

California Architects Board  
Landscape Architects Technical Committee  
March 22, 2024





## NOTICE OF PUBLIC TELECONFERENCE MEETING

### The Landscape Architects Technical Committee

**LATC MEMBERS**

**PARTICIPATING REMOTELY**

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

**March 22, 2024**

**California Architects Board  
2420 Del Paso Road, Suite 105  
Conference Room 114  
Sacramento, CA 95834**

**The Landscape Architects Technical Committee (LATC or Committee) of the California Architects Board will meet by teleconference at**

**10:00 a.m., on Friday, March 22, 2024**

**NOTE: This teleconference meeting is being held pursuant to Government Code section 11123.5.**

**Information to Register/Join Meeting for Members of the Public via Webex:** To access the Webex event, attendees will need to click the following link. Instructions to connect to the meeting can be found at the end of this agenda.

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m6664bc55ffa89e818ef80a3a4cb61906>

*If joining using the link above*

Webinar number: 2490 375 2737

Webinar password: LATC322

*If joining by phone*

+1-415-655-0001 US Toll

Access code: 2490 375 2737

Passcode: 5282322

Members of the public may, but are not obligated to, provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can

*(Continued)*

identify individuals who wish to make a public comment. Participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com

Due to potential technical difficulties, please consider submitting written comments by March 18, 2024, to [latc@dca.ca.gov](mailto:latc@dca.ca.gov) for consideration.

## **AGENDA**

**10:00 a.m. to 2:00 p.m.**  
(or until completion of business)

### **ACTION MAY BE TAKEN ON ANY ITEM LISTED ON THIS AGENDA.**

- A. Call to Order / Roll Call / Establishment of a Quorum
- B. Chair's Procedural Remarks and Committee Member Introductory Comments
- C. Public Comment on Items Not on the Agenda

The Committee may not discuss or act 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. Update on the Department of Consumer Affairs (DCA), Yvonne Dorantes, Assistant Deputy Director, Board and Bureau Relations
- E. Budget Update from DCA Budget Office, Luke Fitzgerald, Budget Analyst
- F. Review and Possible Action on November 17, 2023, LATC Meeting Minutes
- G. Legislation Update
  - 1. SB 1452 (Ashby) Architecture and Landscape Architecture
- H. Executive Officer's Report – Update on Board's Administration / Management, Examination, Licensing, and Enforcement Programs
- I. Discuss and Possible Action on Licensure Examination Pass Rates of the Landscape Architect Registration Examination (LARE) and the California Supplemental Examination (CSE)

J. Discuss and Possible Action on Structure and Operations Subcommittee

Addresses the following 2022-2024 Strategic Plan Objective:

1. Research the Economic and Consumer Protection Impact of Re-Establishing the Landscape Architects Board or Establishing a Merged Board with the California Architects Board to Provide Better Representation, Strengthen the Distinction Between the Two Entities, and Increase Efficiency

K. Review and Discuss and Possible Action on Sunset Review Hearing

L. Review of Future Committee Meeting Dates

M. Closing Comments

N. 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.

FOR OBSERVATION ONLY: WEBCAST: The LATC plans to webcast this meeting on the Department of Consumer Affairs' website at <https://thedcapage.blog/webcasts>. Using the Webcast link will allow only for observation with closed captioning. Webcast availability cannot, however, be guaranteed due to resource limitations or technical difficulties. The meeting will not be cancelled if Webcast is unavailable. If you wish to participate, please plan to participate via the Webex option listed above.

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 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 their 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)).

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

**Person:** Kourtney Fontes

**Telephone:** (916) 575-7230

**Email:** [Kourtney.Fontes@dca.ca.gov](mailto:Kourtney.Fontes@dca.ca.gov)

**Telecommunication Relay Service:** Dial 711

**Mailing Address:**

Landscape Architects Technical Committee

2420 Del Paso Road, Suite 105

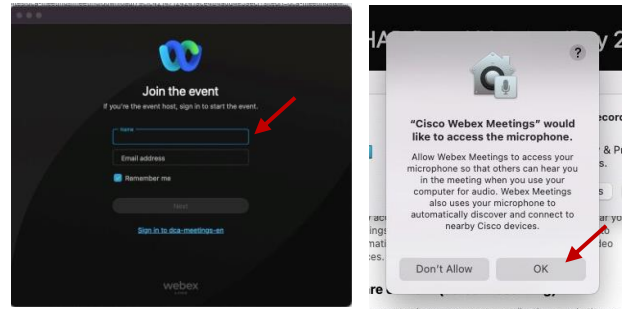
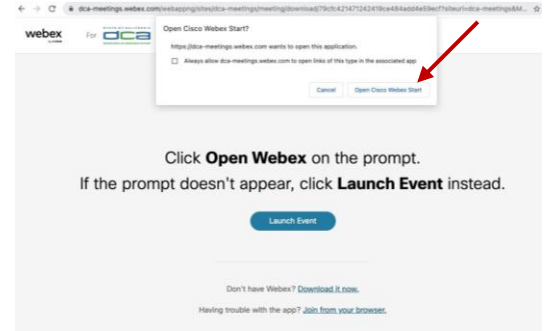
Sacramento, CA 95834

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 Committee 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).***

## If joining using the meeting link

- 1 Click on the meeting link. This can be found in the meeting notice you received.
- 2 If you have not previously used Webex on your device, your web browser may ask if you want to open Webex. Click "Open Cisco Webex Start" or "Open Webex", whichever option is presented. DO NOT click "Join from your browser", as you will not be able to participate during the meeting.
- 3 Enter your name and email address\*. Click "Join as a guest". Accept any request for permission to use your microphone and/or camera.

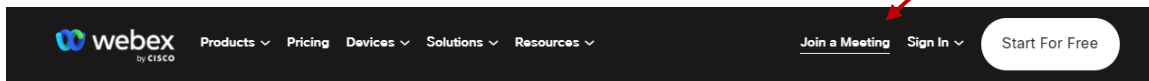


\* Members of the public are not obligated to provide their name or personal information and may provide a unique identifier such as their initials or another alternative, and a fictitious email address like in the following sample format: XXXXX@mailinator.com.

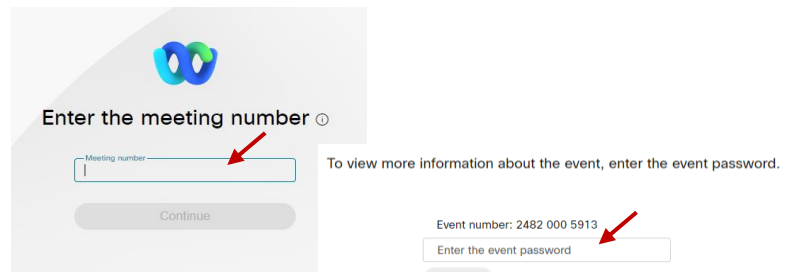
OR

## If joining from Webex.com

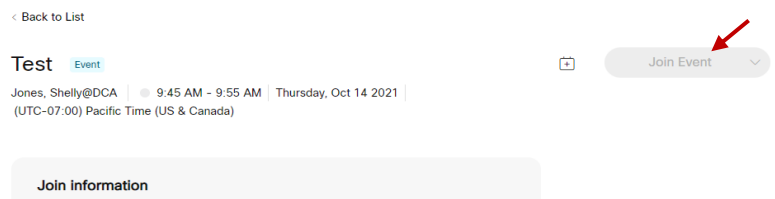
- 1 Click on "Join a Meeting" at the top of the Webex window.



- 2 Enter the meeting/event number and click "Continue". Enter the event password and click "OK". This can be found in the meeting notice you received.



- 3 The meeting information will be displayed. Click "Join Event".



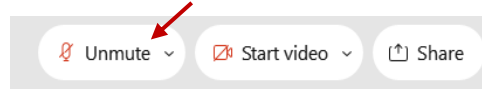
OR

## Connect via telephone\*:

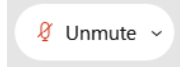
You may also join the meeting by calling in using the phone number, access code, and passcode provided in the meeting notice.

### Microphone

Microphone control (mute/unmute button) is located on the command row.



Green microphone = Unmuted: People in the meeting can hear you.



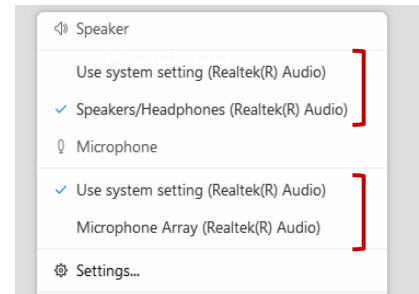
Red microphone = Muted: No one in the meeting can hear you.

