in the spa, 2) 24-hour fitness center, and 3) outdoor pool and hot tub on the eighth floor overlooking the Gateway Arch.
- Driving to the meeting? Self parking is free; day valet is \$12 per day; overnight valet is \$38 per day.
- All attendees are requested to arrive in time to attend the 5:30 pm session on Wednesday, September 25. Attendees may depart any time on Sunday, September 29. If an attendee must depart on Saturday, September 28, we recommend planning flight departures no earlier than 5:30 p.m. CT.
- St. Louis Lambert International Airport (STL) is the airport of choice. Shuttle, taxi, Uber or Lyft are your ground transportation options between the airport and hotel.
- The dress code for this event is business casual.

It Feels Good to Give!

New! You asked for this and we're happy to provide a "give back to the community" activity at this year's meeting! Stay tuned for more details!

AGENDA ITEM E.2: REVIEW AND POSSIBLE ACTION ON 2019 CLARB BOARD OF DIRECTORS AND COMMITTEE ON NOMINATIONS ELECTIONS BALLOT

Summary

On June 20, 2019, CLARB released the final slate of candidates for the 2019 Board of Directors, Committee on Nominations elections. Attached for the Committee's reference are the final slate of candidates and each candidate's respective biography (Attachment 1). Also attached is the CLARB Memorandum Regarding Letter of Delegate Credentials for Elections and template credentials letter, which provides voting instructions (Attachment 2), and the 2019 Election Ballot (Attachment E.2.3) which staff will complete and submit to CLARB.

With regard to the Board of Directors and Committee on Nominations elections, the Landscape Architects Technical Committee's (LATC) completed ballot and credentials letter must be submitted to CLARB by September 20, 2019 or brought to the Annual Meeting, which takes place September 26-28, 2019.

Action Requested

The Committee is asked to review the final slate of candidates for the 2019 Board of Directors, Committee on Nominations and take possible action in determining how the LATC will vote in the elections.

Attachment(s)

- CLARB 2019 Board of Directors and Committee on Nominations Final Slate Candidate Biographies
- 2. CLARB 2019 Memo and Template Credentials Letter
- 3. CLARB 2019 Election Ballot

This document did not originate within the Department of Consumer Affairs. If you have difficulty accessing this document, please contact the Committee at https://latc.ca.gov/accessibility/.



President-Elect

General Information

Jurisdiction: Nevada

Company Name: Stantec Inc.

Position: Principal

Education: B.S., Design/Urban Planning

Licenses: NV, CA, UT, AZ, ND, ID, OR, MO, TX, NM, OR, TX, NM

CLARB Certified? Yes Council Record Holder? Yes



Questions From the Committee on Nominations

What leadership competencies will you bring to your role? [Response should be no more than 350 characters]

I am a team player & builder, I will build trust, encourage collaboration & transparency. I embrace foresight strategies to guide/map our future. I have a positive attitude & bring creativity and innovation to problem solving and consensus building. As a seasoned professional, I bring expertise/competence to protect/advance licensure.

What unique qualifications or experiences will you bring to CLARB leadership that we might not otherwise know about?

[Response should be no more than 350 characters]

Having served as a CLARB Alternate Director, Regional Director, Treasurer and my years with Stantec as a Change Agent, I can guide the Board and support our membership through this period of change as we transition to a new CEO. I can also guide the Board to fulfill their duties though this change to advance CLARB's mission.

When thinking about your role in CLARB leadership, what would success look like to you?

[Response should be no more than 350 characters]

Success is where we integrate the future of our profession worldwide into a regulated form respected by all. Model leadership structure engages those who represent our evolving profession into the decision-making realm that will guide us in what we regulate. We grow and regulate through foresight philosophies that guide us into the "new" present.

Please provide relevant experience, service and awards in the space provided

State/Provincial Board Service

- President, VP, Board Secretary positions: 2006-2015
- -Board accomplishments during tenure:
- Build its first 5-year strategic plan with its purpose to enhance transparency with registrants, the community and our schools.
- Begin process to implement CEs effective 2019.
- Overhaul the state exam with a strategy to change out questions.

CLARB Service

- Treasurer: 2017-present
- Region 5 Director: 2015-2017
- Region 5 Alternate Director: 2013-2015
- LARE C and E Section Grader: 2007
- Attended Annual Meeting: 2006-2015
- Governance Work Group

Other Service

- ASLA Licensure Forum
- Volunteer with Clark County, Nevada (Las Vegas Region) Water Authority
- Work with university students in a on-going internship program



President-Elect

General Information

Jurisdiction: Alberta

Company Name: Michael Beresnak Consulting

Position: Sole proprietor

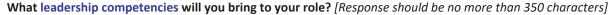
Education: MLA, University of Manitoba

BES, University of Manitoba

Licenses: AALA

Council Record Holder? CLARB Certified? No

Questions From the Committee on Nominations



I bring fifteen years of leadership experience as a board member on two provincial associations and CLARB itself. In each of these roles, I have been part of a team, working collaboratively to set and accomplish the goals and objectives of the association.

What unique qualifications or experiences will you bring to CLARB leadership that we might not otherwise know about?

[Response should be no more than 350 characters]

During my time on regulatory boards, I have been part of a team responding to a rapidly changing professional environment. As a team, we established strategic objects to move our association forward (rewriting our bylaws and joining CLARB) and prepared persuasive communications to our membership.

When thinking about your role in CLARB leadership, what would success look like to you?

[Response should be no more than 350 characters]

I would define success as being an active contributor to the Board. The Board must work as a team to provide direction for the organization. Each member, myself included, must contribute to the conversation; listen to and respect the opinions of others; support the decision of the team; and act as an ambassador to the members and public alike.

Please provide relevant experience, service and awards in the space provided

State/Provincial Board Service **CLARB Service** Other Service AALA MBM to CLARB: 2013-present

AALA secretary: 2010-2015

SALA president: 2000-2001

SALA secretary: 1995-2000

• AALA MBM to CLARB: 2013-present

• CLARB Region 4 Director: 2015-2017

CLARB Alternate Region 4 Director:

2014-2015



Vice President

General Information

Jurisdiction: North Carolina

Company Name: Preston Development Co.

