



SUMMARY REPORT
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

October 25 - 26, 2001
Pomona, California

Committee Members Present

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

Staff Present

Doug McCauley, CAB Executive Officer
Justin Sotelo, Enforcement Coordinator
Don Chang, Legal Counsel

Guests Present

Mona Maggio, Incoming LATC Program Manager
Gretchen Kjose, Former LATC Program Manager
Dennis Otsuji, LATC Sunset Review Task Force Chair
Ric Ciardella, LATC Sunset Review Task Force Member
Dave Mitchell, LATC Sunset Review Task Force Member
Richard Zweifel, LATC Education Subcommittee Chair
Renee Fraser, Fraser Communications

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

Chair Sandra Gonzalez called the meeting to order at 10:00 a.m. and Gretchen Kjose, former Landscape Architects Technical Committee (LATC) Program Manager called the roll.

B. Closed Session - Discussion of the California Landscape Architects Licensing Examination
[Closed Session Pursuant to Government Code Section 11126(c)(1)]

Closed Session pursuant to Government Code Section 11126 (c)(1).

C. Discussion of Market Conditions Assessment

Renee Fraser, of Fraser Communications, stated that the purpose of her visit was to review the major conclusions of the focus group sessions and get consensus on the context of the report. She indicated that she would incorporate that context into the final report.

Ms. Fraser indicated that caution should be utilized in interpreting the results of the focus groups sessions. She stated that she was charged with learning the participants perspectives on the profession. However, she discovered that the perspectives sometimes did not measure up to reality.

Ms. Fraser stated that there were four main areas of the report she would discuss: 1) education and continuing education; 2) licensing and examination; 3) trends in practice, with potential impact on public health, safety, and welfare; and 4) outreach strategies for Building Officials, consumers, and developers.

Under the area of education, Ms. Fraser reported that all of the focus groups expressed a concern that current landscape architectural curriculums are not consistent between programs and do not necessarily cover all needed areas. She also stated that the groups expressed a need for curricula to include irrigation and business skills.

She also reported the following focus group findings: 1) landscape architectural training lacks a practical component; 2) hands-on training should include more formalized internship or mentorship programs; 3) the importance and role of licensing is not taught in programs; 4) the field of landscape architecture has broadened to include several specialty areas; and 5) changes in technology and regulations suggest the need for continuing education. She stated that, in all sessions, professionals reported a need for continuing education in order to create a higher standard of knowledge for new and experienced landscape architects.

Under the area of licensing and examination, Ms. Fraser reported the following findings: 1) there are many individuals practicing without a license, which is considered harmful to consumers and the profession; 2) the value of the license needs to be better communicated; 3) consumer awareness of the license is not high; 4) the current curricula for landscape architecture and the content of the Landscape Architect Registration Examination (LARE) do not appear to be consistent; 5) standards for violations of the Act are unclear (there is little knowledge of the number or types of infractions that exist or the types of enforcement actions taken by the LATC); and 6) the LARE does not cover some areas of critical importance to landscape architects who practice in California.

Linda Gates stated that the term “unlicensed activity” needs to be clarified and defined and suggested that licensees need to be educated as to the definition of unlicensed activity.

Under trends in practice with potential impact on public health, safety, and welfare, Ms. Fraser reported the following findings: 1) rapid changes in regulations, regional differences, and advances in technology suggest the need for cooperation between public professionals, as landscape architects become involved in larger projects and municipality assignments; 2) as landscape architects serve as lead on projects, their legal liability increases (there also appears to be limited knowledge of the potential liabilities); 3) there appears to be an increase in litigation involving landscape architects (this trend merits further quantitative investigation and verification); 4) the profession of landscape architecture is playing a proactive role in environmental issues; and 5) many municipalities are not reporting incomplete work by landscape architects.

Richard Zweifel stated that items listed under trends in practice were not necessarily trends, but were instead issues related to the profession. The Committee stated that each of these items needed further exploration and clarification. Ms. Fraser stated that trends in practice could be captured in the licensee survey.

