



## NOTICE OF MEETING

**May 24, 2016**  
**10:00 a.m. – 3:00 p.m.**  
**(or until completion of business)**  
**Stanley Mosk Library and Courts Building**  
**914 Capitol Mall, Room 500**  
**Sacramento, CA 95814**  
**(916) 651-6466 or (916) 575-7230 (LATC)**

The Landscape Architect Technical Committee (LATC) will hold a meeting, as noted above. The notice and agenda for this meeting and other meetings of the LATC can be found on the LATC's website: [latc.ca.gov](http://latc.ca.gov). For further information regarding this agenda, please see reverse or you may contact Trish Rodriguez at (916) 575-7230.

The LATC plans to webcast this meeting on its website. Webcast availability cannot, however, be guaranteed due to limited resources or technical difficulties. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at the physical location.

### AGENDA

- A. Call to Order – Roll Call – Establishment of a Quorum
- B. Chair's Procedural Remarks and LATC Member Comments
- C. Public Comment for Items Not on Agenda  
*(The Committee may not discuss or take action 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. Review and Approve February 10, 2016 LATC Meeting Minutes
- E. Program Manager's Report on Examination, Enforcement, Licensing, and Administration
- F. Introduction and Presentation on Sustainable Sites Initiative (SITES) by American Society of Landscape Architects (ASLA) Representative

*(Continued on Reverse)*

- G. Update on Council of Landscape Architectural Registration Boards (CLARB) regarding Task Analysis Survey, Landscape Architect Registration Examination (LARE) Administration and Pass Rates Upcoming Elections, and Annual Meeting
- H. Review and Consider Request by Expired Licensee 2016-1 for Re-licensure, Pursuant to Title 16 California Code of Regulations (CCR) Section 2624 (Expired License – Three Years After Expiration)
- I. Discuss and Possible Action on Proposed Language to Amend or Repeal Business and Professions Code section 5680.2 (License Renewal – Three Years After Expiration) and Proposed Regulations to Amend or Repeal (Title 16 CCR, sections 2624 (Expired License – Three Years After Expiration) and 2624.1 (Expired License – Five Years After Expiration)
- J. Review and Approve Intra-Departmental Contract with Department of Consumer Affairs (DCA) Office of Professional Examination Services (OPES) for California Supplemental Examination (CSE) Development
- K. Discuss and Possible Action on Extension of Renewal Fee Reduction; Title 16 CCR section 2649 (Fees)
- L. Review and Approve Draft *Consumer’s Guide to Hiring a Landscape Architect* for Publication
- M. Review Tentative Schedule and Confirm Future LATC Meeting Dates
- 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 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 LATC are open to the public.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the LATC prior to the Committee 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 his or her 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 1125.7(a)].

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Ms. Rodriguez at (916) 575-7231, emailing [trish.rodriquez@dca.ca.gov](mailto:trish.rodriquez@dca.ca.gov), or sending a written request to the LATC. Providing your request at least five 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 LATC 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)*

## **Agenda Item A**

### **CALL TO ORDER - ROLL CALL - ESTABLISHMENT OF A QUORUM**

Roll is called by the Landscape Architects Technical Committee (LATC) Vice Chair or, in his/her absence, by an LATC member designated by the Chair.

#### LATC MEMBER ROSTER

Andrew Bowden, Chair

David Allan Taylor, Jr., Vice Chair

Patricia Trauth

Marq Truscott

## **Agenda Item B**

### **CHAIR'S PROCEDURAL REMARKS AND LATC MEMBER COMMENTS**

LATC Chair Andrew Bowden, or in his absence, the Vice Chair will review the scheduled LATC actions and make appropriate announcements.

## **Agenda Item C**

### **PUBLIC COMMENT FOR ITEMS NOT ON AGENDA**

Members of the public may address the Committee at this time.

## **Agenda Item D**

### **REVIEW AND APPROVE FEBRUARY 10, 2016 LATC MEETING MINUTES**

The Landscape Architects Technical Committee (LATC) is asked to approve the attached February 10, 2016 LATC Meeting Minutes.

## **Meeting Minutes**

### **CALIFORNIA ARCHITECTS BOARD Landscape Architects Technical Committee**

February 10, 2016  
San Diego, California

#### Landscape Architects Technical Committee (LATC) Members Present

Andrew Bowden, Chair  
David Allan Taylor, Jr., Vice Chair (arrived at 10:37 a.m.)  
Patricia Trauth  
Marq Truscott

#### Staff Present

Doug McCauley, Executive Officer  
Vickie Mayer, Assistant Executive Officer  
Trish Rodriguez, Program Manager  
Rebecca Bon, Legal Counsel, Department of Consumer Affairs (DCA) (via teleconference)  
Richie Barnard, Special Projects Analyst  
Kourtney Nation, Examination Coordinator

#### Guests Present

Amelia Lima, Association of Professional Landscape Designers (APLD)  
Dustin T. Maxam, Nevada Registered Landscape Architect (RLA)  
Tim Smith, Adjunct Instructor, San Diego Mesa College

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

LATC Chair Andrew Bowden called the meeting to order at approximately 10:32 a.m. In the absence of Vice Chair David Taylor, member Patricia Trauth called roll. Three members of LATC were present, thus a quorum was established.

#### **B. Chair's Remarks and LATC Member Comments**

No remarks or comments were made.

### **C. Public Comment for Items Not on Agenda**

A public comment letter was received from Dustin T. Maxam dated January 31, 2016. Mr. Bowden directed the Committee to the letter under Attachment C.1, and stated that some of the issues in the letter are on the agenda and will be addressed at today's meeting.

### **D. Review and Approve November 17, 2015 LATC Meeting Minutes**

- **Marq Truscott moved to approve the November 17, 2015 LATC Meeting Minutes. Patricia Trauth seconded the motion. Members Trauth, Truscott, and Chair Bowden voted in favor of the motion. The motion passed 3-0. Member Taylor not present at time of vote.**

### **E. Program Manager's Report**

Trish Rodriguez presented the Program Manger's Report. She stated that, per the Committee's request, staff has been reviewing material provided at outreach presentations to ensure the information is up to date. She continued that a presentation is being planned at California Polytechnic State University, San Luis Obispo in April 2016.

Ms. Rodriguez reported that on January 19, 2016 Release 2 of the BreZE project was implemented, and DCA will conduct a cost-benefit analysis for the remaining boards and bureaus, as recommended by the State Auditor. She added that LATC is scheduled for Release 3, and DCA anticipates the development of the Release 3 project plan to begin in mid-2016. She added that additional topics regarding BreZE implementation could be discussed at the LATC Strategic Planning session in November 2016.

Ms. Rodriguez stated that on January 6, 2016 the DCA Budget Office requested that staff compile an Information Technology (IT) costing report to include all IT purchases in fiscal year (FY) 2014/2015 and purchased/projected IT purchases for FY 2015/2016. She noted that \$6,798 in IT purchases were made in FY 2014/2015 and forecasted an estimated \$1,550 in IT purchases for FY 2015/2016.

Ms. Rodriguez informed the Committee that at the December 10, 2015 Board meeting, the Board approved the revised *Disciplinary Guidelines* and that the Notice of Proposed Changes and Initial Statement of Reasons are being prepared for submission to the Office of Administrative Law (OAL).

Ms. Rodriguez directed the Committee to the enforcement statistics table located in the Program Manager's Report. She explained that the table now provides figures from the current month, prior month, FY to date, and the average of the past five FYs. She noted that the LATC's average age of pending complaints is at 186 days, which is within the time frame recommended by DCA.

Doug McCauley reported that he attended a hearing on occupational licensing held by the Little Hoover Commission (LHC) on February 4, 2016. He stated that the LHC had previously been



presented material regarding landscape architecture and LATC that was based on inaccurate information. He noted that he clarified the misinformation at the hearing, and it was well received by the LHC. He concluded that a letter outlining and correcting the inaccurate information is being prepared for the LHC.

Mr. Bowden noted for the record that David Taylor arrived at the meeting at 10:37 a.m.

#### **F. Presentation and Introduction from the San Diego Mesa College Landscape Architecture Program**

Tim Smith gave a detailed presentation on the Mesa College landscape architecture program. He also explained that landscape architecture, architecture, interior design, and building construction materials courses are taught at the Design Center. He added that students in all the above-mentioned areas of study may also take landscape architecture courses.

Mr. Smith stated that Mesa College is currently undergoing major renovations to the main campus, but added that the department decided to remain at the Design Center to promote sustainability. He continued that, instead of the building being demolished, the Design Center, a former elementary school, was repurposed through interior renovations and new landscaping.

Mr. Smith described two Associate of Science degrees offered by the program: Landscape Architecture and Landscape Architecture Technician. He explained that the Landscape Architecture degree is designed for students who wish to transfer to a bachelor's program, and that the Landscape Architecture Technician degree is designed to prepare students to gain employment in landscape architecture.

Mr. Truscott asked how many students are enrolled in the landscape architecture program. Mr. Smith explained that it ranges from 15 to 20 students, and often times architecture students take landscape architecture courses. Mr. Bowden inquired if Mesa College has any agreements with a university to accept Mesa College graduates. Mr. Smith explained that Mesa College does not have any agreements, and that students must submit a portfolio for acceptance into a four-year university program and added that most graduates of the Landscape Architecture degree program at Mesa College go on to a university.

#### **G. Report on Council of Landscape Architectural Registration Boards (CLARB)**

Ms. Rodriguez reported that at the November 17, 2015 LATC meeting, the Committee delegated the task of submitting nominations for the 2016 CLARB Board of Directors and Committee on Nominations elections to the LATC Chair and Program Manager. She added that CLARB provided a list of eligible candidates and the LATC nominated Christine Anderson for President-Elect and Stephanie Landregan for the Committee on Nominations.

Ms. Rodriguez continued that CLARB recently updated the Exam Eligibility Standards for candidates testing under a jurisdiction that does not require board approval to take the Landscape Architect Registration Examination (LARE). She noted that new standard was first applied to the December 2015 LARE administration and now requires candidates who do not hold an accredited landscape architecture degree to obtain board approval prior to registering for the

LARE. She concluded that this new standard does not alter the current application process in California, as candidates are already required to obtain board approval prior to testing.

Ms. Rodriguez stated that there will be a Region 5 conference call on February 23, 2016. Mr. Bowden added, as the Region 5 Alternate Director, he will be participating on the call.

Mr. Bowden noted that additional members of the public had arrived to the meeting, and offered the new attendees an opportunity for public comment. Mr. Maxam introduced himself as a registered landscape architect in the state of Nevada and referred to his letter that was previously discussed under Agenda Item C. He noted that he works as a landscape architect in Nevada, but primarily as a landscape designer in California. He added that he passed the LARE in 2011 and has 15 years of experience in the industry. He stated he feels that current reciprocity requirements are unjust and applauds the Committee for reviewing reciprocity procedures and California Code of Regulations (CCR) 2615 (Forms of Examination). He added that he has additional comments regarding related degrees for educational credit under Agenda Item I.

#### **H. Discuss and Possible Action on Strategic Plan Objective to Review California Code of Regulations, Section 2624 (Expired License – Three Years After Expiration) and 2624.1 (Expired License – Five Years After Expiration) and Assess Whether Revisions are Needed to Regulation, Procedures, and Instructions for Expired License Requirements**

Ms. Rodriguez reported that at the August 6, 2015 LATC meeting the Committee directed staff to assess whether the Board's procedures for reviewing a request for re-licensure should be considered to be used by LATC. She stated that a summary of the re-licensure procedures was presented to the Committee at its November 17, 2015 meeting. She noted that after review the Committee directed staff to research re-licensure procedures of additional licensing boards, which is provided as Attachment H.1. She concluded that at today's meeting the LATC is asked to discuss the current re-licensure requirements of LATC, the Board, and other boards to determine if modifications to California's re-licensure regulations, procedures, and instructions should be considered.

Mr. Bowden referred to Attachment H.1 that outlines the re-licensure requirements of other states and boards and stated that several have continuing education requirements. He noted that none of the states listed required applicants to retake a national examination for re-licensure. He also reiterated that the Board does not require applicants to retake the Architect Registration Examination (ARE) for re-licensure.

Mr. Truscott questioned staff if the Board is satisfied with its re-licensure procedures in regards to not requiring an applicant to retake the ARE. Mr. McCauley stated that he was not aware of the Board reconsidering its re-licensure procedures in the last ten years or longer. Mr. McCauley continued that the reasoning is that once an individual has passed the national examination the individual has shown competence in the profession based upon an objective measure. Vickie Mayer added that it is common for individual boards to not require an applicant to retake a national examination, but do require applicants up to five years after expiration to pay all accrued fees to gain re-licensure. Mr. Bowden questioned what the Board requires of an applicant after five years of expiration. Ms. Mayer explained that an applicant must reapply as if applying for the first time. She added that the applicant after five years of expiration would be

required to pass the California Supplemental Examination (CSE), but would not be required to retake the national examination (ARE).

Mr. Bowden asked staff to iterate LATC's current re-licensure procedures. Ms. Rodriguez explained that if an applicant's license has expired for more than three years but less than five, the applicant must submit a portfolio containing work samples since the licensure has lapsed, pay the required fees, and pass the CSE. She continued that the LATC then reviews the portfolio to determine if the applicant must retake any sections of the LARE. She added that if a license has expired for more than five years, the applicant must reapply as if they are applying for the first time, which would require passing the LARE and CSE.

Mr. McCauley noted, in reference to the LATC's current re-licensure procedures, that it is difficult to defend the procedures due to the level of subjectivity involved in determining what sections of the LARE must be passed based on a work sample portfolio. He also added that, as a deterrent, when an individual's license expires and they continue to practice they become subject to a citation for unlicensed practice.

Mr. Bowden questioned whether an amendment would be required for a regulation or statute. Rebecca Bon, DCA Legal Counsel, suggested that BPC 5680.2 (License Renewal-Three Years After Expiration) may require an amendment to remove the portfolio review process. Mr. Truscott stated that he is in favor of aligning the LATC's re-licensure procedures with the Board's even if it means having to amend a statute through the legislative process. Ms. Bon added that amending the statute would be the best way for the LATC to align its re-licensure procedures with the Board.

Ms. Mayer suggested that staff could work with the Committee and legal counsel to determine what regulations or statutes would need to be amended to achieve the Committee's desired results. Ms. Bon agreed that would be a good approach since there are multiple regulations that may require amendments to achieve alignment with the Board.

Ms. Trauth and Mr. Taylor stated that they are in favor of aligning the LATC's re-licensure procedures with the Board's. Mr. Bowden stated that he has concerns about an individual allowing his or her license to lapse for five years, but that since the CSE is updated every five to seven years with an occupational analysis that the examination should be sufficient verification for licensure. Mr. Bowden also stated that the LARE does not change much over a ten year period and for those reasons he agrees with aligning the LATC's re-licensure procedures with the Board's.

- **Marq Truscott moved to direct staff to draft proposed language to amend the LATC's re-licensure procedures to require an individual whose license has expired for more than three years but less than five to pay all accrued fees, and to require an applicant whose license has expired more than five years to reapply for licensure and retake the CSE.**

**Patricia Trauth seconded the motion.**

**Members Trauth, Truscott, Taylor, and Chair Bowden voted in favor of the motion. The motion passed 4-0.**

## **I. Discuss and Possible Action on Strategic Plan Objective to Review California Code of Regulations, Section 2620 (Education and Training Credits) to Expand Credit for Education Experience to Include Degrees in Related Areas of Study**

Kourtney Nation reported that LATC's Strategic Plan contains an objective that directs it to review CCR 2620 (Education and Training Credits) to expand credit for education experience to include degrees in related areas of study. She continued that currently credit is granted for degrees or approved extension certificates in landscape architecture and architecture degrees accredited by the National Architectural Accreditation Board (NAAB).

Ms. Nation stated that in August 2004 an Education Subcommittee was formed and charged with evaluating California's eligibility requirements for the LARE to ensure that applicants have appropriate education and training/work experience before the examination is taken. She continued that the Subcommittee discussed the acceptance of various related degrees and recommended that LATC accept accredited bachelor's degrees in architecture and civil engineering to satisfy the education requirement for examination eligibility. She explained that those degrees emphasize the acquisition of critical thinking and technical skills that are necessary to address health, safety, and welfare issues and are essential to the practice of landscape architecture. She reported that the LATC made the recommendation to the Board and ultimately education credit was only approved for an accredited degree in architecture.

Ms. Nation concluded that at today's meeting the Committee is asked to review the information presented and determine if any degrees in related areas of study should be considered to meet California's education requirement.

Mr. Bowden asked which related degrees were considered by the Subcommittee. Ms. Nation responded that the Subcommittee evaluated degrees in architecture; civil engineering/engineering; urban planning; environmental planning; landscape horticulture; ornamental horticulture; environmental design; and landscape design. Mr. Bowden asked what justification the Subcommittee gave for not accepting the other degrees. Ms. Nation stated that the Subcommittee determined the other degrees either had insufficient curriculums and/or a lack of accreditation standards.

Ms. Trauth stated that when she became licensed various degrees were accepted for credit, and questioned when the requirements changed. Mr. Bowden stated that he is aware of several California landscape architects who do not have landscape architecture degrees, but is unsure when the requirements changed. He continued, referring to CCR 2620 (Education and Training Credits), that it does not seem reasonable to accept one year of practice credit for employment as a registered civil engineer, but not allow education credit for engineering related degrees.

Mr. Bowden asked if forming a new education subcommittee to research and review current related degrees is the direction the Committee would like to take. Mr. Truscott noted that the emergence of sustainability degrees, along with other various related degrees, warrants a further consideration by the LATC. Ms. Trauth agreed that additional consideration should be given for related degrees. Mr. McCauley noted that prior to the sunset of the California Board of Landscape Architects, that board had increased the educational requirements for licensure. He added that the LATC may want to consider the California Architects Board's educational requirements and take into consideration market and legislative support for reducing barriers of entry into the profession and opening additional pathways to licensure.

Mr. Truscott suggested that the Committee review and research current educational degree programs to discuss at a future meeting. Mr. Bowden noted the Committee does not have the educational expertise or knowledge base and that an education subcommittee would be better suited for the task. Mr. Truscott agreed with Mr. Bowden and added that the previous Education Subcommittee put a lot of time and resources into research and that supplemental research may be all that is required to reach and make an informed decision.

Mr. Bowden suggested that the Committee table the discussion until the upcoming LATC Strategic Planning session in November 2016.

- **Patricia Trauth moved to table further discussion on the acceptance of related degrees for the LATC's educational requirements until the Strategic Planning session in November 2016.**

**Marq Truscott seconded the motion.**

There was one comment from the public. Mr. Maxam commented that many licensing bodies accept related degrees of study for licensure in various professions. He continued that his degree in geography is relevant to certain areas of landscape architecture practice, and added that many other qualified individuals with related degrees are excluded from licensure due to narrow educational requirements. He concluded that he is dismayed with the current requirements, but is pleased the LATC is considering credit for related degrees.

**Members Trauth, Truscott, Taylor, and Chair Bowden voted in favor of the motion. The motion passed 4-0.**

#### **J. Discuss and Possible Action on Strategic Plan Objective to Review California Code of Regulations, Sections 2620 (Education and Training Credits) to Clarify Credit and Experience Combinations and Provide Justification for Consistent Staff Interpretation of Exam Eligibility for Potential Licensees**

Ms. Nation reported that LATC's Strategic Plan contains an objective to review CCR 2620 (Education and Training Credits) to clarify credit and experience combinations and provide justification for consistent staff interpretation of exam eligibility for potential licensees. She added, specifically, clarification is needed to reduce the years of experience required as a landscape contractor from four years to two years (if a candidate has an extension certificate plus a four-year degree). This change would make the pathway equitable to the approved degree and two-years of experience under a landscape architect pathway.

Ms. Nation noted that CCR 2620 (Education and Training Credits) subdivision (c)(1)(B) does not specify (a)(9) (A degree in architecture which consists of at least a four-year curriculum that has been accredited by the NAAB) as a possible prerequisite to the required one year of training/practice credit under the direct supervision of a landscape architect. She added that the omission was likely an oversight following the addition of subdivision (a)(9) to CCR 2620 (Education and Training Credits).

Ms. Nation directed the Committee to Attachment J.2 to view the proposed language to amend CCR 2620 (Education and Training Credits). She concluded that at today's meeting, the LATC is asked to discuss this objective and consider staff's recommendation to amend CCR 2620 (Education and Training Credits) and take possible action.

Mr. Bowden stated that requiring two years of experience instead of four as a landscape contractor and not including subdivision (a)(9) under (c)(1)(B) of CCR 2620 (Education and Training Credits) were likely inadvertent omissions and clearly intended to be included as pathways to licensure.