Position: VP, Planning and Development

Education: BEDLA, N.C. State University

MLA, N.C. State University

Licenses: NC

CLARB Certified? No Council Record Holder?



Questions From the Committee on Nominations

What leadership competencies will you bring to your role?

My core values in leadership focus on 3 areas: 1) servant based leadership . . . there is no job too small when working together to achieve the goals of the team; 2) relationship development and building trust as part of these relationships; and 3) most of success is defined simply by showing up and doing what you say you will do.

What unique qualifications or experiences will you bring to CLARB leadership that we might not otherwise know about?

I regularly serve in a variety of leadership roles: leading men's bible studies, coaching youth sports, playing guitar and banjo and leading music in church. I work with CBS sports (18 years) & we received a Daytime Emmy Award. Finally, I delivered our 3rd child roadside showing calm under fire and an ability to follow the lead of others (my wife!)

When thinking about your role in CLARB leadership, what would success look like to you?

Going through the process of working together as a team to reach identified goals, and at the same time, making each of us better people for having gone through this process together.

Please provide relevant experience, service and awards in the space provided

State/Provincial Board Service

- Board Member: 2008-2012, 2012-2016, 2016-present
- Vice Chair: 2010-2012, 2016-present
- Chairman: 2012-2014
- Disciplinary Review Committee:

2012-present

Rules Committee: 2012-2014

CLARB Service

- Region 3 Director: 2017-present
- Committee on Nominations:
- 2014-2015
- L.A.R.E. Master Grader: 2012
- L.A.R.E. Red Line Committee: 2010-12
- L.A.R.E. Grader: 2009-2012

Other Service

- ASLA Licensure Committee: 2011-2015
- ASLA L.A.R.E. Prep Committee: 2011-2012
- LAAB Rove Team: 2009-2010
- President's Council: 1993-1994
- NC ASLA: Past-President: 1994-1995, President: 1993-1994, Treasurer:
- 1990-1992, Secretary:1988-1990
 Town of Cary, Committee for the
- Town of Cary, Committee for the Future: 2013-2016
- Town of Cary Water Conservation Task Force, Chairman: 2004-2005



Vice President

General Information

Jurisdiction: Indiana

Company Name: Les H. Smith - Design Services

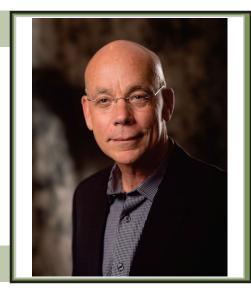
Position: Owner-Principal

Education: BA, Ball State University

MLA, Ball State University

Licenses: IN, OH, MI

CLARB Certified? No Council Record Holder? Ye



Questions From the Committee on Nominations

What leadership competencies will you bring to your role? [Response should be no more than 350 characters]

I strive to lead in ways that support and help others to become productive teammates (partners) in achieving collective accomplishments and successes. As I lead, I am also a follower and a caring listener. My leadership successes are aided by being well organized and prepared for meetings, including thorough communications pre and post meetings.

What unique qualifications or experiences will you bring to CLARB leadership that we might not otherwise know about?

[Response should be no more than 350 characters]

Now 10 years as an Indiana Board Member, I have experienced invasive state government challenges intended to remove landscape architecture as a licensed profession. During these challenges, I have worked with professional colleagues to prepare and present defenses, successfully preventing the de-licensing initiatives.

When thinking about your role in CLARB leadership, what would success look like to you?

[Response should be no more than 350 characters]

To successfully motivate MBMs (CLARB Members) in all jurisdictions to realize that by their position on a board, they have acquired a unique privilege and responsibility to contribute time and expertise, becoming an active, proud, and productive CLARB teammate - and realizing the many rewards in doing so.

Please provide relevant experience, service and awards in the space provided

State/Provincial Board Service

- Board Member: 2009-present; two terms as Chair, one term as Vice-Chair
- · Licensee newsletter Editor
- Board liaison to IN-ASLA chapter

CLARB Service

- LA-CES Administrative Committee: 2018-present
- Annual Meeting presenter/panelist

Other Service

- Mentor, Indianapolis high-school
 A.C.E. Mentoring Program:
 2018-present, received "A.C.E. Mentor of the Year" award
- Ball State University, oversee student design-build projects in the Muncie area
- Vice-Chair of our local Community Enhancements Projects organization
- Local city/county urban forestry board



Treasurer

General Information

Jurisdiction: Wyoming

Company Name: Inside Out Landscape Architecture LLC

Position: Principal

Education: MLA, University of Guelph

Licenses: ID, WY

CLARB Certified? Yes Council Record Holder? Ye



Questions From the Committee on Nominations

What leadership competencies will you bring to your role? [Response should be no more than 350 characters]

The leadership competencies I bring to the role of Treasurer include my communication skills, strategic thinking and my people skills.

What unique qualifications or experiences will you bring to CLARB leadership that we might not otherwise know about? [Response should be no more than 350 characters]

I feel that I could interpret the financial reports and present them in a way that would be interesting and easy for the Board and Member Board members to understand. I have run my own business successfully for the past 10 years and feel that the role of Treasurer would be a good fit.

When thinking about your role in CLARB leadership, what would success look like to you?

[Response should be no more than 350 characters]

Success for me in my role as CLARB treasurer would have all Board members understanding the financial statements of CLARB, asking questions and participating in the financial discussions in a thoughtful manner. After I have completed my term, the next Treasurer would have a clear path to follow.

Please provide relevant experience, service and awards in the space provided

State/Provincial Board Service

CLARB Service

Other Service

Board Member: 2009-present

- Secretary: 2016-2018
- Regional Director Region 4: 2015
- Alternate Regional Director (Region
- 4): 2014

- Grading Committee
- Redline Committee
- Jackson Hole Conservation
 Alliance Womentum, Jackson WY



Committee on Nominations Member

General Information

Jurisdiction: Louisiana

Company Name: Louisiana Horticulture Commission

Position: Commission Member

Education: BLA. LSU

> Licenses: LA, MS, TX, AL, FL, NM

CLARB Certified? Yes Council Record Holder?