Under outreach strategies for Building Officials, consumers, and developers, Ms. Fraser reported the following findings: 1) awareness of licensing of landscape architects appears to be low among consumers (it was recommended that the LATC consumer guides be more widely distributed); 2) enforcement procedures are not well known and are under-utilized; 3) it was suggested that more interdisciplinary communication and interaction with other professionals and professional organizations take place; 4) increased awareness and visibility of licensed landscape architects would help to increase perceived value to the public; and 5) developers were interested in more rigorous internship programs for landscape architects.

Ms. Fraser stated that she would modify the focus group report by incorporating an appropriate context surrounding the findings, refining the conclusions and the summary, (adding a section on trends), and incorporating follow-up information from participants.

Ms. Fraser indicated that she would provide a revised report for the LATC's review within two weeks.

Adjourned on October 25, 2001 at 6:00 p.m.

October 26, 2001

Committee Members Present

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

Staff Present

Doug McCauley, CAB Executive Officer
Justin Sotelo, Enforcement Coordinator
Don Chang, Legal Counsel

Guests Present

Mona Maggio, Incoming LATC Program Manager
Dennis Otsuji, LATC Sunset Review Task Force Chair
Ric Ciardella, LATC Sunset Review Task Force Member
Richard Zweifel, LATC Education Subcommittee Chair
Bob Perry, UC Berkeley Extension Certificate Program Site Visit Team Member
Heather Clendenin, UC Berkeley Extension Certificate Program Director
Julie Riley, UCLA Extension Certificate Program
Shannon Keithley, Center for Public Interest Law, University of California, San Diego

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

Chair Sandra Gonzalez called the meeting to order at 8:30 a.m. and Mona Maggio, incoming LATC Program Manager called the roll.

B. Chair's Remarks

Ms. Gonzalez introduced the incoming Program Manager, Mona Maggio, and announced that October 31, 2001 is her official start date.

Ms. Maggio provided her background to the Landscape Architects Technical Committee (LATC), which included 16 years of service with the State of California. Her background with other boards and bureaus within the Department of Consumer Affairs specifically involved enforcement and examinations. Ms. Maggio expressed her interest in beginning employment with the LATC.

C. Review of the August 17, 2001 Summary Report

The August 17, 2001 LATC meeting summary report was reviewed.

- ◆ **Linda Gates moved to approve the August 17, 2001 Landscape Architects Technical Committee Summary Report.**
- ◆ **David Tatsumi seconded the motion.**
- ◆ **The motion carried unanimously.**

D. Public Comment Session

There were no public comments.

E. Program Manager's Report

Doug McCauley reported that a Budget Change Proposal (BCP) to augment the expenditure authority to cover the cost of purchasing and administering the Landscape Architect Registration Examination (LARE) had been approved by the Department of Finance (DOF). Although \$70,000 for fiscal year 2002/03 and ongoing had been requested, only \$52,000 was approved. He announced that a high percentage of BCPs were rejected this year because of the fiscal situation.

Mr. McCauley reported that the LATC awarded a contract to Moore Iacofano Goltsman, Inc. (MIG) on September 12, 2001 for the next strategic planning session. He advised the LATC to schedule the session as soon as possible as MIG's calendar fills up very quickly.

Justin Sotelo reported that the LATC Licensure Posters were mailed to California and out-of-state landscape architectural degree and certificate programs on October 3, 2001. Heather Clendenin commended the LATC for its posters, stating that they play a positive role on campuses and are an important marketing tool for the LATC and the profession. Mr. Sotelo stated that the LATC could extend its outreach efforts by sending posters to community colleges and high schools.

