



Minutes

CALIFORNIA ARCHITECTS BOARD Landscape Architects Technical Committee Meeting

April 7-8, 2022
Sacramento

Landscape Architects Technical Committee (LATC/Committee) Members Present

Jon S. Wreschinsky, Chair
Pamela S. Brief, Vice Chair
Andrew C. N. Bowden
Susan M. Landry
Patricia M. Trauth

California Architects Board (Board) Members Present

Ronald A. Jones, LATC Liaison

Staff Present

Laura Zuniga, Executive Officer
Trish Rodriguez, Program Manager
Nicholas Barnhart, Licensing Coordinator
Blake Clark, Examination Analyst
Kourtney Nation, Special Projects Analyst
Stacy Townsend, Enforcement Analyst

Department of Consumer Affairs (DCA) Staff Present

Brianna Miller, Manager, Board and Bureau Relations
Karen Halbo, Regulatory Counsel, Attorney III
Michael Kanotz, LATC Counsel, Attorney III

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

LATC Chair, Jon Wreschinsky called the meeting to order at 10:32 a.m. and Vice Chair, Pamela Brief called roll. Five members of LATC were present, thus a quorum was established.

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

Mr. Wreschinsky thanked the meeting participants for their attendance and welcomed Ronald Jones, LATC Liaison to the Board. Mr. Wreschinsky also reminded the members that votes on all motions will be taken by roll call.

C. Public Comment on Items Not on the Agenda

Mr. Wreschinsky invited members of the public to address the LATC. There were no comments from the public.

Mr. Wreschinsky announced that a comment was submitted by the University of California, Los Angeles Extension addressing upcoming changes to the landscape architecture extension certificate program.

D. Update from the Department of Consumer Affairs (DCA) – Board and Bureau Relations, DCA

Brianna Miller reminded the Committee that as of April 1, 2022, DCA's boards, bureaus, commissions and committees returned to meeting in accordance with all aspects of the Open Meeting Act, including publicly noticing all meeting locations. She added that DCA has shared guidance from the California Health and Human Services Agency to reduce the spread of COVID-19 for in-person meetings. Ms. Miller shared that DCA formed an Enlightened Licensing work group in 2020 to utilize licensing subject matter experts within DCA to help boards and bureaus streamline licensing processes. Ms. Miller announced the recent appointments of Tonya Corcoran as DCA's first Compliance and Equity Officer, Terrence Brass as Chief of the Division of Investigation, and Dadang Prihadi as the Internal Audits Chief. She shared that Board and Bureau Relations issued the first iteration of a new quarterly newsletter to keep board and committee members informed of various departmental activities.

E. Review and Possible Action on January 27, 2022, Committee Meeting Minutes

- **Andrew C. N. Bowden moved to approve the January 27, 2022, LATC Meeting Minutes as presented.**

Pamela S. Brief seconded the motion.

There were no comments from the public.

Members Bowden, Brief, and Chair Wreschinsky voted in favor of the motion. Members Landry and Trauth abstained. The motion passed 3-0-2.

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

Trish Rodriguez advised the Committee of the status of the Business Modernization Project and shared that the LATC strategic planning session would be facilitated by DCA SOLID. She announced that an outreach presentation would be held remotely via Zoom on April 14, 2022, for landscape architecture students at the University of California, Berkely. Ms. Rodriguez informed the Committee that Nicholas Barnhart was selected for the Licensing Coordinator position. She reminded the members that the requirement for all new initial license applicants to submit fingerprints went

into effect on January 1, 2022. Ms. Rodriguez explained that LATC received approvals from the Department of Justice and Federal Bureau of Investigation for California and federal background checks, and the necessary Live Scan form is available to prospective licensees on the LATC website.

Ms. Rodriguez introduced Karen Halbo, LATC Regulatory Counsel, who provided an overview of LATC's current rulemaking activity. Mr. Bowden inquired when the next sunset process will begin. Laura Zuniga responded that a current bill would extend the sunset date an additional year to 2025.