Questions From the Committee on Nominations

What leadership competencies will you bring to your role? [Response should be no more than 350 characters]

I am a strategic thinker and communicator within organizations, pride myself to working collaboratively with others, am open-minded and team oriented, and always searching for opportunities to learn and grow as a professional and individual.

What unique qualifications or experiences will you bring to CLARB leadership that we might not otherwise know about?

[Response should be no more than 350 characters]

I have a large network of landscape architects throughout the US and abroad that I have come in contact with as Past President of ASLA. I have diligently worked to advance the landscape architecture profession over the past twenty-five years at a local, state, national, and international level.

When thinking about your role in CLARB leadership, what would success look like to you?

[Response should be no more than 350 characters]

Success for CLARB is when licensure threats have subsided to a point of non-existence and graduates of landscape architecture degrees realize that licensure is the primary milestone of professional achievement.

Please provide relevant experience, service and awards in the space provided

State/Provincial Board Service

- Board Member: 2010-present • Licensure Summit: 2008, 2010
- Continuing Ed Sub-Committee
- Continuing Education Exploratory

Committee: 2002-2004

 Sub-committee to establish CE requirements in Louisiana for LA's: 2004-2006

CLARB Service

- Licensure Summit Participant: 2018
- Regulating Welfare Initiative: 2015

Other Service

- ASLA President: 2013-2016
- ASLA Vice President of Government

Affairs: 2010-2012

- ASLA Board of Trustees: 2003-2010
- ASLA Committees:
 - -Nominations: 2006-07, 2013-15
 - -Licensure: 2010-2012
 - -Government Affairs: 2004-2012
 - -Policy: 2010-2012
 - -Disaster Response TF: 2005-08 -Leadership Development: 2003-04
- LA Urban Forestry Council: 2000-05
- Louisiana Chapter ASLA: 1995-2010



2019 Candidate Interest Form

Committee on Nominations Member

General Information

Jurisdiction: Washington

Company Name: Washington Board of Landscape Architects

Position: **Board Member**

University of Hawaii, BA, Psychology;

University of Washington, BLA

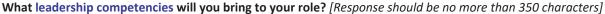
Licenses: WA

Education:

CLARB Certified? No.

Council Record Holder?

Questions From the Committee on Nominations



I am organized, diligent, creative, and thoughtful in solving problems. I take the 30,000 foot view of issues and work to avoid problems by addressing their causes. I enjoy developing strategies to meet long term vision. I make decisions easily in a changing environment and cautiously take risks as needed to develop innovative solutions.

What unique qualifications or experiences will you bring to CLARB leadership that we might not otherwise know about?

[Response should be no more than 350 characters]

I am a dedicated hard worker like all the other members that comprise CLARB's boards. Like everyone else in this community, we volunteer our time to ensure competency in the profession. I am recently retired from my 9-5 job and now have more time to devote to this endeavor. I intend to represent the varied interests of all our member jurisdictions.

When thinking about your role in CLARB leadership, what would success look like to you?

[Response should be no more than 350 characters]

For the Committee on Nominations, success would be to engage a broader range of board members to participate in leadership of this organization and ensure that all member jurisdictions have representation at the highest levels of competency.

Please provide relevant experience, service and awards in the space provided

State/Provincial Board Service

Board Member: 2012-present

-Chair: one term

-Vice-Chair: two terms

CLARB Service

· LA CES Monitoring Committee Member: 2018-present

- Attended CLARB Annual Meetings
- four consecutive years
- · Participated on the Model Board

project

Other Service

- · Rebuilding Seattle volunteer
- · Charitable fundraiser and donor



1840 Michael Faraday Drive Suite 200 Reston, Virginia USA 20190 571-432-0332 www.clarb.org

TO: Member Board Executives

FROM: Andrea Elkin

Project Manager

RE: Letter of Delegate Credentials for Elections

With regard to board delegation and voting rights, Article VI, Section 3 of CLARB's Bylaws state:

"Each member board is entitled to be represented at CLARB meetings by one or more official delegates of that board. The delegate must be a member of the member board. A letter of credential from the delegate's board shall identify a delegate attending the annual meeting or any Special Meeting of CLARB. As many delegates as are able to attend may represent a member board, but only one vote may be cast on each motion for each member board by its delegates."

The credentials letter should be filled out only by a Member Board Executive or Member Board Staff Member. The credentials letter should designate the Member Board Member(s) who is/are eligible to cast your Board's ballot. Only a Member Board Member may cast ballots and only one ballot per Member Board may be cast. Please note that the person(s) designated on the credentials letter will also be allowed to cast your board's vote on the bylaws resolution at the Annual Meeting in St. Louis.

Please submit your board's ballot and credentials letter together as one voting package.

You may choose any of the following options to submit your voting package to CLARB:

- Mail Mailed submissions must be received at the CLARB office by Friday, September 20.
- Email As an attachment (Word or PDF) to Andrea Elkin by Friday, September 20.
- *In-person* At CLARB's Annual Meeting registration table by **noon**, **Friday**, **September 27**.

If you have any questions about any of these procedures, please let me know.

DATE:	
TO:	CLARB Board of Directors
FROM:	
	(Member Board)
RE:	Letter of Delegate Credentials for 2019 CLARB Annual Meeting
Registration	De with Article VI, Section 3 of the Bylaws of the Council of Landscape Architectural Boards, the CLARB Member Board indicated above has designated the following as its delegate(s) to the CLARB Annual Meeting in St. Louis, Missouri on September 2019.
	and that delegates are eligible to vote on behalf of the Member Board on all business that only one ballot per Board may be cast regardless of the number of delegates
NAME	POSITION
In addition,	the following representatives will be in attendance (staff, legal counsel, etc.):
Signed by:	Name
	 Title



1840 Michael Faraday Drive Suite 200 Reston, Virginia USA 20190 571-432-0332 www.clarb.org

2019 Board of Directors & Committee on Nominations Elections Ballot

MEMBER BOARD:					
COMPLETED BY: Please note- Ballots may only be completed by a Member Board Member who has been authorized on the credentials letter to represent the member board's vote. Member Board Executives and staff are not eligible to complete this ballot.					
Each Member Board may vote f	or one candidate per office, unless noted.				
Please check the boxes to cast your vote:					
President-Elect	Committee on Nominations (select 2)				
Cary Baird	Chad Danos				
Michael Beresnak	Deb Peters				
Vice President					
Chuck Smith					
Les Smith					
Treasurer					
Allison Fleury					

Please submit your board's ballot and credentials letter together as one voting package.