Ms. Gonzalez announced that the Council of Landscape Architectural Registration Boards' (CLARB) Annual Meeting, originally scheduled for September 13-15, 2001 in Salt Lake City, Utah, was cancelled. There was an attempt to reschedule the meeting for November 29 - December 1, 2001; however, it was determined by the Board of Directors that it would not be in the best interest of the organization to reschedule the 2001 Annual Meeting. She announced that the 2002 CLARB Regional

Meeting, scheduled for March 1 - 3, 2002, will be held in Cincinnati, Ohio. Ms. Gonzalez stated that due to the cancellation, voting on resolutions will not occur unless they are brought up again before the next Annual Meeting. David Tatsumi announced that he accepted an invitation to serve on CLARB's Model Law Committee.

Ms. Gonzalez reported that the focus group portion of the Market Conditions Assessment (MCA) was completed in June and that the sessions included participants that adequately represented the industry. She announced that the LATC is expecting a final draft report on the focus group sessions from Fraser Communications, the MCA facilitator, at its next meeting on December 14, 2001.

Mr. Sotelo announced that the Fall 2001 Newsletter was being printed and is expected to be mailed by early November to examination candidates, current and delinquent licensees, CLARB member boards, and the LATC's interested parties list. He announced that participants from the focus group sessions provided articles for that issue and that staff would like to see continued professional involvement with the newsletter.

Mr. Sotelo indicated that there are still two vacancies (Governor's appointments) on the LATC.

Mr. Sotelo announced that Gretchen Kjose, former Program Manager, accepted the Executive Officer position with the Board of Occupational Therapy and her last day with the LATC was September 21, 2001.

Mr. Sotelo stated that a Sunset Review Task Force was appointed at the LATC's August 17, 2001 meeting and that Dennis Otsuji was selected as Chair. Linda Gates, Ric Ciardella, Tom Lockett, Dave Mitchell, Niles Nordquist, and Richard Zweifel were appointed as Task Force members. He announced that Task Force meetings were held on September 4, 2001 in Danville and on October 25, 2001 in Pomona. Mr Otsuji announced that Task Force assignments were given at the October 25, 2001 meeting and were due on November 26, 2001 to prepare for the December 14, 2001 meeting.

Mr. Sotelo reported that current licensee listings were posted to the LATC's Web site on September 17, 2001. He stated that the listings are updated on a monthly basis, and include the licensee's name, license number, and city.

He reported that 259 candidates (157 re-take candidates and 102 new candidates) sat for the June 11-13, 2001 administration of the Landscape Architect Registration Examination (LARE). Results were mailed to candidates on September 7, 2001 and six individuals became eligible for licensure and 33 will be eligible once they pass the California Supplemental Examination.

Mr. Sotelo stated that 39 candidates requested either a Standard or Red-line Review of their failed graphic performance section(s) from the June 2001 exam. He announced that the review sessions would be held in northern and southern California in mid-November 2001.

He reported that 179 candidates have applied for Sections C and/or E of the LARE, which will be administered on December 3-4, 2001. The exam will be held at the Riverside Convention Center in southern California and the Sacramento California Exposition and State Fair facilities in northern California.

Mr. Sotelo announced that the proposed amendments to California Code of Regulations (CCR) sections 2620.5, 2649, and 2671 were currently with the Department of Finance (DOF) for signature. Once approved by DOF, the rulemaking file will need final approval by the Director of the Department of Consumer Affairs before being forwarded to the Office of Administrative Law (OAL). He announced that OAL has 30 working days to approve or disapprove the amended regulations.

Finally, Mr. Sotelo reported that there is currently one enforcement case pending with the Office of the Attorney General.

F. Report and Discussion of the UC Berkeley Extension Certificate Program Site Visit

Ms. Gonzalez introduced Site Visit Team Member, Bob Perry, who agreed to provide an update on the status of the UC Berkeley Extension Certificate Program Executive Summary Report. Heather Clendenin, UC Berkeley Extension Certificate Program Director, was present to provide the Program's response to the Notice of Noncompliance, issued on September 6, 2001, and action plan/timeline for coming into compliance with California Code of Regulations section 2620.5.