- **David Taylor moved to approve the proposed regulations to amend CCR 2620 (Education and Training Credits) to clarify the required years of experience as a landscape contractor and include subdivision (a)(9) under (c)(1)(B), delegate authority to the EO to make minor technical or non-substantive changes to the language, if needed, and authorize staff to initiate the rulemaking process.**

**Patricia Trauth seconded the motion.**

**Members Trauth, Truscott, Taylor, and Chair Bowden voted in favor of the motion. The motion passed 4-0.**

#### **K. Discuss and Possible Action on Draft *Consumer's Guide to Hiring a Landscape Architect***

Ms. Rodriguez reported that at LATC's November 17, 2015 meeting, staff presented a draft *Consumer's Guide to Hiring a Landscape Architect*, which was based on the Board's guide. She added that the Committee agreed to appoint a subcommittee to make additional revisions to the guide. She noted that the revised guide is attached with deleted text shown in red strikeout, new text shown in blue underline, and edits provided by the subcommittee are highlighted in yellow. She stated that the guide still requires review by DCA Legal Counsel and Public Affairs.

Mr. Bowden noted the majority of the red strikeout deletions are a result of modifying the Board's guide to make it pertinent to the practice of landscape architecture. He added that he worked with Ms. Trauth and staff to revise the guide, and that the goal is to make the guide available to the public as soon as possible.

Ms. Trauth suggested adding a matrix to the guide that outlines different landscape professions and that includes the qualifications of those different professions. Ms. Mayer recommended adding an introductory paragraph to explain the matrix, and to determine the best placement of the matrix in the guide.

Mr. Truscott also suggested adding information regarding drought conditions and the Model Water Efficient Landscape Ordinance (MWELO). Mr. McCauley noted that documents outlining information on drought and MWELO are being prepared for the LHC and that the information could be incorporated into the guide. Mr. Truscott agreed to work with Mr. McCauley to prepare MWELO and drought information to be included in the guide.

- **Patricia moved to table further discussion on the guide until the next LATC meeting to give the Committee and staff time to make additional revisions.**

**David Taylor seconded the motion.**

**Members Trauth, Truscott, Taylor, and Chair Bowden voted in favor of the motion.  
The motion passed 4-0.**

**L. Review Tentative Schedule and Confirm Future LATC Meeting Dates**

The next LATC meeting is tentatively scheduled for May 2016.

**M. Adjourn**

The meeting adjourned at 12:32 p.m.

## **Agenda Item E**

### **PROGRAM MANAGER'S REPORT ON EXAMINATION, ENFORCEMENT, LICENSING, AND ADMINISTRATION**

The Program Manager's Report provides a synopsis of current activities and is attached for the LATC's review.

#### ATTACHMENTS:

1. Program Manager's Report
2. Student Survey Results
3. California Architects Board March 3, 2016 Meeting Notice



## **LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE**

*Program Manager's Report*

May 2016

### **ADMINISTRATIVE/MANAGEMENT**

#### **Applicant Tracking System (ATS)/Workaround System (WAS)**

Manual processes remain in place, using the temporary WAS until the transition to BreEZe in 2016. The BreEZe team met with staff on March 25, 2014 to conduct an analysis of the database and determine options for including it in the BreEZe data conversion activities. Staff continue to work with the BreEZe team towards integrating WAS and ATS data with the BreEZe system. The WAS became a functional necessity upon regulatory approval of licensure requirements. It was established after a freeze was put in place for any legacy system changes during the Department's transition to BreEZe. With no projected date for Release 3 of BreEZe, the hard freeze placed on legacy system changes was lifted on April 7, 2016. However, staff will continue to use WAS in place of ATS.

#### **BreEZe Project**

The Department of Consumer Affairs (DCA) is developing an online program called BreEZe, which is a web-enabled enterprise-wide system that supports all applicant tracking, licensing, license renewal, enforcement, monitoring, cashiering, and data management capabilities. Applicants and licensees will be able to submit applications, license renewals, and payments online. The program also allows the public to file complaints and look up licensee information and complaint status through the internet. BreEZe will support the DCA's highest priority initiatives of job creation and consumer protection by replacing the DCA's aging legacy business systems with an integrated software solution that utilizes current technologies to facilitate increased efficiencies in the DCA boards' and bureaus' licensing and enforcement programs.

BreEZe is being implemented in three releases. Release 1 and 2 were implemented on October 9, 2013 and January 19, 2016, respectively. The LATC and the Board are currently scheduled for Release 3.

At the March 20, 2014 LATC meeting, Sean O'Connor, BreEZe Project Manager, provided an update on the status of the Project, and emphasized that a successful transition to BreEZe will demand a significant amount of staff time. He asked the Committee to be cognizant of the intense demand that the BreEZe transition will place on staff resources when delegating and prioritizing assignments.

On November 20, 2014, DCA Director Awet Kidane provided a BreEZe project update to Bureau Chiefs, Board Presidents and Vice Presidents, and Executive Officers. A memorandum summarizing the update was also issued, highlighting two important points: (1) The contractual relationship with Accenture, the current BreEZe vendor, was changing, and (2) Implementation of Release 2 would be moved from April 2015 to the end of 2015. The change in the project was approved in a Special Project Report, and a meeting with programs was held on February 11, 2015 to provide a cost analysis of the BreEZe project for each program. Since

Release 2 has been implemented, DCA will conduct a cost-benefit analysis for the remaining boards and bureaus, as recommended by the State Auditor. Absent any contrary findings in the analysis, DCA still intends to bring the remaining boards and bureaus into BreEZe, but likely will do so in smaller groups. DCA anticipates the development of the Release 3 project plan to begin in 2016.

## **Budget**

At the May 22, 2013 LATC meeting, the Committee voted to approve a temporary fee reduction and also reduce its spending authority by \$200,000 beginning in fiscal year (FY) 2015/16 to address its fund condition per Business and Professions Code section (BPC) 128.5 (Reduction of License Fees in Event of Surplus Funds). A negative Budget Change Proposal (BCP) to reduce LATC's spending authority was prepared by staff and subsequently approved by Department of Finance (DOF) and incorporated into the LATC's budget effective July 1, 2015.

## **California Architects Board Meeting**

On March 3, 2016, the Board met in Burbank at Woodbury University. LATC's Program Manager provided the Board with a summary of the February 10, 2016, LATC meeting.

The summary included LATC's approval of the proposed regulatory changes to amend California Code of Regulations (CCR) section 2620 (Education and Training Credits), to clarify years of experience needed as a landscape contractor for those qualifying with the extension certificate combination. The Board approved the proposed amendment to CCR 2620 and delegated authority to the Executive Officer (EO) to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

Also reported to the Board was that the CLARB was beginning a new task analysis and would be conducting a survey among licensees. (Update: the survey was conducted April 4-25, 2016.)

The next Board meeting is scheduled for June 9, 2016 (San Francisco), September 29 (Los Angeles), and December 15-16 (Sacramento).

## **Outreach**

Outreach presentations were held at the University of California, Davis on February 23, 2016 and University of California, Berkeley on April 21, 2016. Survey responses from the April 21, 2016 presentation are attached. Additional outreach presentations are being planned for the fall semester.

## **Regulatory Amendments**

*CCR section 2615 (Form of Examinations) – Reciprocity Requirements* - The LATC's Strategic Plan for FY 2013/14 through 2014/15 contained an objective to review reciprocity requirements of other states to determine possible changes to California requirements to improve efficiencies. This objective was discussed at the November 7, 2013 LATC meeting. The LATC directed staff to 1) summarize state reciprocity data by identifying the specific number of education years

required by each state, 2) determine whether a degree is mandatory, and 3) identify the number of years of experience required for initial licensure. The Committee also asked for state specific requirements for reciprocity. This topic was revisited at the March 20, 2014 LATC meeting where the Committee reviewed the education and experience requirements of other states for initial and reciprocity licensure, prepared by staff. The LATC voted to address the topic further at the next Strategic Planning session.

At its meeting on February 10, 2015, LATC directed staff to draft proposed regulatory language to specifically state that California allows reciprocity to individuals who are licensed in another jurisdiction, have ten years of practice experience, and have passed the California Supplemental Examination. At the LATC meeting on November 17, 2015 the Committee approved proposed amendments to CCR section 2615(C)(1), and recommended that the Board authorize LATC to proceed with a regulatory change. At its December 10, 2015 meeting, the Board approved the regulatory changes and delegated authority to the EO to adopt the corresponding regulations to amend CCR section 2615 provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

Following is a chronology to date, of the processing of LATC's regulatory proposal for CCR section 2615:

November 17, 2015 Proposed regulatory language approved by the LATC

December 10, 2015 Proposed regulatory language approved by the Board\*

\*Staff is developing a regulatory proposal with justification to submit to OAL.

*CCR section 2680 (Disciplinary Guidelines)* – The LATC current Strategic Plan tasks the LATC with collaborating with the California Architects Board to review and update its *Disciplinary Guidelines*. The LATC's *Disciplinary Guidelines* were last updated in 2000.

The Board's 2013 and 2014 Strategic Plans directed its Regulatory and Enforcement Committee (REC) to review and update the Board's *Disciplinary Guidelines*. To this end, Board staff consulted with its legal counsel and Deputy Attorney General (DAG) Liaison and reviewed the *Disciplinary Guidelines* for both the Board for Professional Engineers, Land Surveyors, and Geologists and the Contractors State License Board to determine if changes were needed to the Board's *Disciplinary Guidelines*. As a result, staff and legal counsel recommended revisions which were provided to the REC for its consideration and ultimately approved by the Board at its December 10, 2014 meeting.

Based upon the Board's approval of its *Disciplinary Guidelines* and authorization to proceed with a regulatory amendment, LATC staff reviewed and revised its own *Disciplinary Guidelines* to mirror the Board's wherever possible.

At its February 10, 2015 meeting the LATC approved the edits to its *Disciplinary Guidelines*. Following that meeting, staff requested its DAG Liaison to review the approved Guidelines. The DAG made several suggestions that were incorporated into the previously approved Guidelines. These amendments included: 1) Changes to the Factors to be Considered; 2) Increasing the length of suspension for Gross Incompetence in Practice, from 90 to 120 days; and, 3) Adding Conviction of Crime; Suspension, Revocation – Grounds as an offense.

At its August 6, 2015 meeting, the LATC approved the DAG's recommended revisions to its *Disciplinary Guidelines*, the proposed regulations to amend CCR section 2680, and directed staff to present to the Board for approval. Following the August 6, 2015 LATC meeting, DCA Legal Counsel advised staff of additional research necessary regarding Optional Conditions 9 (California Supplemental Examination) and 10 (Written Examination) of the *Disciplinary Guidelines*. Absent any additional recommended edits by DCA Legal Counsel, the amended *Disciplinary Guidelines* and proposed regulatory package was approved by the Board at their September 10, 2015 meeting.

Staff subsequently discussed the issues regarding Optional Conditions 9 and 10 with DCA Legal Counsel on September 30, 2015. On October 21, 2015 staff sent DCA Legal Counsel proposed edits to the Optional Conditions for review. DCA Legal Counsel notified staff on November 12, 2015 that the edited portions were sufficient but substantive, and would require approval by the Board. On November 25, 2015, DCA Legal Counsel further advised staff to include the current version of the Board's Quarterly Report of Compliance form (1/11) as "Attachment A" in the *Disciplinary Guidelines*. At its December 10, 2015 meeting, the Board approved the revised *Disciplinary Guidelines* and delegated authority to the EO to adopt the regulations to amend CCR section 2680 provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes to the language, if needed. Board staff prepared the proposed regulatory package for DCA Legal Counsel's review and approval on March 15, 2016. On April 8, 2016, DCA Legal Counsel advised staff that more substantive changes were necessary prior to submission to the OAL.\* Board staff is currently developing recommended revisions to the *Guidelines* in response to DCA Legal Counsel's concerns, and will present those revisions to the REC for review and consideration at its next meeting in the fall. Once approved, LATC staff will update its *Guidelines* to include the approved changes for the LATC's consideration.

Following is a chronology to date, of the processing of LATC's regulatory proposal for CCR section 2680:

August 6, 2015	Proposed regulatory changes approved by LATC
September 10, 2015	Proposed regulatory changes approved by Board
December 10, 2015	Proposed regulatory changes approved by Board (including DCA Legal Counsel recommended edits)

\*Staff is working with DCA Legal Counsel and developing recommended revisions for the *Guidelines*, to be presented to the Board in the fall.

*CCR section 2620(a)(13), Expand Eligibility Requirements to Allow Credit for Teaching Under a Licensed Landscape Architect* – At the LATC meeting on February 10, 2015, the Committee agreed that up to one year of experience/training credits should be granted for teaching under the supervision of a licensed landscape architect. At the May 13, 2015 LATC meeting, the Committee approved the proposed language to amend CCR section 2620(a)(13) to provide one year of teaching credit under the supervision of a landscape architect in a degree program as specified in section 2620(a)(1), (2), and (4). At the August 6, 2015 LATC meeting, the Committee recommended that the Board authorize LATC to proceed with a regulatory change. At its September 10, 2015 meeting, the Board approved the regulatory changes and delegated authority to the EO to adopt the regulations to amend CCR section 2620 provided no adverse

comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

Following is a chronology to date, of the processing of LATC's regulatory proposal for CCR section 2620:

August 6, 2015	Proposed regulatory changes approved by LATC
September 10, 2015	Proposed regulatory changes approved by Board
October 9, 2015	Notice of Proposed Changes in the Regulations published by the Office of Administrative Law (OAL)
November 30, 2015	Public hearing, no comments received
March 24, 2016	Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review

*CCR section 2620.5, Requirements for an Approved Extension Certificate Program* - The LATC established the original requirements for an approved extension certificate program based on university accreditation standards from the Landscape Architectural Accreditation Board (LAAB). These requirements are outlined in CCR section 2620.5. In 2009, LAAB implemented changes to their university accreditation standards. Prompted by the changes made by LAAB, LATC drafted updated requirements for an approved extension certificate program and recommended the Board authorize LATC to proceed with a regulatory change. At its December 15-16 meeting, the Board approved the regulatory change and delegated authority to the EO to adopt the regulations to amend CCR section 2620.5 provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed. The regulatory proposal to amend CCR section 2620.5 was published by the OAL on June 22, 2012.

In 2012, the LATC appointed the University of California Extension Certificate Program Task Force, which was charged with developing the procedures for the review of the extension certificate programs, and conducting reviews of the programs utilizing the new procedures. The Task Force held meetings on June 27, 2012, October 8, 2012, and November 2, 2012. As a result of these meetings, the Task Force recommended additional modifications to CCR section 2620.5 to further update the regulatory language with LAAB guidelines and LATC goals. At the November 14, 2012 LATC meeting, the LATC approved the Task Force's recommended modifications to CCR section 2620.5, with an additional edit. At the January 24-25, 2013 LATC meeting, the LATC reviewed public comments regarding the proposed changes to CCR section 2620.5 and agreed to remove a few proposed modifications to the language to address the public comments. The Board approved adoption of the modified language for CCR section 2620.5 at their March 7, 2013 meeting. On July 17, 2013, a Decision of Disapproval of Regulatory Action was issued by the OAL. The disapproval was based on OAL's determination that the regulatory package did not meet the necessity standard of Government Code section 11349.1, subdivision (a)(1). Government Code section 11349, subdivision (a), defines "necessity" as demonstrating the need for the regulatory change through evidence not limited to facts, studies, and expert opinion.

In May 2014, the LATC Special Projects Analyst prepared draft language for CCR section 2620.5 incorporating legal counsel's recommendation that regulatory language be added to address the application, approval, denial, and annual review processes. In June 2014, staff

assignments changed. The interim Special Projects Analyst began working on new proposed regulatory language in November 2014. On December 8, 2014, staff was advised by LAAB that the accreditation standards are scheduled to be reviewed and updated beginning with draft proposals in the spring of 2015. LAAB anticipated adopting new standards in early 2016. On December 30, 2014 staff met with the Task Force Chair to discuss proposed changes to CCR 2620.5 and the probability that new LAAB accreditation standards will be implemented in 2016. Staff also met with DCA Legal Counsel on January 14, 2015 to discuss justifications to proposed changes and again on January 28, 2015 to further review edits and justifications.

Proposed regulatory language was presented to the LATC at its February 10-11, 2015 meeting. At this meeting, the Committee approved the appointment of a new working group to assist staff in substantiating recommended standards and procedures in order to obtain OAL approval. Linda Gates and Christine Anderson, former LATC members and University of California extension program reviewers, were appointed to the working group.

On June 5, 2015, LAAB confirmed that they are in the process of updating their Standards and Procedures for the Accreditation of Landscape Architecture Programs. The process included a public call for input and commentary that took place last fall (2014). LAAB met in the summer of 2015 to draft revisions to the Standards. In the fall 2015, additional public input and comments were received.

On October 8, 2015, LATC received a copy of LAAB's proposed revisions which included several suggested changes to curriculum requirements. LATC staff began incorporating the proposed changes and drafting new proposed language that included many of LATC's previously submitted modifications to CCR 2620.5. LAAB implemented its new Accreditation Standards and Procedures in March 2016, which identified a few additional changes to curriculum requirements that staff is incorporating into the proposed amendments to CCR 2620.5. LATC's working group will meet as soon as possible to review the new Standards and Procedures and provide sufficient justification to meet OAL requirements and Government Code sections 11349 and 11349.1 which will be presented for consideration to the LATC.

Following is a chronology to date, of the processing of LATC's regulatory proposal for CCR section 2620.5:

November 22, 2010	Proposed regulatory changes approved by LATC
December 15, 2010	Proposed regulatory changes approved by the Board
June 22, 2012	Notice of Proposed Changes in the Regulations published by OAL (Notice re-published to allow time to notify interested parties)
August 6, 2012	Public hearing, no public comments received
November 30, 2012	40-Day Notice of Availability of Modified Language posted
January 9, 2013	End of public comment period
January 24, 2013	LATC approved modified language to address public comments
February 15, 2013	Final rulemaking file submitted to DCA Legal Office
March 7, 2013	Proposed regulatory changes of modified language approved by the Board
May 31, 2013	Final rulemaking file submitted to OAL
July 17, 2013	Decision of Disapproval of Regulatory Action issued by OAL

August 20, 2013	LATC voted not to pursue a resubmission of rulemaking file to OAL
February 21, 2014	Staff met with Task Force Chair to discuss justifications for proposed changes*
December 8, 2014	LAAB reported that accreditation standards are scheduled to be reviewed and updated in 2015
February 10, 2015	LATC approved the appointment of a new working group to assist staff
October 8, 2015	LATC received LAAB's suggested revisions to curriculum requirements
March 2016	LAAB implemented its new Accreditation Standards and Procedures

\*Staff is analyzing the new standards and procedures to develop a new regulatory proposal with justification to submit to OAL.

## Strategic Plan Objectives

The 2015-2016 Strategic Plan was approved by the LATC on May 13, 2015, and approved by the Board on June 10, 2015. The plan includes many objectives three of which are included below.

*Review Expired License Requirements (CCR sections 2624 and 2624.1)* - to assess whether any revisions are needed to the regulations, procedures, and instructions for expired license requirements. At the November 17, 2015 LATC meeting, the Committee reviewed re-licensure requirements of various state landscape architect licensing boards and three DCA licensing boards and directed staff to research re-licensure procedures for additional state boards. At the February 10, 2016 LATC meeting, the Committee directed staff to draft proposed language to amend the LATC's re-licensure procedures to require an individual whose license has been expired for less than five years to pay any accrued fees, and to require the holder of a license that has expired for more than five years to reapply for licensure and retake the CSE. This topic will be discussed under Agenda Item I.

*Expand Credit for Education Experience* - to include degrees in related areas of study, i.e., urban planning, environmental science or horticulture, etc., to ensure that equitable requirements for education are maintained. At the November 17, 2015 LATC meeting, the Committee directed staff to agendize this objective. At the February 10, 2016 LATC meeting, the Committee agreed to table the objective until its upcoming Strategic Planning Session in November 2016.

*Create and Disseminate Consumer's Guide* - to educate the public on the differences between landscape architects, landscape contractors, and landscape designers. At its November 17, 2015 meeting, staff presented to the Committee a drafted *Consumer's Guide to Hiring a Landscape Architect*, which is based on the Board's *Consumer's Guide to Hiring an Architect*. Following discussion, the Committee agreed to create a subcommittee to complete revisions to the guide. The subcommittee worked with staff to revise the guide and create a chart on the professional qualifications of landscape architects, landscape contractors, and other related professions. Staff will present the revised guide at today's meeting under Agenda Item K.

## Training

The following employees have been scheduled to participate in upcoming training:

6/7-9/16	OAL Three-Day Rulemaking (Kourtney Nation)
8/10/16	Interpersonal Skills for Analyst (Tremaine Palmer)

## **Website**

LATC staff continues to publish the updated “Licensee Search” lists monthly.

## **EXAMINATION PROGRAM**

### **Landscape Architect Registration Examination (LARE)**

Examination results for the April 4-16, 2016, administration of the LARE will be mailed to candidates by June 1, 2016. Pass rates for the April LARE will be available by May 27, 2016. The next LARE administration will be held on August 1-13, 2016 and the candidate application deadline is June 16, 2016. Test results are released five-six weeks following the last day of administration.