*Note: Only panelists can mute/unmute their own microphones. Attendees will remain muted unless the moderator enables their microphone at which time the attendee will be provided the ability to unmute their microphone by clicking on "Unmute Me".*



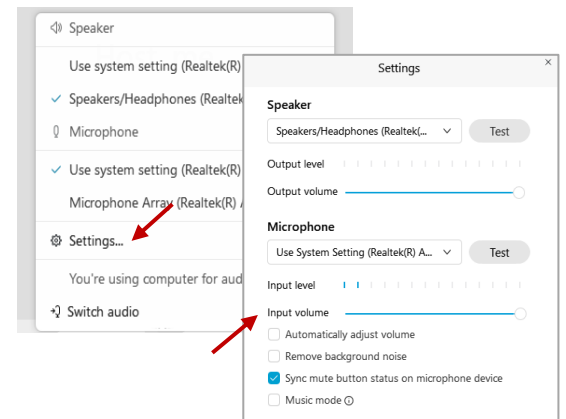
### If you cannot hear or be heard

- 1 Click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window, select a different:
  - Microphone option if participants can't hear you.
  - Speaker option if you can't hear participants.



### If your microphone volume is too low or too high

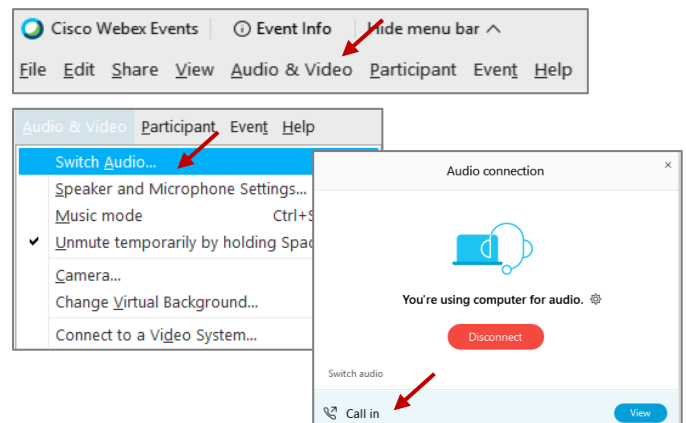
- 1 Locate the command row – click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window:
  - Click on "Settings...":
  - Drag the "Input Volume" located under microphone settings to adjust your volume.



### Audio Connectivity Issues

If you are connected by computer or tablet and you have audio issues or no microphone/speakers, you can link your phone through Webex. Your phone will then become your audio source during the meeting.

- 1 Click on "Audio & Video" from the menu bar.
- 2 Select "Switch Audio" from the drop-down menu.
- 3 Select the "Call In" option and following the directions.



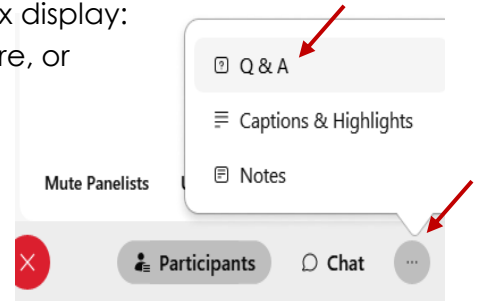
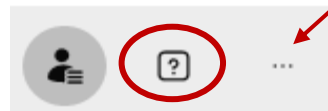
The question-and-answer (Q&A) and hand raise features are utilized for public comments.

*NOTE: This feature is not accessible to those joining the meeting via telephone.*

### Q&A Feature

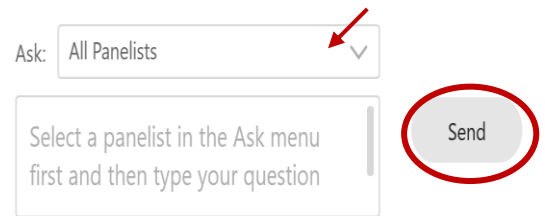
1 Access the Q&A panel at the bottom right of the Webex display:

- Click on the icon that looks like a “?” inside of a square, or
- Click on the 3 dots and select “Q&A”.



2 In the text box:

- Select “All Panelists” in the dropdown menu,
- Type your question/comment into the text box, and
- Click “Send”.



OR

### Hand Raise Feature

- 1
- Hovering over your own name.
  - Clicking the hand icon that appears next to your name.
  - Repeat this process to lower your hand.

If connected via telephone:

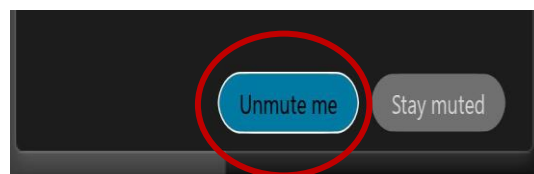
- Utilize the raise hand feature by pressing \*3 to raise your hand.
- Repeat this process to lower your hand.

### Unmuting Your Microphone



The moderator will call you by name and indicate a request has been sent to unmute your microphone. Upon hearing this prompt:

- Click the **Unmute me** button on the pop-up box that appears.



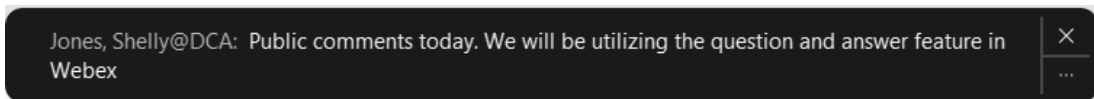
OR

If connected via telephone:

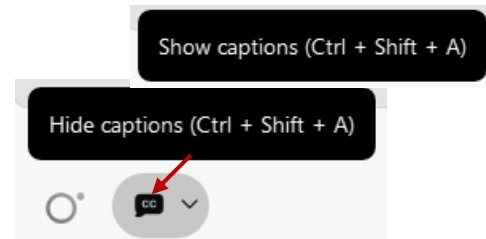
- Press \*3 to unmute your microphone.



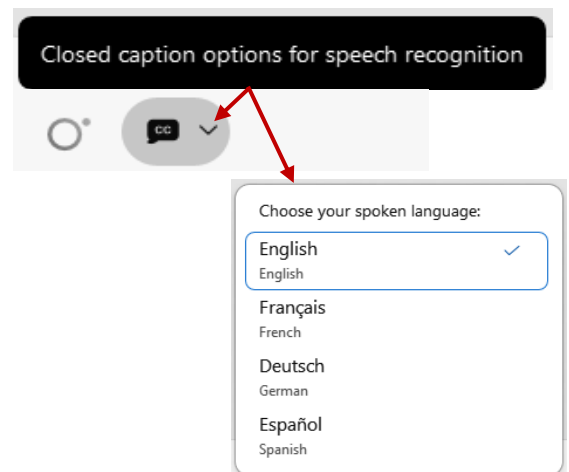
Webex provides real-time closed captioning displayed in a dialog box on your screen. The captioning box can be moved by clicking on the box and dragging it to another location on your screen.



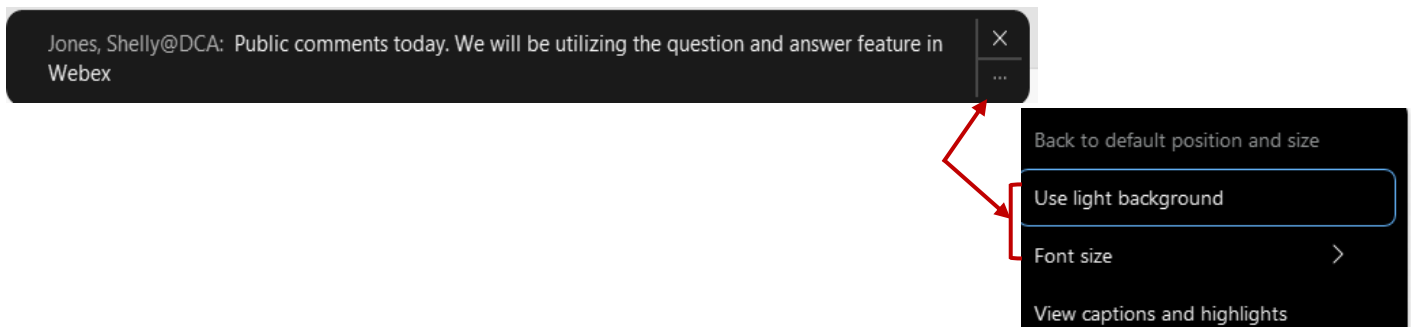
The closed captioning can be hidden from view by clicking on the closed captioning icon. You can repeat this action to unhide the dialog box.



You can select the language to be displayed by clicking the drop-down arrow next to the closed captioning icon.



You can view the closed captioning dialog box with a light or dark background or change the font size by clicking the 3 dots on the right side of the dialog box.



## **AGENDA ITEM A: CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF A QUORUM**

Roll is called by the LATC Vice Chair or, in their absence, by an LATC member designated by the LATC Chair.