You may choose any of the following options to submit your voting package to CLARB:

- Mail Mailed submissions must be received at the CLARB office by Friday, September 20.
- Email As an attachment (Word or PDF) to Andrea Elkin by Friday, September 20.
- In-person At CLARB's Annual Meeting registration table by noon, Friday, September 27.

AGENDA ITEM E.3: REVIEW AND POSSIBLE ACTION ON RECOMMENDED POSITIONS ON CLARB RESOLUTIONS:

- a. Resolution #1 General Updates, Voting & Meetings, Leadership Advisory Council and Board of Directors' Structure and Process
- b. Resolution #2 Eligibility Requirements to Serve on the Board of Directors
- c. Resolution #3 CLARB Bylaws 2015, Article V Membership; Section 3, Organizational Structure

Summary

In July 2019, CLARB released three resolutions to amend its Bylaws. These resolutions (Attachment 1) will be voted upon during the CLARB Annual Meeting held September 26-28, 2019. Substantial revisions to the Bylaws include proposed changes to CLARB governance. While all the changes are designed to promote flexibility, provide for a wider leadership pipeline, and align with CLARB's strategic direction, CLARB has identified the following as critical concepts embodied in the new language:

- Expansion of leadership identification goals to emphasize diversity of talents, competencies, perspectives, thinking styles and demographics; and
- Appointment of directors-at-large by the "Leadership Advisory Council" as a means for achieving the above goal.

Included for the Committee's reference is the Evolving CLARB Leadership Resource Document (Attachment 2) and Frequently Asked Questions for Members (Attachment E3).

Action Requested

The Committee is asked to review the resolutions and proposed amendments to CLARB's Bylaws and take possible action.

Attachment(s)

- 1. CLARB Bylaws Resolutions Package (July 2019)
- 2. Evolving CLARB Leadership Resource Document for Members
- 3. Evolving CLARB Leadership FAQs for Members



Resolution #1 General Updates, Voting & Meetings, Leadership Advisory Council and

Board of Directors' Structure and Process*

Submitted by: The CLARB Board of Directors

WHEREAS, the Board of Directors has concluded that the organization's current governance structure and processes need additional flexibility to ensure effective leadership for the future;

WHEREAS, the Board of Directors assigned a work group to develop a set of recommendations to create a Board structure that would best serve CLARB's needs now and into the future, as well as assigned the Committee on Nominations to conduct an evaluation of its structure and process due to its vital role in the identification and vetting of leadership candidates;

WHEREAS, the Board of Directors directed the work group and Committee on Nominations to consider best practices in nonprofit governance for competency-based leadership identification and selection;

WHEREAS the Board of Directors has considered the work group and Committee's reports and agrees with their recommendations;

WHEREAS, the Board of Directors has also identified opportunities for general updates to the CLARB bylaws to align with best practices; reduce redundancy; improve consistency; correct grammar errors; update the CEO title, modernize language to be more understandable; and add additional flexibility to the organization's voting and meeting processes.

WHEREAS, the recommendations have been shared with the membership and opportunities for input have been provided;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby approves the amendment of Articles I, II, IV, V, VI, VII (excluding Section 2, Paragraph 2), VIII, IX, X, XI and XII of the bylaws as shown on the attached red-lined versions of those articles, and approves the submission of those amendments to the members, in accordance with Article XII of the bylaws;

AND BE IT FURTHER RESOLVED that the amendments be published and submitted to the members for their approval, in accordance with Article VI, Section 5 of the bylaws.

Approved by the CLARB Board of Directors, July 2019

*Please note: The proposed edits to the CLARB Bylaws have not changed since first introduced to the membership in March 2018. The Board's proposed edits were split into two resolutions to help facilitate the voting and discussion process.



Resolution #2 Eligibility Requirements to Serve on the Board of Directors*

Submitted by: The CLARB Board of Directors

WHEREAS, the Board of Directors has concluded that the organization's current governance structure and processes need additional flexibility to ensure effective leadership for the future;

WHEREAS, the Board of Directors assigned a work group to develop a set of recommendations to widen the leadership pipeline to help bring needed competencies and diversity to the organization;

WHEREAS, the recommendations have been shared with the membership and opportunities for input have been provided;

WHEREAS the Board of Directors has considered the work group's report and agrees with its recommendations and the additional changes suggested by the Board and membership;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby approves the amendment of Articles VII, Section 2, Paragraph 2 of the bylaws as shown on the attached red-lined versions of those articles, and approves the submission of those amendments to the members, in accordance with Article XII of the bylaws;

AND BE IT FURTHER RESOLVED that the amendments be published and submitted to the members for their approval, in accordance with Article VI, Section 5 of the bylaws.

Approved by the CLARB Board of Directors, July 2019

*Please note: The proposed edits to the CLARB Bylaws have not changed since first introduced to the membership in March 2018. The Board's proposed edits were split into two resolutions to help facilitate the voting and discussion process.



CLARB Board of Directors Supporting Statement for Resolutions #1 and #2

The proposed changes to the bylaws submitted in Resolutions #1 and #2 (above) represent the culmination of more than five years of discussion, research, analysis and feedback to ensure that CLARB's governance structure and processes are aligned to best support our organization, our members and our stakeholders, and to ensure effective leadership for the future of the organization.

In accordance with our legal duty of care as Board members, our desire to be good and faithful stewards for the organization and our commitment to foresight, we reviewed best practices for organizations of our kind and reflected on our unique and valued culture.

We also considered the evolving legal, social, political, technological and economic environment. At the end of this lengthy, thorough process, we concluded that our governance structure must evolve in order to ensure effective future leadership — and these changes represent a reasoned, practical and sound approach.