Upcoming LARE administration dates are as follows:

August 1-13, 2016

December 5-17, 2016

### **California Supplemental Examination (CSE)**

BPC 139 requires that an Occupational Analysis (OA) be conducted every five to seven years. An OA was completed by the Office of Professional Examination Services (OPES) for the LATC in 2014. The Test Plan developed from the 2014 OA is being used during content development of the CSE. The CSE development is based on an ongoing analysis of current CSE performance and evaluation of examination development needs. The prior Intra-Agency Contract Agreement (IAC) with OPES for examination development expired on June 30, 2015. Staff worked with OPES on the development of a new IAC for FY 2015/16, which was approved by the Committee at its November 17, 2015 meeting. Upon execution of the IAC with OPES, the LATC began recruiting subject matter experts to participate in examination development workshops to focus on item writing and examination construction. Examination development workshops have been held monthly since January 2016 and will conclude on June 11, 2016.



**ENFORCEMENT PROGRAM**

<u>Enforcement Statistics</u>	<u>Current Month</u> April 2016	<u>Prior Month</u> March 2016	<u>FYTD</u> 2015/16	<u>5-FY Avg</u> 2010/11 – 2014/15
<b>Complaints</b>				
Received/Opened(Reopened)	3(0)	2(0)	14(0)	28(0)
Closed:	2	3	23	42
Average Days to Close:	118	293	368	369
Pending:*	11	10	10	31
Average Age (Pending)	157	162	162	367
<b>Citations</b>				
Issued:	0	1	6	3
Pending:*	2	2	2	2
Pending (AG):***	1	1	1	2
Final:	0	0	3	2
<b>Disciplinary Action</b>				
Pending AG:*	2	2	2	1
Pending DA:*	0	0	0	0
Final:	0	0	0	1
<b>Settlement Reports (§5678)**</b>				
Received/Opened:	0	0	1	1
Closed:	0	1	1	1
Pending:*	2	2	2	1

\* FYTD data is presented as a monthly average of pending cases.

\*\* Also included within "Complaints" information.

\*\*\* Also included within "Pending Citations."

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE  
STUDENT OUTREACH  
University of California, Berkeley  
April 21, 2016

**SURVEY RESULTS**

Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
<b>1. The presentation was informative. I learned more about pathways to licensure than I already knew.</b>	9 60%	6 40%	0 0%	0 0%	0 0%
<b>COMMENTS:</b> *Awesome					
Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
<b>2. I understand the importance of licensure and how it relates to the public's health, safety, and welfare.</b>	5 33%	10 66%	0 0%	0 0%	0 0%
<b>NO COMMENTS</b>					
Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
<b>3. I know what I have to do to become licensed.</b>	10 66%	5 33%	0 0%	0 0%	0 0%
<b>NO COMMENTS</b>					
Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
<b>4. I could have used this information earlier.</b>	3 20%	4 26%	6 40%	0 0%	2 13%
<b>COMMENTS:</b> *Provide info packets *Should be presented to Land Arch students ASAP, in first or second year of BA or MLA programs.					

Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
<b>5. The presentation answered all of my questions.</b>	5	9	0	0	0
	33%	60%	0%	0%	0%
<b>NO COMMENTS</b>					
<b>6. If you answered "Disagree" or "Strongly Disagree," to any of the questions, please provide details of your experience and any suggested improvements.</b>					
<b>COMMENTS:</b> *The information came at the right time *This seems like right on time to receive this information					
<b>7. How will you use the information received today?</b>					
<b>COMMENTS:</b> *To get my license and study before hand *I will begin preparing to apply and gathering study materials *To continue my professional education and seek out mentorship from a professional landscape architect *Refer to exam resources information when I start preparing to take the exam *It helps me plan for when I take the test in the future *It will be really helpful for me to prepare for the exam in the future *I will plan to take sections 1 and 2 after I graduate *Plan for future licensing *To plan out a rough schedule for when to take the different exam sections					
<b>8. Please use this space to include any other comments not covered in the questions above.</b>					
<b>COMMENTS:</b> *Good job *Liability/legal extents, risk aversion. Thank you for your time.					

A student outreach presentation was held on April 21, 2016 at the University of California, Berkeley. The presentation included information on the LATC's website, pathways to licensure, the benefit of licensure, eligibility requirements for the Landscape Architect Registration Examination (LARE) and the enforcement process.

The total number of students and faculty attending the presentation was **17** and **15** student surveys were collected. Overall, the students appreciated the presentation and found the information regarding the pathways to licensure and the importance of licensure to be helpful. Every student noted on the survey they learned something new from the presentation, and they better understand the importance of licensure. All of the students also indicated that they now know what to do to become licensed. The comments represent the cumulative number of surveys received.



Edmund G. Brown Jr.  
GOVERNOR

# CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

## NOTICE OF BOARD MEETING

**March 3, 2016**

**10:00 a.m. to 5:00 p.m.**

**(or until completion of business)**

**Woodbury University - Ahmanson Main Space  
7500 North Glenoaks Boulevard - Burbank, CA 91504  
(818) 252-5121 or (916) 575-7221 (Board)**

The California Architects Board will hold a Board meeting, as noted above. The notice and agenda for this meeting and other meetings of the Board can be found on the Board's website: [cab.ca.gov](http://cab.ca.gov). For further information regarding this agenda, please see below or you may contact Mel Knox at (916) 575-7221.

### Agenda

- A. Call to Order/Roll Call/Establishment of Quorum
- B. President's Remarks and Board Member Comments
- C. Public Comment on Items Not on Agenda  
*(The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code sections 11125 and 11125.7(a)].)*
- D. Review and Approve December 10, 2015 Board Meeting Minutes
- E. Executive Officer's Report
  - 1. Update on January 2016 Monthly Report
  - 2. Board Member Liaison Reports on Organizations and Schools
- F. Update and Possible Action on Legislation Regarding:
  - 1. Assembly Bill 507 (Olsen) [BreEZe]
  - 2. Business and Professions Code Sections 5536.22 (Written Contract) and 5550.2 (Exam Eligibility – Integrated Degree Program)
  - 3. Senate Bill 1132 (Galgiani) [Intern Title]
- G. National Council of Architectural Registration Boards (NCARB)
  - 1. Review of 2016 NCARB Regional Summit Agenda
  - 2. Discuss and Possible Action on NCARB Resolutions
  - 3. Discuss and Possible Action on 2016 Elections
  - 4. Review and Approve Contract with NCARB for Architect Registration Examination

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*(Continued)*

5. Update and Possible Action on NCARB Resolution 2015-02 Regarding Broadly Experienced Foreign Architect Program
6. Update and Possible Action on Implementing NCARB's Integrated Path Initiative (IPI)
7. Reports and Possible Action on NCARB Accepted California IPI Programs

H. Landscape Architects Technical Committee (LATC) Report

1. Update on LATC February 10, 2016 Meeting
2. Review and Approve Proposed Regulations to Amend California Code of Regulations, Title 16, Section 2620 (Education and Training Credits) Subsections (c)(1)(B)(1) and (c)(1)(C) as it Relates to Training Credit for Education and Experience Combinations

I. Closed Session

1. Review and Approve December 10, 2015 Closed Session Minutes
2. Pursuant to Government Code Section 11126(e)(1), the Board will Confer with Legal Counsel to Discuss Litigation Regarding *Marie Lundin vs. California Architects Board, et al.*, Department of Fair Employment and Housing, Case No. 585824-164724
3. Pursuant to Government Code Section 11126(c)(3), the Board will Deliberate on Disciplinary Matters

J. Reconvene Open Session

K. 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 Board President 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 Board are open to the public.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board 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 physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Mel Knox at (916) 575-7221, emailing [mel.knox@dca.ca.gov](mailto:mel.knox@dca.ca.gov), or sending a written request to the Board. Providing your request at least five 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 Board 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 5510.15)*

## **Agenda Item F**

### **INTRODUCTION AND PRESENTATION ON SUSTAINABLE SITES INITIATIVE (SITES) BY AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS (ASLA) REPRESENTATIVE**

All DCA Boards and Bureaus were asked by the Director to provide suggestions to promote water conservation. The Sustainable Sites Initiative (SITES) was suggested as a broad approach to foster sustainability.

SITES was established in 2006 and is a collaboration of disciplinary efforts through the American Society of Landscape Architects (ASLA), The Lady Bird Johnson Wildflower Center, University of Texas at Austin, and the United States Botanic Garden. SITES goal is to weave the development of healthy natural ecosystems by providing a systematic, comprehensive set of guidelines to model development practices after healthy systems and processes.

The SITES v2 Rating System is a set of comprehensive, voluntary guidelines together with a rating system that assesses the sustainable design, construction, and maintenance of landscape projects. The SITES v2 Rating System can apply to projects of various scales, with or without buildings, including: open spaces, streetscapes, commercial and educational / institutional campuses, residential neighborhoods and yards, military, and more.

SITES certification is administered by Green Business Certification Inc., which also certifies Leadership in Energy & Environmental Design (LEED) projects.

ASLA will provide a presentation on SITES. Presenters will include:

- Linette Straus, Professional Practice Manager, ASLA
- Hunter Beckham, Vice President, Professional Practice, Fellow ASLA
- Jamie Statter, Vice President, Strategic Relationships, United States Green Building Council (USGBC)
- Micah Silvey, Director of Certification, USGBC

#### **ATTACHMENTS:**

1. SITES Presentation Flyer
2. SITES Rating System



# Sustainable SITES Initiative™

Join the American Society of Landscape Architects and US Green Building Council to learn about the Sustainable Sites Initiative™ (SITES®), the most comprehensive rating system for developing sustainable landscapes.

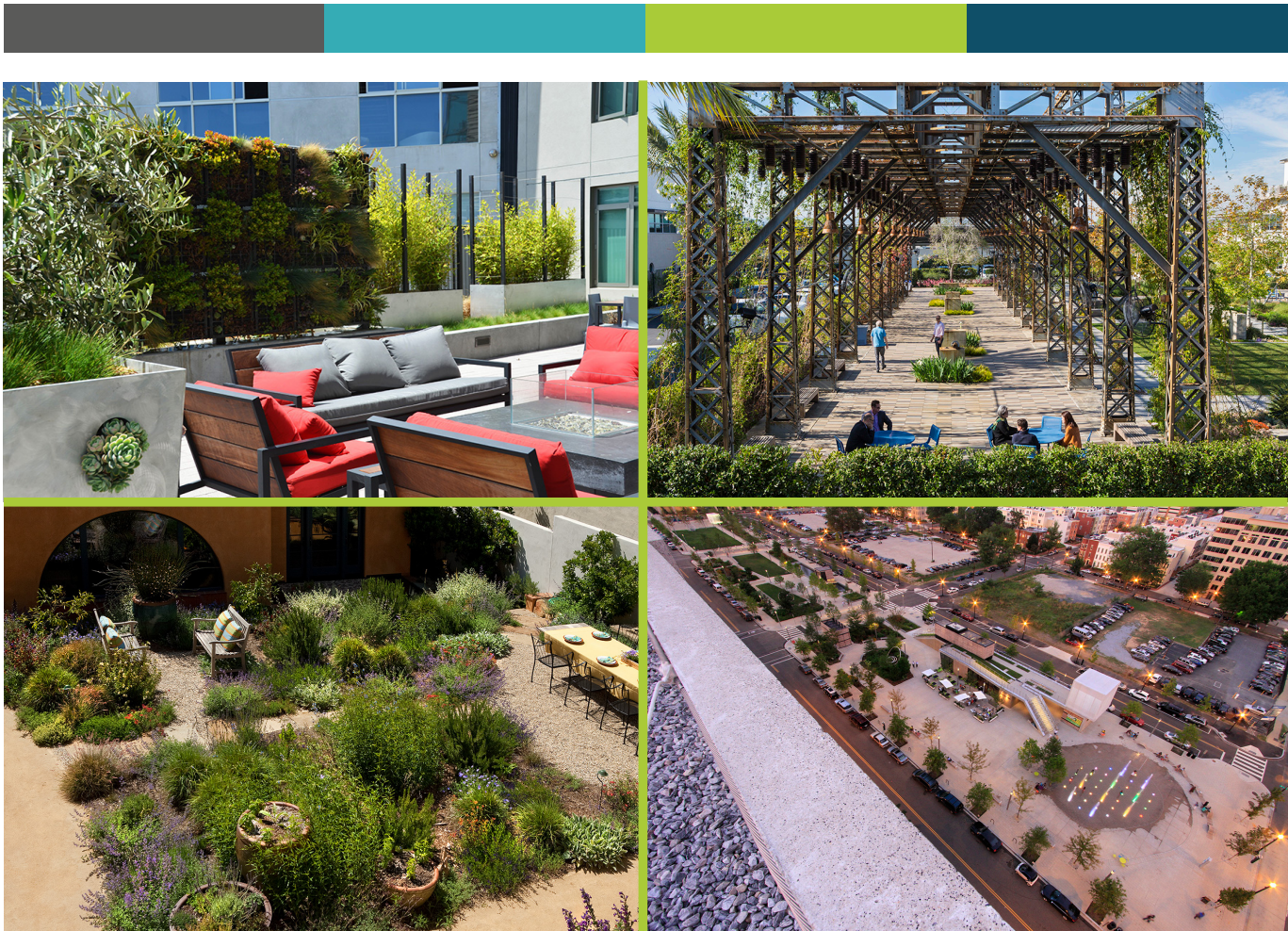
**When:** May 24th 2-3pm

**Where:** Library and Courts Building  
914 Capitol Mall Room 500  
Sacramento, CA 92437

**Please RSVP by May 20th: [Istraus@asla.org](mailto:Istraus@asla.org)**

**Live Webcast:** <https://thedcapage.wordpress.com/webcasts/>

**Information:** [www.sustainablesites.org/](http://www.sustainablesites.org/)



The SITES Rating System is administered by Green Business Certification Inc (GBCI), the premiere organization independently recognizing excellence in green business industry performance and practice globally. The material on which the SITES Rating System is based was developed through a collaborative, interdisciplinary effort of the American Society of Landscape Architects Fund, The Lady Bird Johnson Wildflower Center at The University of Texas at Austin, and the United States Botanic Garden.

## THE SITES® RATING SYSTEM

Population growth and development are causing our communities to use more resources than ever before – which means more waste and a negative impact on the environment. Traditional land development and land use decisions often underestimate or ignore healthy ecosystems. Sustainable land development is cost effective, better for the land and fosters resiliency.

The Sustainable SITES Initiative (SITES®) is the most comprehensive rating system for developing sustainable landscapes. SITES is based on the understanding that land is a crucial component of the built environment and can be planned, designed, developed and maintained to protect and enhance the benefits we derive from healthy functioning landscapes.

Administered by Green Business Certification Inc. (GBCI), SITES offers a systematic and comprehensive rating system designed to define sustainable sites, measure their performance and, ultimately, evaluate the value of landscapes. SITES certification is for development projects located on sites with or without buildings—ranging from national parks to corporate campuses, from streetscapes to homes. The SITES rating system is currently being used by landscape architects, designers, engineers, architects, developers, policymakers and others.

SITES uses progressive industry standards for landscape design and incorporates additional recommendations from technical experts in the fields of social science, botany and horticulture, hydrology, materials and human health and well-being.

SITES was developed through a collaborative, interdisciplinary effort of the American Society of Landscape Architects, The Lady Bird Johnson Wildflower Center at the University of Texas at Austin and the United States Botanic Garden.

Interested project teams can visit [sustainablesites.org](https://sustainablesites.org) for more information and to register their projects and access the SITES rating system and reference guide.

The SITES program is for sustainable landscape design and can be applied to the following project types:

- ▶ Open spaces
- ▶ Streetscapes and plazas
- ▶ Commercial
- ▶ Residential
- ▶ Educational & institutional
- ▶ Infrastructure
- ▶ Government
- ▶ Military
- ▶ Industrial



## Agenda Item G

### **UPDATE ON COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS (CLARB) REGARDING TASK ANALYSIS SURVEY, LANDSCAPE ARCHITECT REGISTRATION EXAMINATION (LARE) ADMINISTRATION AND PASS RATES, UPCOMING ELECTIONS, AND ANNUAL MEETING**

CLARB conducted a job task analysis survey of the practice of landscape architecture to ensure that what is tested on the LARE accurately reflects the knowledge and skills required to practice as a licensed professional. The survey was administered in April. A task analysis study is conducted every five to seven years. The study identifies what is required at the initial point of licensure in terms of tasks to be completed and the knowledge required in order for an individual to successfully complete tasks. The results of this recent task analysis will determine what changes, if any, must be made to the existing LARE content. Minor changes will be made during the routine examination development process over the next year. If the survey determines that more substantial changes are needed, it will take additional time for those to completely be incorporated into the LARE.

The next administration of the LARE is August 1-13, 2016 and LATC's eligibility deadline for this administration is June 17, 2016. LATC continues to track pass rates for the LARE. Pass rates for the April 4-16, 2016 LARE administration will be available by May 27, 2016.

The CLARB Annual Meeting will be held September 22-24, 2016, in Philadelphia, Pennsylvania. CLARB has announced that this year's schedule is designed to help member boards adapt to the current regulatory environment. The meeting will include sessions on trends in regulation, CLARB's Model Law update, and the results of the recent task analysis. In addition, the final slate of nominees for the 2016 CLARB Board of Directors and Committee on Nominations elections will be available in June, and LATC will have an opportunity to vote in this election by mail-in ballot prior to the meeting.

#### ATTACHMENTS:

1. CLARB Member Board E-News (April 2016)
2. LARE California and National Pass Rates



COUNCIL OF LANDSCAPE ARCHITECTURAL  
REGISTRATION BOARDS

## Member Board E-News

### April 2016

#### Important Dates and Reminders

- **(Today) April 21** -- "In the Know" webcast at 3 p.m. EDT
- **May 2** -- Registration opens for the August L.A.R.E. administration
- **May 9** -- Annual Meeting registration opens
- **May 19** -- "In the Know" webcast at 3 p.m. EDT
- **May 24** -- April L.A.R.E. administration results available for boards
- **May 26** -- April L.A.R.E. administration results available for candidates

[Visit the CLARB website](#) for information about Board of Directors meetings and minutes.

### Today at 3 p.m. EDT: Embracing a Consistent Practice of Foresight; Next Month, Empowering Boards to Fill Vacancies



#### Today, April 21 at 3 p.m. EDT: Embracing a Consistent Practice of Foresight

While foresight may not be high on our list of daily tasks, after this webcast, we'll all feel a greater sense of awareness -- and urgency -- about some big changes that are happening and how they might inform our thinking and actions. Jeff De Cagna, our guest presenter, will share why a consistent practice of foresight matters and how it can help you and your colleagues make sense of, make meaning around and make good decisions about the future. Jeff is fond of saying, "The future will not cooperate. It will not negotiate. It will not wait."

Accessing the webcast is easy!

#### Computer

- Step 1: Log in. There's no need to pre-register. [Simply log in](#) when it's time to begin.
- Step 2: Dial in. Dial 1-800-501-8979 and enter access code 9499463.
- Prior to joining the webcast, we recommend that you [test your computer](#) for compatibility.

#### iPad

- [Install](#)/launch the app. (The app is named Level 3 Web Meeting.)
- Enter the conference phone number: 8005018979 (no dashes).
- Enter the access code: 9499463.
- Follow the prompts to join the meeting.
- Use your phone to dial 1-800-501-8979 and enter access code 9499463.

#### Thursday, May 19 at 3 p.m. EDT: Filling Board Vacancies

Filling board vacancies remains a challenge. During the May webcast, you'll hear about and discuss the various processes currently being used to fill board vacancies and orient new board

members. Also, share your thoughts about how your board could be better empowered in the future to fill vacancies. Mark your calendar now and stay tuned in May for access details!

#### About CLARB's "In the Know" Series

This series is designed to ensure that you are "in the know" about key issues, programs, activities and processes that are part of CLARB's work on behalf of you, our members. The events are prepared for your benefit and exclusive use and we respectfully ask that access information for these events not be shared with the public. [Visit the "in the know" archive](#) to access recordings and documents from previous events.