### **LATC Member Roster**

Andrew C. N. Bowden

Pamela S. Brief

Susan M. Landry

Patricia M. Trauth

Jon S. Wreschinsky

Department of Consumer Affairs

Expenditure Projection Report

California Architects Board

Reporting Structure(s): 11110320 Landscape Architects Committee

Fiscal Month: 7

Fiscal Year: 2023 - 2024

Run Date: 02/29/2024

PERSONAL SERVICES

Fiscal Code	Line Item	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5100	PERMANENT POSITIONS	\$349,000	\$325,248	\$349,000	\$20,573	\$154,526	\$0	\$154,526	\$262,344	\$86,656
5100	TEMPORARY POSITIONS	\$6,000	\$0	\$6,000	\$0	\$0	\$0	\$0	\$0	\$6,000
5105-5108	PER DIEM, OVERTIME, & LUMP SUM	\$3,000	\$24,257	\$3,000	\$300	\$600	\$0	\$600	\$1,100	\$1,900
5150	STAFF BENEFITS	\$226,000	\$210,266	\$229,000	\$14,594	\$109,948	\$0	\$109,948	\$186,663	\$42,337
	<b>PERSONAL SERVICES</b>	<b>\$584,000</b>	<b>\$559,772</b>	<b>\$587,000</b>	<b>\$35,467</b>	<b>\$265,074</b>	<b>\$0</b>	<b>\$265,074</b>	<b>\$450,107</b>	<b>\$136,893</b>

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	Line Item	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5301	GENERAL EXPENSE	\$34,000	\$13,653	\$34,000	\$0	\$6,643	\$1,107	\$7,750	\$10,710	\$23,290
5302	PRINTING	\$16,000	\$4,374	\$16,000	\$0	\$1,204	\$7,527	\$8,731	\$8,731	\$7,269
5304	COMMUNICATIONS	\$5,000	\$1,444	\$5,000	\$116	\$823	\$0	\$823	\$1,433	\$3,567
5306	POSTAGE	\$12,000	\$2,548	\$12,000	\$0	\$107	\$0	\$107	\$2,508	\$9,492
5308	INSURANCE	\$0	\$8	\$0	\$0	\$0	\$0	\$0	\$10	-\$10
53202-204	IN STATE TRAVEL	\$14,000	\$11,283	\$14,000	\$1,549	\$4,930	\$0	\$4,930	\$6,000	\$8,000
53206-208	OUT OF STATE TRAVEL	\$0	\$1,873	\$0	\$153	\$153	\$0	\$153	\$0	\$3,000
5322	TRAINING	\$3,000	\$0	\$3,000	\$0	\$0	\$0	\$0	\$0	-\$37,709
5324	FACILITIES	\$25,000	\$59,837	\$25,000	\$5,088	\$35,426	\$25,176	\$60,602	\$62,709	-\$37,709
53402-53403	C/P SERVICES (INTERNAL)	\$28,000	\$22,793	\$23,000	\$1,155	\$7,084	\$0	\$7,084	\$14,377	\$8,623
53404-53405	C/P SERVICES (EXTERNAL)	\$301,000	\$123,248	\$271,000	\$7,139	\$45,652	\$43,124	\$88,776	\$95,621	\$175,379
5342	DEPARTMENT PRORATA	\$236,000	\$198,009	\$266,000	\$0	\$193,500	\$0	\$193,500	\$266,000	\$0
5342	DEPARTMENTAL SERVICES	\$30,000	\$76,233	\$30,000	\$10,912	\$21,827	\$0	\$21,827	\$53,010	-\$23,010
5344	CONSOLIDATED DATA CENTERS	\$1,000	\$5,593	\$1,000	\$0	\$15	\$0	\$15	\$10,675	-\$9,675
5346	INFORMATION TECHNOLOGY	\$25,000	\$4,626	\$24,000	\$1,191	\$1,191	\$14,020	\$15,211	\$15,211	\$8,789
5362-5368	EQUIPMENT	\$15,000	\$787	\$0	\$0	\$664	\$0	\$664	\$999	-\$999
54	SPECIAL ITEMS OF EXPENSE	\$0	\$410	\$0	\$290	\$290	\$0	\$290	\$500	-\$500
	<b>OPERATING EXPENSES &amp; EQUIPMENT</b>	<b>\$745,000</b>	<b>\$526,719</b>	<b>\$724,000</b>	<b>\$27,594</b>	<b>\$319,510</b>	<b>\$90,953</b>	<b>\$410,463</b>	<b>\$548,495</b>	<b>\$175,505</b>

<b>OVERALL TOTALS</b>		<b>\$1,329,000</b>	<b>\$1,086,491</b>	<b>\$1,311,000</b>	<b>\$63,061</b>	<b>\$584,584</b>	<b>\$90,953</b>	<b>\$675,537</b>	<b>\$998,602</b>	<b>\$312,398</b>
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REIMBURSMENTS		-\$1,000	\$0	-\$1,000					\$0	
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<b>OVERALL NET TOTALS</b>		<b>\$1,328,000</b>	<b>\$1,086,491</b>	<b>\$1,310,000</b>	<b>\$63,061</b>	<b>\$584,584</b>	<b>\$90,953</b>	<b>\$675,537</b>	<b>\$998,602</b>	<b>\$311,398</b>
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23.83%

**Department of Consumer Affairs**

**Revenue Projection Report**

Reporting Structure(s): 11110320 Landscape Architects Committee

Fiscal Month: 7

Fiscal Year: 2023 - 2024

Run Date: 02/29/2024

**Revenue**

Fiscal Code	Line Item	Budget	July	August	September	October	November	December	January	Year to Date	Projection To Year End
	Delinquent Fees	\$10,000	\$400	\$1,310	\$1,200	\$800	\$600	\$2,000	\$200	\$6,510	\$10,610
	Other Regulatory Fees	\$3,000	\$0	\$0	\$750	\$631	\$1,000	\$0	\$0	\$2,381	\$3,381
	Other Regulatory License and Permits	\$156,000	\$7,060	\$7,390	\$11,465	\$8,115	\$10,270	\$9,426	\$12,925	\$66,651	\$155,251
	Other Revenue	\$7,000	\$310	\$0	\$0	\$6,935	\$0	\$0	\$7,626	\$14,871	\$14,871
	Renewal Fees	\$1,008,000	\$60,200	\$56,350	\$116,000	\$124,400	\$31,200	\$68,100	\$101,700	\$557,950	\$1,003,950
	<b>Revenue</b>	<b>\$1,184,000</b>	<b>\$67,970</b>	<b>\$65,050</b>	<b>\$129,415</b>	<b>\$140,881</b>	<b>\$43,070</b>	<b>\$79,526</b>	<b>\$122,451</b>	<b>\$648,364</b>	<b>\$1,188,064</b>

**0757 - Landscape Architects Technical Committee Fund Analysis of Fund Condition**  
**(Dollars in Thousands)**

Prepared 3.8.2024

2024-25 Governor's Budget With FM 7 Projections

	PY 2022-23	CY 2023-24	BY 2024-25	BY +1 2025-26	BY +2 2026-27
<b>BEGINNING BALANCE</b>	\$ 958	\$ 653	\$ 742	\$ 921	\$ 1,103
Prior Year Adjustment	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 958	\$ 653	\$ 742	\$ 921	\$ 1,103
<b>REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>					
Revenues					
4121200 - Delinquent fees	\$ 10	\$ 11	\$ 11	\$ 11	\$ 11
4127400 - Renewal fees	\$ 719	\$ 1,004	\$ 1,306	\$ 1,306	\$ 1,306
4129200 - Other regulatory fees	\$ 3	\$ 3	\$ 5	\$ 5	\$ 5
4129400 - Other regulatory licenses and permits	\$ 114	\$ 155	\$ 200	\$ 200	\$ 200
4163000 - Income from surplus money investments	\$ 21	\$ 14	\$ 10	\$ 16	\$ 19
4171400 - Escheat of unclaimed checks and warrants	\$ 1	\$ 1	\$ -	\$ -	\$ -
Totals, Revenues	\$ 868	\$ 1,188	\$ 1,532	\$ 1,538	\$ 1,541
<b>TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>	\$ 868	\$ 1,188	\$ 1,532	\$ 1,538	\$ 1,541
<b>TOTAL RESOURCES</b>	\$ 1,826	\$ 1,841	\$ 2,274	\$ 2,459	\$ 2,644
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 1,086	\$ 999	\$ 1,282	\$ 1,220	\$ 1,256
Anticipated Ongoing Business Modernization Costs	\$ -	\$ -	\$ -	\$ 71	\$ 66
9892 Supplemental Pension Payments (State Operations)	\$ 16	\$ 17	\$ 6	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 71	\$ 83	\$ 65	\$ 65	\$ 65
<b>TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS</b>	\$ 1,173	\$ 1,099	\$ 1,353	\$ 1,356	\$ 1,387
<b>FUND BALANCE</b>					
Reserve for economic uncertainties	\$ 653	\$ 742	\$ 921	\$ 1,103	\$ 1,257
Months in Reserve	7.1	6.6	8.2	9.5	10.9

**NOTES:**

1. Assumes workload and revenue projections are realized in BY +1 and ongoing.
2. Expenditure growth projected at 3% beginning BY +1.
3. Includes anticipated ongoing costs for Business Modernization.