While all of the changes are designed to promote flexibility, provide for a wider leadership pipeline and align with our strategic direction, perhaps the most critical concepts embodied in the new language are:

- Expansion of leadership identification goals to emphasize diversity of talents, competencies, perspectives, thinking styles and demographics; and
- Appointment of directors-at-large by the "Leadership Advisory Council" as a means for achieving the above goal.

We strongly believe these changes will help to ensure that going forward CLARB has the talents, skills and perspectives necessary to ensure continued relevance in an environment where the pace of change is accelerating and where the pressures on occupational licensing are increasing.

Supporting Materials

<u>Bylaws with proposed changes — color-coded by source/type of change</u> Redlined bylaws



Amendment to Resolution #2 (Article VII: Board Eligibility Requirements), and Resolution #3 (Article V: Organizational Structure of Regional Meetings)

Submitted by: Indiana State Board of Registration for Architects & Landscape Architects

WHEREAS, the Board of Directors is proposing to change the CLARB bylaws to restructure the organization's current governance to add flexibility (e.g. widen the leadership pipeline and create a new hybrid structure to include appointed and elected members to ensure effective leadership for the future of CLARB), the member board of Indiana has carefully reviewed the proposed changes and finds two specific elements of the proposal needing amended to ensure that members (member boards) are completely empowered and enabled to rightfully engage in the governance of their organization.

WHEREAS, while supporting the Board of Directors' proposed governance changes to broaden and diversify leadership position opportunities for individuals other than members, these resolutions submitted by the member board of Indiana strengthen connectivity between CLARB-national and our organization's members, assuring that members are highly-valued candidates for leadership positions. These resolutions will result in increased awareness by members (member board members and member board executives) of leadership opportunities that they are qualified for, assisting them to discover and commit to leadership positions in which they will provide our organization with valuable and needed talents and skills.

WHEREAS, the member board of Indiana has worked as a team to carefully consider, craft, and approve these two (2) resolutions, Indiana respectfully requests that these resolutions be forwarded to the CLARB staff, the CLARB Board of Directors, and our CLARB fellow members for dissemination and review by all concerned;

WHEREAS, these resolutions submitted by the member board of Indiana in no way conflict with, but rather support and strengthen the expressed goals, objectives, and purposes of the Board of Directors' intent to foster best practices in nonprofit governance, competency-based leadership identification and selection, and aid in achieving increased diversity within CLARB's leadership team;

NOW, THEREFORE, BE IT RESOLVED that the membership approve the following resolution, known as Resolution #3, which shall amend the Board of Directors' governance proposal as follows:

Resolution #3

Article V - Membership; Section 3. Organizational Structure [p. 2 of 15 in current red-lined version of BOD-proposed bylaw changes]

Purpose: To ensure region members are enfranchised and engaged in the governance of CLARB by adding a more detailed description of region meeting purposes, leadership, and transfer of outcomes to the full Board of Directors.

Location: Replace the existing language of the final paragraph of this section of the proposed bylaws.

Existing language in the proposed bylaws (final paragraph that follows the Regions/states listing):

There shall be an annual meeting of the member boards of each region. Each member board shall be required to be a member of its region. Regional membership shall be composed of member boards as defined in Article V, Section 1 of these bylaws. New members may be



added to the regions by the Board of Directors as required. The Board of Directors may also adjust regional boundaries as needed.

Indiana amended new/replacement language (final paragraph that follows the Regions/states listing):

Each member board shall be required to be a member of its region. Regional membership shall be composed of member boards as defined in Article V. Section 1 of these bylaws. Regions may meet as often as desired, independent of the board of directors and/or CLARB staff. For the purpose of conveying information, considerations, concerns and/or requests from the region to the Board of Directors, there shall be one special meeting of the region each year known as the region annual meeting. The Board of Directors and CLARB staff will facilitate this region annual meeting, with one Board of Director officer, or director-at-large in attendance at the meeting, at the request of the region. Outcomes from the region annual meeting shall be conveyed to the full Board of Directors in a timely manner by a designated region member, in company with CLARB staff and Board of Director attendees. New members may be added to the regions by the Board of Directors as required. The Board of Directors may also adjust regional boundaries as needed.

NOW, THEREFORE, BE IT RESOLVED that the membership approve the following amendment, known as Indiana Amendment to Resolution #2, which shall amend the Board of Directors' governance proposal as follows:

Indiana Amendment to Resolution #2 Article VII - Board of Directors: Section 2 - Members [p. 5 of 15 in current red-lined version of BOD-proposed bylaw changes]

Purpose: Ensuring that a substantial portion of the Board of Directors is always CLARB members (member board members and member board executives.)

Location: Amend language in second paragraph of this section of the proposed bylaws.

Existing language in the proposed bylaws (second paragraph):

The majority of the members of the Board of Directors must be licensed landscape architects from a member board jurisdiction. The president, president elect, and immediate past president must be licensed landscape architects.

Change to Indiana proposed amended language (second paragraph):

Two-thirds of the members of the Board of Directors must include member board members and member board executives (those having regulatory positions and experience). The majority of the Board of Directors must be licensed landscape architects from a member board jurisdiction. The president, president-elect, and immediate past president must be licensed landscape architects.

WHEREAS the member board of Indiana hereby approves the above amendments of Articles V, and Article VII, of the Board of Directors' proposed bylaws as shown on the attached red-lined versions of those articles, and approves the submission of those amendments to the members, in accordance with Article XII of the bylaws;

AND BE IT FURTHER RESOLVED that these amendments from Indiana be published and submitted to the members for their approval, in accordance with Article VI, Section 5 of the bylaws.



WHEREAS, these recommendations from the member board of Indiana to amend the Board of Directors' governance restructuring proposal have not yet been shared with the membership and opportunities for input have not yet occurred, the member board of Indiana requests that Indiana resolutions/amendments be forwarded to the Board of Directors and the membership for such review and input, as soon as possible, including Indiana's request that these resolutions/amendments be forwarded for an all-member vote at the CLARB 2019 annual meeting.