## **Task Analysis Deadline Extended to April 25**

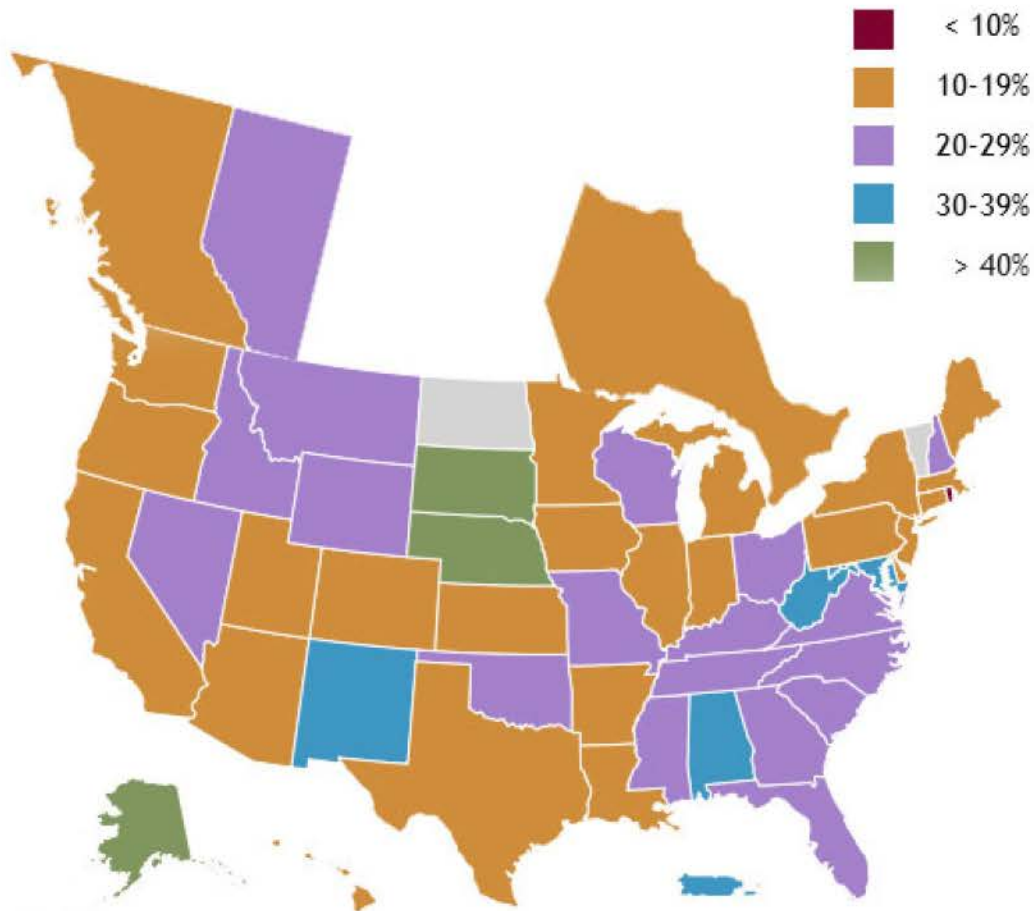
The licensure task analysis survey deadline has been extended through Monday, April 25. There's still time to help promote survey participation to your licensees. See how your jurisdiction ranks among other members in the graphic below.

If you're a landscape architect, don't forget: if you complete the survey, you'll be entered to win one of five \$250 USD Visa gift cards. It should take about 30 minutes and you can stop and return to it later by using the same link and device to access the survey (just be sure to have cookies enabled and click "next" to save responses).

[Learn more](#) about the task analysis or [complete the survey](#) now.

# North American Task Analysis Participation

Percentage of each jurisdiction's licensees that have responded to the survey.



defend



adapt



innovate

CLARB

2016 Annual Meeting  
September 22-24  
Philadelphia

## A Sneak Peek of the Annual Meeting

Annual Meeting planning is underway with registration opening on Monday, May 9. This year's schedule is designed to help you defend licensure, adapt to the current regulatory environment and help show how we are innovating for our future.

Get this year's meeting on your calendar now because you won't want to miss these stand-out sessions:

- **Trends in Regulation:** Get a big picture view of regulation across regulated professions, not just landscape architecture. A representative from the Federation of Associations of Regulatory Boards (FARB) will share what trends and issues FARB members are reporting.
- **Model Law Update:** CLARB is working to update the Model Law. Take part in an interactive, problem-solving discussion about how the Model Law might be updated to strengthen regulation and help keep boards relevant.
- **Task Analysis Results:** You'll want to stay until the very end of this year's meeting to attend the in-depth information session about the Task Analysis results. CLARB's Psychometrician will present the findings from this year's survey and how/if the exam will be impacted.

Stay tuned in May for more information including how to register. If you need justification for attending the meeting prior to May 9, contact Missy Sutton ([msutton@clarb.org](mailto:msutton@clarb.org); 703-949-9466).

## Albizo Named to FARB Advocacy Committee

Chief Executive Officer Joel Albizo was recently named to the newly-formed advocacy committee of the Federation of Associations of Regulatory Boards (FARB). The committee will play a key role in the organization's effort to add an informed, rational and persuasive voice to the ongoing policy debate on professional regulation. Last year's North Carolina State Board of Dental Examiners v. FTC decision complicated this conversation by creating uncertainty around precisely what constitutes "active state supervision" and what board actions may actually constitute an antitrust violation.



While the committee has begun work on a comprehensive action plan to make this happen, FARB has stepped up its efforts in the advocacy arena to address new challenges and opportunities. Most recently the organization provided helpful support to licensure challenges in Arizona and North Carolina, by underscoring the Constitutional responsibility and ability of states to protect the public through regulation and the unique, demonstrated benefits of boards made up of volunteer regulators.

"It feels a little like drinking from a fire hose at this point," said Albizo, "but it's an indication of the need for leadership and support in this area." He believes that the organization will quickly focus on the best approach to "advance the cause of responsible and efficient regulation in the public interest."

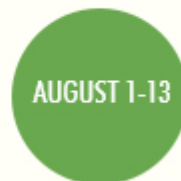
## UPCOMING L.A.R.E. DATES



Registration  
Open for the  
August  
Administration



April Exam  
Results  
Available



Exam  
Administration

# Landscape Architect Registration Examination (LARE) California and National Pass Rates

## LARE Sections

- 1 - Project and Construction Administration
- 2 - Inventory and Analysis
- 3 - Design
- 4 - Grading, Drainage and Construction Documentation

2014	March 31-April 12							August 18-30							December 1-13							Total										
	California			National				Diff.	California			National				Diff.	California			National				Diff.	California			National				Diff.
	Total	Pass	%	Total	Pass	%	Total		Pass	%	Total	Pass	%	Total	Pass		%	Total	Pass	%	Total	Pass	%		Total	Pass	%	Total	Pass	%	Total	
1	46	33	72%	351	260	74%	-2%	59	40	68%	303	203	67%	1%	53	39	74%	296	219	74%	0%	158	112	71%	950	682	72%	-1%				
2	47	26	55%	326	222	68%	-13%	46	32	70%	271	192	71%	-1%	58	40	69%	314	223	71%	-2%	151	98	65%	911	637	70%	-5%				
3	28	22	79%	275	215	78%	1%	34	17	50%	251	175	70%	-20%	37	28	76%	250	180	72%	4%	99	67	68%	776	570	73%	-5%				
4	48	28	58%	338	210	62%	-4%	46	24	52%	271	159	59%	-7%	37	14	38%	301	163	54%	-16%	131	66	50%	910	532	58%	-8%				

2015	April 6-18							August 3-15							November 30 - December 13							Total										
	California			National				Diff.	California			National				Diff.	California			National				Diff.	California			National				Diff.
	Total	Pass	%	Total	Pass	%	Total		Pass	%	Total	Pass	%	Total	Pass		%	Total	Pass	%	Total	Pass	%		Total	Pass	%	Total	Pass	%	Total	
1	61	41	67%	420	327	77%	-10%	42	27	64%	258	185	72%	-8%	77	62	81%	373	283	76%	5%	180	130	72%	1051	795	76%	-3%				
2	64	37	58%	380	269	70%	-12%	45	32	71%	286	208	73%	-2%	66	42	64%	349	258	74%	-10%	175	111	63%	1015	735	72%	-9%				
3	50	37	74%	343	260	75%	-1%	39	22	56%	285	208	73%	-17%	47	28	60%	317	228	72%	-12%	136	87	64%	945	696	74%	-10%				
4	50	25	50%	348	201	57%	-7%	53	35	66%	301	201	67%	-1%	52	32	62%	346	218	63%	-1%	155	92	59%	995	620	62%	-3%				

2016	April 4-16*							August 1-13							December 5-17														
	California			National				Diff.	California			National				Diff.	California			National				Diff.					
	Total	Pass	%	Total	Pass	%	Total		Pass	%	Total	Pass	%	Total	Pass		%	Total	Pass	%	Total	Pass	%		Total	Pass	%		
1																													
2																													
3																													
4																													

\*Results available by May 27, 2016

## Agenda Item H

### **REVIEW AND CONSIDER REQUEST BY EXPIRED LICENSEE 2016-1 FOR RE-LICENSURE, PURSUANT TO TITLE 16 CALIFORNIA CODE OF REGULATIONS (CCR) SECTION 2624 (EXPIRED LICENSE – THREE YEARS AFTER EXPIRATION)**

The Landscape Architects Technical Committee (LATC) received a re-licensure application for:

Applicant: Leslie Ryan  
Former License Number: LA 3167  
License Issued: November 30, 1989  
License Expired: September 30, 2012

Pursuant to Business and Professions Code section (BPC) 5680.2(c) and California Code of Regulations section (CCR) 2624, an applicant whose license has been expired for more than three years, but less than five years, must obtain LATC approval for re-licensure.

BPC 5680.2(c) reads as follows:

“The applicant takes and passes the examination which would be required of the applicant if the applicant were then applying for the license for the first time, or otherwise establishes to the satisfaction of the board that the applicant is qualified to practice landscape architecture.”

CCR 2624 reads as follows:

“An applicant whose landscape architect license has been expired for more than three years but less than five years shall be eligible for a new license upon:

- (a) Complying with the provisions of Business and Professions Code Section 5680.2;
- (b) Completing the re-licensure application process as follows:
  - (1) Submitting application for examination and all fees required of first-time applicants (see sections 2610 and 2649);
  - (2) Submitting work samples and supporting materials that demonstrate applicant’s current knowledge and experience in landscape architecture; and
  - (3) Passing current sections of the national licensing examination, if any, designated by the Landscape Architects Technical Committee.
- (c) Passing the California Supplemental Examination.”

A re-licensure application packet was provided to LATC members David Allan Taylor, Jr. and Marq Truscott for review. The packet contained Ms. Ryan’s Eligibility Application, current resume, statement explaining the circumstances of the expired license and three work samples. The members were asked to review her portfolio of information and provide a recommendation to the LATC.

At today's meeting, LATC will be asked to determine whether: 1) Ms. Ryan has demonstrated minimal competence through the application packet and portfolio without examination, or 2) any current section(s) of the national licensing examination must be passed prior to becoming eligible for a new license.

ATTACHMENTS:

1. Relicensure Procedures
2. Relicensure Review Guidelines





## RE-LICENSURE PROCEDURES

Pursuant to Business and Professions Code (BPC) section 5680.2 and California Code of Regulations section 2624, a landscape architect license which is not renewed within three years after its expiration, may not be renewed, restored, reissued, or reinstated thereafter; however, an applicant whose license has been expired for more than three years but less than five years shall be eligible for a new license if:

1. No fact, circumstance, or condition exists which, if the license were issued, would justify its revocation or suspension,
2. The applicant pays all of the fees which would be required of the applicant if the applicant were then applying for the license for the first time,
3. The applicant takes and passes the examination which would be required of the applicant if the applicant were then applying for the license for the first time, or otherwise establishes to the satisfaction of the Landscape Architects Technical Committee (LATC) that the applicant is qualified to practice landscape architecture, and
4. The applicant takes and passes the California Supplemental Examination (CSE).

In order for you to legally practice landscape architecture in California, it will be necessary to obtain a new landscape architect license. As outlined below, you may submit an eligibility application, CSE application, and portfolio for the LATC's review that demonstrates your knowledge and skills in landscape architecture. If this review demonstrates to the LATC's satisfaction that you are qualified to practice landscape architecture, the licensing examination or portions thereof, may be waived. This option is available only to those individuals whose license has been expired for more than three (3) years but less than five (5) years. Be advised that there are specific conditions associated with the portfolio review option.

The LATC requires that your portfolio include your most current work samples. If the samples are for work performed in California **after** the expiration of your license, such work may constitute unlicensed activity, a violation of BPC section 5640, and grounds for denial of a new license. However, where the unlicensed activity is not of a serious nature (e.g., does not involve consumer harm or a pattern of disregard for the licensing laws), the LATC may choose to address the unlicensed activity by issuance of an administrative citation and the imposition of a fine rather than denial of the license application.

If you believe you qualify for a new license under the portfolio review alternative, thoroughly read and follow the instructions on the subsequent pages. **Your portfolio packet must be complete when submitted.** Receipt of additional material after receipt of original packet will not be accepted.

## INSTRUCTIONS FOR COMPLETING THE RE-LICENSURE APPLICATION PACKET

Portfolio packages must be received 60 days prior to the LATC meeting at which they will be considered. Visit [www.latc.ca.gov](http://www.latc.ca.gov) for meeting schedule. Portfolio packets received after that time will be reviewed at the next scheduled LATC meeting. All materials submitted become the property of the LATC and will not be returned. You will be notified of the decision of the LATC within 30 days of the meeting at which your information was reviewed.

### **To be considered for a new license, you must submit the following fees and documents:**

1. A completed Eligibility Application and CSE application.
2. A check payable to the LATC in the amount of \$345, to cover the eligibility application fee (\$35), the California Supplemental Examination (CSE) application fee (\$35), and the CSE fee (\$275).
3. A statement to explain the circumstances of your expired license.
4. Vitae/resume of relevant professional practice and educational experience to date. Please list in chronological order.
5. A minimum of two references from landscape architects licensed in California to verify the period of your work experience since your license expired.
6. Work samples that demonstrate your current knowledge and experience in the practice of landscape architecture. Please submit two copies of each work sample.

### **The work samples must be complete and meet the criteria listed below.**

1. Please submit your most recent work. Work submitted must be your own work. If part of the work samples includes work other than your own, clearly identify the work you personally performed.
2. All work samples must be dated.
3. Each work sample must include a brief description and the content must be self-evident. Label, or in some manner, identify the category under which each work sample is to be considered.
4. Place your signature or initials on every page of each work sample submitted.
5. Submit work samples in a manner that demonstrates your knowledge, skills and abilities under each category as described below.

## WORK SAMPLE CATEGORIES

### Project and Construction Management

- ◆ Project Management
  - Determine Project Scope and Client Requirements
  - Establish and Monitor Project Budgets (or Statement of Probable Cost)
  - Establish Scope of Services and Required Outside Expertise
  - Develop Program
  - Prepare and Review Contractual Agreements
  - Coordinate Topographical Survey and Develop Project Base Map
  - Establish Project Schedule
  - Facilitate Meetings (e.g. staff, government regulations, consultants, clients)
  - Coordinate Other Discipline's Documents
  - Document Design Decisions and Project Base Map
  - Prepare Technical Memorandum and Graphics
  - Obtain Input from Stakeholders Regarding Project
  - Coordinate Construction Documents (internally, with clients, and with other consultants)
- ◆ Bidding and Construction
  - Respond to Bidder Requests for Information
  - Issue Addenda to Construction Documents
  - Participate in Construction Meetings
  - Respond to Contractor Requests for Information
  - Review and Respond to Shop Drawings
  - Prepare Change Orders
  - Conduct Construction Site Review and Documentation
  - Perform Substantial Completion Inspection
  - Perform Final Inspection

### Inventory and Analysis

- ◆ Site Inventory
  - Determine Applicable Codes, Regulations, and Permitting Requirements
  - Conduct Onsite Investigation
  - Collect and Record Site Inventory
  - Identify Gaps and Deficiencies
- ◆ Analysis of Existing Conditions
  - Analyze Codes and Regulations for Design Impact
  - Perform Site Use Analysis
  - Perform Circulation Analysis
  - Interpret Utility Analysis
  - Perform View Analysis
  - Perform Microclimate Analysis
  - Interpret Floodplain Conditions
  - Perform Vegetation Analysis
  - Perform Solar Analysis
  - Interpret Ecological Analysis (e.g. habitat, biodiversity)
  - Perform a Slope Analysis
  - Interpret Soil Analysis
  - Interpret Geotechnical Analysis
  - Perform Small-Scale Surface Hydrological Analysis
  - Interpret Stakeholder Input
  - Analyze On and Offsite Relationships

### Design

- ◆ Concept Development
  - Synthesize Site Opportunities and Constraints
  - Refine Program
  - Create Design Alternatives
  - Analyze Design Alternatives
  - Develop Concept Narrative
  - Refine Conceptual Design(s)

- Prepare Conceptual Renderings
- ◆ Design Development
  - Develop Master Plan Documents (e.g. land-use, circulation, phasing plan, and guidelines)
  - Perform Earthwork Analysis
  - Refine the Preferred Design Alternative
  - Develop Preliminary Site Plans, Sections, and Details
  - Prepare Illustrative Graphics (e.g. perspectives, elevations, plans, sections)
  - Investigate, Verify Availability, and Select Design Materials and Component

**Grading, Drainage and Construction Documentation**

- ◆ Exam
  - Prepare Existing Conditions Plan
  - Prepare Demolition and Removal Plan
  - Prepare Site Protection and Preservation Plans (e.g. soil, existing features, existing pavements, historic elements, vegetation)
  - Prepare Erosion and Sediment-Control Plan
  - Prepare Layout and Materials Plan
  - Prepare Grading Plan
  - Prepare Stormwater Management Plan
  - Prepare Planting Plans
  - Prepare Project Sections and Profiles
  - Prepare Construction Details
  - Prepare General Contract and Bidding Specifications
  - Prepare Technical Specifications

In accordance with BPC section 5640, it is a misdemeanor, punishable by a fine of not less than (\$100) nor more than (\$5,000) or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment, for any person, who, without possessing a valid, unrevoked license engages in the practice of landscape architecture or uses the title or term "landscape architect," "landscape architecture," "landscape architectural," or any other titles, words, or abbreviations that would imply or indicated that he or she is a landscape architect.

I, \_\_\_\_\_, declare under penalty of perjury under the laws of the State of California that all of the work samples submitted herein are exclusively my own work except where it is clearly identified which portion of the work samples is not my own.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**Re-licensure Review**

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

Date Application Received: \_\_\_\_\_

Expired License Number: \_\_\_\_\_

Original Issue Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

**Instructions to Reviewer:**

The following materials are included for your review:

- ◆ An Eligibility/Examination Application for First Time Candidates
- ◆ A statement explaining the circumstances pertaining to the expired license
- ◆ Vitae/resume of relevant professional practice and educational experience to date
- ◆ Two references from landscape architects licensed in California to verify the period of work experience since license expired
- ◆ Work samples that demonstrate applicant's current knowledge and experience in the practice of landscape architecture

List the date(s) of the work samples provided by the applicant:

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Was landscape architectural work performed after license expired?