## Draft Minutes

### CALIFORNIA ARCHITECTS BOARD Landscape Architects Technical Committee Meeting

November 17, 2023  
WebEx Teleconference

#### 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

#### Staff Present

Laura Zuniga, Executive Officer  
Jesse Laxton, Assistant Executive Officer  
Kimberly McDaniel, LATC Program Manager  
Nicholas Barnhart, Examination Coordinator  
Kourtney Fontes, Special Projects Analyst  
Coleen Galvan, Communications Analyst  
Drew Liston, Board Liaison  
Marccus Reinhardt, Examinations & Licensing Manager  
Timothy Rodda, Regulations Manager

#### Department of Consumer Affairs (DCA) Staff Present

Elizabeth Coronel, SOLID Moderator  
Harmony DeFilippo, Budget Manager  
Yvonne Dorantes, Assistant Deputy Director of Board and Bureau Relations  
Veronica Hernandez, Budget Analyst  
Tara Welch, LATC Counsel

#### Guests Present

Angela Benson  
Joan Bolton, Association of Professional Landscape Designers (APLD)  
Cheryl Buckwalter, APLD  
Martin Carrion van Rijn  
Francesca Corra  
Sarah Gronquist  
Steve Harbour  
Karen Hunt

Stephanie Landregan, Program Director, University of California, Los Angeles  
(UCLA) Extension  
Tracy Morgan Hollingworth, California Council of American Society of Landscape  
Architects (CCASLA)  
Marcia Scott  
Debbie Seracini  
Soleil Tranquilli

**A. Call to Order / Roll Call / Establishment of a Quorum**

LATC Chair, Jon Wreschinsky called the meeting to order at 10:00 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 explained the meeting was held via WebEx pursuant to Government Code section 11133, and there was no physical meeting location. He stated that all motions and seconds will be repeated for the record and 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.

**D. Update on the Department of Consumer Affairs (DCA)**

Yvonne Dorantes provided updates on DCA's Diversity, Equity, and Inclusion (DEI) Steering Committee efforts, including new DEI trainings for staff and board members. She added that DCA continues to support boards and bureaus in expanding culturally competent communications and promote the importance of meeting the needs of California consumers, licensees and applicants.

Ms. Dorantes reminded the LATC of the changes to the Bagley-Keene Open Meeting Act that will become effective on January 1, 2024, including the new advisory body teleconference meeting option in which all members of an advisory body can participate remotely from private non-public meeting sites. She also reminded the committee members of the required trainings for 2023, including the Sexual Harassment Prevention and Information and Security Awareness trainings.

Mr. Wreschinsky asked if the Information and Security Awareness training is mandatory. Ms. Dorantes confirmed the training is required for members that have a DCA email address, and it is recommended for those who do not.

**E. Budget Update from DCA Budget Office**

Veronica Hernandez provided an overview of the LATC's expenditure projections and fund condition statement included in the meeting materials.

Mr. Wreschinsky asked what types of revenue are included in the line items labeled “Other regulatory fees” and “Other regulatory licenses and permits”. Harmony DeFilippo explained those items include fees associated with citations, duplicate certificates, examinations, applications, and initial licenses. Mr. Wreschinsky asked for clarification on supplemental pension payments. Ms. DeFilippo explained that it is a statewide payment that will be phasing out. Mr. Wreschinsky asked if the State is assuming that labor costs will increase by three percent each year. Ms. DeFilippo confirmed that expenditure growth is projected at three percent to accommodate salary increases, employee compensation, and retirement rate adjustments. Mr. Wreschinsky asked if any DCA programs have seen a decrease in license renewals after implementing fee increases. Ms. Zuniga responded that staff could check with a few similar sized DCA programs that have recently increased fees.

#### **F. Review and Possible Action on August 11, 2023, LATC Meeting Minutes**

Mr. Wreschinsky asked if a statement on page 2 of the meeting minutes related to applicants for temporary license was accurate. Ms. Zuniga confirmed that temporary license applicants are not required to take the California Supplemental Examination (CSE).

- **Susan M. Landry moved to approve the August 11, 2023, LATC Meeting Minutes as presented.**

**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.**

#### **G. Legislation Update – Laura Zuniga, Executive Officer**

- 1. AB 342 (Valencia) Architects and Real Estate Appraisers: Applicants and Licensees: Demographic Information**

This bill authorizes the Board to request certain demographic data from applicants and licensees.

- 2. SB 372 (Menjivar) Department of Consumer Affairs: Licensee and Registrant Records: Name and Gender Changes**

This bill requires all DCA boards to have a process to allow a licensee to submit a request to update the licensee’s records when the person’s legal name or gender has changed. Ms. Landry asked if a licensee’s prior married name could be removed from the website. Ms. Zuniga confirmed that licensees will be able to update to their current name. Ms. Landry asked if LATC will notify licensees of the process to update their record. Ms. Zuniga confirmed that information on the process will be posted on the LATC website and sent to licenses.

- 3. SB 544 (Laird) Bagley-Keene Open Meeting Act: Teleconferencing**



This bill makes changes to the Bagley-Keene Open Meeting Act.

#### **4. SB 816 (Roth) Professions and Vocations**

This bill contains the LATC fee increases that take effect January 1, 2024.

Mr. Wreschinsky asked if the new CSE fee aligns with the LATC's cost to administer the examination. Ms. Zuniga confirmed that the new fee is based on LATC's fee study conducted in 2022.

#### **H. Executive Officer's Report – Update on Board's Administration / Management, Examination, Licensing, and Enforcement Programs**

Ms. Zuniga provided an overview of the quarterly report in the meeting materials, which included updates on LATC's business modernization project, personnel changes, examination statistics, and enforcement activity.

Ms. Landry asked if landscape architects review complaints filed with LATC. Ms. Zuniga explained that LATC has a pool of licensed subject matter experts that review cases. Ms. Landry asked if LATC reviews complaints against licensees that have gone through private arbitration. Ms. Zuniga confirmed that courts are required to report settlements to LATC and LATC can pursue an enforcement action based on a settlement report.

Mr. Wreschinsky asked for an update on the proposed legislation regarding approval of plans. Ms. Zuniga reminded the members that the proposal was included in the Sunset Review Report as one of the issues LATC is asking the legislature to address. Mr. Wreschinsky reminded the members that the UCLA Extension Program had raised concerns regarding the requirements to take the Landscape Architect Registration Examination (LARE) outlined in California Code of Regulations section 2615. Ms. Zuniga shared that staff have communicated with the UCLA Extension Program and identified the number of candidates that might be impacted by the recent regulatory change. Kimberly McDaniel explained that ten applicants were identified and notified of the regulatory change. Nicholas Barnhart explained that the ten applicants were advised they would need to submit additional education or training experience documentation to qualify for the new LARE format taking effect December 2023. Mr. Wreschinsky asked when LATC will be able to assess examination data by candidate background or compare pass rates of first attempts to repeat attempts. Mr. Barnhart confirmed LATC can track pass rates of first and repeat attempts for the CSE. Mr. Bowden asked if LATC had discussed the discrepancies between California and national LARE pass rates with California State Polytechnic University, Pomona (Cal Poly Pomona). Ms. Zuniga confirmed that LATC staff notified the school of the issue and asked the Committee members if they would like staff to follow up. Mr. Bowden suggested that Cal Poly Pomona could possibly improve LARE pass rates of California candidates by modifying its landscape architecture program. Ms. Landry asked if LATC tracks examination pass rates based on each pathway to licensure. Ms. Zuniga stated that staff can review pass rate data and provide additional information after the meeting. Pamela Brief agreed that LATC should follow up with Cal Poly Pomona regarding the LARE

pass rate issue. Mr. Wreschinsky recommended for the Committee to address California LARE pass rates at the next strategic planning session.

**PUBLIC COMMENT:** Stephanie Landregan stated that landscape architecture students enrolled in the UCLA Extension Program complete three years of landscape architecture curriculum. She stated that the program accepts landscape contractors who do not have a formal education and recommended that LATC meet with the California universities to address requirements to take the LARE.

Mr. Wreschinsky stated that LATC would consider the issues raised by Ms. Landregan. Ms. Brief agreed that conversations with California universities could be useful.