Mr. Perry reported that the Site Visit Team's Executive Summary Report concluded that the Program fully met six of regulatory requirements, met three requirements with weaknesses, and did not meet three requirements. He stated that Ms. Gonzalez presented the Executive Summary findings at the August 17, 2001 meeting and that it was decided by the LATC to have the Program present its response to the Executive Summary Report on October 26, 2001.

Mr. Perry stated that the Site Visit Team felt that some discrepancies existed between the requirements of section 2620.5 and the Self-Evaluation Report (SER) requirements for extension certificate programs. He also stated that the Team was unclear on how exactly to comment on the Program's SER. The Team's Executive Summary Report had only commented on the Program in conjunction with the requirements of the regulation.

Ms. Gonzalez stated that Mr. Perry is in the process of concluding the UC Berkeley evaluation based on the SER responses. She also stated that the UCLA Extension Certificate Program Site Visit Team would need to revise their report to directly address the regulatory requirements as well. Mr. Otsuji agreed to have the UCLA report revised by the December 14, 2001 meeting. Ms. Gonzalez stated that UCLA would need to be advised that the report is being revised.

Ms. Gonzalez stated that a preliminary response was received from UC Berkeley regarding an action plan that would bring the Program into compliance with the regulation. She felt that UC Berkeley's response was satisfactory and that the Program will make an effort to come into compliance. She recommended granting continued conditional compliance.

Ms. Gonzalez advised the LATC that the regulatory requirements need to be reviewed from administrative and curricular standpoints. She also stated that a new site team format needs to be created.

Ms. Clendenin provided a written detailed response to the Notice of Noncompliance and outlined specific responses and actions for each requirement that was met with weakness or not met.

◆ **David Tatsumi moved to extend conditional approval of the UC Berkeley Extension Certificate Program until the Executive Summary Report is completed.**

◆ **Linda Gates seconded the motion.**

◆ **The motion carried unanimously.**

Following the vote, Ms. Gonzalez agreed to review the CCR requirements for Extension Certificate Programs and present findings at the next LATC meeting. After assessing the appropriateness of the requirements, she suggested that the LATC would need to devise an appropriate and updated format for the site team visits.

G. Review of Requests for Re-licensure

The LATC reviewed requests for re-licensure from John P. Barber, former license number LA 1763, and Bruce Malinowski, former license number LA 3790.

Ms. Gonzalez reported that the work samples submitted by Mr. Barber demonstrated current knowledge and minimal competency for entry-level practice and recommended that the LATC waive all examination requirements and issue a new license to Mr. Barber.

◆ **Linda Gates moved to waive all examination requirements and to approve the recommendation that Mr. Barber be issued a new landscape architect license.**

◆ **David Tatsumi seconded the motion.**

◆ **The motion carried unanimously.**

Ms. Gonzalez reported that the work samples submitted by Mr. Malinowski did not provide evidence of minimal competency for entry-level practice and recommended that the LATC not issue a new license to Mr. Malinowski without him taking and passing all sections of the LARE.

◆ **Linda Gates moved to not waive examination requirements for Mr. Malinowski for purposes of re-licensure.**

◆ **David Tatsumi seconded the motion.**

◆ **The motion carried unanimously.**

Mr. Zweifel suggested that consideration be given to requiring the California Supplemental Exam when granting re-licensure. Ms. Gates concurred. Ms. Gonzalez suggested retracting the motion involving Mr. Barber and require that he take and pass the California Supplemental Exam.