Yes  No

Applicant: \_\_\_\_\_

Please check the appropriate box when indicating if work samples submitted demonstrate current knowledge and experience in the following categories (if required knowledge and experience in the specified category is clearly demonstrated, check 2; if it is met, check 1; if it is not met, check 0):

### Project and Construction Management

- |  | <b>Requirement Met</b>     | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|--|----------------------------|------------------------------|-----------------------------|
| ◆ Project Management   | 2 <input type="checkbox"/> | 1 <input type="checkbox"/>   | 0 <input type="checkbox"/>  |
| ○ Determine Project Scope and Client Requirements  |                            |                              |                             |
| ○ Establish and Monitor Project Budgets (or Statement of Probably Cost)                    |                            |                              |                             |
| ○ Establish Scope of Services and Required Outside Expertise                               |                            |                              |                             |
| ○ Develop Program  |                            |                              |                             |
| ○ Prepare and Review Contractual Agreements  |                            |                              |                             |
| ○ Coordinate Topographical Survey and Develop Project Base Map                             |                            |                              |                             |
| ○ Establish Project Schedule   |                            |                              |                             |
| ○ Facilitate Meetings (e.g. staff, government regulators, consultants, clients)            |                            |                              |                             |
| ○ Coordinate Other Discipline's Documents  |                            |                              |                             |
| ○ Document Design Decisions and Project Communication                                      |                            |                              |                             |
| ○ Prepare Technical Memorandum and Graphics  |                            |                              |                             |
| ○ Obtain Input from Stakeholders Regarding Project   |                            |                              |                             |
| ○ Coordinate Construction Documents (internally, with clients, and with other consultants) |                            |                              |                             |
| ◆ Bidding and Construction   | 2 <input type="checkbox"/> | 1 <input type="checkbox"/>   | 0 <input type="checkbox"/>  |
| ○ Respond to Bidder Requests for Information   |                            |                              |                             |
| ○ Issue Addenda to Construction Documents  |                            |                              |                             |
| ○ Participate in Construction Meetings   |                            |                              |                             |
| ○ Respond to Contractor Requests for Information   |                            |                              |                             |
| ○ Review and Respond to Submittals   |                            |                              |                             |
| ○ Review and Respond to Shop Drawings  |                            |                              |                             |
| ○ Prepare Change Orders  |                            |                              |                             |
| ○ Conduct Construction Site Review and Documentation                                       |                            |                              |                             |
| ○ Perform Substantial Completion Inspection  |                            |                              |                             |
| ○ Perform Final Inspection   |                            |                              |                             |

### Inventory and Analysis

- |  | <b>Requirement Met</b>     | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|--|----------------------------|------------------------------|-----------------------------|
| ◆ Site Inventory   | 2 <input type="checkbox"/> | 1 <input type="checkbox"/>   | 0 <input type="checkbox"/>  |
| ○ Determine Applicable Codes, Regulations, and Permitting Requirements |                            |                              |                             |
| ○ Conduct Onsite Investigation   |                            |                              |                             |
| ○ Collect and Record Site Inventory                                    |                            |                              |                             |
| ○ Identify Gaps and Deficiencies                                       |                            |                              |                             |
| ◆ Analysis of Existing Conditions                                      | 2 <input type="checkbox"/> | 1 <input type="checkbox"/>   | 0 <input type="checkbox"/>  |
| ○ Analyze Codes and Regulations for Design Impact                      |                            |                              |                             |
| ○ Perform Site Use Analysis  |                            |                              |                             |
| ○ Perform Circulation Analysis   |                            |                              |                             |
| ○ Interpret Utility Analysis   |                            |                              |                             |
| ○ Perform View Analysis  |                            |                              |                             |
| ○ Perform Microclimate Analysis  |                            |                              |                             |
| ○ Interpret Floodplain Conditions                                      |                            |                              |                             |

- Perform Vegetation Analysis
- Perform Solar Analysis
- Interpret Ecological Analysis (e.g. habitat, biodiversity)
- Perform a Slope Analysis
- Interpret Soil Analysis
- Interpret Geotechnical Analysis
- Perform Small-Scale Surface Hydrological Analysis
- Interpret Stakeholder Input
- Analyze On and Offsite Relationships

**Design**

**Requirement Met**    Yes     No

- ◆ Concept Development 2     1     0 
  - Synthesize Site Opportunities and Constraints
  - Refine Program
  - Create Design Alternatives
  - Analyze Design Alternatives
  - Develop Concept Narrative
  - Refine Conceptual Design(s)
  - Prepare Conceptual Renderings
- ◆ Design Development 2     1     0 
  - Develop Master Plan Documents (e.g. land-use, circulation, phasing plan, and guidelines)
  - Perform Earthwork Analysis
  - Refine the Preferred Design Alternative
  - Develop Preliminary Site Plans, Sections, and Details
  - Prepare Illustrative Graphics (e.g. perspectives, elevations, plans, sections)
  - Investigate, Verify Availability, and Select Design Materials and Component

**Grading, Drainage and Construction Documentation**

**Requirement Met**    Yes     No

- ◆ Exam 2     1     0 
  - Prepare Existing Conditions Plan
  - Prepare Demolition and Removal Plan
  - Prepare Site Protection and Preservation Plans (e.g. soil, existing features, existing pavements, historic elements, vegetation)
  - Prepare Erosion and Sediment-Control Plan
  - Prepare Layout and Materials Plan
  - Prepare Grading Plan
  - Prepare Stormwater Management Plan
  - Prepare Planting Plans
  - Prepare Project Sections and Profiles
  - Prepare Construction Details
  - Prepare General Contract and Bidding Specifications
  - Prepare Technical Specifications

Applicant: \_\_\_\_\_

**RECOMMENDATION**

- ◆ Recommend the LATC approve the re-licensure application with the stipulation that the applicant take and pass the California Supplemental Examination.
  
- ◆ Recommend the LATC deny the re-licensure application. Applicant must take and pass section(s) of the Landscape Architect Registration Examination as indicated below and the California Supplemental Examination.

**LARE Section(s) required if applicable:** 1 \_\_\_\_\_ 2 \_\_\_\_\_ 3 \_\_\_\_\_ 4 \_\_\_\_\_

- 1: Project and Construction Management
- 2: Inventory and Analysis
- 3: Design
- 4: Grading, Drainage and Construction Documentation

Please list the basis for recommending section(s) of the LARE to be taken. (Use additional paper if necessary)

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Signature of Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_



## Agenda Item I

### **DISCUSS AND POSSIBLE ACTION ON PROPOSED LANGUAGE TO AMEND OR REPEAL BUSINESS AND PROFESSIONS CODE SECTION 5680.2 (LICENSE RENEWAL – THREE YEARS AFTER EXPIRATION) AND PROPOSED REGULATIONS TO AMEND OR REPEAL (TITLE 16 CCR, SECTIONS 2624 (EXPIRED LICENSE – THREE YEARS AFTER EXPIRATION) AND 2624.1 (EXPIRED LICENSE – FIVE YEARS AFTER EXPIRATION))**

The Landscape Architects Technical Committee's (LATC) Strategic Plan contains an objective to "assess whether any revisions are needed to the regulations, procedures, and instructions for expired license requirements." At the August 6, 2015 LATC meeting, the Committee reviewed the procedures and expired license requirements contained in Business and Professions Code (BPC) section 5680.2 and California Code of Regulations (CCR) section 2624. The Committee then directed staff to assess whether the California Architects Board's (Board) procedures and requirements should be considered for use by LATC.

At the November 17, 2015 LATC meeting, staff presented as directed a summary of the re-licensure procedures and requirements that are followed by LATC, Board, and six landscape architecture licensing boards. The Committee discussed the LATC's portfolio review process currently available to its re-licensure applicants who hold a license that has been expired for more than three years but less than five years. The Committee determined that the portfolio review can be subjective and may not be the best method to determine an individual's knowledge and skill level. After review of all of the material, the Committee concluded that additional information and further discussion was necessary in order to revise the LATC's re-licensure procedures. The Committee directed staff to expand the research of re-licensure procedures for additional licensing boards and present the findings at the next meeting.

At the February 10, 2016 LATC meeting, re-licensure procedures of ten additional state licensing boards were presented to the Committee. Upon review, the Committee directed staff to draft proposed language to amend the LATC's re-licensure procedures, similar to the Board's, to require an individual whose license has expired for less than five years to pay any accrued fees, and to require the holder of a license that has expired for more than five years to reapply for licensure and retake the California Supplemental Examination (CSE).

Staff prepared the attached proposed language to amend BPC 5680.2 and repeal CCR 2624 and 2624.1 with the advice of legal counsel.

At today's meeting, the LATC is asked to consider and take possible action on proposed language to amend BPC 5680.2 and repeal CCR 2624 and 2624.1.

#### ATTACHMENTS:

1. Proposed Language to Amend BPC 5680.2 (License Renewal - Three Years After Expiration)
2. Proposed Regulatory Language to Repeal CCR 2624 (Expired License - Three Years After Expiration) and 2624.1 (Expired License - Five Years After Expiration)

**CALIFORNIA ARCHITECTS BOARD  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE  
PROPOSED LANGUAGE**

The California Architects Board proposes changes to Chapter 3.5 of Division 3 of the Business and Professions Code as follows:

**§ 5680.2 ~~License Renewal Three Years After Expiration~~ Failure to Renew Within Five Years; Issuance of New License; Conditions**

A license which is not renewed within ~~three~~five years after its expiration may not be renewed, restored, reissued, or reinstated thereafter, but the holder of the expired license may apply for and obtain a new license if:

(a) No fact, circumstance, or condition exists which, if the license were issued, would justify its revocation or suspension.

(b) The ~~applicant~~ holder of the expired license pays ~~all of the fees which would be~~ required of ~~the new~~ applicants. ~~if the applicant were then applying for the license for the first time.~~

(c) The ~~applicant~~ holder of the expired license takes and passes the current California Supplemental Examination. ~~examination which would be required of the applicant if the applicant were then applying for the license for the first time, or otherwise establishes to the satisfaction of the board that the applicant is qualified to practice landscape architecture.~~

~~—The board may, by regulation, authorize waiver or refund of all or any part of the examination fee in those cases in which a license is issued without an examination under this section.~~

**CALIFORNIA ARCHITECTS BOARD  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE  
PROPOSED REGULATORY LANGUAGE**

The California Architects Board proposes changes to Division 26 of Title 16 of the California Code of Regulations as follows:

**Repeal section 2624 - Expired License-Three Years After Expiration**

~~§ 2624. Expired License-Three Years After Expiration~~

~~An applicant whose landscape architect license has been expired for more than three years but less than five years shall be eligible for a new license upon:~~

- ~~(a) Complying with the provisions of Business and Professions Code Section 5680.2;~~
- ~~(b) Completing the re-licensure application process as follows:
  - ~~(1) Submitting application for examination and all fees required of first-time applicants (see sections 2610 and 2649);~~
  - ~~(2) Submitting work samples and supporting materials that demonstrate applicant's current knowledge and experience in landscape architecture; and~~
  - ~~(3) Passing current sections of the national licensing examination, if any, designated by the Landscape Architects Technical Committee;~~~~
- ~~(c) Passing the California Supplemental Examination.~~

**Repeal section 2624.1 - Expired License-Five Years After Expiration**

~~§ 2624.1 Expired License-Five Years After Expiration.~~

~~An applicant whose landscape architect license has been expired for more than five years shall be eligible for a new license upon:~~

- ~~(a) Complying with the provisions of Business and Professions Code section 5680.2, subdivisions (a) and (b) (see also sections 2610 and 2649);~~
- ~~(b) Passing the current national licensing examination; and~~
- ~~(c) Passing the California Supplemental Examination.~~

**Authority cited: Section 5630, Business and Professions Code. Reference: Section 5680.2, Business and Professions Code.**

## **Agenda Item J**

### **REVIEW AND APPROVE INTRA-DEPARTMENTAL CONTRACT WITH THE DEPARTMENT OF CONSUMER AFFAIRS (DCA) OFFICE OF PROFESSIONAL EXAMINATION SERVICES (OPES) FOR CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE) DEVELOPMENT**

The Department of Consumer Affairs' (DCA) Office of Professional Examination Services (OPES) is charged with providing professional psychometric services to DCA boards and bureaus, which include all aspects of the examination validation process (i.e., occupational analyses, examination development, test scoring and statistical analyses, and national examination reviews).

The Landscape Architects Technical Committee's current Intra-Departmental Contract with OPES for development of the California Supplemental Examination (CSE) expires on June 30, 2016. A new contract (attached) is needed for fiscal year (FY) 2016/17 for continued examination development.

The Committee is asked to review and approve the new contract with OPES for CSE development for FY 2016/17.

Attachment:

OPES Intra-Departmental Contract for FY 2016/17

**INTRA-DEPARTMENTAL CONTRACT**

CONTRACT NUMBER <b>IAC #75729</b>	AMENDMENT NUMBER
--------------------------------------	------------------

- This Contract is entered into between the Board/Bureau/Divisions named below  
REQUESTING BOARD/BUREAU/DIVISION'S NAME  
**California Architects Board/Landscape Architects Technical Committee (Committee)**  
PROVIDING BOARD/BUREAU/DIVISION'S NAME  
**Office of Professional Examination Services (OPES)**
- The term of this Contract is: **August 1, 2016 through June 30, 2017**
- The maximum amount of this Contract is: **\$27,660**
- The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Contract:

**California Supplemental Exam  
Written Examination Development**

Exhibit A – Scope of Work	1 Page
• Attachment I - Project Plan	1 Page
• Attachment II - Roles and Responsibilities	2 Pages
Exhibit B – Budget Detail and Payment Provision	1 Page
• Attachment I - Cost Sheet - Global Costs	2 Pages
Exhibit C – General Terms and Conditions	1 Page
Exhibit D – Special Terms and Conditions	1 Page

**IN WITNESS WHEREOF, this Contract has been executed by the parties hereto.**

<b>DEPARTMENT OF CONSUMER AFFAIRS</b>		<b>Department of Consumer Affairs Contracts Unit Use Only</b>
<small>REQUESTING BOARD/BUREAU/DIVISION'S NAME</small> <b>California Architects Board/Landscape Architects Technical Committee</b>		
<small>BY (Authorized Signature)</small> 	<small>DATE SIGNED</small>	
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small> <b>Douglas R. McCauley, Executive Officer</b>		
<small>ADDRESS</small> <b>2420 Del Paso Road, Suite 105 Sacramento, CA 95834</b>		
<small>BUDGET OFFICER'S SIGNATURE</small> 		
<b>DEPARTMENT OF CONSUMER AFFAIRS</b>		
<small>PROVIDING BOARD/BUREAU/DIVISION'S NAME</small> <b>Office of Professional Examination Services</b>		
<small>BY (Authorized Signature)</small> 	<small>DATE SIGNED</small>	
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small> <b>Heidi Lincer, Chief</b>		
<small>ADDRESS</small> <b>2420 Del Paso Road, Suite 265 Sacramento, CA 95834</b>		
<small>BUDGET OFFICER'S SIGNATURE</small> 		

## EXHIBIT A

### SCOPE OF WORK

1. The Office of Professional Examination Services (OPES) agrees to provide the following services:

Develop new items for the Landscape Architects Technical Committee California Supplemental Exam (CSE) and establish the passing score for one new form.

2. The Landscape Architects Technical Committee (Committee) agrees to provide the following services:

See attached: I. Project Plan  
II. Roles and Responsibilities

3. The project representatives during the term of this agreement will be:

**Requesting Committee:**

Name: Douglas R. McCauley  
Phone: (916) 575-7231  
Fax: (916) 575-7285

**Office of Professional Examination Services:**

Name: Heidi Lincer  
Phone: (916) 575-7240  
Fax: (916) 419-1697

Direct all agreement inquiries to:

**Department of Consumer Affairs  
Contracts Unit:**

Address: 1625 North Market Blvd. Suite S-103  
Sacramento, CA 95834  
Phone: (916) 574-7277  
Fax: (916) 574-8658



**INTRA-AGENCY CONTRACT AGREEMENT (IAC) #75729**  
**PROJECT PLAN**  
*for*  
**LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE**  
**CALIFORNIA SUPPLEMENTAL EXAM**  
**WRITTEN EXAMINATION DEVELOPMENT**  
**FISCAL YEAR 2016-17**

**Project Objectives:** *Develop new items for the Landscape Architects Technical Committee California Supplemental Exam (CSE) and establish the passing score for one new form.*

**Proposed Completion Date:** June 30, 2017

**Committee Contact:** Trish Rodriguez  
(916) 575-7231

**OPES Contact:** Raul Villanueva  
(916) 575-7255

MAJOR PROJECT EVENTS	TARGET DATE	RESPONSIBILITY
<b>1. Item Writing Workshop</b> > Recruit for 2-day item writing workshop > Prepare for workshop > Conduct workshop > Update item bank	Aug. 25-26, 2016	Committee OPES OPES OPES
<b>2. Item Review Workshop</b> > Recruit for 2-day item review workshop > Prepare for workshop > Conduct workshop > Develop item bank	Sept. 15-16, 2016	Committee OPES OPES OPES
<b>3. Item Writing Workshop</b> > Recruit for 2-day item writing workshop > Prepare for workshop > Conduct workshop > Update item bank	Oct. 3-4, 2016	Committee OPES OPES OPES
<b>4. Item Review Workshop</b> > Recruit for 2-day item review workshop > Prepare for workshop > Conduct workshop > Update item bank	Oct. 17-18, 2016	Committee OPES OPES OPES
<b>5. Exam Construction Workshop</b> > Recruit for 2-day workshop > Prepare for workshop > Conduct workshop > Develop examination	Nov. 3-4, 2016	Committee OPES OPES OPES
<b>6. Passing Score Workshop</b> > Recruit for 2-day workshop > Prepare for workshop > Conduct workshop > Develop passing score	Dec. 1-2, 2016	Committee OPES OPES OPES
<b>7. Exam Production: Convert Exam to PSI</b> > Edit and review of final CSE items > Submit exam to PSI for launch > PSI launch of exam	June 2017	OPES OPES OPES

**INTRA-AGENCY CONTRACT AGREEMENT (IAC) #75729**

**ROLES AND RESPONSIBILITIES  
for  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE**

**CALIFORNIA SUPPLEMENTAL EXAM  
WRITTEN EXAMINATION DEVELOPMENT**

**FISCAL YEAR 2016-17**

**INTRODUCTION**

The purpose of licensing examinations is to identify persons who possess the minimum knowledge and experience necessary to perform tasks on the job safely and competently. The content of the examination should be based upon the results of an occupational analysis of practice so that the examination assesses the most critical competencies of the job.

The examination development process requires approximately 60 Licensed Landscape Architects to serve as subject matter experts (SMEs). Eight to ten SMEs are needed for each workshop. The SMEs in each workshop should be unique to ensure objectivity in all aspects of examination development.

Item writing, item review, examination construction, and passing score processes are included in examination development services to be provided.

**ROLE OF THE COMMITTEE**

The primary role of the Committee is to recruit a representative sample of SMEs for development of the examination.

The selection of SMEs critically affects the quality and defensibility of an examination program. The SMEs selected to participate in an examination development workshop panel should:

- Reflect the profession in terms of geographical location, practice specialty area, ethnicity, and gender
- Be currently working in the field and have up-to-date skills
- Maintain a current license in good standing that is not retired nor inactive

Additionally, roughly half of the SMEs in each workshop should have received their license within the past five years to ensure entry-level perspective is maintained.

The Committee has the ultimate responsibility for acquiring any reference materials to be used by the SMEs to develop examination items.

Due to potential conflict of interest, undue influence, and/or security considerations, board members, committee members, and instructors shall not serve as SMEs for, nor participate in, any aspect of licensure exam development or administration, pursuant to DCA Policy OPES 11-01.



Following each workshop, OPES and Board staff will review the performance of each SME to determine those who should be invited back. Board agrees to recruit SMEs in such a manner as to build a competent pool of representative, productive participants.

## ***ROLE OF THE OFFICE OF PROFESSIONAL EXAMINATION SERVICES***

The Office of Professional Examination Services (OPES) will use a content validation strategy to link the examination(s) to the results of an occupational analysis of practice. During the workshops, OPES will work with the Committee and the SMEs to develop items, review items, construct one or two-forms of an examination, and establish the passing score for each examination.

### ***SECURITY***

OPES has implemented a variety of controls to ensure the integrity, security, and appropriate level of confidentiality of licensure exam programs. These controls vary according to the sensitivity of the information, and will include restricting and/or prohibiting certain items, such as electronic devices, when conducting exam-related workshops.

SMEs are required to provide valid identification, allow for personal belongings to be secured in the reception area during workshops, and sign one or more agreements accepting responsibility for maintaining strict confidentiality of licensing exam material and information to which they have access.

Any person who fails to comply with OPES' security requirements will not be allowed to participate in licensure exam workshops. In addition, any person who subverts or attempts to subvert any licensing exam will face serious consequences which may include loss of licensure and/or criminal charges, per Business and Professions Code section 123.

OPES will notify the Board if any subject matter expert during a workshop violates policy or whose presence is disruptive. OPES reserves the right to immediately dismiss any subject matter expert whose presence poses a security risk. OPES will take steps to manage disruptive behavior; however if said behavior persists and/or prevents other SMEs from completing their tasks, OPES may dismiss the person from the workshop.

### ***SUMMARY OF EVENTS***

- Committee recruits panels of SMEs to serve as item writers.
- OPES works with SMEs to develop items.
- Committee recruits panels of SMEs to serve as item reviewers. The reviewers should be different SMEs than the item writers.
- OPES works with SMEs to review items. Final revisions are made to the items and the bank of new items is edited and prepared for the exam construction workshop.
- Board recruits panels of SMEs to participate in workshops for exam construction.
- OPES works with the SMEs to select items from item bank of new and existing items and constructs the examination forms.
- Committee recruits a panel of SMEs at least half of whom are licensed five years or less, to serve as judges in the passing score workshop. The passing score SMEs must be different SMEs than the item writers or item reviewers to ensure objectivity of the passing score ratings.
- OPES works with SMEs to establish the passing score. OPES analyzes the ratings and prepares a report of findings.

## EXHIBIT B

### BUDGET DETAIL AND PAYMENT PROVISIONS

#### 1. Invoicing and Payment

- A. For services satisfactorily rendered and upon receipt and approval of the invoices, the Landscape Architects Technical Committee (Committee) agrees to compensate the Office of Professional Examination Services (OPES) for services rendered and expenditures incurred.
- B. Invoices shall include the agreement number and shall be submitted on a quarterly basis for the cost of services completed as identified in Exhibit B, Attachment I; any related travel expenses will be billed as actuals. Signed/approved invoices from the Committee will be due to OPES fifteen (15) working days from the date of invoice billings. OPES will then submit the approved invoices to the Department of Consumer Affairs for processing and payment. Invoices will be submitted to:  
  
Douglas R. McCauley  
California Architects Board/Landscape Architects Technical Committee  
2420 Del Paso Road, Suite 105  
Sacramento, CA 95834
- C. The Committee will reimburse OPES for the partial performance (e.g. workshop preparation, rescheduling) of any services provided by OPES if the Committee does not demonstrate in good faith their roles/responsibilities as defined by Attachment II – Roles and Responsibilities.

#### 2. Budget Contingency Clause

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to OPES or to furnish any other considerations under this Agreement and OPES shall not be obligated to perform any provisions of this Agreement.
- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to OPES to reflect the reduced amount.

#### 3. Payment

- A. Costs for this Agreement shall be computed in accordance with State Administrative Manual Sections 8752 and 8752.1.
- B. Nothing herein contained shall preclude advance payments pursuant to Article 1, Chapter 3, Part 1, Division 3, Title 2 of the Government Code of the State of California.