**I. Discuss and Possible Action on 2022-2024 Strategic Plan Objectives to:**

**1. Work with the American Society of Landscape Architects (ASLA) and Other License Advocates to Address Concerns Regarding Licensed Versus Unlicensed Professionals to Educate and Protect Consumers**

Ms. McDaniel shared that staff have expanded LATC's social media messaging plan to educate consumers about landscape architect licensure and the regulatory scope of practice as well as the differences between regulated and unregulated professions. She asked if the Committee members would like to see any additional work related to this strategic plan objective. Ms. Landry explained that the national APLD website does not clarify for the user of the website that a landscape architect license may be required to perform specific services in some states. She asked how LATC could address this issue since APLD is not a licensing agency. Ms. McDaniel stated that staff could review the website and reach out to APLD. Ms. Brief agreed that staff could review to determine if the information on the website is misleading to consumers. She added that landscape designers can create conceptual planting plans, however, a landscape architect license is required to prepare construction documents for any hardscape materials. Mr. Bowden suggested that LATC could recommend that APLD inform their members that there are licensing requirements to perform certain services in each state. Mr. Wreschinsky suggested that LATC continue working with California chapters to distribute information to educate consumers on this issue. He asked if LATC had received any questions or comments from any municipalities in California regarding LATC's guidance on what kinds of plans landscape architects can stamp. Ms. Zuniga agreed that LATC should provide information to the California chapters about what landscape architects and designers can do. She stated that staff could follow up after the meeting regarding the Building Official Information Guide. Ms. Trauth stated that ASLA is a great resource for information on this issue.

**PUBLIC COMMENT:** Tracy Morgan Hollingworth commented that the CCASLA provides clarification to consumers regarding what homeowners, designers, landscape contractors, and landscape architects can do. She added that the San Diego and Southern California ASLA Chapters have prepared additional resources helpful to consumers. Deborah, a member of APLD, stated that APLD has done a great job to make sure that APLD members understand that designers may prepare planting plans and make suggestions for hardscape but

may not prepare plans for construction. She added that many landscape designers focus on residential projects to help the public revise their landscapes to save water, improve soil, and plant the right plants in the right place. She stated that landscape designers, landscape architects, and landscape contractors can work together to help the public to implement more sustainable landscape strategies. Cheryl Buckwalter, a member of the APLD California Chapter, stated that the national APLD website specifies that individuals should refer to the licensure requirements of their specific state. She added that the APLD California Chapter goes to great lengths to educate its members about California laws and licensure requirements and provides information on its website defining the work of landscape designers and landscape architects.

Ms. Brief explained that this strategic plan objective is focused on educating consumers and addressing concerns regarding licensed versus unlicensed professionals and not necessarily related to APLD. Mr. Bowden thanked Ms. Buckwalter for her comments and noted that not every landscape designer is a member of APLD. He suggested that LATC continue to educate consumers and provide outreach to unlicensed professionals who do not belong to APLD or ASLA to educate them on what they are allowed to do.

**2. Research the Economic and Consumer Protection Impact of Re-Establishing the Landscape Architects Board or Establishing a Merged Board with the California Architects Board to Provide Better Representation, Strengthen the Distinction Between the Two Entities, and Increase Efficiency**

Ms. Zuniga explained that the California Architects Board (Board) encouraged LATC to come forward with a recommendation if any changes need to be made on this item. Mr. Wreschinsky stated that based on discussions with a few former Committee members he would like to appoint a subcommittee to review the legislative and historical aspects of the current arrangement between the LATC and the Board, determine how current operations are aligned, and make any recommendations that might help going forward with this idea of either a merged board or recommendations on how LATC can operate more efficiently. He added that he is willing to lead the subcommittee and work with staff to organize the effort and reach out to former Committee members and others that may be valuable in this discussion. Ms. Trauth asked what the process would be to move forward. Ms. Zuniga explained that under the LATC Member Administrative Manual the LATC Chair can appoint a subcommittee of no more than two LATC members who can meet and make a recommendation to the LATC for the full Committee to take action on. She explained that if the LATC moves forward with a recommendation that would require any statutory or regulatory changes, LATC would present the recommendation to the Board for approval and then proceed from there on how to implement it. Mr. Bowden reminded the Committee members that LATC does not have the budget to re-establish a separate board for landscape architects and that pursuing a merged board would require a benefit to the public health, safety, and welfare. He stated that the current structure works well and that the LATC as it exists does a very good job of protecting the health, safety, and welfare of the public. He added that pursuing a merged board would require LATC to discuss how many board

positions would be designated for landscape architects and could limit the amount of time available for landscape architecture issues. He stated that one benefit to a merged board could be a decrease in fees due to reduced operational costs. He added that he is in support of appointing a subcommittee. Mr. Wreschinsky stated that the subcommittee should address the questions Mr. Bowden outlined and make any recommendations to LATC by the Spring of 2024. Ms. Landry recommended appointing Mr. Wreschinsky and Mr. Bowden to the subcommittee to conduct a cost-benefit analysis of establishing a merged board. Ms. Trauth noted similarities between the LATC and Board meeting agendas and suggested that LATC move forward with a recommendation based on efficiency that would be a benefit to the State. Mr. Wreschinsky agreed that LATC should focus on efficiency and reducing costs. Ms. Brief asked if LATC would wait until after the sunset review to make any structural changes. Mr. Wreschinsky suggested addressing any changes after the sunset review. Tara Welch recommended that the Chair assign a title the subcommittee. Mr. Wreschinsky appointed himself and Mr. Bowden to the Structure and Operations Subcommittee.

**PUBLIC COMMENT:** Ms. Landregan asked if a member of the Board would participate in the Structure and Operations Subcommittee and recommended that LATC look at the Board for Professional Engineers, Land Surveyors, and Geologists as a model of a merged board in California.

#### **K. Review and Discuss LATC’s Draft Sunset Review Report**

Ms. Zuniga directed the committee members to the draft Sunset Review Report in the meeting materials. She explained that staff made changes to the report to address comments made by Committee members during the August 11, 2023 LATC meeting and subsequent non-substantive changes suggested by Ms. Welch. She explained that staff would submit the report in January.

Mr. Wreschinsky recommended changes to the report, including rephrasing the words “disaster” and “catastrophe” on page 2, including the 2023 CLARB Annual Meeting information, expanding the response to question 61, and other non-substantive changes. Ms. Trauth stated that referencing the CLARB Model Law could confuse readers since it is not the law in place in California. She also noted that her title on page 6 could be updated to Principal. Mr. Wreschinsky asked when the sunset review hearing would be held. Ms. Zuniga responded that the hearing is typically held in March and the exact date should be provided in January.

#### **J. Election of 2024 Committee Officers**

- **Susan M. Landry moved to elect Pamela S. Brief as 2024 LATC Chair.**

**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.**

- **Andrew C. N. Bowden moved to elect Patricia M. Trauth as 2024 LATC Vice Chair.**

**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.**

#### **L. Review of Future Committee Meeting Dates**

Mr. Wreschinsky reminded the Committee members that Ms. Zuniga will provide dates for the next LATC meeting. Ms. Brief stated that she could attend the December 1, 2023 Board meeting. Ms. Landry provided an update on a recent student outreach presentation she gave at Cal Poly Pomona.

#### **M. Closing Comments**

Ms. Brief welcomed Ms. McDaniel and thanked staff for the efforts on the meeting packet and Sunset Review Report.

#### **N. Adjournment**

The meeting adjourned at 1:32 p.m.

## **AGENDA ITEM G.1: SB 1452 (ASHBY) ARCHITECTURE AND LANDSCAPE ARCHITECTURE**

### **SUMMARY**

[SB 1452](#) would make nonsubstantive changes to various provisions of existing law relating to licensees of the California Architects Board.

Existing law relating to landscape architecture requires each licensee to file their current mailing address with the board and notify the board of any change, as specified.

This bill would also require each applicant for examination or licensure as a landscape architect who has a valid email address to report to the board that email address at the time of application. The bill would require each licensee who has a valid email address to report to the board or verify that email address at the time of renewal. Under the bill, email addresses provided to the board pursuant to the bill would not be considered a public record and would not be subject to public disclosure.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect.

### **Action Requested**

None.

# Quarterly Report of the Executive Officer

## Administrative/Management

**Board.** The Board met by teleconference on December 1.

**Meetings.** The Regulatory and Enforcement Committee met by teleconference on October 26.

LATC met by teleconference on November 17 and will meet by teleconference on March 22.

## Newsletter

The winter issue of the California Architects newsletter was distributed in January.

## Budget

The Board's fund condition was discussed at the last Board and LATC meetings. CAB increased its initial license and renewal fees in July 2023 from \$300 to \$400. LATC's fund is unsustainable; its initial and renewal fees increased from \$400 to \$700 in January 2024.

## Business Modernization

The Business Modernization Cohort 2 Project's second release is scheduled for spring 2024 and will include automation of the Certification of Experience and Reciprocity Applications, as well as online license renewal.

**Outreach**

The Licensing Unit hosted a webinar on November 28 regarding implementation of the NCARB ARE Score Validity Policy and another webinar on January 18 regarding Continuing Education (CE) requirements.

**Social Media**

CAB and LATC's social media account information is noted in the chart below.