Indiana Board Supporting Statement for Resolution #3 and Amendment to Resolution #2 Discussion, Context, and Rationale for Indiana's Resolutions

Important definitions:

Bylaws establish and protect the rights, and specify the duties and responsibilities of an organization's members, Board of Directors, executive committee, and others. They determine how those in charge are nominated or elected and they help settle any disputes among parties.

Bylaws are your organization's operating manual. They define the size of the Board and how it will function, the roles and duties of directors and officers, and outline rules and procedures for holding meetings, electing directors, and electing and/or appointing officers.

The member board of Indiana is providing the membership of CLARB with these amendments because they will benefit all members as our organization moves forward into the future. These Indiana-developed amendments:

- 1) Amend the CLARB Board of Directors' (BOD) proposed governance bylaw changes by adding clarity and content necessary to ensure that the CLARB regions and regional governance structure of the organization are fully utilized and provided a full voice in partnering with and improving CLARB moving forward; and
- 2) Amend the BOD proposed governance bylaw changes to directly state that any CLARB board of director unit must include a substantial majority who are members (current regulators, or recent regulators – meaning MBMs and/or MBEs).

These Indiana amendments earnestly desire to improve the BOD proposal without interfering with any of its carefully considered and admirable goals and objectives intended to provide our thriving CLARB organization, and all of its members, with a more flexible and diverse leadership team.

Reviewing these Indiana amendments to the BOD bylaw change proposal you will find the content of two (2) amendments expressed in summary form, as follows:

- 1) Resolution #3: Resolve that the BOD proposal be amended to strengthen the "voice" of the regions. This resolution inserts additional language guaranteeing that regions and their region members shall be provided a yearly opportunity to voice concerns and considerations unique to their region, while also of importance to the entire CLARB membership during one specific yearly region meeting. This meeting will include participation by the CLARB staff and by at least one the Board of Directors officer or one director-at-large in order to assure outcomes from this region meeting are forwarded/conveyed directly to the full Board of Directors.
- 2) Amendment to BOD Resolution #2: Resolve that the BOD's bylaw proposal be amended to add a statement – requiring that at least a two-thirds majority of individuals comprising a BOD unit must be members (current regulators, or recent regulators – meaning MBMs and/or MBEs).

The next page provides the exact and detailed language of the two (2) resolutions/amendments provided by the member board of Indiana:



Resolution #3

Article V – Membership; Section 3. Organizational Structure

[p. 2 of 15 in current red-lined version of BOD-proposed bylaw changes]

Purpose: To ensure region members are enfranchised and engaged in the governance of CLARB by adding a more detailed description of region meeting purposes, leadership, and transfer of outcomes to the full Board of Directors.

Location: Replace the existing language of the final paragraph of this section of the proposed bylaws.

Existing language in the proposed bylaws (final paragraph that follows the Regions/states listing):

There shall be an annual meeting of the member boards of each region. Each member board shall be required to be a member of its region. Regional membership shall be composed of member boards as defined in Article V, Section 1 of these bylaws. New members may be added to the regions by the Board of Directors as required. The Board of Directors may also adjust regional boundaries as needed.

Indiana amended new/replacement language (final paragraph that follows the Regions/states listing):

Each member board shall be required to be a member of its region. Regional membership shall be composed of member boards as defined in Article V, Section 1 of these bylaws. Regions may meet as often as desired, independent of the board of directors and/or CLARB staff. For the purpose of conveying information, considerations, concerns and/or requests from the region to the Board of Directors, there shall be one special meeting of the region each year known as the region annual meeting. The Board of Directors and CLARB staff will facilitate this region annual meeting, with_one Board of Director officer, or director-at-large in attendance at the meeting, at the request of the region. Outcomes from the region annual meeting shall be conveyed to the full Board of Directors in a timely manner by a designated region member, in company with CLARB staff and Board of Director attendees. New members may be added to the regions by the Board of Directors as required. The Board of Directors may also adjust regional boundaries as needed.

Indiana Amendment to Resolution # 2
Article VII - Board of Directors; Section 2 - Members

[p. 5 of 15 in current red-lined version of BOD-proposed bylaw changes]

Purpose: Ensuring that a significant majority of the Board of Directors are always CLARB members (member board members and member board executives.)

[Note: This amendment proposed by Indiana carefully sustains a flexible and diverse leadership team, while insuring that CLARB members are well represented by their own members in the leadership team. As a result of this amendment, in a BOD of 10 directors, 3 director positions remain completely flexible: 3 may be non-members, and 5 will not be required to be licensed landscape architects. Similarly, in a BOD of 12 directors, 4 director positions remain completely flexible: 4 may be non-members, and 6 will not be required to be licensed landscape architects.]

Location: Amend language in second paragraph of this section of the proposed bylaws.

Existing language in the proposed bylaws (second paragraph):



The majority of the members of the Board of Directors must be licensed landscape architects from a member board jurisdiction. The president, president elect, and immediate past president must be licensed landscape architects.

Indiana Proposes amended new/replacement language (second paragraph):

Two-thirds of the members of the Board of Directors must include member board members and member board executives (those having regulatory positions and experience). The majority of the Board of Directors must be licensed landscape architects from a member board jurisdiction. The president, president-elect, and immediate past president must be licensed landscape architects.



Response to the Indiana Amendment to Resolution #2

Submitted by: The CLARB Board of Directors

The CLARB Board of Directors values and appreciates member input into the business of the association: this is essential for our continued success. We greatly value the deep engagement we've had with the Indiana Board on the CLARB Board's proposal to evolve our governance structure and processes that will be voted on by the membership at the 2019 Annual Meeting.

In accordance with Article VI. Section 5 of the CLARB Bylaws, the Board of Directors is providing a position statement on Indiana's proposed changes to Article VII, Section 2 of the Bylaws (known as "Indiana Amendment to Resolution #2").