#### 4. Cost

- A. Costs for this Agreement shall be subject to any collective bargaining agreements negotiated in Fiscal Year 2005/2006 or thereafter.



**INTRA-AGENCY CONTRACT AGREEMENT (IAC) #75729**  
**LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE**  
**CALIFORNIA SUPPLEMENTAL EXAM**  
**WRITTEN EXAMINATION DEVELOPMENT COSTS**  
**FISCAL YEAR 2016-17**

1.	Item Writing Workshop	\$ 3,642
2.	Item Review Workshop	\$ 3,306
3.	Item Writing Workshop	\$ 3,642
4.	Item Review Workshop	\$ 3,306
5.	Exam Construction Workshop	\$ 3,642
6.	Passing Score Workshop	\$ 3,306
7.	Exam Production	\$ 2,256
	Administrative Support	\$ 4,560
	<b>TOTAL</b>	<b>\$27,660</b>

Index/PCA/Object Code 6000/60000/427.10

**INTRA-AGENCY CONTRACT AGREEMENT (IAC) #75729  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE**

**CALIFORNIA SUPPLEMENTAL EXAM  
EXAMINATION DEVELOPMENT COSTS**

**FISCAL YEAR 2016-17**

	Test Validation Staff				Editor		Support Staff		Totals	GRAND TOTAL
	\$60		Overtime \$85		\$56		\$43			
	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost		
<b>1. Item Writing Workshop</b>										
Prepare for item writing workshop	16	\$ 960							\$ 960	
Conduct 2-day workshop	16	\$ 960	4	\$ 340	6	\$336	2	\$ 86	\$ 1,722	
Update item bank	16	\$ 960							\$ 960	
										\$ 3,642
<b>2. Item Review Workshop</b>										
Prepare for item review workshop	16	\$ 960							\$ 960	
Conduct 2-day workshop	16	\$ 960	4	\$ 340			2	\$ 86	\$ 1,386	
Develop item bank	16	\$ 960							\$ 960	
										\$ 3,306
<b>3. Item Writing Workshop</b>										
Prepare for item writing workshop	16	\$ 960							\$ 960	
Conduct 2-day workshop	16	\$ 960	4	\$ 340	6	\$ 336	2	\$ 86	\$ 1,722	
Update item bank	16	\$ 960							\$ 960	
										\$ 3,642
<b>4. Item Review Workshop</b>										
Prepare for item review workshop	16	\$ 960							\$ 960	
Conduct 2-day workshop	16	\$ 960	4	\$ 340			2	\$ 86	\$ 1,386	
Update item bank	16	\$ 960							\$ 960	
										\$ 3,306
<b>5. Exam Construction Workshop</b>										
Prepare for exam construction workshop	16	\$ 960							\$ 960	
Conduct 2-day workshop	16	\$ 960	4	\$ 340	6	\$ 336	2	\$ 86	\$ 1,722	
Develop examination	16	\$ 960							\$ 960	
										\$ 3,642
<b>6. Passing Score Workshop</b>										
Prepare for passing score workshop	16	\$ 960							\$ 960	
Conduct 2-day workshop	16	\$ 960	4	\$ 340			2	\$ 86	\$ 1,386	
Develop passing score	16	\$ 960							\$ 960	
										\$ 3,306
<b>7. Exam Production: Convert CSE Exam to PS</b>										
Edit and review of final CSE items	24	\$ 1,440			6	\$ 336			\$ 1,776	
Submit exam to PSI for launch	8	\$ 480							\$ 480	
										\$ 2,256
<b>Administrative Support</b>										
Technical oversight (40 hours @ \$63/hour)									\$ 2,520	
Cost oversight (40 hours @ \$51/hour)									\$ 2,040	
										\$ 4,560
<b>GRAND TOTAL</b>	<b>320</b>	<b>\$19,200</b>	<b>24</b>	<b>\$2,040</b>	<b>24</b>	<b>\$1,344</b>	<b>12</b>	<b>\$516</b>	<b>\$ 27,660</b>	<b>\$ 27,660</b>

## EXHIBIT C

### GENERAL TERMS AND CONDITIONS

1. **Approval:**

This Contract is not valid until signed by both parties.

2. **Payment:**

Costs for this Contract shall be computed in accordance with State Administrative Manual Section 8752 and 8752.1.

## EXHIBIT D

### SPECIAL TERMS AND CONDITIONS

#### 1. **Mutual Cooperation**

The Office of Professional Examination Services (OPES) is entering into a partnership where mutual cooperation is the overriding principle.

#### 2. **Evaluation**

OPES and the Landscape Architects Technical Committee (Committee) reserve the right to evaluate progress, make midcourse corrections as needed, and to negotiate changes to the agreement as necessary to ensure a high quality examination program. This may affect the cost of the analysis.

#### 3. **Examination Criteria**

The primary responsibility of OPES is to develop examinations that are psychometrically sound, legally defensible and job related.

#### 4. **Good Faith Agreement**

In good faith, OPES believes the project steps accurately describe the work to be performed and that the costs are reasonable. This agreement will remain in effect until the work is completed.

## Agenda Item K

### **DISCUSS AND POSSIBLE ACTION ON EXTENSION OF RENEWAL FEE REDUCTION; TITLE 16 CCR SECTION 2649 (FEES)**

In 2013, LATC's budgetary fund condition reflected a balance of 19.5 months of unencumbered funds. Business and Professions Code (BPC) section 128.5 (Unencumbered Funds; Reduction of Fees) requires fees to be reduced if an agency has more than 24 months. The Department of Consumer Affairs' (DCA) Budget Office recommends that agencies maintain unencumbered funds not to exceed 3 months in order to accommodate unanticipated changes in projected revenue and/or expenditures.

To address the surplus in its fund, the LATC implemented a permanent \$200,000 reduction in expenditure authority beginning with Fiscal Year (FY) 2015/16 and temporarily reduced license renewal fees from \$400 to \$220 for the period July 1, 2015 to June 30, 2017. California Code of Regulations (CCR) section 2649(f) was amended to effectuate the temporary fee reduction.

Staff has been monitoring the fund condition and met with DCA's Budget Office personnel in February 2016 to determine if the temporary reduction in renewal fees was sufficient to reduce the fund to an appropriate number of months. Based on current and projected revenue and expenditures, LATC will have 16.8 months in unencumbered funds on June 30, 2017, indicating a need to consider extending the fee reduction for one more renewal cycle, July 1, 2017 through June 30, 2019. Reduction of renewal fees for this period could potentially result in unencumbered funds of 10 months for FY 2017/18 and 3.4 months for FY 2018/19.

In order to reduce the license renewal fees for another cycle, another regulatory change to amend CCR section 2649(f) is needed. Attached is Proposed Regulatory Language to amend CCR 2649(f) prepared by staff. Attached is Proposed Regulator Language to amend CCR(f) prepared by staff.

The LATC is asked to consider the recommendation to temporarily reduce license renewal fees from \$400 to \$220 for the period July 1, 2017 through June 30, 2019 and take possible action.

#### ATTACHMENTS:

1. Proposed Regulatory Language to amend CCR Section 2649 (Fees)
2. LATC Fund Condition - FYs 2014/15 through 2019/20 With and Without Fee Reduction
3. BPC Section 128.5 (Reduction of License Fees in Event of Surplus Funds)

**CALIFORNIA ARCHITECTS BOARD  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE  
PROPOSED REGULATORY LANGUAGE**

*Article 1. General Provisions*

Proposed language to amend California Code of Regulations section 2649 as follows:

**§ 2649 Fees**

The fees for landscape architect applicants and landscape architect licensees shall be fixed by the Board as follows:

- (a) The fee for reviewing an eligibility application or an application to take the California Supplemental Examination is \$35.
- (b) The fee for the California Supplemental Examination is \$275.
- (c) The fee for a duplicate license is \$15.
- (d) The penalty for late notification of a change of address is \$50.
- (e) The fee for an original license is \$400.
- (f) For licenses expiring on or after July 1, 2009, the fee for biennial renewal shall be \$400. For licenses expiring on or after July 1, 2015, the fee for biennial renewal shall be \$220. For licenses expiring on or after July 1, 2017<sup>9</sup>, the fee for biennial renewal shall be \$400.

Authority cited: Section 5630, Business and Professions Code. Reference: Section 5650, Business and Professions Code.



**0757 - Landscape Architects Technical Committee  
Analysis of Fund Condition - With Fee Reduction**

Prepared 4/26/16

## 2016-17 Governor's Budget

	Governor's Budget					
	ACTUAL 2014-15	CY 2015-16	BY 2016-17	BY + 1 2017-18	BY + 2 2018-19	BY + 3 2019-20
<b>BEGINNING BALANCE</b>	\$ 2,527	\$ 2,538	\$ 1,993	\$ 1,449	\$ 886	\$ 302
Prior Year Adjustment	\$ -3	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 2,524	\$ 2,538	\$ 1,993	\$ 1,449	\$ 886	\$ 302
<b>REVENUES AND TRANSFERS</b>						
Revenues:						
125600 Other regulatory fees	\$ 4	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3
125700 Other regulatory licenses and permits	\$ 65	\$ 70	\$ 71	\$ 71	\$ 71	\$ 71
125800 Renewal fees	\$ 697	\$ 387	\$ 385	\$ 385	\$ 385	\$ 697
125900 Delinquent fees	\$ 14	\$ 10	\$ 9	\$ 9	\$ 9	\$ 9
141200 Sales of documents	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 7	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6
150500 Interest Income from Interfund Loans	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
160400 Sale of fixed assets	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
161400 Miscellaneous revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 787	\$ 476	\$ 474	\$ 474	\$ 474	\$ 786
Transfers from Other Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfers to Other Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues and Transfers	\$ 787	\$ 476	\$ 474	\$ 474	\$ 474	\$ 786
Totals, Resources	\$ 3,311	\$ 3,014	\$ 2,467	\$ 1,923	\$ 1,360	\$ 1,088
<b>EXPENDITURES</b>						
Disbursements:						
0840 State Controller (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
8880 Financial Information System for California (State Operations)	\$ 1	\$ 2	\$ 1	\$ -	\$ -	\$ -
1110 Program Expenditures (State Operations)	\$ 772	\$ 1,019	\$ 1,017	\$ 1,037	\$ 1,058	\$ 1,079
Total Disbursements	\$ 773	\$ 1,021	\$ 1,018	\$ 1,037	\$ 1,058	\$ 1,079
<b>FUND BALANCE</b>						
Reserve for economic uncertainties	\$ 2,538	\$ 1,993	\$ 1,449	\$ 886	\$ 302	\$ 9
<b>Months in Reserve</b>	29.8	23.5	16.8	10.0	3.4	0.1

**0757 - Landscape Architects Technical Committee  
Analysis of Fund Condition - Without Fee Reduction**

Prepared 4/26/16

2016-17 Governor's Budget

	Governor's Budget					
	ACTUAL	CY	BY	BY + 1	BY + 2	BY + 3
	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
<b>BEGINNING BALANCE</b>	\$ 2,527	\$ 2,538	\$ 1,993	\$ 1,449	\$ 1,198	\$ 926
Prior Year Adjustment	\$ -3	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 2,524	\$ 2,538	\$ 1,993	\$ 1,449	\$ 1,198	\$ 926
<b>REVENUES AND TRANSFERS</b>						
Revenues:						
125600 Other regulatory fees	\$ 4	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3
125700 Other regulatory licenses and permits	\$ 65	\$ 70	\$ 71	\$ 71	\$ 71	\$ 71
125800 Renewal fees	\$ 697	\$ 387	\$ 385	\$ 697	\$ 697	\$ 697
125900 Delinquent fees	\$ 14	\$ 10	\$ 9	\$ 9	\$ 9	\$ 9
141200 Sales of documents	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 7	\$ 6	\$ 6	\$ 6	\$ 6	\$ 6
150500 Interest Income from Interfund Loans	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
160400 Sale of fixed assets	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
161400 Miscellaneous revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 787	\$ 476	\$ 474	\$ 786	\$ 786	\$ 786
Transfers from Other Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfers to Other Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues and Transfers	\$ 787	\$ 476	\$ 474	\$ 786	\$ 786	\$ 786
Totals, Resources	\$ 3,311	\$ 3,014	\$ 2,467	\$ 2,235	\$ 1,984	\$ 1,712
<b>EXPENDITURES</b>						
Disbursements:						
0840 State Controller (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
8880 Financial Information System for California (State Operations)	\$ 1	\$ 2	\$ 1	\$ -	\$ -	\$ -
1110 Program Expenditures (State Operations)	\$ 772	\$ 1,019	\$ 1,017	\$ 1,037	\$ 1,058	\$ 1,079
Total Disbursements	\$ 773	\$ 1,021	\$ 1,018	\$ 1,037	\$ 1,058	\$ 1,079
<b>FUND BALANCE</b>						
Reserve for economic uncertainties	\$ 2,538	\$ 1,993	\$ 1,449	\$ 1,198	\$ 926	\$ 633
<b>Months in Reserve</b>	29.8	23.5	16.8	13.6	10.3	6.9

**California Business and Professions Code**  
**§ 128.5. Reduction of License Fees in Event of Surplus Funds**

“(a) Notwithstanding any other provision of law, if at the end of any fiscal year, an agency within the Department of Consumer Affairs, except the agencies referred to in subdivision (b), has unencumbered funds in an amount that equals or is more than the agency's operating budget for the next two fiscal years, the agency shall reduce license or other fees, whether the license or other fees be fixed by statute or may be determined by the agency within limits fixed by statute, during the following fiscal year in an amount that will reduce any surplus funds of the agency to an amount less than the agency's operating budget for the next two fiscal years.

(b) Notwithstanding any other provision of law, if at the end of any fiscal year, the California Architects Board, the Board of Behavioral Sciences, the Veterinary Medical Board, the Court Reporters Board of California, the Medical Board of California, the Board of Vocational Nursing and Psychiatric Technicians, or the Bureau of Security and Investigative Services has unencumbered funds in an amount that equals or is more than the agency's operating budget for the next two fiscal years, the agency shall reduce license or other fees, whether the license or other fees be fixed by statute or may be determined by the agency within limits fixed by statute, during the following fiscal year in an amount that will reduce any surplus funds of the agency to an amount less than the agency's operating budget for the next two fiscal years.”

## Agenda Item L

### **REVIEW AND APPROVE DRAFT *CONSUMER'S GUIDE TO HIRING A LANDSCAPE ARCHITECT* FOR PUBLICATION**

As part of its 2015-2016 Strategic Plan, the LATC identified an objective to develop a plan to communicate with the public on the differences between landscape architects, landscape contractors, and landscape designers.

At its November 17, 2015 meeting, staff presented the Committee with a draft *Consumer's Guide to Hiring a Landscape Architect*, which was based on the Board's *Consumer's Guide to Hiring an Architect*. Following discussion, the Committee agreed to create a subcommittee to complete revisions to the guide.

The subcommittee worked with staff to revise the guide. Initial changes made to the Board's guide to align with the LATC are shown in ~~strikeout~~ for deleted text and underline for new text in the attachment. The edits provided by the subcommittee are highlighted in **yellow**.

At its February 10, 2016 meeting, the Committee discussed the revisions made by the subcommittee, and directed staff to add information to the guide on the Model Water Efficient Landscape Ordinance (MWELo) and to include a table outlining the experience and educational requirements for landscape architects and other unlicensed landscape professions. The LATC agreed to table the discussion until the next meeting to allow time for staff to make the additional revisions.

Staff worked with the Committee on adding information to the guide pertaining to MWELo and a table outlining the experience and educational requirements for landscape architects and other unlicensed landscape professions. The new additions are highlighted in **gray**. Subsequent suggested edits by staff are highlighted in **green**.

At today's meeting, the LATC is asked to review the revised *Consumer's Guide to Hiring a Landscape Architect* and take possible action.

#### ATTACHMENT:

*Draft Consumer's Guide to Hiring a Landscape Architect*

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## INTRODUCTION

Are you thinking about hiring a landscape architect? Consumers and businesses often wish to construct or modify landscapes for the purpose of preservation, development, and enhancement. The best approach is to hire a landscape architect to plan, design, and observe the construction of these projects. Working with a landscape architect helps ensure that your project is designed properly.

The Landscape Architects Technical Committee (LATC) examines, licenses, and regulates more than 3,500 landscape architects. Its mission is to protect the health, safety, and welfare of the public.

The LATC has produced this *Consumer's Guide to Hiring a Landscape Architect* to help the consumer understand the sometimes complex and technical nature of landscape architectural services. It provides information on:

- what types of projects require a landscape architect;
- how to find and select a landscape architect;
- what the written contract between you and your landscape architect should contain; and
- how to manage budgeting and construction of your project.

By following the suggestions contained in this guide and carefully planning and thoroughly discussing your project beforehand with your landscape architect, you will help ensure a successful project.

## **THE PRACTICE OF LANDSCAPE ARCHITECTURE**

California law defines the practice of landscape architecture as professional services, for the purpose of landscape preservation, development and enhancement, such as consultation, investigation, reconnaissance, research, planning, design, preparation of drawings, construction documents and specifications, and responsible construction observation. Any person who uses the title of landscape architect, or advertises to provide landscape architectural services in California, must be licensed as a landscape architect by the LATC.

Obtaining a landscape architect's license requires an individual to demonstrate competence by passing a national examination, a California Supplemental Examination, as well as providing evidence of at least six years of a combination of education and experience. Individuals are tested for competence in the following areas:

- investigation, selection, and allocation of land and water resources for appropriate uses;
- feasibility studies;
- formulation of graphic and written criteria to govern the planning and design of land construction programs;
- preparation review, and analysis of master plans for land use and development;
- production of overall site plans, landscape grading and landscape drainage plans, irrigation plans, planting plans, and construction details; specifications; cost estimates and reports for land development;
- collaboration in the design of roads, bridges, and structures with respect to the functional and aesthetic requirements of the areas on which they are to be placed; negotiation and arrangement for execution of land area projects; and
- field observation and inspection of land area construction, restoration, and maintenance.

## **LANDSCAPE ARCHITECTURE ISSUES IN CALIFORNIA**

While designing aesthetic and functional landscapes is second nature to landscape architects, they also play a crucial role in environmental issues in California - including fire safety, erosion control, and drought tolerance.

Our State is prone to periods of drought, yet the public demands areas of thriving vegetation. Landscape architects utilize water conservation ordinances, such as the California Model Water Efficient Landscape Ordinance (MWELo) to ensure that new and renovated landscapes meet current water savings mandates. Landscape architects use technical skills related to site detailing, landform, plant material selection, and irrigation to develop beautiful and safe environments throughout the State.

Urban growth into the natural habitats of California has led to the destruction of property and loss of life due in part to the prevalent occurrence of wild fires. California experiences over 10,000 wild land fires per year. These fires assist the natural landscapes in revitalizing and recycling aging plant material. Landscape architects develop vegetation management zones and minimum safety distances to assist in fire safety for property owners. California's expansive natural environments have created scenarios where large-scale grading is also required. Landscape architects are educated and tested on grading, drainage, and slope stabilization.

## SHOULD I HIRE A LANDSCAPE ARCHITECT FOR MY PROJECT?

For a successful project, it is generally recommended that you hire a landscape architect; however, not every project requires a landscape architect's services. California law provides that persons who are not licensed as landscape architects may provide some landscape design and related services such as preparation of:

- Plans, drawings, and specifications for the selection, placement, or use of plants for single family dwellings;
- Drawings for the conceptual design and placement of tangible objects and landscape features;
- Any plans, drawings, or specifications for any property owned by that person;

Additionally, when determining whether you need a licensed landscape architect, architect or civil/structural engineer, consider whether existing state laws pertaining to public health, safety, welfare issues, and/or local environmental and geographical conditions, (such as snow loads, winds, earthquake activity, tidal action, flood hazard zones, and soil conditions) might need to be taken into consideration.

The table below provides information on the qualifications of the different landscape professionals in California:

<b>Professional Qualifications of Landscape Architects, Landscape Contractors, and Others</b>			
	Landscape Architect	Landscape Contractor	Others
Postsecondary Education	4 year degree in landscape architecture	not required	not required
Experience	2 years	4 years	not required
National Examination	Landscape Architect Registration Examination (LARE)	Contractors State License Board (CSLB) License Examination - Law & Business	None
State Examination	California Supplemental Examination (CSE)	CSLB License Examination- Landscaping (C-27)	None



## FINDING AND SELECTING A LANDSCAPE ARCHITECT

Start by obtaining the names of several landscape architects from more than one source. You can ask for recommendations from people you know, or check online for California landscape architects, landscape architectural firms, and professional associations. You can also receive more information about the practice of landscape architecture and referrals from professional associations, such as the American Society of Landscape Architects (ASLA) and its local chapters. More information about ASLA is available online at *asla.org*.

Landscape architects often specialize in areas such as master planning, environment planning, site planning, residential design, public facilitation and mediation, historic preservation, and visual analysis. You may find it to your advantage to contact several landscape architects to inquire about the types of projects they have experience with and what services they provide.

