



LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA ARCHITECTS BOARD
PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Arnold Schwarzenegger
GOVERNOR

SUMMARY REPORT

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

February 17, 2005
Sacramento, California

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

Chair Linda Gates called the meeting to order at 10:05 a.m. and Program Manager Mona Maggio called the roll.

Committee Members Present

Christine Anderson
Linda Gates
Anna Mendiola
Dennis Otsuji

Committee Member Absent

Stephanie Landregan

Staff Present

Doug McCauley, California Architects Board (Board) Executive Officer
Mona Maggio, Landscape Architects Technical Committee (LATC) Program Manager
Mary Anderson, Examination Coordinator
Patricia Fay, Licensing Coordinator
Gary Duke, Legal Counsel
Justin Sotelo, Enforcement/Special Projects Analyst
Terri Villareal, Enforcement Coordinator

Three members of the LATC present constitute a quorum. Four members being present, a quorum was established.

B. Chair's Remarks

Ms. Gates announced that on February 8, 2005, Board President Jeff Heller appointed Christine Anderson to the Board's 5588/5589 (Report of Settlement or Arbitration Award/Malpractice Settlement or Arbitration Award; Absence of Professional Liability Insurance; Report; Offense) Task Force. The Task Force is scheduled to meet on

March 24, 2005. The Task Force is charged with reviewing the new settlement/judgment statute contained in the Professional Engineers Practice Act, which provides greater specificity and is more reflective of the realities of practice, and drafting proposed language to amend the related statutes contained in the Architects Practice Act. The LATC will continue to monitor the actions of the Task Force and will review and consider amending Business and Professions Code sections (BPC) 5678.5, Board Receipt of Report on Insurer's Settlement or Arbitration Award, and 5679.5, Report to Board on Settlement or Arbitration Award; Compliance with Section by Counsel, that are contained in the Landscape Architects Practice Act.

Ms. Gates congratulated Dennis Otsuji for his appointment to the Board's Regulatory and Enforcement Committee (REC).

Ms. Anderson announced that she was appointed to the Landscape Architecture Department's Advisory Council (LADAC) at California Polytechnic State University, San Luis Obispo. The LADAC's charge is to mentor students in the landscape architecture program, advise faculty on the role of the LATC and the American Society of Landscape Architects, and assist in curriculum review and development.

C. Public Comment Session

There were no public comments.

D. Approve the January 13-14, 2005 LATC Summary Report

- ♦ **Anna Mendiola moved to approve the January 13-14, 2005 LATC Summary Report.**
- ♦ **Dennis Otsuji seconded the motion.**
- ♦ **The motion carried unanimously.**

E. Program Manager's Report

Ms. Maggio announced that she and Stephanie Landregan would attend the Council of Landscape Architectural Registration Boards' (CLARB) 2005 Spring Regional Meeting on February 25-26, 2005, in Denver, Colorado. She noted that the CLARB 2005 Annual Meeting would be held on September 8-10, 2005 in Los Angeles, California.

Ms. Maggio reported that the lease for the Department of Consumer Affairs (DCA) office building expired and efforts were underway for DCA to move to 1625 North Market Boulevard in Sacramento (the old ARCO Arena Building) by mid-December 2005. However, on February 4, 2005, Board Assistant Executive Officer Vickie Mayer and Ms. Maggio met with Gary Weitman, Chief of DCA's Office of Administrative Services, who informed them that due to space constraints, the Board, LATC, and approximately five other DCA entities would be housed in an "annex" close to the new DCA headquarters.

Ms. Maggio reported that the Education Subcommittee held its first meeting on October 8, 2004. The Subcommittee is comprised of seven landscape architects with diverse education and experience backgrounds. Members are: Richard Zweifel, Chair, Christine Anderson, Linda Gates, Steve Lang, Heidi Martin, Alexis Safer, and Karina Verhoeven. Two guests were present at the October meeting: Larry Rohlfes, Assistant Executive Director of the California Landscape Contractors Association (CLCA), and Ron Nishinaka, an instructor at Reedley College. The Subcommittee reviewed its charge and assignments were made to individual Subcommittee members and staff. Staff will obtain the needed data and forward it to Committee members for them to complete their assigned tasks. The next meeting is tentatively scheduled for March 4, 2005.