While the Board values the intention of Indiana's proposed changes in their amendment to ensure continued member involvement in CLARB's leadership, the Board does not support the amendment for the following reasons:

The proposed changes do not sufficiently address one of CLARB's biggest challenges: the pool of eligible, qualified and interested candidates is shrinking. For example, after extensive recruiting by the Committee on Nominations, only 19 nominees were identified to fill eight positions in the 2019 elections. After vetting nominees to find the best fit for CLARB's needs, that number was even less.

The complexity of the proposed changes leaves little room to increase diversity within our leadership at a time when diversity is a business imperative. Two-thirds of CLARB Board positions have been held by men since 2014. This does not represent the gender parity among future licensees (49% female to 51% male). Additionally, over the last 10 years, less than 10% of CLARB Board seats have been held by members under 55, and the Board has never been ethnically or racially diverse.

Indiana's amendment limits CLARB's ability to add required expertise beyond CLARB members that will be required to position landscape architecture and CLARB for the rapidly changing future.

The CLARB Board's proposed changes recognize and value member engagement in the nominations and elections process. Members will continue to have the opportunity to make nominations for any position on the Board of Directors, as well as the Leadership Advisory Council (currently the Committee on Nominations). Additionally, members can and are encouraged to submit as many nominations as they wish, including nominations of themselves as well as other members.

The CLARB Board's proposed changes were carefully developed over many years using a disciplined process that included member input. We believe these changes are necessary to allow the organization the flexibility to address the issues of diversity, the shrinking candidate pool and needed expertise to address the increasingly more complex challenges that we face. Indiana's proposed changes in their Amendment to Resolution #2 add complexity and possibly incumber the Board's intended outcomes. The Board encourages members to consider the proposed changes in Indiana's Amendment to Resolution #2 very carefully.

Respectfully,

The CLARB Board of Directors



Response to Resolution #3

The CLARB Board of Directors Submitted by:

The CLARB Board of Directors values and appreciates member input into the business of the association; this is essential for our continued success. We greatly value the deep engagement we've had with the Indiana Board on the CLARB Board's proposal to evolve our governance structure and processes that will be voted on by the membership at the 2019 Annual Meeting.

In accordance with Article VI, Section 5 of the CLARB Bylaws, the Board of Directors is providing a position statement on Indiana's proposed changes to Article V, Section 3 of the Bylaws (known as "Resolution #3").

The Board is in support of Indiana's proposed changes in Resolution #3 for the following reasons:

The Board of Directors recognizes and values the intention to ensure open lines of communication between the regions and CLARB leadership.

The proposed changes in Resolution #3 codify current organizational practice. While the additional detail is not necessary for a governing document, such as bylaws, the Board recognizes that the proposed changes will not change or hinder CLARB's regional meeting practices.

The Board of Directors values and respects the autonomy of the regions. The proposed changes in Resolution #3 provide the flexibility of each region to conduct its business in a manner that respects the individuality, culture and processes of each.

The Board of Directors believes the proposed resolution will solidify the relationship between CLARB and the regions.

Respectfully,

The CLARB Board of Directors



RECOMMENDATION TO AMEND BYLAWS TO ENHANCE CLARB'S GOVERNANCE

To ensure landscape architecture regulation thrives in the future so CLARB can continue fulfilling its mission of protecting the public's health, safety and welfare, the CLARB Board of Directors is recommending a change to the organization's governance structure.

Member Boards in attendance at the Annual Meeting in St. Louis September 28 will vote on this recommendation. Between now and then, CLARB is asking you to do the following.

- 1. Add an item to your board meeting agendas (between now and September 25) to discuss and clearly understand CLARB's governance recommendation. CLARB has a variety of materials available for these discussions, including frequently asked questions.
- 2. Discuss the recommendation with your board. Note the questions or areas of concern.
- 3. Contact any member of the <u>CLARB Board of Directors</u> to get your questions answered and concerns addressed.
- 4. Decide how your board will vote.
- 5. Decide which Member Board Member from your board will a) attend the CLARB Annual Meeting and b) cast your board's vote.
- 6. Vote at the CLARB Annual Meeting in St. Louis on Saturday, September 28.

PROBLEM

Our leadership pool is small and shrinking, lacks diversity and is less equipped to face new, never-before-seen challenges.



Our pool of eligible, qualified and interested candidates is shrinking.



Our leadership lacks diversity at a time when diversity is a business imperative.



Our challenges are becoming more complex and the knowledge needed to address them is not always available in the member board community.

SOLUTION

An agile, balanced governance structure that can adapt to meet changing needs while maintaining focus on smart regulation of landscape architects.



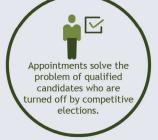
It was carefully developed over many years using a disciplined process that included member input.





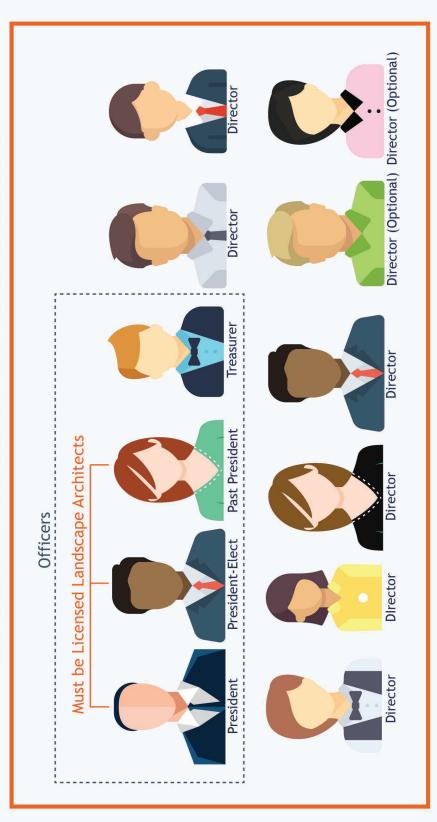






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CLARB Board of Directors



The CLARB Board of Directors consists of 10-12 members, the majority of which are Licensed Landscape Architects.

Officers are elected by the CLARB membership.

Directors are appointed by the Leadership Advisory Council (with final approval by the BOD).

CLARB Leadership Advisory Council



The CLARB Leadership Advisory Council consists of 7 members, 6 of which serve 3-year terms. 2 new members are elected by the membership each year.