CAB	Posts Oct. – Dec.	Followers 12/31/23	LATC	Posts Oct. – Dec.	Followers 12/31/23
Twitter	26	1,415	Twitter	40	278
Instagram	27	1,346	Instagram	40	100
Facebook	26	448	LinkedIn	0	21
LinkedIn	3	535			

**Regulatory Proposals**

**Architects**

**CCR Section 109 (Application Update).** This regulatory proposal provides updates to the Application for Eligibility reference to address AB 496, AB 2113, AB 2138, aligns with current Board practices and the National Council of Architectural Registration Boards (NCARB) current requirements, and makes non-substantive changes to the text to increase understanding. Proposed language was approved at the May 2023 Board meeting. Further changes were made to language, which was then approved by the Board at its September meeting. Staff developed the Notice, Initial Statement of Reasons (ISR), and 399 (fiscal analysis) and submitted them to DCA for initial review.

At its September 8, 2023 meeting, the Board approved the language and delegated the authority to the EO to adopt the regulation, provided no adverse comments were received during the public comment period, and to make minor technical or non-substantive changes, if needed. The regulatory package was submitted to DCA for review on September 14, 2023, where minor edits were made to the language. On November 17, 2023, the package was sent to Agency, where additional technical modifications were made. The rulemaking file was submitted to OAL and was noticed for public comment on January 5, 2024.

**Status:** Awaiting the 45-day public comment period to close on February 21, 2024.

**CCR Sections 121 (Form of Examinations; Reciprocity) and 124 (California Supplemental Examination).** During a review of the Board's regulations, staff identified CCR title 16, division 2, article 3, section 121 (Form of Examinations; Reciprocity) as requiring updating. As currently written, the title of the regulation does not accurately represent the content, the content requires clarification to more concisely state what is required, and references to obsolete programs must be removed. As part of the modification to 16 CCR section 121, a cross-reference is made to 16 CCR section 124 (California Supplemental Examination). Because OAL will review that section



when reviewing this rulemaking, Board staff reviewed that regulation and found it lacks a clear definition of what the CSE application requires. Therefore, language was added to clearly identify the fee and the information required for candidates to apply to take the CSE.

At its December 1, 2023 meeting, the Board approved the language and delegated the authority to the EO to adopt the regulation, provided no adverse comments were received during the public comment period, and to make minor technical or non-substantive changes, if needed. The regulatory package was submitted to DCA for review on January 5, 2024.

**Status:** Under review by DCA who will then send to Agency. Upon Agency review, proposal will be sent to OAL for noticing.

**CCR Section 154 (*Disciplinary Guidelines*).** Initial documents for the regulatory package were submitted to LAD on September 19, 2019. Staff incorporated LAD's feedback and the initial budget document was approved by the BO on October 19, 2020. On November 18, 2020, LAD forwarded the initial documents to the next level of review in the process and edits were required. Staff sent documents to LAD on September 8 and October 10, 2021. LAD is currently reviewing the regulatory language due to edits recommended by the Office of Administrative Law (OAL) to LATC's *Disciplinary Guidelines* rulemaking to ensure the language in the two regulatory packages is better aligned, and to expedite the review of the Board's *Disciplinary Guidelines* rulemaking when the final documents are submitted to OAL. The Board reviewed and approved the *Disciplinary Guidelines* at its September 2023 meeting and staff sent the regulatory package to DCA for review. DCA completed its review and sent the package to Agency for review on September 26, 2023. On November 14, 2023, Agency approved the initial rulemaking file for submittal to the Office of Administrative Law (OAL). LAD submitted the documents to OAL on behalf of the Board and the 45-day comment period began on November 24, 2023. The 45-day public comment period closed on January 9, 2024, and the Board received one comment. In response to the comment, Board staff updated the language. Modified text was noticed on January 10, 2024 which began a 15-day comment period that ended on January 25, 2024. One comment was received during this comment period.

**Status:** Pending Board approval of modified text and response to comments, then compilation of the final rulemaking file.

**CCR Section 166 (Zero Net Carbon Design Continuing Education).** This proposal is complete and was effective on December 28, 2023 when it was filed with the Secretary of State.

## Landscape Architects

**Legislative Proposal BPC section 5659 (Approval of Plans).** LATC set an objective to educate the different jurisdictional agencies about landscape architecture licensure and its regulatory scope of practice to allow licensees to perform duties prescribed within the regulations. Staff worked with LAD to add language to section 5659 to coincide with section 460 specifically referencing landscape architects. The proposed additional language would prohibit local jurisdictions from rejecting plans solely based on the fact they are stamped by a licensed landscape architect; however, they could still reject plans based on defects or public protection from the licensee.

At its February 28, 2020 meeting, the Board approved LATC's recommended proposed language to amend BPC section 5659. Staff submitted the proposal to legislative staff in January 2021; however, proposed language in the omnibus bill would delay review for other programs, so it was removed.

**Status:** LATC included this proposal in the 2023 Sunset Review Report.

**CCR Section 2614 (Examination Transition Plan).** On August 25, 2022, the Council of Landscape Architectural Registration Boards (CLARB) announced changes to the content and structure of the LARE effective December 2023. At its September 16, 2022 meeting, the Board approved proposed regulatory language to establish a plan to grant examination credit, toward the new LARE sections, to candidates who passed sections of the previously administered LARE. Amendments became effective on April 1, 2023. On May 19, 2023, the Board approved a secondary regulatory proposal to extend the transition date from August 2023 to November 2023 to accommodate an additional LARE administration date announced by CLARB. This new administration was added to allow affected candidates another opportunity to pass the LARE prior to the format change in December 2023.

**Status:** The final rulemaking package was submitted to OAL on October 5, 2023 and approved on October 11, 2023. The amendments became effective on October 11, 2023.

**CCR Section 2615 (Form of Examinations).** This regulatory proposal aligns California's regulations with the new LARE format by removing outdated references to LARE Sections 1-4 and allows California candidates to take any section of the LARE if they hold a degree in landscape architecture accredited by the Landscape Architectural Accreditation Board or an approved extension certificate in landscape architecture along with a four-year degree. At its meeting on February 24, 2023, the Board approved the proposed regulatory language.

**Status:** The final rulemaking package was submitted to OAL on September 14, 2023 and approved on October 12, 2023. The amendments became effective on October 12, 2023.

**Licensing and Examination Program**

**Architects**

Performance data for the Architect California Supplemental Examination (CSE) and Architect Registration Examination (ARE) 5.0 for California candidates during the second quarter of FY 2023/24 are presented in Tables A and B.

**Table A  
Architect CSE Examinee Performance: October 1 – December 31, 2023**

Candidate Type	Pass	Rate	Fail	Rate	Total Examinees
Instate First-time	105	79%	28	21%	133
Instate Repeat	23	72%	9	28%	32
Reciprocity First-time	29	67%	14	33%	43
Reciprocity Repeat	7	64%	4	36%	11
<b>Total</b>	<b>164</b>	<b>75%</b>	<b>55</b>	<b>25%</b>	<b>219</b>

**Table B  
California ARE 5.0 Examinee Performance by Division: October 1 – December 31, 2023**

ARE Division	Pass	Rate	Fail	Rate	Total Exams
Construction and Evaluation	143	58%	103	42%	246
Practice Management	163	49%	172	51%	335
Programming and Analysis	138	55%	113	45%	251
Project Development and Documentation	131	47%	149	53%	280
Project Management	166	63%	97	37%	263
Project Planning and Design	132	46%	153	54%	285

**Table C**  
**California and NCARB ARE 5.0 Performance Comparison**  
**(Q2 FY 2023/24)**

ARE Division	Q2 FY 23/24		
	CA Pass	Natl. Pass	▲%
Construction and Evaluation	58%	62%	-4%
Practice Management	49%	52%	-3%
Programming & Analysis	55%	57%	-2%
Project Development & Documentation	47%	53%	-6%
Project Management	63%	66%	-3%
Project Planning & Design	46%	48%	-2%

▲% is the difference in the California and national (NCARB) performance.

**Landscape Architects**

Performance data for the Landscape Architect California Supplemental Examination (CSE) and Landscape Architect Registration Examination (LARE) for California candidates during the second quarter of FY 2023/24 are presented in Tables D and E.