After receiving referrals and recommendations from various sources, you will need to determine which landscape architect will be able to provide the type of services you need at a cost that is within your budget. The following information will assist you with this process:

### BASIC PROJECT CRITERIA

Prior to selecting a landscape architect, you should define basic criteria for your project and prepare to share this information with the landscape architects you are considering. The basic criteria for your project should include, but not necessarily be limited to:

- the desired size, appearance, and functional requirements of your project;
- the services you expect the landscape architect to perform;
- proposed total budget including fees, permits, construction costs and contingencies;
- how the project will be financed and, if known, by whom; and,
- important/critical milestone dates such as anticipated starting and completion dates of your project.

### Request For Information/Qualifications

To make sure you hire a qualified landscape architect for your project, you should request the landscape architect provide information about their qualifications and experience. After reviewing this information, you may want to interview a number of landscape architects to determine their understanding of your project and your compatibility. During the selection process, you may want to ask some or all of the following questions:

#### General Information

- How long have you been in business?
- How many persons are employed by your firm, and do you have the available staff to take on my project?
- Do you have a valid California landscape architect's license? If so, what is your license number? Licenses can be verified online at *latc.ca.gov/consumers/search*.
- How have you kept current in your practice?
- Do you intend to use consultants for this project? If so, who do you propose to use? What are their qualifications? What has been your experience with them? Are they insured?
- What percentage of your practice involves the type of work required for my project?
- Do you carry insurance? If so, what type(s)? How long have you carried each type and

what are the policy limits?

#### Experience

- Have you recently completed similar types of work required for my project?
- What were your most recent project(s)?
- May I see examples of your previous projects that are similar to my project (sketches, photos, plans)?
- May I have the names, addresses, and telephone numbers of the clients for these previous similar projects for references on your work?
- What was the actual construction cost versus budgeted cost for these projects?

#### Services

- What services did you provide for these clients during the design, bidding, and construction phases?
- What services do you propose to provide for my project during each of these phases?
- Which services are “basic” services and which are “extra or additional” services?
- Who will provide these services, you or your employees? If your employees will be providing the services, will you be directly supervising them?
- What services will not be provided? What services will be provided by others?
- What does construction observation services entail? How often will you be on site?
- What is your role during site visits/during construction?
- At the conclusion of the project, will I receive a record copy of all plans? Who retains ownership of the plans once the project is completed?

#### Fees

- How will your fees for my project be determined and what services do the fees cover?
- Will you provide opinions of probable construction costs for my project?
- If consultants (civil, structural, mechanical, electrical, geotechnical, testing and inspection, architecture, etc.) are necessary, are their fees included in your “basic” services fee or are they separate services?
- What additional costs (e.g., permit and other governmental fees) or services (e.g., time spent obtaining necessary permits and other approvals) do you anticipate for my project?
- How do you establish your fees for additional services and reimbursable expenses?
- Will there be a charge for redesign if it is necessary to meet the construction budget?
- Will there be additional charges for changes required by the building department or other government agency?
- How are additional charges computed for design changes requested by me or requested by a contractor?
- Will you provide a list of the hourly service fees?

#### Time

- Can you meet my proposed schedule?
- What happens in the event that the project does not meet the proposed schedule?
- Is ‘overtime’ for your employees covered in your set fee amount or is that an additional fee?

#### Disputes

- How will we handle any dispute that may arise between us?

## MAKING THE FINAL DECISION

It is wise to check the references that each landscape architect gives you and ask the following questions:

- Did the landscape architect adhere to required schedules and budgets?
- Were you pleased with the landscape architect's services and your working relationship with the landscape architect?
- Did the landscape architect listen to your concerns and attempt to resolve them?
- Would you hire the landscape architect again?
- What problems surfaced during the project? How were they handled? Were they resolved to your satisfaction?
- Did the landscape architect have a productive relationship with the landscape contractor and others involved in the construction of your project?

If possible, visit the projects the landscape architects have used as examples of their services.

Although the LATC does not maintain a referral service and cannot recommend landscape architects; it can advise if a landscape architect is currently licensed and whether the LATC has taken any enforcement and/or disciplinary action against that landscape architect. You can contact the LATC by telephone at (916) 575-7230 or online at [latc.ca.gov](http://latc.ca.gov).

## **THE CONTRACT FOR DESIGN SERVICES**

California law requires that any landscape architect who agrees to provide landscape architectural services to a client must have a written contract. The contract must be signed by the landscape architect and client prior to commencing services, unless the client knowingly states in writing that the services can be started before the contract is signed, or the client states in writing, after being informed about the statutory provision, that he or she does not want a written contract. Although there are these few exceptions to the requirement for a written contract, the LATC recommends that you always insist upon a written contract with the landscape architect to document the terms and conditions that will govern your relationship. Many landscape architects prepare their own contracts or have them prepared by an attorney; others use standard form agreements published by ASLA.

Whatever contract is used for professional services, it is a legal document that binds you and the landscape architect to certain obligations for the life of the project and, in some cases, beyond project completion. It should include the specific services that you and the landscape architect have agreed upon and the conditions under which these services are to be rendered. Otherwise, issues could arise that may be both expensive and time consuming to resolve.

Review the contract carefully. It is your responsibility, along with the landscape architect's, to understand the provisions included within it and to follow them. You have the right to question and negotiate changes in the terms of the contract before signing it, even if it is a printed standard form. Because it is a binding legal document, you may wish to have your legal counsel review the contract before you sign it. You should retain an original copy of the signed contract. In addition, you should not make agreements with other parties regarding your project without first notifying the landscape architect.

### **MANDATORY ITEMS FOR THE WRITTEN CONTRACT**

Business and Professions Code section 5616 (Landscape Architecture Contract - Contents, Notice Requirements) requires that a written contract for landscape architectural services contain, at a minimum, the following items:

1. a description of services to be provided by the landscape architect to the client;
2. a description of any basis of compensation applicable to the contract, including the total price that is required to complete the contract and method of payment agreed upon by both parties (e.g., hourly rate, flat fee, percentage of construction cost);
3. a notice that reads: "Landscape architects are licensed by the State of California;
4. the name, address, and license number of the landscape architect and the name and address of the client;
5. a description of the procedure that the landscape architect and the client will use to accommodate additional services; and
6. a description of the procedure to be used by either party to terminate the contract.

## ADDITIONAL RECOMMENDED ITEMS IN THE WRITTEN CONTRACT

Beyond those items required for landscape architects by law, the LATC recommends that a contract for landscape architectural services be as clear and complete as possible in defining the goals and the expectations of both parties for the project. Since this venture is a collaboration of client and landscape architect, the contract should clearly define the client's responsibilities, as well as those of the landscape architect.

Basic client responsibilities generally include providing the following:

- project information and decisions in a relevant and timely manner;
- property related information including legal descriptions, boundary and topographic surveys showing existing conditions, soils testing and reports, unless otherwise defined or authorized in the agreement;
- description of desired project requirements, especially related to size, uses, and appearance; and,
- definition of critical project milestones such as funding cycles, third party approvals, and anticipated or required completion/occupancy dates.

Basic contract could be expanded to include some or all of the following:

- the address of the project and, if applicable the project's title;
- a narrative description of the project including any unique or special requirements;
- the project schedule with critical time frames for events such as funding cycles, third-party approvals, completion of design services, start and completion of construction, etc.;
- an estimated construction budget and a description of what it includes;
- a provision for fee and construction budget cost escalation or contingencies for changes in the project scope during design and construction phases or for delays to schedules;
- an understanding of when the client's approval must be given in order for the landscape architect to proceed to the next phase;
- an itemized listing and description of the landscape architect's basic services and the proposed fee;
- a definition of additional services and procedures for authorization and compensation;
- a definition of reimbursable expenses and the procedures for authorization and compensation;
- a definition of the procedure for documenting all changes in project scope, cost, and schedule;
- a listing of the project consultants, if known, that may be needed (i.e., engineering, geotechnical, architect, etc.), and the procedure for hiring and compensating them;
- a schedule of when fee payments are due and in what amounts;
- a definition of the amount of any required retainer fee and how and when it will be applied to the total fee for services;
- how final payment is computed if the contract is terminated;
- a clarification of who is responsible for keeping project account records and when they may be reviewed;
- whether construction observation services are included and a description of the intent and scope of these services, and if they are part of basic or additional services;
- whether assistance with bidding and/or establishing a contract between a contractor and

- owner will be provided and if it is part of basic or additional services;
- a clarification of who owns, can use or reuse the project documents, including electronic files, at completion of the project or if the landscape architecture contract is terminated; and
  - a procedure for handling disputes between the parties should the need arise (for example, arbitration, mediation, or civil action). (Be aware a landscape architect has a right to file a Mechanics' Lien in the event the agreed-upon fees are not paid. See page 12.)

## KEEPING RECORDS

It is important to keep the written contract and a written record of all verbal communication with the landscape architect related to the project. Do not assume the landscape architect will interpret everything you discuss with him or her the same way you do. When you have a meeting or discussion with the landscape architect about your project, write the landscape architect a memo or email confirming your understanding of that meeting or discussion. These memos can help to prevent misunderstandings from occurring and may prove invaluable should a problem or dispute occur. Include the date and time of your conversation in the memo or email, as well as the date you write it.

You may also want to maintain written documentation about the progress of the project. Photographs or videotapes taken at regular intervals with the date taken notated can be very useful in establishing a historical record of the project.

Keep detailed financial records by ensuring the landscape architect provides detailed invoices. Also keep records of the date and amount of each payment you make. Require the landscape architect to obtain your written approval at designated phases and before additional costs are incurred.

Make sure that you receive a copy of all documents you sign, and keep a copy of all documents you give to the landscape architect.

## FINANCIAL ISSUES

Before you sign the written contract, clearly establish the total amount of money (including contingency funds) you are willing to pay for the design and construction of your project, the frequency of progress payments you will make to the landscape architect, and the amounts and schedule for these payments. Make sure this fee schedule is recorded accurately in the written contract, and that you make each payment to the landscape architect as called for in the contract. If you have obtained a loan for your project, ensure that it covers both the cost of the landscape architect's services and the construction cost.

Payment schedules should reflect the services to be provided on your project. Be wary of excessive advances or retainer fees to begin services. Make the final payment when the services are complete in accordance with the contract and you are satisfied with the services the landscape architect has provided you.

Careful planning and discussion with the landscape architect regarding services and payments, along with accurate record keeping, will develop open communication and lead to a successful working relationship.

## CONSTRUCTION HINTS

Unless you are experienced in construction, you might consider hiring a licensed contractor. The Contractors State License Board can be contacted at (800) 321-2752 or [cslb.ca.gov](http://cslb.ca.gov) to verify a contractor's license and access consumer information.

A building permit does not guarantee that the plans the landscape architect gives you are sufficient for construction. Discuss the plans with the landscape architect and your contractor to ensure that they are suitable for bidding and construction purposes.

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## WHAT TO DO IF A PROBLEM OCCURS WITH YOUR PROJECT

You have a right to receive competent and professional service from the landscape architect you have hired. However, even if you have read and followed this guide and have done everything possible to prevent problems, you may still encounter difficulties.

In the event a problem should arise, you should first, discuss the problem thoroughly and calmly with the landscape architect. If you believe the landscape architect is violating your written contract, review the contract and other relevant documentation with the landscape architect. If your contract has a dispute resolution procedure, you should comply with it or take civil action as appropriate. You may also file a complaint with the LATC.

### PRE-CONSTRUCTION MECHANICS' LIENS

Design professionals have a right to record a mechanics' lien before construction begins. A pre-construction mechanics' lien is a remedy available only to architects, landscape architects, professional engineers, and land surveyors who provide services during the planning phase of a private work project under a written agreement with the owner. The lien is on the property for which the project is planned and may not be recorded until a building permit or other governmental approval associated with the project has been obtained in connection with the services rendered by the design professional. Pre-construction mechanics' liens may be converted to regular mechanics' liens within 30 days of commencement of the work of improvement.

### MECHANICS' LIENS

Once construction commences, a landscape architect may have the right to record a mechanics' lien against your property for any unpaid fees. A mechanics' lien is a remedy available to certain persons that bestow labor, services, materials, etc. to a private project. The law governing mechanics' liens is very complex. In the event of a dispute with your landscape architect that results in the recording of a mechanics' lien, you may wish to consult legal counsel.

### WHAT CONSTITUTES A COMPLAINT?

The LATC investigates alleged violations of the provisions of the Landscape Architects Practice Act (Act). The LATC has the authority to receive and investigate complaints against landscape architect licensees and discipline violators accordingly. Do not hesitate to call or write the LATC about any questions or concerns you may have. The LATC may take action against landscape architects for:

- fraud or misrepresentation in obtaining a license;
- impersonation or use of an assumed or corporate name;
- aiding or abetting unlawful practice;
- signing someone else's plans or permitting the misuse of their name;
- fraud or deceit in the practice of landscape architecture;
- negligence or willful misconduct;
- failure to accurately represent qualifications; and/or,
- gross incompetence.



Disciplinary and enforcement actions may include license revocation, license suspension, license probation, citations, civil injunctions, and/or referral to local district attorneys for criminal prosecution.

The LATC may also investigate complaints about unlicensed individuals attempting to provide landscape architectural services.

### HOW TO FILE A COMPLAINT

You may contact the LATC at the address listed in this booklet. If you contact the LATC via telephone, you will be sent a complaint form with instructions for filing a complaint against a landscape architect or unlicensed person. Further complaint information and forms are available on the LATC's website at [latc.ca.gov](http://latc.ca.gov). Complete the form and return it to the LATC along with any evidence to support your complaint. If you submit a letter, fully describe your complaint. Submit copies of all documentation that you believe will substantiate your complaint. Keep the originals of these documents, as well as a copy of your complaint letter. Include your name, address, and telephone number so that the LATC may contact you if more information is required.

You have the right to remain anonymous by requesting it at the time you file your complaint. However, anonymity may add some difficulty or may prevent the LATC from fully investigating your complaint and/or prosecuting the case.

### HOW WILL THE LATC RESPOND?

You are encouraged to notify the LATC as early as possible so that LATC staff can help you resolve the problem.

After the LATC receives your complaint, you will be formally notified of its receipt and that the LATC has begun the review process. If necessary, you will be asked to provide additional information. If the LATC believes that the complaint has merit it will begin the investigation by evaluating the professional and/or technical aspects of your complaint. A letter will be sent to the landscape architect or unlicensed individual approximately ten days after receipt of your complaint requesting a response to the allegations.

The LATC may only take action where there is a violation of the Act. If your complaint concerns something outside the LATC's jurisdiction, you will be notified if another state or local agency might be able to assist you. If you are seeking recovery of money for alleged damages, you should consider other avenues of redress (i.e., arbitration, small claims court, civil, or criminal action) as the LATC does not have the authority to recover monetary damages for you. The Department of Consumer Affairs has several publications available at [dca.ca.gov](http://dca.ca.gov) concerning small claims court.

The LATC gives the highest priority to complaints involving a person's life, health, safety, or welfare.

## **LATC CONTACT INFORMATION**

Landscape Architects Technical Committee

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

(916) 574-7230

*latc.ca.gov*

latc@dca.ca.gov

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## INTRODUCTION

Are you thinking about hiring an [landscape](#) architect? Consumers and businesses often wish to construct or modify ~~sites, buildings, or other structures.~~ landscapes [for the purpose of preservation, development, and enhancement](#). The best approach is to hire an [landscape](#) architect to plan, design, and observe the construction of these projects. [Working with a landscape architect helps ensure that your project is designed properly.](#)

The ~~California Architects Board (Board)~~ [Landscape Architects Technical Committee \(LATC\)](#) examines, licenses, and regulates more than ~~22,000~~ [3,500](#) [landscape](#) architects. [The Board's](#) mission is to protect the [health, safety, and](#) welfare of the public, ~~by ensuring the professional performance of those architects licensed to practice in the state.~~

The ~~Board~~ [LATC](#) [has](#) produced this *Consumer's Guide to Hiring a [Landscape](#) Architect* to help [the consumer](#) understand the sometimes complex and technical nature of [landscape](#) architectural services. It provides information on:

- what types of projects require a ~~licensed~~ [landscape](#) architect;
- how to find and select an [landscape](#) architect;
- what the written contract between you and your [landscape](#) architect should contain; and
- how to manage budgeting and construction of your project.

By following the suggestions contained in this guide and carefully planning and thoroughly discussing your project beforehand with your [landscape](#) architect, you will help ensure a successful project.

## THE PRACTICE OF LANDSCAPE ARCHITECTURE

California law defines the practice of landscape architecture as professional services, for the purpose of landscape preservation, development and enhancement, such as consultation, investigation, reconnaissance, research, planning, design, preparation of drawings, construction documents and specifications, and responsible construction observation~~the planning of sites, and the design, in whole or in part, of buildings or groups of buildings and structures~~. Any person who uses the title of landscape architect, or advertises to provide landscape architectural services in California, must be licensed as an landscape architect by the BoardLATC.

Obtaining an landscape architect's license requires an individual to demonstrate competence by passing a national examination, a California Supplemental Examination ~~required by the State of California~~, as well as providing evidence of at least ~~eight-six~~ years of a combination of education and/or experience ~~(which includes completion of a structured intern development program requiring 5,600 hours of experience)~~. Individuals are tested for competence in the following areas:

- ~~• applicable codes and regulations, and assistance in the governmental review process;•~~
  - ~~—— investigation, evaluation, consultation, and advice;~~
- ~~• planning, schematic and preliminary studies, designs, working drawings, and specifications;~~
- ~~• coordination of services and/or documents by technical and special consultants;• technical assistance in the preparation of bid documents and agreements between clients and contractors;~~
- ~~• contract administration; and~~
- ~~• construction observation~~
- investigation, selection, and allocation of land and water resources for appropriate uses;
- feasibility studies;
- formulation of graphic and written criteria to govern the planning and design of land construction programs;
- preparation review, and analysis of master plans for land use and development;
- production of overall site plans, landscape grading and landscape drainage plans, irrigation plans, planting plans, and construction details; specifications; cost estimates and reports for land development;
- collaboration in the design of roads, bridges, and structures with respect to the functional and aesthetic requirements of the areas on which they are to be placed; negotiation and arrangement for execution of land area projects; and
- field observation and inspection of land area construction, restoration, and maintenance.

### LANDSCAPE ARCHITECTURE ISSUES IN CALIFORNIA

~~In addition to creating functional and pleasing places, landscape architects are involved with critical environmental concerns important to California—fire safety, erosion control, and drought~~While designing aesthetic and functional landscapes is second nature to landscape architects, they also play a crucial role in environmental issues in California - including fire safety, erosion control, and drought tolerance.

Our State is prone to periods of drought, yet the public demands areas of thriving vegetation. Landscape architects utilize water conservation ordinances, such as the California Model Water Efficient Landscape Ordinance (MWELO) to ensure that new and renovated landscapes meet current water savings mandates. Landscape architects use technical skills related to site detailing, landform, plant material selection, and irrigation to develop beautiful and safe environments throughout the State.

Urban growth into the natural habitats of California has led to the destruction of property and loss of life due in part to the prevalent occurrence of wild fires. California experiences over 10,000 wild land fires per year. These fires assist the natural landscapes in revitalizing and recycling aging plant material. Landscape architects develop vegetation management zones and minimum safety distances to assist in fire safety for property owners. California's expansive natural environments have created scenarios where large-scale grading is also required.

Landscape architects are educated and tested on grading, drainage, and slope stabilization. California experiences over 10,000 wild land fires per year. These fires assist the natural landscapes in revitalizing and recycling aging plant material. Nonetheless, urban growth into these natural habitats has led to the destruction of property and loss of life due to the fires. Landscape architects utilize vegetation management zones and minimum safety distances to assist in fire safety for property owners. California's growth into the natural environments has created scenarios where mass grading is required. Landscape architects are educated and tested on grading, drainage, and slope stabilization. With an aesthetic eye, manufactured topography is shaped, planted and supplied with supplemental irrigation in order to prevent soil erosion. This is especially important after a wildfire has occurred.

Our State is prone to periods of drought, yet the public demands areas of thriving vegetation. Landscape architects utilize local water conserving ordinances, as well as the California Model Water Efficient Landscape Ordinance (MWELO) to ensure that new and renovated landscapes meet current water savings mandates. Landscape architects use technical skills related to site detailing, landform, plant material, and irrigation to develop beautiful and safe environments throughout the State.