<u>FAQs for Members</u>

General FAQs

Q: What is being proposed through this resolution?

A: An agile, balanced governance structure that can adapt to meet changing needs while maintaining focus on smart regulation of landscape architects.

Under the proposed structure, members will continue to have the opportunity to nominate candidates for every single position on the Board of Directors and on the Leadership Advisory Council.

Breaking it down, the President-Elect (who, under both the current and proposed models, transitions after one year to become President and again after one year to Past President) and Treasurer will be elected by the membership as they are now. The Director-at-Large positions will be appointed by the Board after receiving recommended candidates from the Leadership Advisory Council (using nominations received by the membership in addition to other recruiting measures).

This solution will allow for candidates with additional perspectives, attributes, geography and demographics that are not currently available to the CLARB leadership candidate pool through the current model.

Q: Why did the Board of Directors decide to reintroduce the same recommendation?

A: The Board of Directors voted unanimously to reintroduce the resolution to amend the bylaws that failed by one vote in September 2018, because it's the right solution, at the right time to protect the future of CLARB, boards and regulation – and the majority of the membership supports it.

Q: Why is the Board recommending that we move from electing all members of the Board of Directors to electing some and appointing others?

A: Having the ability to make appointments will help to ensure that the best possible candidates have the opportunity to serve. Appointments will not only add flexibility to both the candidate pool and the size of the Board. In addition, member research uncovered that some qualified candidates are unwilling to run in competitive elections but would add value to the Board through an appointed role. The appointment process enables the Leadership Advisory Council to recommend candidates who will bring the greatest value to CLARB.

While members will not be electing all positions on the Board, they will continue to elect the officers: President-Elect (who succeeds to President and Past President) and Treasurer. Members have emphasized the importance of electing officers and this practice was retained in the proposed model. Members will also continue to elect all positions on the Leadership Advisory Council. In addition, members will continue to have



the opportunity to nominate candidates for all positions on the Board and Leadership Advisory Council who best represent CLARB's interests.

Q: What is the Leadership Advisory Council?

A: The Leadership Advisory Council would be the new name for the Committee on Nominations. The name change was recommended to accurately reflect the work being done by this group of volunteers, which would remain elected by the membership.

Q. Besides the name change, what else would change regarding the Leadership Advisory Council?

A: The short answer is not a lot in terms of their role. Members of the Leadership Advisory Council would continue to be elected by CLARB members and the Leadership Advisory Council would continue to: receive candidate nominations from the membership; identify additional nominees as needed; vet all nominees; and recommend to the Board of Directors a slate of candidates who are qualified to serve on the Board and Leadership Advisory Council.

What is changing is the number of members and the length of their term. The recommendation is to increase the size of the Leadership Advisory Council to six members and extend their terms of service to three years.

Eligibility FAQs

Q: Do you have to be currently serving on your state/provincial licensure board to be eligible for CLARB leadership?

A: No, you do not have to be currently serving on your state/provincial board to be eligible to run for CLARB leadership. This is not a requirement now, nor would it be in the future should the resolution to amend the bylaws pass.

Q: In the proposed structure, would the President be required to be a licensed landscape architect?

A: Yes, in fact the President-Elect, President and Past President positions must be held by a licensed landscape architect. In addition, the proposed structure requires that the majority of the entire Board be held by licensed landscape architects.

Q: Will there be an MBE Director position?

A: Under the proposed structure, MBEs will gain opportunities to serve in CLARB leadership as this solution does not limit the number of MBEs that can serve on the Board. Currently, MBEs can only serve as the MBE Director, but the proposed structure allows interested MBE candidates to serve as a Director-at-Large, Treasurer or member of the Leadership Advisory Council without limiting interested MBE candidates to one position.



Representation FAQs

Q: Who will the Directors-at-Large represent, if they're not representing regions or the MBE community?

A: Under both the current and proposed leadership structures, all members of the Board of Directors represent the best interests of the entire organization- not only one entity (region, MBE, etc.) Directors-at-Large will represent members across all jurisdictions.

Q: Will regional meetings continue to be held?

A: Yes! Regions will continue to meet virtually in addition to having time to connect in person at the Annual Meeting. Meetings will continue to be coordinated by CLARB staff, just as they are now. As needed (based on discussion topics), members of the Board of Directors will participate in the regional meetings to ensure members' concerns are being heard directly by the leadership.

Q: Who should I contact if I have questions?

A: The Board of Directors unanimously agrees that this is the right solution, at the right time to protect the future of CLARB, boards and regulation. Any member of the Board (listed below) is available if you have questions.

Phil MeyerStan WilliamsKaren KiestPresidentPresident-ElectVice Presidentpmeyer@baughmanco.comstan.williams1715@gmail.comkkiest@kk-la.com

Robert GundersonCary BairdMark ZarrilloSecretaryTreasurerRegion 1 Directorrgunderson@sgagroupinc.comcary.baird@stantec.commjz@mzarrillo.com

Patrick Beam Chuck Smith Dean Pearson
Region 2 Director Region 3 Director Region 4 Director
pjbeam@beamdesignsllc.com chuck@prestondev.com dpearson@architerragroup.com

Joel KurokawaChristine AndersonJulie HildebrandRegion 5 DirectorPast PresidentMBE Directorjoelk@kiconcepts.comcanderson@markthomas.comJulie.hildebrand@tbae.state.tx.us

AGENDA ITEM F: REVIEW OF FUTURE LATC MEETING DATES

Summary

An updated schedule of meetings and events for the remainder of 2019 are provided to the Committee.

<u>Date</u>	Meeting	<u>Location</u>
September 11	California Architects Board (Board) Meeting	Pleasant Hill
October 22	Professional Qualifications Committee Meeting	Sacramento
November 8	Landscape Architects Technical Committee (LATC) Meeting	Sacramento
November 11	Veterans Day	Office Closed
November 15-18	American Society of Landscape Architects Conference on Landscape Architecture	San Diego
November 28-29	Thanksgiving Holiday	Office Closed
December 11	Board Meeting	Los Angeles
December 25	Christmas Day	Office Closed