Ms. Rodriguez presented that an intra-agency contract was executed for the DCA Office of Professional Examination Services to conduct a linkage study between the most recent Occupational Analysis and the Council of Landscape Architects Registration Boards (CLARB) Job Task Analysis. She concluded her update with an overview of LATC's current enforcement activity. Members Bowden and Wreschinsky noted that candidates who repeat the California Supplemental Examination (CSE) have a higher fail rate. Susan Landry asked if additional detail could be provided indicating how many repeat candidates are included in the total report count. Patricia Trauth noted the recent decrease in CSE candidate count. Mr. Wreschinsky suggested that the LATC consider addressing this topic during the strategic planning session. Ms. Brief noted that many factors contribute to the CSE pass rates and as LATC increases pathways to licensure it could be expected that pass rates will fluctuate. Ms. Rodriguez clarified that once the Business Modernization Project is complete and the new platform is available, staff could easily extract candidate pathway data for studies and presentations to the Committee. Mr. Bowden requested that the CSE data chart be expanded to include reference data from before the start of the COVID-19 pandemic.

G. Review and Discuss 2022 Legislation

1. Assembly Bill (AB) 225 (Gray) Department of Consumer Affairs: Boards: Veterans: Military Spouses: Licenses

Ms. Zuniga presented that AB 225 expands the provisions of the existing military spouse temporary licensure program to apply to military veterans who were not dishonorably discharged and active-duty military members with orders of separation in 90 days.

2. AB 1662 (Gipson) Licensing Boards: Disqualification from Licensure: Criminal Conviction

Ms. Zuniga presented that AB 1662 would allow a prospective licensure applicant who has been convicted of a crime to submit a request for a pre-application determination regarding their criminal conviction, before the applicant obtains any required training or education. Mr. Wreschinsky asked how many applicants currently fall into this category. Ms. Zuniga responded that since implementation of the fingerprinting requirement for architects and landscape architects, the number of applicants with criminal convictions for both the Board and LATC have remained low.

3. AB 1733 (Quirk) State Bodies: Open Meetings

Ms. Zuniga presented that AB 1733 would make permanent changes to the Bagley-Keene Open Meeting Act to allow the flexibility for remote meetings and require one location for public access.

4. Senate Bill (SB) 1237 (Newman) Licenses: Military Service

Ms. Zuniga presented that SB 1237 would define the phrase “called to active-duty” to include active-duty in the U.S. Armed Forces or the California National Guard.

5. SB 1365 (Jones) Licensing Boards: Procedures

Ms. Zuniga presented that SB 1365 requires all boards to post a list of the criteria they use to evaluate applicants with criminal convictions on their website. She added that LATC and the Board generally have this information included within their Disciplinary Guidelines. Ms. Zuniga further explained that the bill would require DCA to develop a process for each board to use when verifying applicant information, and a procedure to provide for an informal appeals process.

6. SB 1443 (Roth) The Department of Consumer Affairs

Ms. Zuniga presented that SB 1443 would extend the sunset date for LATC and the Board for another year, until January 1, 2025.

I.* Review of Future Committee Meeting Dates

Ms. Landry suggested holding a future meeting at the Campbell City Hall. Ms. Rodriguez presented that the next Board meeting would be held on May 20, 2022, and the next LATC meeting is scheduled for August 2, 2022. Ms. Brief noted that she plans to attend the Board meeting in May.

H. Council of Landscape Architectural Registration Boards (CLARB)

Ms. Rodriguez reminded the Committee that CLARB has proposed a Uniform Standard for licensure and shared that LATC Chair Wreschinsky provided two letters to CLARB last year addressing discrepancies and concerns between California’s current licensure requirements and the proposed Uniform Standard. She added that CLARB rejected the LATC’s concerns and later announced it would hold a mid-year meeting on April 20, 2022, to vote on its proposed Uniform Standard. Ms. Rodriguez explained that LATC appointed a subcommittee consisting of Mr. Wreschinsky and Ms. Brief at its meeting on January 27, 2022, to prepare recommendations on the CLARB Resolutions. Ms. Rodriguez added that the subcommittee held several meetings with staff and prepared an amendment to Resolution #3 that was submitted to CLARB on April 6, 2022.

Mr. Wreschinsky presented that Resolutions #1 and #2 relate to the adoption of the Uniform Standard and Resolution #2 specifically outlines the changes to the

CLARB Model Law necessary to implement the Uniform Standard. He continued that Resolution #3 outlines CLARB's effort to address DEI (Diversity, Equity, and Inclusion) issues by removing specific language from the current Model Law.

Mr. Wreschinsky shared that CLARB has established special meeting rules for the April 20, 2022, Mid-Year Meeting. He noted CLARB has stated that voting for the resolutions does not obligate any jurisdiction to implement the changes, however, it is clear in the CLARB Bylaws that any decision approved by the CLARB membership is expected to be adopted by each jurisdiction. Mr. Wreschinsky reminded the Committee that a delegate must be designated to vote on behalf of LATC at the CLARB Mid-Year Meeting.

