



SUMMARY REPORT
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

February 8, 2002
Sacramento, California

Committee Members Present

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

Staff Present

Doug McCauley, CAB Executive Officer
Vickie Mayer, CAB Assistant Executive Officer
Mona Maggio, LATC Program Manager
Mary Anderson, Examination Coordinator
Justin Sotelo, Enforcement Coordinator
Patricia Fay, Licensing Coordinator
Don Chang, Legal Counsel

Guests Present

Dennis Otsuji, LATC Sunset Review Task Force Chair
Richard Zweifel, LATC Education Subcommittee Chair
Daniel Iacofano, Moore Iacofano Goltsman, Inc.
Yusu Steve Hao, Department of Transportation

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

Chair Sandra Gonzalez called the meeting to order at 8:10 a.m. and Mona Maggio, Landscape Architects Technical Committee (LATC) Program Manager, called the roll.

*The Sunset Review Task Force Meeting scheduled from 1:00 p.m. to 4:00 p.m. on February 7, 2002 adjourned at 6:00 p.m. Agenda items C, F and G scheduled for the February 7, 2002 LATC meeting were carried over to the February 8, 2002 agenda.

B. Chair's Remarks

Ms. Gonzalez informed those present that the majority of today's meeting would be spent on strategic planning. She further indicated that there are three agenda items that require action by the LATC at today's meeting.

C. Public Comment Session

Ms. Gonzalez extended an opportunity for the audience to address the LATC.

Mr. Yusu Steve Hao, Professional Development Manager, Senior Transportation Engineer with the Department of Transportation (CalTrans) introduced himself.

Ms. Gonzalez introduced Daniel Iacofano from Moore Iacofano Goltsman, Inc. (MIG) as the facilitator for today's strategic planning session.

D. Strategic Planning Session

The meeting was turned over to Daniel Iacofano to facilitate the strategic planning session.

Mr. Iacofano began by explaining the purpose of the session and providing an agenda overview. The session continued with the following items: a review of the LATC's 2001 accomplishments and environmental scan; discussion of strategic issues; a review of the strategic plan framework; and development of the action plan. Mr. Iacofano also informed the LATC of his findings and key points from the interviews he conducted with LATC members and key stakeholders prior to the strategic planning session.

Mr. Iacofano assisted the LATC with revising its Sunset Review timeline and identifying tasks that must be completed for the Sunset Review Report. To assist with preparing for the report, the LATC asked Mr. Iacofano to examine the original purpose, status, and future direction of the Market Conditions Assessment (MCA) which was pending. Mr. Iacofano reminded the LATC that the purpose of the MCA, as defined in the 2001 Strategic Plan, was to: 1) identify issues affecting regulation of the practice of landscape architecture in California; 2) understand the marketplace and how it might affect regulation of the practice; and 3) better understand regulatory needs in terms of the examination process, qualifications for licensure, standards of practice, enforcement, and unlicensed activity. He added that the LATC believed that the MCA would provide quantitative information about the practice of landscape architecture that could be used for the benefit of staff as they advise key stakeholders on the laws and regulations that govern landscape architecture. He also addressed the three methods or phases of the MCA that the LATC selected to gather information: 1) focus group sessions, 2) a licensee survey, and 3) dialogue with educators.

In preparing for the session, Mr. Iacofano stated that he reviewed a summary of the draft Focus Group Report. Upon review, he felt that the report should have provided a mapping of professional landscape architectural activity to determine where core competencies exist and identify sub-fields, related fields, and adjacent fields.

Richard Zweifel commented on the existing professional environment and asked if it reflects the skills and abilities that are being tested for. He also asked if the market is driving employment opportunities in ways that may not be evident now. Mr. Zweifel stated that the MCA should have also identified differences in the practice of landscape architecture between California and other states as this is the basis for the California Supplemental Examination.

David Tatsumi stated that he thought the purpose of the MCA was to identify landscape architectural services requested by consumers and determine whether any of those services pose a potential risk. Mr. Iacofano asked the group for an example of a service that landscape architects may be providing without an adequate amount of training. Mr. Zweifel offered water quality and management as an example.

Mr. Zweifel offered to explore the practice environment in California. He explained that the data gathered from the MCA could assist with developing categories for the California examination.

Mr. Iacofano stated that one purpose of the focus group sessions was to

Ms. Gonzalez stated that the Department of Consumer Affairs (DCA) planned on conducting an MCA for the Board of Landscape Architects (BLA) in 1997. At that time, the purpose of the MCA was to identify problems/weaknesses in the profession of landscape architecture and determine the general public's perceptions of those identified problems/weaknesses. She stated that these issues would then be addressed prior to Sunset Review. Ms. Gonzalez felt that the most recent MCA served a similar purpose.