◆ **Linda Gates moved to reconsider the motion involving re-licensure candidate, Mr. Barber.**

◆ **David Tatsumi seconded the motion.**

- ◆ **The motion carried unanimously.**
- ◆ **Linda Gates moved to require that Mr. Barber take and pass the California Supplemental Exam for purposes of re-licensure.**
- ◆ **David Tatsumi seconded the motion.**
- ◆ **The motion carried unanimously.**

H. Report on the Sunset Review Task Force and California Supplemental Examination Meetings

Mr. Otsuji reported that Sunset Review Task Force meetings were held on September 4, 2001 and October 25, 2001. He stated that, at the latter meeting, the Task Force reviewed and discussed each of the findings and recommendations found in the 1996 Joint Legislative Sunset Review Committee Report. Task Force members were assigned to address specific findings and recommendations and to provide assignment updates to staff by November 26, 2001. Mr. Otsuji announced that he would be collaborating with the California Architects Board (CAB) to coordinate sunset review efforts.

Ms. Gonzalez reported that the LATC submitted a proposal to the Office of Examination Resources (OER) to prepare a defensible California examination for landscape architects. She stated the LATC had a thorough discussion during the closed session held on October 25, 2001 regarding what the end product should be. She stated that the LATC's response to OER would be to hold off on developing a 100-question exam.

To assist with developing an appropriate California exam, Ms. Gonzalez reported that staff would prepare a letter to CLARB requesting information on changes on the national exam since the last occupational analysis. She also stated that the LATC would contact Region V states regarding areas of practice that are currently being tested or may need to be tested and to report to CLARB.

In connection with the Task Force's objectives and discussion from October 25, 2001, Don Chang suggested that the LATC address reducing its reserve by considering to reduce licensee renewal fees. He suggested preparing projections and presenting to the CAB in December.

- ◆ **Linda Gates moved to have the LATC research options for reducing its reserve.**
- ◆ **David Tatsumi seconded the motion.**
- ◆ **The motion carried unanimously.**

I. Report on California Council of the American Society of Landscape Architects (CCASLA) Conference Calls

Mr. Otsuji reported that he had been in contact with Dave Mitchell regarding the CCASLA conference calls. Mr. Otsuji stated that he updates Mr. Mitchell on communications issues and that Mr. Mitchell informs him of the items discussed during the CCASLA conference calls. Mr. Otsuji announced that the CCASLA would assist the LATC with the sunset review process.

J. Enforcement Program Report

Mr. Sotelo advised the LATC that he was in the process of preparing current enforcement statistics. He stated that enforcement briefings had been given at the last two meetings to provide the LATC with a better understanding of the enforcement program to determine future course of action.

Ms. Gates advised staff that a letter to insurance companies, reminding them of their statutory obligation to report settlements and arbitration awards in excess of \$5,000. She also stated that it was suggested at the October 25, 2001 Sunset Review Task Force meeting that another letter be drafted to remind licensees upon renewal of their obligation to report settlements and arbitration awards. She suggested that both letters be presented and reviewed by the LATC at the December 14, 2001 meeting.

Mr. Chang suggested that the LATC request information regarding settlements and arbitration awards from insurance companies over the last three to five years.

K. Review of Action and Communications Plans

The Committee reviewed each Action and Communications Plan objective, assessing the status and target dates and defining specific actions to be taken by staff in order to accomplish the objectives. Staff indicated that the Action and Communications Plans charts will be updated accordingly for the LATC's review at the December meeting.

L. Announcement of Future Meetings

Ms. Gonzalez announced that the next LATC meeting was scheduled for Friday, December 14, 2001, in Sacramento. She suggested having the next Sunset Review Task Force meeting on the same day. The next LATC meeting was scheduled for February 8, 2002 at the UCLA Extension Certificate Program. A student licensure presentation was scheduled for Thursday, February 7, 2002. The next Strategic Planning session was tentatively scheduled for January 2002, depending on Daniel Iacofano's (of MIG) availability. Ms. Gonzalez asked Mr. McCauley to contact Mr. Iacofano regarding his availability. The Committee agreed to set their 2002 calendar at the December 14, 2001 meeting.

M. Adjournment

The meeting adjourned on October 26, 2001, at 11:55 a.m.