- **Susan M. Landry moved to approve Jon S. Wreschinsky as delegate in attendance on the Letter of Delegate Credentials for the April 20, 2022, CLARB Special Meeting.**

Andrew C. N. Bowden seconded the motion.

There were no comments from the public.

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

H.1. Review and Possible Action on Uniform Standard Task Force Recommended Positions on CLARB Resolutions:

- a. Resolution #1 Adoption of the CLARB Uniform Licensure Standard for Landscape Architecture***
- b. Resolution #2 Revisions to the CLARB Model Law and Regulations to Align with the Draft Uniform Licensure Standard for Landscape Architecture***
- c. Resolution #3 Revisions to the CLARB Model Law and Regulations to Promote Diversity, Equity, and Inclusion in Licensure Standards and to Align with CLARB's DEI Principles***

Mr. Wreschinsky reminded the Committee that Resolution #1 pertains specifically to adoption of the CLARB Uniform Standard and that he submitted two letters to CLARB on behalf of LATC regarding the Committee's concerns with the proposed Uniform Standard and did not receive a positive response to either letter. He added that LATC's Uniform Standard subcommittee took CLARB's response into consideration when developing their series of recommendations on how the LATC should vote on each of the proposed Resolutions. Ms. Landry asked what would happen if the CLARB Resolutions are approved and California laws are not in alignment with the approved Uniform Standard. Mr. Wreschinsky clarified that LATC is not obligated to implement the Uniform Standard and added that adoption of the Uniform Standard would result in a more restrictive process for applying for licensure in California, because it does not allow for the alternative pathways currently outlined in California law and would require additional years of experience,

beyond what California currently requires. Ms. Landry asked if the Uniform Standard would affect California licensees seeking reciprocity in another jurisdiction. Ms. Brief explained that reciprocity requirements are set by each state and that CLARB has attempted to unify the varying requirements among jurisdictions. Ms. Brief added that she had explained to members of the American Society of Landscape Architects (ASLA) that there is no way for California to implement the Uniform Standard as proposed because it would increase barriers to licensure.

Mr. Bowden commented that since California has such a large licensee population, LATC's regulations should have been considered by CLARB. Ms. Trauth asked if CLARB provided any history on how representatives were selected to serve on the committee that developed the Uniform Standard, noting that the states with the largest licensee populations were not represented. Mr. Wreschinsky explained that CLARB did not specify how the committee members were chosen to participate. Mr. Jones opined that the Board has experienced a similar struggle with the National Council of Architectural Registration Boards (NCARB) in that the Board has the largest licensee population and the fewest voices involved with NCARB activity.

Mr. Bowden noted that LATC has a responsibility to the people of California which may not align with CLARB's Model Law. He added that CLARB worked diligently to come up with the Uniform Standard, however, the proposed Resolutions are not acceptable for California. Mr. Bowden agreed with the recommendations presented by the Licensure Standards subcommittee, as outlined in the draft letter to CLARB. Mr. Wreschinsky added that other member boards included with California in CLARB Region 5 have raised similar concerns with the proposed Uniform Standard and the Oregon Board has already decided not to support Resolutions #1 and #2. Ms. Rodriguez added that the letters sent from LATC to CLARB on this matter were shared with all other CLARB Member Board Executives.

Mr. Bowden asked if LATC should reach out to other states with large licensee populations to see how they plan to vote on the proposed Resolutions. Mr. Wreschinsky noted that LATC has not been advised that any other jurisdictions have written to CLARB regarding the proposed Resolutions. Ms. Trauth added that LATC staff conducted research on experience requirements of other licensing jurisdictions and found that the average years of experience required was around six years, which is consistent with California. Mr. Wreschinsky noted that ASLA was involved with development of the CLARB Uniform Standard, however, it was not clear if ASLA members were aware of LATC's concerns. He added that process information was not shared by CLARB which led him to believe CLARB was not interested in LATC's concerns or took a neutral stand. Mr. Wreschinsky added that in some respects having uniformity from one jurisdiction to the next could benefit the profession, but the process CLARB chose to address the issue and their initial motives were questionable. He added that a number of states may have been leaning toward deregulation and CLARB decided to address those issues with one standard for all to make it easier to defend professional licensure nationally. Ms. Landry asked if CLARB must disclose how decisions surrounding the Uniform Standard are made. Mr. Wreschinsky responded that meeting minutes are not available for the CLARB subcommittee discussions on this issue and the meeting

minutes from the full CLARB board are limited. Ms. Landry inquired if LATC could reach out to other jurisdictions for input on the Resolutions. Ms. Brief added that LATC's charge is specifically related to the state of California and Californians on how to vote. Mr. Wreschinsky echoed that LATC can only speak for California.