Ms. Gates stated that she hoped the MCA would identify areas of practice that may need testing or that cannot be tested (i.e., problem areas for landscape architects; whether landscape architects are managing big teams/projects without management knowledge; and knowledge, skills, and abilities that are learned on the job and cannot be tested for in an examination setting).

Dennis Otsuji stated that newly licensed landscape architects need to be more aware of stormwater management, fire suppression, and soil stabilization. He also stated that less experienced forensic landscape architects are not as knowledgeable when it comes to laws that affect landscape architecture. Ms. Gates added that the LATC needs to find proactive ways of heightening awareness and addressing these issues.

Mr. Zweifel added that he believes some of the focus group participants may not have been qualified to answer questions that would provide empirical data i.e., some participants were asked questions about the Landscape Architect Registration Examination when they took the Uniform National Examination for Landscape Architects. Mr. Zweifel stated that the participants should have had more of an awareness of the LATC as a regulatory body. He also felt that the focus groups should have revealed trends in the practice of landscape architecture in California for comparison with trends in other states. An understanding of these trends would assist with revising the California examination, etc.

Mr. Iacofano summarized that although LATC members and staff have diverse opinions on what the focus group results would bring, all are important.

The LATC asked Mr. Iacofano to reformat the draft Focus Group Report so that it can be used to update the environmental scan of the Strategic Plan and to assist staff in completing the Sunset Review Report

A draft of the updated Strategic Plan and Focus Group Report will be presented to the LATC at its next meeting.

E. Announcement of Future Meetings

The next LATC and Sunset Review Task Force meetings will be held April 12, 2002, at the California Architects Board's office in Sacramento.

F. Approval of December 14, 2001 LATC Summary Report

Mr. Zweifel noted that under the agenda item, Report on California Council of the American Society of Landscape Architects (CCASLA) Conference Calls he was identified as attending the CCASLA 2001 Licensure Summit in Monterey on November 3-4, 2001. Mr. Zweifel clarified that the licensure summit was hosted by the national association and should be recorded that he attended the ASLA 2001 Licensure Summit.

- ◆ **Linda Gates moved to approve the December 14, 2001 LATC Summary Report as amended.**
- ◆ **David Tatsumi seconded the motion.**
- ◆ **The motion carried unanimously.**

G. Review and Approval of Request for Re-Licensure

The LATC reviewed a request for re-licensure from Pamela Sue Jones, former license number LA 2643. Ms. Gates reported that Ms. Jones was originally licensed in California on September 18, 1986 and her license expired on December 31, 1997.

Ms. Gates also reported that the work samples submitted by Ms. Jones demonstrated current knowledge and minimal competency for entry-level practice and recommended that she take and pass the California Supplemental Exam for purposes of re-licensure.

- ◆ **Linda Gates moved to require Pamela Sue Jones to take and pass the California Supplemental Examination for purposes of re-licensure.**
- ◆ **David Tatsumi seconded the motion.**
- ◆ **The motion carried unanimously.**

The LATC reviewed another request for re-licensure from Kathryn Drinkhouse, former license number LA 3707. Her license was originally issued on October 9, 1992 and expired April 30, 1997.

Mr. Tatsumi reported that Ms. Drinkhouse failed to provide sufficient information to demonstrate her current knowledge and minimal competency for entry-level practice. He stated that the work samples submitted by Ms. Drinkhouse were mainly planting plans and there was no

evidence of her abilities in inventory gathering, environmental analysis or design, stormwater management or programming. Mr. Tatsumi added that there was no data regarding grading, surface and sub-surface drainage. Her experience appears to be in landscape layout plans, planting plans and details related to planting.

Ms. Gates asked staff to explain what information is provided to candidates seeking re-licensure. Mary Anderson advised the LATC that re-licensure candidates are given an application and are provided with a list of plans and services that the LATC will use in rendering its decision to grant or deny re-license applications. This is the same set of criteria that the LATC uses to evaluate the candidate's application package.

The LATC directed staff to revise the Application for Re-Licensure and instructions for clarity and understanding.

- ◆ **David Tatsumi moved to require Kathryn Drinkhouse to take and pass section B Analytical Aspects of Practice and section E - Grading, Drainage and Stormwater Management of the Landscape Architect Registration Examination and to take and pass the California Supplemental Examination. Upon completion of all sections, Ms. Drinkhouse will receive an Initial License Request form and Fee Conversion Chart to apply for a new Landscape Architect License. In lieu of taking the required sections of the examination, Ms. Drinkhouse may choose to submit a new application package for re-licensure, to include the application fee of \$780 and supporting documentation. The application, fee and supporting documentation must be received on or before April 1, 2002 to be considered.**

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

- ◆ **The motion carried unanimously.**

H. Update on Market Conditions Assessment

Ms. Maggio reminded the LATC that at its December 14, 2001 meeting, the LATC reviewed a revised draft of the Market Conditions Assessment Report. She advised that the LATC directed staff to contact DCA's Contract Unit to determine options for completing phase two (licensee survey) and phase three (dialogue with landscape architecture educators) of the Market Conditions Assessment. She reported the findings to the LATC. The LATC decided to terminate the existing contract with its vendor and use the results of the focus group meetings to update the environmental scan of the Strategic Plan and to assist in completing the Sunset Review Report. The LATC will consider completing phase two and three at a later time.