**Table D**  
**Landscape Architect CSE Examinee Performance: October 1 – December 31, 2023**

Candidate Type	Pass	Rate	Fail	Rate	Total Examinees
First-time	24	75%	8	25%	32
Repeat	8	89%	1	11%	9
<b>Total</b>	<b>32</b>	<b>78%</b>	<b>9</b>	<b>22%</b>	<b>41</b>

**Table E**

**California LARE Examinee Performance by Section/Topic: October 1 – December 31, 2023**

Topic	Pass	Rate	Fail	Rate	Total Examinees
<b>October 2023</b>					
Grading, Drainage and Construction Documentation	15	21%	56	79%	71
<b>New LARE Blueprint Implemented December 2023</b>					
Inventory, Analysis, and Project Management	19	50%	19	50%	38
Planning and Design	37	64%	21	36%	58
Construction Documentation and Administration	24	51%	23	49%	47
Grading, Drainage, and Stormwater Management	8	33%	16	67%	24

**Table F**

**California and CLARB LARE Performance Comparison (Q2 FY 2023/24)**

LARE Section	Q2 FY 23/24		
	CA Pass	Natl. Pass	▲ %
<b>October 2023</b>			
Grading, Drainage & Construction Documentation	21%	36%	-15%
<b>New LARE Blueprint Implemented December 2023</b>			
Inventory, Analysis, and Project Management	50%	64%	-14%
Planning and Design	64%	63%	1%
Construction Documentation and Administration	51%	60%	-9%
Grading, Drainage, and Stormwater Management	33%	49%	-16%

▲ % is the difference in the California and national (CLARB) performance.

**Enforcement**

**Architects**

The most common violations have stayed consistent over the past four years, and are as follows:

- Misuse of the term “Architect”
- Practice without a license/device
- Continuing Education Audit Incompliance
- Written contract violations
- Signature/Stamp on plans and unauthorized practice
- Negligence or Willful Misconduct

**Table G  
Architects Complaints and Enforcement Actions**

Category	Current Quarter Oct. – Dec. 2023	Prior Quarter July – Sept. 2023	FY 23–24
<b>Complaints</b>			
Received	53	128	181
Opened	53	129	182
Closed	62	67	119
Average Days to Close	105	173	139
Pending	185	195	185
<b>Citations</b>			
Issued	16	7	23
Final	3	4	7
<b>Discipline</b>			
Pending Attorney General	3	2	5
Final	0	0	0

**Landscape Architects**

**Table H  
Landscape Architects Complaints and Enforcement Actions**

Category	Current Quarter Oct. – Dec. 2023	Prior Quarter July – Sept. 2023	FY 23–24
<b>Complaints</b>			
Received	10	11	21
Opened (Reopened)	10	11	21
Closed	7	7	9
Average Days to Close	52	73	62
Pending	12	9	12
<b>Citations</b>			
Issued	0	0	0
Final	0	1	1
<b>Discipline</b>			
Pending Attorney General	0	0	0
Final	0	1	1

LATC’s most common violations mirror the Board’s with the exception of continuing education, signature/stamp on plans, unauthorized practice, and negligence or willful misconduct. LATC does not typically see egregious violations and more commonly receives complaints regarding the Rules of Professional Conduct and the standards of practice within the profession.

The most common violations within the practice of landscape architecture have stayed consistent over the past four years, and are as follows:

- Misuse of the term “landscape architect”
- Practice without a license
- Written contract violations
- Rules of Professional Conduct violations

## Enforcement Actions

### Architects

#### Citations

**Philip Cudaback** (San Diego) - The Board issued a one-count citation, including an administrative fine in the amount of \$900 to Philip Cudaback, architect license number C-25598, for an alleged violation of Business and Professions Code (BPC) 5536.22(a).

Cudaback was hired to design a one-bedroom addition to a home in San Diego. His client reported late responses, poor communication, and an uncorrected typo in the plans. The Board did not find a violation of professional misconduct for these allegations, but it did find that Cudaback failed to utilize a written contract containing the terms required by BPC 5536.22. Cudaback relied instead on an email outlining only the service price.

Cudaback's failure to include all the required elements in his written contract for professional services contributed to the communication issues and misunderstanding between him and his client and constituted a violation of Business and Professions Code section 5536.22(a). The citation became final on September 3, 2023.

**Mir Emad Mousavi** (San Diego) - The Board issued a two-count citation, including a total fine of \$3,000 to Mir Emad Mousavi, an unlicensed person, dba Architectural Gig, for alleged violations of Business and Professions Code (BPC) 5536(a) and California Code of Regulations, title 16, sections 134(a).

On or around February 17, 2023, the Board investigated a complaint alleging possible violations of the Architects Practice Act. Respondent owns a company named "Architectural Gig" that offers architectural services in California. Respondent used the business name "Architectural Gig," without an architect who is in management control of the services that are offered and provided by the business entity and either the owner, a part-owner, an officer, or an employee of the business entity. Such conduct constitutes a violation of California Business and Professions Code section 5536(a) and California Code of Regulations, Title 16, section 134(a).

Respondent's personal LinkedIn profile also offers "Architecture" services in San Diego, California and lists himself as the founder of Architectural Gig under *Experience*. Respondent's company LinkedIn profile, doing business as Architectural Gig, offers architectural services in San Diego, California for residential and commercial projects. Respondent's company Ethical Community profile offers "Architectural Design" and "Architect" services in San Diego, California. Respondent's company website offers architectural services and states, "Architectural Gig works with a diversity of clients to build a big data-archive in multiple geographic regions from California to Florida and from Texas to New York. We lead a design team including architects and data scientists to offer architectural solutions based on available data in each region by incorporating performance metrics, low-carbon design methodologies and sustainable building materials..." Respondent's company Facebook profile categorizes him as an "Architectural Designer," specifically offering services in



California, and states, “Architectural Gig is a professional team of experienced Architects, Engineers, and Builders.”

Respondent’s website and online profiles, wherein Respondent described his services as “Architecture” and “Architectural,” are devices that might indicate to the public that Respondent is an architect or qualified to engage in the practice of architecture in California. Such conduct constitutes violations of Business and Professions Code section 5536(a) and Title 16, California Code of Regulations section 134(a). The Board sent notice of these violations and requests for a response to the address found on the Respondent’s company website. The Respondent failed to respond to any of Board requests, or to cease his conduct and correct his advertising. The citation became final on November 3, 2023.

**Susan T. Tam** (San Bruno) - The Board issued a two-count citation with a \$750 administrative fine to Susan T. Tam, architect license number C-31263, for alleged violations of Business and Professions Code (BPC) sections 5536.22(a)(4), (5), and (8) (Missing Contract Elements) and California Code of Regulations (CCR) title 16, section 160(c)(1) (Timely Response to Board).

On August 29, 2022, the Board received a complaint alleging possible violations of the Architects Practice Act (Act) regarding the Respondent’s involvement with a project located on Loomis Street in San Francisco, California. On September 30, 2022, the Board sent the Respondent an initial request for a written response to the allegations, project documentation, and any other information which the Respondent believed could help the Board resolve the matter. The Board’s initial request letter also reminded the Respondent of a licensee’s duty to cooperate with the Board’s investigation under CCR 160(c)(1).

On or about October 30, 2022, the Respondent provided the Board with a written letter refuting the allegations of professional misconduct but did not provide the requested underlying documentation. The Respondent was not willing to provide the executed contracts, project drawings, and project correspondence requested by the Board, without the Client’s authorization due to concerns over “maintaining Client confidentiality.”

Once a citation was issued, the Respondent provided the requested documents to the Board on October 24, 2023. Respondent’s failure to respond to the Board’s requests for information regarding an investigation within 30 days constituted a violation of California Code of Regulations, title 16, section 160(c)(1).

The Respondent’s architectural services contract lacked specific elements required by the Architects Practice Act, including the Respondent’s license number, a description of the procedure that the architect and the client will use to accommodate additional services and contract changes, including, but not limited to, changes in the description of the project, in the description of the services, or in the description of the compensation and method of payment, and a statement in at least 12-point type that reads: “Architects are licensed and regulated by the California Architects Board located at 2420 Del Paso Road, Suite 105, Sacramento, CA 95834.” Respondent’s failure to include the required elements in her contract for the above-referenced project constituted a violation of Business and Professions Code sections 5536.22(a)(4), (5), and (8). Tam paid the citation, which became final on November 21, 2023.

**CATIE T. VUONG** (Westminster) - The Board issued a two-count citation with a \$2,000 administrative fine to Catie T. Vuong, an unlicensed person, dba Artwave Design Studio, for alleged violations of Business and Professions Code section 5536(a).

Between March 13, 2023, and August 11, 2023, the Board received two complaints alleging possible violations of the Architects Practice Act by Vuong. The first involved a residential project located on Anabel Avenue in Garden Grove, California, where she had been hired to provide construction documents for a new 1,200 square foot accessory dwelling unit (ADU) with an 80 square foot porch, one car garage and an extension to the main garage for a fixed fee of \$16,000. The second involved a residential project located on Salada Road in La Mirada, California, where she had been hired to provide construction documents for a 400 square foot room addition and covered patio for a fixed fee of \$4,500. She was paid in full for both projects.

Vuong's contracts for both projects included the terms "Architect Contract," "Architectural set," "...will provide a standard of care equal to, or superior to, care use by Architect's similar to ARTWAVE on similar project," and "Architect Signature." Vuong was contacted by the Board but did not make the requested corrections.

Vuong's contracts, wherein she described her services as "Architecture" and "Architectural," are devices that might indicate to the public that she is an architect or qualified to engage in the practice of architecture in California. Such conduct constitutes violations of Business and Professions Code section 5536(a). The citation became final on December 16, 2023.