F. Update and Possible Action on Governor's Reorganization Plan

Mr. McCauley provided an update on the Governor's Reorganization Plan (GRP), stating that the opposition to the GPR was overwhelming. He informed the LATC that in today's (February 17, 2005) edition of Sacramento Bee is an article that reads, "*Governor to Ditch Board Cuts / He Concedes His Plan to Eliminate 88 Regulatory Panels Needs More Work.*" The article reports that the Governor withdrew the proposal and would re-examine it. Mr. McCauley noted the fact that GRP was withdrawn does not mean the issue is resolved. He advised the LATC that the Little Hoover Commission (LHC) has indicated it will meet on February 23, 2005 to vote on its recommendations and bring closure to its process. The LHC report and recommendation would then be forwarded to the Governor. Mr. McCauley noted other recommendations might come forward. The LHC recommendations could be reconfigured, the Legislature may come up with its own reorganization plan, or a recommendation to merge "like" boards could be proposed. Mr. McCauley added that he intends to keep close watch on matters and keep the Board and LATC updated on information related to GRP.

With the Governor retreating on the reorganization plan, Ms. Gates recommended that we take this opportunity and meet with Julianne D'Angelo Fellmeth, Assistant Administrative Director of the Center of Public Interest Law (CPIL). Ms. Gates believes that CPIL still ties the LATC to the problems associated with the former Board of Landscape Architects (BLA) and meeting directly with Ms. Fellmeth may provide an opportunity for the LATC to gain Ms. Fellmeth's and CPIL's support. The LATC will consider contacting Ms. Fellmeth at a later date when the climate surrounding GRP has subsided.

G. Council of Landscape Architectural Registration Boards (CLARB)

1. Update and Possible Action on the CLARB Changes in the Administration of the Landscape Architect Registration Examination (LARE)

Ms. Maggio provided a brief update on the change in the administration of the LARE. She reported that the first computer administration of the multiple-choice sections of the LARE (C/LARE) was held August 9-13, 2004.

She reported that at the CLARB Annual Meeting held on September 23-25, 2004, a majority of CLARB member boards reported candidate complaints regarding the C/LARE administration and testing environment provide by the test vendor LaserGrade. The LATC's state report communicated that the LATC had received direct correspondence from California candidates indicating that at least 25% of its candidate population had complaints that ranged from the registration process, examination sites, proctors, security issues, examination software, and additional expense related to the exam. She added that during the General Session, Region Directors provided a synopsis of each Region Meeting and the overwhelming consensus from each region was for CLARB to continue with the computer administration, but to find a new test vendor prior to the Spring 2005 administration of the C/LARE. She reported CLARB agreed to research the feasibility and availability of a new test vendor.

Ms. Maggio stated on December 28, 2004, CLARB notified its member boards that it had selected Thomson/Prometric, Inc. to provide future administrations of the C/LARE. This vendor also provides the national Architect Registration Examination (ARE) and it recently acquired Experior Assessments, which serves as the vendor for many of the DCA boards and bureaus. Ms. Maggio reported that she has past experience working with Experior Assessments while employed at another board. Experior Assessments offered professional testing sites, knowledgeable proctors, and worked efficiently to minimize any problems that arose during a test administration.

She stated that due to the change in test vendors, the dates for the upcoming C/LARE were changed from March 7-9, 2005 to April 4-5, 2005. A memo identified that an additional benefit of contracting with Thomson/Prometric was the ability to offer the C/LARE four times a year, instead of two times a year as previously planned. This change will be more convenient for candidates and will reduce the pressure on testing centers for any given administration. CLARB asked for input from its member boards prior to making a decision on increasing the number of administrations per year. Ms. Maggio noted that CLARB requested a response by January 31, 2005.

After discussion, the Committee asked staff to contact CLARB to inquire about increased exam costs passed to candidates; the proposed exam schedule; and the implementation date of the new exam schedule. Staff contacted CLARB during the meeting and Clarence Chaffee, CLARB Executive Director, provided satisfactory responses to the LATC's questions.

Ms. Gates stated that, assuming there is no cost difference from increasing the C/LARE from two to four administrations, the LATC should support the increase in exam administrations. Mr. Otsuji asked staff to pass on to CLARB that the LATC supports the change in the exam schedule, but that CLARB needs to keep exam costs at a minimum.