I. Update on Proposed Regulations to Amend Title 16, Division 26, California Code of Regulations Section 2649. Fees

Ms. Maggio reminded the LATC that at the October 25, 2001 Sunset Review Task Force meeting, staff was directed to contact the DCA's Budget Office to obtain projections and information on how best to reduce the LATC's fund reserve. She stated that she and Vickie Mayer met with the LATC's Budget Analyst, Kerry Li in November 2001. Based on the information Ms. Li provided, it was agreed that reducing the renewal fee would be the most

effective method to reduce the fund reserve. Ms. Li recommended waiving the renewal fee for one biennial renewal period effective January 1, 2003 to December 31, 2004.

Ms. Maggio reported that at the December 14, 2001 LATC meeting, the Committee granted preliminary approval to amend California Code of Regulations (CCR) section 2649 to waive the license renewal fee for one biennial renewal period effective January 1, 2003 to December 31, 2004. The LATC asked staff to prepare two projections of the LATC's fund condition for comparison. One projection analyzing the fund condition over a period of 10 years based on waiving the biennial renewal fee for a two-year period. The other projection analyzing the fund condition over a period of 10 years based on reducing the renewal fee from \$300 to \$100.

Ms. Maggio explained that the projections made for the December 14, 2001 meeting were based on estimated revenue and expenditures and were calculated out for five fiscal years. The new projections were based on actual revenue and expenditure figures for fiscal years 00/01 and 01/02, and an increase in the LATC's budget authority. When the figures were calculated out over 10 years, the projection based on waiving the renewal fee for one biennial renewal period showed a negative in the fund in fiscal year 07/08. Whereas reducing the renewal fee from \$300 to \$100 for one biennial renewal fee would reduce the fund reserve over the next 10 years, but keep the LATC within the statutory limits.

Ms. Maggio further explained that staff prepared the regulatory package based on reducing the renewal fee and deleting obsolete language contained in CCR section 2649.

Ms. Mayer advised the LATC that typically projections are prepared five years out, as projections more than five years are merely an estimate.

J. Program Manager's Report (Noticed as Agenda Item C on February 7, 2002 Agenda)

Ms. Maggio stated that due to the length of time spent on strategic planning and with the number of items left on today's agenda, she would only highlight several items in the Program Manager's Report. She encouraged the LATC to read the report in its entirety.

Ms. Maggio reported that as part of the Communications Plan, letters were sent in December 2001 to landscape architectural program directors in California discussing the LATC's student outreach efforts and requesting student participation with the LATC Newsletter. Ms. Maggio added that on December 18 and 19, 2001, LATC Consumer Guides were distributed with a cover letter to California chapters and local associations of the National Association of Residential Property Managers, the California Building Industry Association, and the California Association of Realtors. On December 19 and 26, 2001, staff began distributing LATC Licensure Posters and Consumer Guides to landscape architectural firms in California. Ms. Maggio stated that staff anticipates mailing these materials to a total of 765 firms and businesses by July 2002. Ms. Maggio advised the LATC that the licensee roster and Consumer Guides were distributed to Building Officials on January 11, 2002, as part of an outreach program coordinated through the California Architects Board. She added that between January 4-14, 2002, the LATC sent surveys to public agencies in California to acquire a better understanding of the realm and trends of the practice of landscape architecture. Ms. Maggio stated that a considerable amount of surveys were returned to the LATC and that she was surprised at some of the responses, most notably how many public works agencies were not

aware of the LATC or its responsibilities. She noted that results were tabulated for surveys received from Building Officials and Parks and Recreation Departments and that the results were handed out during the Sunset Review Task Force meeting held on February 7, 2002. She further stated that the information gathered from the surveys would assist staff and the LATC in preparing its Sunset Review Report and furthering its outreach efforts with public works agencies.