**DANNY YAMNITSKI** (Los Angeles) – The Board issued a one-count citation with a \$1,500 administrative fine to Danny Yamnitski, an unlicensed person, dba LA CCS, Inc., for alleged violations of Business and Professions Code section 5536(a) and Title 16, California Code of Regulations section 134(a).

On or about October 14, 2021, Yamnitski provided a contract to Mr. T.S. (client) to create and design a full set of design plans for a detached accessory dwelling unit (ADU) located on East 121<sup>st</sup> Place in Los Angeles, California. The total cost of the contract was \$7,300.

The contract specifically stated "LA CCS shall perform create and design full set of architectural plans..." An invoice for the project dated October 15, 2021, requested payment for "Architectural Plans." Yamnitski had been previously issued a letter of advisement regarding his violations of Business and Professions Code section 5536(a) and Title 16, California Code of Regulations section 134(a).

Yamnitski's contract and billing invoice, wherein he described his services as "Architecture" and "Architectural," are devices that might indicate to the public that he is an architect or qualified to engage in the practice of architecture in California. Such conduct constitutes violations of Business and Professions Code section 5536(a) and Title 16, California Code of Regulations section 134(a). The citation became final on December 19, 2023.

## Administrative Actions

**GREGORY BENNETT** (Santa Ana) - Effective December 3, 2023, Gregory Bennet's architect license number C-17136 was revoked for violations of Business and Professions Code section 5584, California Code of Regulations (CCR), title 16, section 150 (Willful Misconduct) and CCR 160(c)(1) (Failure to Respond).

The Board filed an Accusation against Mr. Bennett on August 9, 2023, for possible violations of the Architects Practice Act involving his work on a project located at Fairhaven Extension in Santa Ana, California. Bennett had been hired on January 24, 2020, to design a new accessory dwelling unit at that location for \$21,570. Despite his assurances that that the plans would be ready in three to five months, and receiving \$23,000 in payment, the plans remained incomplete after two years. In April 2022, Bennett demanded an additional \$1,500 without providing a change order or notice of termination. The Board's requests for a response to the allegations and relevant documents, sent on July 20 and September 9, 2022, were not answered.

Bennett was subject to disciplinary action under Business and Professions Code section 5584, and California Code of Regulations (CCR), title 16, section 150 for willful misconduct, failing to complete contracted services despite full payment, and demanding additional fees. Bennett also failed to respond to the Board's investigation requests, violating California Code of Regulations, title 16, section 160 (c)(1). The Board's Decision became effective on December 3, 2023.

## Landscape Architects

None

**CSE Attempts – CA LAAB Accredited Institutions/Approved Extension Programs 2014-2024**

**California Polytechnic University, Pomona**

	California Supplemental Examination
Passes:	138
Fails:	73
# of Candidates	147
Attempts (avg).	2
Total pass %	65%
First time pass %	70%

**California Polytechnic University, SLO**

	California Supplemental Examination
Passes:	134
Fails:	47
# of Candidates	143
Attempts (avg).	1
Total pass %	74%
First time pass %	77%

**University of California, Berkeley**

	California Supplemental Examination
Passes:	89
Fails:	21
# of Candidates	95
Attempts (avg).	1
Total pass %	81%
First time pass %	81%

## University of California, Davis

	California Supplemental Examination
Passes:	85
Fails:	28
# of Candidates	90
Attempts (avg).	1
Total pass %	75%
First time pass %	72%

## University of Southern California

	California Supplemental Examination
Passes:	25
Fails:	12
# of Candidates	27
Attempts (avg).	1
Total pass %	68%
First time pass %	67%

## University of California, Berkeley Extension

	California Supplemental Examination
Passes:	14
Fails:	5
# of Candidates	16
Attempts (avg).	1
Total pass %	74%
First time pass %	69%

## University of California, Los Angeles Extension

	California Supplemental Examination
Passes:	47
Fails:	8
# of Candidates	49
Attempts (avg).	1
Total pass %	85%
First time pass %	86%

**LARE Section Attempts – CA LAAB Accredited Institutions/Approved Extension Programs 2013-2023**

**California Polytechnic University, Pomona (291 candidates)**

	Section 1	Section 2	Section 3	Section 4
Passes:	169	149	136	153
Fails:	174	228	151	213
# of Candidates	227	221	170	197
Attempts (avg).	2	3	2	2
Total pass %	49%	40%	47%	42%
First time pass %	52%	43%	59%	44%

**California Polytechnic University, SLO (215 candidates)**

	Section 1	Section 2	Section 3	Section 4
Passes:	149	147	133	140
Fails:	72	96	82	99
# of Candidates	177	177	153	161
Attempts (avg).	1	2	2	2
Total pass %	67%	60%	62%	59%
First time pass %	71%	67%	69%	61%

**University of California, Berkeley (135 candidates)**

	Section 1	Section 2	Section 3	Section 4
Passes:	100	107	94	109
Fails:	14	35	36	49
# of Candidates	103	117	101	114
Attempts (avg).	1	1	1	1
Total pass %	88%	75%	72%	69%
First time pass %	90%	81%	81%	71%

### University of California, Davis (146 candidates)

	Section 1	Section 2	Section 3	Section 4
Passes:	101	96	87	100
Fails:	51	68	54	68
# of Candidates	117	117	105	114
Attempts (avg).	2	2	2	2
Total pass %	66%	59%	62%	60%
First time pass %	72%	68%	66%	65%

### University of Southern California (53 candidates)

	Section 1	Section 2	Section 3	Section 4
Passes:	39	40	35	34
Fails:	16	26	20	17
# of Candidates	45	49	38	38
Attempts (avg).	1	2	2	2
Total pass %	71%	61%	64%	67%
First time pass %	71%	61%	63%	66%

### University of California, Berkeley Extension (37 candidates)

	Section 1	Section 2	Section 3	Section 4
Passes:	21	17	17	21
Fails:	14	6	19	19
# of Candidates	29	21	19	27
Attempts (avg).	2	1	2	2
Total pass %	60%	74%	47%	53%
First time pass %	72%	81%	84%	70%

### University of California, Los Angeles Extension (83 candidates)

	Section 1	Section 2	Section 3	Section 4
Passes:	54	57	44	47
Fails:	24	53	46	69
# of Candidates	61	66	53	57
Attempts (avg).	1	2	2	2
Total pass %	69%	52%	49%	41%
First time pass %	75%	70%	62%	40%

**AGENDA ITEM J: DISCUSS AND POSSIBLE ACTION ON STRUCTURE AND OPERATIONS SUBCOMMITTEE ADDRESSES THE FOLLOWING 2022-2024 STRATEGIC PLAN OBJECTIVE:**

1. RESEARCH THE ECONOMIC AND CONSUMER PROTECTION IMPACT OF RE-ESTABLISHING THE LANDSCAPE ARCHITECTS BOARD OR ESTABLISHING A MERGED BOARD WITH THE CALIFORNIA ARCHITECTS BOARD TO PROVIDE BETTER REPRESENTATION, STRENGTHEN THE DISTINCTION BETWEEN THE TWO ENTITIES, AND INCREASE EFFICIENCY

**Summary**

As a result of a legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the California Architects Board (CAB).

The LATC's 2022-2024 Strategic Plan contains an objective to research the economic and consumer protection impact of re-establishing the Board of Landscape Architects or establishing a merged Board with CAB to provide better representation, strengthen the distinction between the two entities, and increase efficiency. LATC staff found that 22 U.S. states and jurisdictions currently regulate architects and landscape architects under the same licensing board.

This objective was discussed at the April 21, 2023, and August 11, 2023 LATC meetings and the May 19, 2023 CAB meeting. LATC members discussed, and the consensus of the LATC members recognized that re-establishing a separate landscape architecture board would not address issues around efficiency and program costs at this time. Board members requested that LATC consider how it would like to restructure into a merged board and offer a proposal to the Board. Subsequent discussion with Board representatives determined that further review and discussion by the LATC was the best course of action.

During the November 17, 2023 LATC meeting, the Chair determined that a subcommittee is warranted. The subcommittee's charge will be to review the legislative history and administrative history as it affects current LATC operations and make recommendations on how future LATC operations should be structured to best serve the interests of consumers, licensees, and the public health, safety, and welfare.

**Action Requested**

The Committee is asked to discuss this 2022-2024 Strategic Plan objective and determine next steps.



## **AGENDA ITEM L: REVIEW OF FUTURE COMMITTEE MEETING DATES**

A schedule of planned meetings and events for 2024 are provided to the Committee.

<u>Date</u>	<u>Event</u>	<u>Location</u>
June 7	Board Meeting	TBD
September 13	Board Meeting	TBD
November 7-8	LATC Meeting/Strategic Planning Session	TBD
December 5-6	Board Meeting/Strategic Planning Session	TBD