2. Notice of Reduction in Future Membership Dues

Ms. Maggio reported that on December 28, 2004, CLARB notified its member boards of its decision to reduce the previously announced membership dues for FY 2006 and 2007.

The Board of Directors noted that this change was in response to the direction of the membership to shift the cost of providing CLARB services directly to those individuals benefiting from the service and to keep increased membership dues to a minimum. There will be no increase in fees for FY 2005 and FY 2006. There will be a \$50 increase in FY 2007. Ms. Maggio noted this represents a 13% reduction from the dues that were previously established for these years.

3. Update on the LARE Task Analysis

Ms. Mendiola reported that the Subject Matter Experts Committee (SMEC) met on November 12 – 13, 2004 in Chicago, Illinois. The SMEC is comprised of nine landscape architects with diverse education and experience backgrounds. Ms. Mendiola noted that both she and Richard Ciradella represent California on the SMEC. She reported that CLARB asked all member boards to provide licensee information that will be used to create a database that will randomly select the survey participants and that approximately every fifth individual will be asked to participate in the study. For the first time, the survey will be conducted over the Internet to save time and reduce costs. Selected participants will receive a link to complete the survey. She stated that the SMEC would meet again in April to review the survey results. The results will be presented to member boards at CLARB's Annual Meeting in September 2005.

4. Review CLARB 2005 Spring Meeting Preliminary Business Schedule

The LATC reviewed the Preliminary Business Schedule. Ms. Gates recommended that Ms. Landregan, as the Alternate Director for Region V, represent the LATC at the upcoming CLARB 2005 Spring Meeting. Ms. Maggio stated that at the 2004 CLARB Annual Meeting Region V, members elected Ian Wasson from British Columbia as its new Director; however, since his election, she has not received any information from him nor has she received an agenda for the upcoming Region V Meeting. Ms. Maggio will contact CLARB to determine if additional information will be forthcoming.

H. Review and Approve Proposed Amendments to Business and Professions Code Section 5641.4, Chapter Exceptions, Exemptions – Landscape Contractors

Justin Sotelo reported that BPC 5641.4 was adopted, effective January 1, 2005. The purpose of this change was to establish a specific practice exemption for licensed landscape contractors. Although the adoption of the statute achieved the Board's objective in concept, the sentence structure under the existing language could result in misinterpretation of the exemption. Therefore, a preliminary proposal to amend the statute was prepared by staff and submitted to the Senate Business, Professions, and Economic Development Committee on January 28, 2005. This new proposal would more clearly establish that landscape contractors, insofar as they work within the classification for which they are licensed and do not use the title "landscape architect," are exempt under the Practice Act. On February 2, 2005, the Committee's consultant informed Mr. McCauley that the "clean-up" proposal could be included in the Committee's Non-Health Omnibus Bill.

- ♦ **Christine Anderson moved to delegate authority to the Executive Officer to promote the proposed clarifying legislative amendment.**
- ♦ **Anna Mendiola seconded the motion.**
- ♦ **The motion carried unanimously.**

I. Review and Approve 2005 Strategic Plan

Mr. Sotelo presented the draft of the 2005 Strategic Plan prepared by Daniel Iacofano, Principal, Moore Iacofano Goltsman, Inc. The LATC provided comments, clarification, and suggested edits to staff. Staff will incorporate the edits into the Strategic Plan to be presented to the Board for its approval on March 11, 2005.

- ♦ **Christine Anderson moved to approve the 2005 Strategic Plan with edits.**
- ♦ **Anna Mendiola seconded the motion.**
- ♦ **The motion carried unanimously.**

J. Review and Update LATC Communications Plan

At its meeting on January 13, 2005, the LATC reviewed and updated the scope of the Communications Plan to better address outreach to the target audiences. Mr. Sotelo presented a draft of the 2005 Communications Plan based on the discussions from the January 2005 meeting. The LATC reviewed the draft Plan and provided staff with specific objectives and actions relative to each of its target audiences. Staff will incorporate the edits into the Plan which will then be included into the 2005 Strategic Plan.

- ♦ **Anna Mendiola moved to approve the 2005 Communications Plan with edits.**
- ♦ **Christine Anderson seconded the motion.**
- ♦ **The motion carried unanimously.**

K. Review and Consider Request for Re-Licensure

No action was taken, as the re-licensure applicant did not submit the application and portfolio for this meeting.

L. Adjournment

The meeting adjourned at 2:45 p.m.