Ms. Maggio reported that LATC member Mr. Tatsumi attended CLARB's Model Law Committee meeting on January 4-5, 2002, in Washington D.C. Key issues for discussion at this year's meeting included scope of practice and prerequisites for the Landscape Architect Registration Examination (LARE). Mr. Tatsumi stated that representatives from other state boards were surprised at the detailed scope of practice for landscape architects in California's Practice Act. He continued by stating other states seem to prefer a vague definition of a landscape architect's scope of practice. Ms. Maggio informed the LATC that she attended a special session for Member Board Administrators and Executive Directors on January 10-11, 2002 in St. Louis, Missouri. The purpose of the session was to provide an orientation to the process of developing, updating and scoring the LARE. Ms. Maggio announced that she, Ms. Gonzalez and Ms. Gates were planning to attend the CLARB 2002 Spring Regional Meeting scheduled for March 1-3, 2002 in Cincinnati, Ohio. She added that the elections for Directors for Regions I, III and V will be held at the regional meeting and that Ms. Gonzalez was nominated for Director of Region V. Ms. Gonzalez shared that she was appointed to the CLARB Strategic Planning Committee and she will attend the Strategic Planning Committee meeting March 23-24, 2002 in Washington, D.C.

Ms. Maggio stated that at the December 14, 2001 Sunset Review Task Force meeting, staff was asked to research the possibility of changing the landscape architect pocket license from its current paper format to a more durable plastic format. She advised the Committee that staff found that this change would require the DCA to make programming changes to its current database system (TEALE) at a minimum cost to the LATC of \$16,000. Additionally, the LATC would need to obtain proposals from vendors to process and issue the plastic licenses. She explained that currently, the Board of Vocational Nurse and Psychiatric Technicians (BVNPT) and Board of Registered Nurses (BRN) issue plastic pocket licenses through an agreement with the National Council of State Boards of Nursing, Inc. (NCSBN) to produce plastic licenses through their vendor, CardPro at a cost of \$2.26 per license. The cost of each license is based on the estimated number of licensees that will be renewing their license. She added that the BVNPT has a licensee base of 70,000 vocational nurses, whereas the LATC has 3,000 landscape architects. Mr. Zweifel stated that he is not necessarily recommending the plastic pocket license but something that is a better quality that licensees would be proud to have. The Committee decided not to expend resources at this time and consider other alternatives in the future.

K. Report on California Council of the American Society of Landscape Architects Conference Calls (Noticed as Agenda Item F on February 7, 2002 Agenda)

Mr. Otsuji stated that no conference calls were scheduled in December or January. The next conference call was slated for February 11, 2002. Mr. Otsuji stated he would have a lot of information to report at the next LATC meeting. Mr. Otsuji reminded the Committee that the purpose of the monthly conference calls with the CCASLA was to discuss ideas of mutual interest between the CCASLA and the LATC and to maintain the support of the CCASLA for

the upcoming Joint Legislative Sunset Review in 2002. Mr. McCauley suggested inviting Terri Thomas, lobbyist for CCASLA and Dave Mitchell, Past President of CCASLA to the April 12, 2002 LATC meeting.

L. Enforcement Program Report (Noticed as Agenda Item G on February 7, 2002 Agenda)

Justin Sotelo announced that Ms. Anderson would be assisting him with the Enforcement Program. Mr. Sotelo stated that for the month of January nine complaints were received, and of those four were closed non-jurisdictional and were forwarded the Contractors State License Board. There is one case pending at the Office of the Attorney General and 36 complaints pending. Mr. Sotelo said one citation was issued for unlicensed activity.

Mr. Sotelo added that a cover letter and Consumer Guides were sent to 169 California chapters and local associations of the National Association of Residential Property Managers, the California Building Industry Association, and the California Association of Realtors. As a result of the mailing, two associations requested speakers from the LATC and we received requests for additional copies of the Consumer Guides.

Mr. Sotelo advised the LATC that staff received one response from the letters mailed November 28, 2001 to insurance companies regarding the reporting requirements under Business and Professions Code section 5678.5. Mr. Sotelo asked the LATC if staff should follow-up with a second letter to the insurance companies. Mr. McCauley stated that the California Architects Board (CAB) has received complaints from the profession about the application of B&PC section 5588 regarding settlement/arbitration awards. CAB staff is revising its letter that is sent to licensees when requesting information regarding a settlement/arbitration award. Mr. McCauley stated that another issue is whether or not this information be considered a complaint and if so, how it will be identified when logged in the enforcement tracking system. Ms. Gates stated that the reporting requirement is in regulation and as part of protecting the health, safety and welfare of the public it should be enforced. Mr. Otsuji asked Mr. McCauley and Ms. Mayer if CAB received responses from all the insurance companies that received letters. Ms. Mayer said that staff is in the processing of calling the insurance companies who had not responded to determine if the companies were compiling the information or if their failure to respond was a oversight. Ms. Gates recommended that the LATC follow CAB's lead on this issue.

M. Adjournment (Noticed as Agenda Item J on February 7, 2002 Agenda)

The meeting adjourned at 5:40 p.m. on February 8, 2002