Mr. Wreschinsky reminded the Committee that Resolution #2 is tied directly to acceptance or rejection of Resolution #1 and moved on to discussion of Resolution #3, Revisions to the CLARB Model Law and Regulations to Promote Diversity, Equity, and Inclusion in Licensure Standards and to Align with CLARB's DEI Principles. He added that an explanation was not provided regarding only the removal of "good moral character" from the CLARB Model Law, to address DEI. He expanded that based on the LATC's current regulations, it is important to have a statement that addresses that the information cannot be taken into consideration as a licensure requirement. He continued that based on that premise, the working group recommends voting no on Resolution #3 as proposed and offered an amendment to CLARB that would bring it in line with California regulation.

Mr. Wreschinsky explained that other DEI issues may need to be addressed in the future and questioned if it is a regulatory board's responsibility to specifically address these issues when the vast majority do not align with LATC's charge and have more to do with school acceptance policies and opportunities for individuals to enter the profession. Ms. Landry agreed to vote no on Resolution #3 unless the LATC's proposed amendment is accepted. Mr. Wreschinsky expanded that increasing the total number of years of required experience under the proposed Uniform Standard, is more restrictive than the state of California and in some respects could be discriminatory. Ms. Brief opined that removing the phrase "good moral character" does not meet the needs of a DEI process, which, she added would be more about CLARB being transparent about their strategic plan to address DEI or plan on diversification among their board members.

- **Susan M. Landry moved to reject Resolution #1 Adoption of the CLARB Uniform Licensure Standard for Landscape Architecture.**

Patricia M. Trauth seconded the motion.

There were no comments from the public.

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

- **Susan M. Landry moved to reject Resolution #2 Revisions to the CLARB Model Law and Regulations to Align with the Draft Uniform Licensure Standard for Landscape Architecture.**

Patricia M. Trauth seconded the motion.

There were no comments from the public.

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

- **Andrew C. N. Bowden moved to reject Resolution #3 Revisions to the CLARB Model Law and Regulations to Promote Diversity, Equity, and Inclusion in Licensure Standards and to Align with CLARB’s Diversity Equity and Inclusion (DEI) Principles.**

Susan M. Landry seconded the motion.

There were no comments from the public.

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

H.2. Discuss and Possible Action on CLARB Workgroup Invitation to Evaluate Outcomes of the Job Task Analysis

Mr. Wreschinsky explained that CLARB has reached out to LATC to inquire if one of the Committee members is interested in serving on the upcoming Workgroup to evaluate outcomes of the Job Task Analysis.

- **Susan M. Landry moved to appoint Jon S. Wreschinsky to participate in CLARB’s workgroup to evaluate outcomes of the job task analysis.**

Andrew C. N. Bowden seconded the motion.

There were no comments from the public.

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

J. Recess

The meeting recessed at 1:36 p.m.

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

On April 8, 2022, the meeting was called to order at 9:00 a.m., and the following persons were present:

LATC Members Present

Jon S. Wreschinsky, Chair
Pamela S. Brief, Vice Chair
Andrew C. N. Bowden
Susan M. Landry
Patricia M. Trauth

Board Members Present

Ronald A. Jones, LATC Liaison

Staff Present

Laura Zuniga, Executive Officer
Trish Rodriguez, Program Manager

Nicholas Barnhart, Licensing Coordinator
Blake Clark, Examination Analyst
Kourtney Nation, Special Projects Analyst
Stacy Townsend, Enforcement Analyst

DCA Staff Present

Michael Kanotz, LATC Counsel, Attorney III
Trisha St. Clair, Strategic Business Analyst & Facilitator, SOLID
Sarah Irani, Strategic Business Analyst & Facilitator, SOLID

L. Strategic Planning Session

Trisha St. Clair and Sarah Irani from SOLID facilitated the LATC's strategic planning session and lead the LATC through a review of its mission, values, and strategic goals, which assisted members in developing objectives for 2022-2024. SOLID will update the Strategic Plan with changes made during the session, and the Committee will review and finalize the plan at its next meeting.

M. Adjournment

The meeting adjourned at 2:20 p.m.

**Agenda items for this meeting were taken out of order to allow ample time to discuss Agenda Item H. The order of business conducted herein follows the transaction of business.*