## SHOULD I HIRE AN LANDSCAPE ARCHITECT FOR MY BUILDING PROJECT?

For a successful project, it is generally recommended that you hire a landscape architect; however, not every building project requires a landscape architect's services. Current California law provides that persons who are not licensed as landscape architects ~~or registered as civil or structural engineers can design certain types of buildings or portions of buildings, including~~ may provide some limited landscape design and related services such as preparation of:

- ~~Single family dwellings of conventional woodframe construction that are not more than two stories and basement in height;~~
- ~~Multiple dwellings containing no more than four dwelling units that are of conventional woodframe construction, not more than two stories and basement in height, and not more than four dwelling units per lot;~~
- ~~Garages or other structures added to dwellings of woodframe construction that are not more than two stories and basement in height;~~
- ~~Agricultural and ranch buildings of woodframe construction, unless the building official deems that an undue risk to the public health, safety, or welfare is involved;~~

- ~~Nonstructural or nonseismic storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, or other appliances or equipment, including nonstructural work necessary to provide for their installation; or~~
- ~~Nonstructural or nonseismic alterations or additions to any building necessary for the installation of storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, appliances, or equipment, provided those alterations do not change or affect the structural system or safety of the building.~~
  - [Plans, drawings, and specifications for the selection, placement, or use of plants for single family dwellings;](#)
  - [Drawings for the conceptual design and placement of tangible objects and landscape features;](#)
  - [Any plans, drawings, or specifications for any property owned by that person;](#)

~~However, before you hire someone who is not a licensed architect or registered engineer to design a new building or alter an existing structure, it is suggested that you consult the building official in your city or county building department who can advise whether your project will require a licensed architect or engineer to prepare and submit plans and specifications.~~ Additionally, ~~In~~ [when](#) determining whether you need a licensed [landscape](#) architect, architect or civil/structural ~~or~~ engineer, ~~the building official will~~ consider [whether](#) existing state laws, ~~the~~ [pertaining to](#) public health, safety, ~~and~~ [welfare issues](#), and/or local environmental and geographical conditions, (such as snow loads, winds, earthquake activity, tidal action, flood hazard zones, and soil conditions) [might need to be taken into consideration.](#)

[The table below provides information on the qualifications of the different landscape professionals in California:](#)

<a href="#">Professional Qualifications of Landscape Architects, Landscape Contractors, and Others</a>			
	<a href="#">Landscape Architect</a>	<a href="#">Landscape Contractor</a>	<a href="#">Others</a>
<a href="#">Postsecondary Education</a>	<a href="#">4 year degree in landscape architecture</a>	<a href="#">not required</a>	<a href="#">not required</a>
<a href="#">Experience</a>	<a href="#">2 years</a>	<a href="#">4 years</a>	<a href="#">not required</a>
<a href="#">National Examination</a>	<a href="#">Landscape Architect Registration Examination (LARE)</a>	<a href="#">Contractors State License Board (CSLB) License Examination - Law &amp; Business</a>	<a href="#">None</a>
<a href="#">State Examination</a>	<a href="#">California Supplemental Examination (CSE)</a>	<a href="#">CSLB License Examination- Landscaping (C-27)</a>	<a href="#">None</a>

## FINDING AND SELECTING AN LANDSCAPE ARCHITECT

Start by obtaining the names of several landscape architects from more than one source. You can ask for recommendations from people you know, or ~~look in the internet~~ check online for California ~~licensed~~ landscape architects, landscape architectural firms, and professional associations. You can also receive more information about the practice of landscape architecture and referrals from professional associations, such as ~~The American Institute of Architects (AIA)~~ American Society of Landscape Architects (ASLA) -and its local chapters. More information about ASLA is available online at ([www.aia.org](http://www.aia.org))[asla.org](http://asla.org).

~~Some architects specialize in designing certain types of structures such as single family dwellings, multiple residential, commercial, institutional, or industrial structures, while others design a variety of building types and~~ Landscape architects often specialize in areas such as master planning, environment planning, site planning, residential design, public facilitation and mediation, historic preservation, and visual analysis. You may find it to your advantage to contact several landscape architects ~~or architectural firms~~ and ask what types of projects they have done to inquire about the types of projects they have experience with and what services they provide.

After receiving referrals and recommendations from various sources, you will need to determine which landscape architect will be able to provide the type of services you need at a cost that is within your budgetary constraints. The following information will assist you with this process:

### BASIC PROJECT CRITERIA

Prior to selecting an landscape architect, you should define basic criteria for your project and prepare to share this information with the landscape architects you are considering. The basic criteria for your project should include, but not necessarily be limited to:

- the desired size, appearance, and functional requirements of your project;
- the services you expect the landscape architect to perform;
- proposed total budget including fees, permits, construction costs and contingencies;
- how the project will be financed and, if known, by whom; and,
- important/critical milestone dates such as anticipated starting and completion dates of your project.

### Request For Information/Qualifications

To make sure you hire a qualified landscape architect for your project, you should request the landscape architect provide information about their qualifications and experience. - After reviewing this information, you may want to interview a number of landscape architects to determine their understanding of your project and your compatibility. During the selection process, you may want to ask some or all of the following questions:

### General Information

- How long have you been in business?
- How many persons are employed by your firm and do you have the available staff to take on my project?
- Do you have a valid California landscape architect's license? If so, what is your license



number? (~~verify license at [latc.ca.gov/consumers/search](http://latc.ca.gov/consumers/search)~~) Licenses can be verified online at [latc.ca.gov/consumers/search](http://latc.ca.gov/consumers/search).

- How have you kept current in your practice?
- Do you intend to use consultants for this project? If so, who do you propose to use? What are their qualifications? What has been your experience with them? Are they insured?
- What percentage of your practice involves the type of ~~structure I intend to build~~ [work required for my project](#)?
- Do you carry insurance? If so, what type(s)? How long have you carried each type and what are the policy limits?

#### Experience

- Have you recently ~~designed the~~ [completed similar](#) types of ~~structure I intend to build~~ [work required for my project](#)?
- ~~When and what~~ [What was](#) ~~were~~ your most recent project [\(s\)?](#) ~~When were they completed?~~
- May I see examples of your previous projects that are similar to my project (sketches, photos, plans)?
- May I have the names, addresses, and telephone numbers of the clients for these previous similar projects [for references on your work](#)?
- What was the actual construction cost versus budgeted cost for these projects?

#### Services

- What services did you provide for these clients during the design, bidding, and construction phases?
- What services do you propose to provide for my project during each of these phases?
- Which services are “basic” services and which are “extra or additional” services?
- Who will provide these services, you or your employees? [If your employees will be providing the services, will you be directly supervising them?](#)
- What services will ~~you not provide or are provided by others~~ [not be provided? What services will be provided by others?](#)
- What does construction observation services entail? How often will you be on site? What is your role during site visits/during construction?
- [At the conclusion of the project, will I receive a record copy of all plans? Who retains ownership of the plans once the project is completed?](#)

#### Fees

- How will your fees for my project be determined and what services do the fees cover?
- Will you provide [opinions of](#) probable construction costs for my project?
- If consultants (civil, structural, mechanical, electrical, geotechnical, testing and inspection, ~~interior design, landscape~~ architecture, etc.) are necessary, are their fees included in your “basic” services fee or are they separate services?
- What additional costs (e.g., permit and other governmental fees) or services (e.g., time spent obtaining necessary permits and other approvals) do you anticipate for my project?
- How do you establish your fees for additional services and reimbursable expenses?
- Will there be a charge for redesign if it is necessary to meet the construction budget?
- Will there be additional charges for changes required by the building department or other government agency?

- How are additional charges computed for design changes requested by me or requested by a contractor?
- Will you provide a list of the hourly service fees?

#### Time

- Can you meet my proposed schedule?
- What happens in the event that the project does not meet the proposed schedule?
- Is 'overtime' for your employees covered in your set fee amount or is that an additional fee?

#### Disputes

- How will we handle any dispute that may arise between us?

### MAKING THE FINAL DECISION

It is wise to check the references that each [landscape](#) architect gives you and ask the following questions:

- Did the [landscape](#) architect adhere to required schedules and budgets?
- Were you pleased with the [landscape](#) architect's services and your working relationship with the [landscape](#) architect?
- Did the [landscape](#) architect listen to your concerns and attempt to resolve them?
- Would you hire the [landscape](#) architect again?
- What problems surfaced during the project? How were they handled? Were they resolved to your satisfaction?
- Did the [landscape](#) architect have a productive relationship with the [landscape](#) contractor and others involved in the construction of your project?

If possible, visit the projects the [landscape](#) architects have used as examples of their services.

Although the ~~Board~~ [LATC](#) does not maintain a referral service and cannot recommend [landscape](#) architects; it can advise if an [landscape](#) architect is currently licensed and whether the ~~Board~~ [LATC](#) has taken any enforcement and/or disciplinary action against that [landscape](#) architect. You can contact the ~~Board~~ [LATC](#) by telephone [at \(916\) 575-7230](tel:(916)575-7230) or ~~visit its website online~~ at [eab latc.ca.gov](http://eab.latc.ca.gov).

## THE CONTRACT FOR DESIGN SERVICES

Since January 1, 1996, California law ~~has required~~s that any [landscape](#) architect who agrees to provide [landscape](#) architectural services to a client must have a written contract. The contract must be signed by the [landscape](#) architect and client prior to commencing services, unless the client knowingly states in writing that the services can be started before the contract is signed, or the client states in writing, after being informed about the statutory provision, that he or she does not want a written contract. Although there are these few exceptions to the requirement for a written contract, the ~~Board~~-LATC recommends that you always insist upon a written contract with the [landscape](#) architect to document the terms and conditions that will govern your relationship. Many [landscape](#) architects prepare their own contracts or have them prepared by an attorney; others use standard form agreements published by ~~AIA~~ [the American Society of Landscape Architects \(ASLA\)](#).

Whatever contract is used for professional services, it is a legal document that binds you and the [landscape](#) architect to certain obligations for the life of the project and, in some cases, beyond project completion. It should include the specific services that you and ~~your~~ [the landscape](#) architect have agreed upon and the conditions under which these services are to be rendered. Otherwise, issues could arise that may be both expensive and time consuming to resolve.

Review the contract carefully. It is your responsibility, along with the [landscape](#) architect's, [to understand the provisions included within it and to follow them](#) ~~and follow the contract~~. You have the right to question and negotiate changes in the terms of the contract before signing it, even if it is a printed standard form. Because it is a binding legal document, you may wish to have your legal counsel review the contract before you sign it. You should retain an original copy of the signed contract. In addition, you should not make agreements with other parties regarding your project without first notifying the [landscape](#) architect.

### MANDATORY ITEMS FOR THE WRITTEN CONTRACT

~~California law~~ (Business and Professions Code section ~~5536.22~~ [5616 \(Landscape Architecture Contract - Contents, Notice Requirements\)](#)) requires that a written contract for [landscape](#) architectural services contain, at a minimum, the following items:

1. a description of services to be provided by the [landscape](#) architect to the client;
2. a description of any basis of compensation applicable to the contract, [including the total price that is required to complete the contract](#) and method of payment agreed upon by both parties (e.g., hourly rate, flat fee, percentage of construction cost);
3. [a notice that reads: "Landscape architects are licensed by the State of California;](#)
4. the name, address, and license number of the [landscape](#) architect and the name and address of the client;
5. a description of the procedure that the [landscape](#) architect and the client will use to accommodate additional services; and
6. a description of the procedure to be used by either party to terminate the contract.

## ADDITIONAL RECOMMENDED ITEMS IN THE WRITTEN CONTRACT

Beyond those items required for [landscape](#) architects by law, the ~~Board~~ [LATC](#) recommends that a contract for [landscape](#) architectural services be as clear and complete as possible in defining the goals and the expectations of both parties for the project. Since this venture is a collaboration of client and [landscape](#) architect, the contract should clearly define the client's responsibilities, as well as those of the landscape architect.

Basic client responsibilities generally include providing the following:

- project information and decisions in a relevant and timely manner;
- property related information including legal descriptions, boundary and topographic surveys showing existing conditions, soils testing and reports, unless otherwise defined or authorized in the agreement;
- description of desired project requirements, especially related to size, uses, and appearance; and,
- definition of critical project milestones such as funding cycles, third party approvals, and anticipated or required completion/occupancy dates.

Basic contract could be expanded to include some or all of the following:

- the address of the project and, if applicable the project's title;
- a narrative description of the project including any unique or special requirements;
- the project schedule with critical time frames for events such as funding cycles, third-party approvals, completion of design services, start and completion of construction, ~~occupancy date~~, etc.;
- an estimated construction budget and a description of what it includes;
- a provision for fee and construction budget cost escalation or contingencies for changes in the project scope during design and construction phases or for delays to schedules;
- an understanding of when the client's approval must be given in order for the [landscape](#) architect to proceed to the next phase;
- an itemized listing and description of the [landscape](#) architect's basic services and the proposed fee;
- a definition of additional services and procedures for authorization and compensation;
- a definition of reimbursable expenses and the procedures for authorization and compensation;
- a definition of the procedure for documenting all changes in project scope, cost, and schedule;
- a listing of the project consultants, if known, that may be needed (i.e., engineering, geotechnical, ~~landscape~~[architect](#), etc.), and the procedure for hiring and compensating them;
- a schedule of when fee payments are due and in what amounts;
- a definition of the amount of any required retainer fee and how and when it will be applied to the total fee for services;
- how final payment is computed if the contract is terminated;
- a clarification of who is responsible for keeping project account records and when they may be reviewed;
- whether construction observation services are included and a description of the intent and scope of these services, and if they are part of basic or additional services;

- whether assistance with bidding and/or establishing a contract between a contractor and owner will be provided and if it is part of basic or additional services;
- a clarification of who owns, can use or reuse the project documents, including electronic files, at completion of the project or if the [landscape architecture contract](#) is terminated; and
- a procedure for handling disputes between the parties should the need arise (for example, arbitration, mediation, or civil action). (Be aware ~~an~~ [landscape architect](#) has a right to file ~~a Design Professionals' Lien and/or~~ a Mechanics' Lien in the event the agreed-upon fees are not paid. See page 12.)

## KEEPING RECORDS

It is important to keep the written contract and a written record of all verbal communication with ~~your~~ [the landscape architect](#) related to the project. Do not assume ~~your~~ [the landscape architect](#) will interpret everything you discuss with him or her the same way you do. When you have a meeting or discussion with the [landscape architect](#) about your project, write the [landscape architect](#) a memo or email confirming your understanding of that meeting or discussion. These memos can help to prevent misunderstandings from occurring and may prove invaluable should a problem or dispute occur. Include the date and time of your conversation in the memo or email, as well as the date you write it.

You may also want to ~~write memos or notes to yourself~~ [maintain written documentation](#) about the progress of the project. Photographs or videotapes taken at regular intervals [with the date taken notated](#) (~~with notes as to the dates that the photos are taken~~) can be very useful in establishing a historical record of the project.

Keep detailed financial records by ensuring the [landscape architect](#) provides detailed invoices. Also keep records of the date and amount of each payment you make. Require the [landscape architect](#) to obtain your written approval at designated phases and before additional costs are incurred.

Make sure that you receive a copy of all documents you sign, and keep a copy of all documents you give to ~~your~~ [the landscape architect](#).

## FINANCIAL ISSUES

Before you sign the written contract, clearly establish the total amount of money (including contingency funds) you are willing to pay for the design and construction of your project, the frequency of progress payments you will make to ~~your~~ [the landscape architect](#), and the amounts and schedule for these payments. Make sure this fee schedule is recorded accurately in the written contract, and that you make each payment to the [landscape architect](#) as called for in the contract. If you have obtained a loan for your project, ensure that it covers both the cost of ~~your~~ [the landscape architect's](#) services and the construction cost.

Payment schedules should reflect the services to be provided on your project. Be wary of excessive advances or retainer fees to begin services. Make the final payment when the services are complete in accordance with ~~your~~ [the](#) contract and you are satisfied with the services ~~your~~ [the landscape architect](#) has provided you.

Careful planning and discussion with ~~your~~ [the landscape architect](#) regarding services and payments, ~~as well as~~ [along with](#) accurate record keeping, will develop open communication and

lead to a successful working relationship.

## RELEASE OF PLANS

~~The official copy of the plans maintained by the building department of the city or county is open for inspection as a public record. However, a copy may only be duplicated with the permission of the architect and the original or current owner. Criteria for retention and release of official copies of permitted projects by building departments are defined in Health and Safety Code sections 19850-19853.~~

## CONSTRUCTION HINTS

Unless you are experienced in construction, ~~you probably should not attempt to build your project yourself~~ you might consider hiring a licensed contractor. ~~A properly licensed and experienced building contractor should perform the construction. Contact the~~ The Contractors State License Board can be contacted at (800) 321-2752 or ~~www.eslb.ca.gov~~ cslb.ca.gov to verify a contractor's license and ~~to~~ access consumer information.

A building permit does not guarantee that the plans ~~your~~ the landscape architect gives you are sufficient for construction. Discuss the plans with ~~your~~ the landscape architect and your contractor to ensure that they are suitable for bidding and construction purposes.

## WHAT TO DO IF A PROBLEM OCCURS WITH YOUR PROJECT

You have a right to receive competent and professional service from the [landscape](#) architect you have hired. However, even if you have read and followed this guide and have done everything possible to prevent problems, you may still encounter difficulties.

In the event a problem should arise, you should first, discuss the problem thoroughly and calmly with ~~your~~ [the landscape](#) architect. If you believe the [landscape](#) architect is violating your written contract, review the contract and other relevant documentation with the [landscape](#) architect. If your contract has a dispute resolution procedure, you should comply with it or take civil action as appropriate. You may also file a complaint with the ~~Board~~ [LATC](#).

### [PRE-CONSTRUCTION DESIGN PROFESSIONALS' LIENS](#) [MECHANICS' LIENS](#)

Design professionals have a right to record a [mechanics'](#) lien before construction begins. A [pre-construction design professionals' mechanics'](#) lien is a ~~separate~~ remedy available only to architects, [landscape architects](#), ~~professional engineers~~, and land surveyors who provide services during the planning phase of a private work project under a written agreement with the owner. The lien is on the property for which the project is planned and may not be recorded until a building permit or other governmental approval associated with the project has been obtained in connection with the services rendered by the design professional. [Pre-construction mechanics' liens may be converted to regular mechanics' liens within 30 days of commencement of the work of improvement.](#)

### MECHANICS' LIENS

Once construction commences, an [landscape](#) architect may have the right to record a mechanics' lien against your property for any unpaid fees. ~~Like design professionals' liens, a~~ [A](#) mechanics' lien is a ~~separate~~ remedy available to certain persons that bestow labor, services, materials, etc. to a private project. The law governing mechanics' liens is very complex. In the event of a dispute with your [landscape](#) architect that results in the recording of a mechanics' lien, you may wish to consult legal counsel.

### WHAT CONSTITUTES A COMPLAINT?

The ~~California Architects Board (Board) has the delegates authority to the~~ [LATC](#) ~~power, duty, and authority to~~ investigate alleged violations of the provisions of the [Landscape Architects Practice Act \(Act\)](#) ~~(Business and Professions Code, Division 3, Chapter 3.5, section 5500-5615 et. seq.)~~. The ~~Board~~ [LATC](#) ~~is also given specific~~ [has the](#) authority to receive and investigate complaints against ~~its~~ [landscape architect](#) licensees and ~~the Board has authority to~~ discipline violators accordingly. Do not hesitate to call or write the ~~Board~~ [LATC](#) about any questions or concerns you may have. The ~~Board~~ [LATC](#) may take action against [landscape](#) architects for:

- fraud [or misrepresentation](#) in obtaining a license;
- impersonation or use of an assumed or corporate name;
- aiding [or abetting](#) unlawful practice;
- signing someone else's plans or permitting the misuse of their name;



- fraud or deceit in the practice of landscape architecture;
- negligence or willful misconduct;
- failure to accurately represent qualifications; and/or,
- ~~conflict of interest; and/or,~~
- gross incompetence ~~or recklessness.~~

Disciplinary and enforcement actions may include license revocation, license suspension, license probation, citations, civil injunctions, and/or referral to local district attorneys for criminal prosecution.

The ~~Board~~ LATC may also investigate complaints about unlicensed individuals attempting to provide landscape architectural services.

### HOW TO FILE A COMPLAINT

You may contact the ~~Board~~ LATC at the address listed in this booklet. If you contact telephone the ~~Board~~ LATC via telephone, you will be sent a complaint form with instructions for filing a complaint against an landscape architect or unlicensed person. Further ~~C~~complaint information and forms are ~~also~~ available ~~online on the LATC's website~~ at www.eablatc.ca.gov. ~~You will need to fill out~~ Complete the form and return it to the ~~Board~~ LATC along with any evidence to support your complaint. If you submit a letter, fully describe your complaint. Submit copies of all documentation that you believe will substantiate your complaint. Keep the originals of these documents, as well as a copy of your complaint letter. Include your name, address, and telephone number so that the ~~Board~~ LATC can may contact you if more information is required.

You have the right to remain anonymous by requesting it at the time you file your complaint. However, anonymity may add some difficulty or may prevent the ~~Board~~ LATC from fully investigating your complaint and/or prosecuting the case.

### HOW WILL THE ~~BOARD~~ LATC RESPOND?

You are encouraged to notify the ~~Board~~ LATC as early as possible so that ~~Board~~ LATC staff can help you resolve the problem.

After the ~~Board~~ LATC receives your complaint, you will be formally notified of its receipt and that the ~~Board~~ LATC is has begun ~~inning~~ the review process. If necessary, you will be asked to provide additional information. If the ~~Board~~ LATC believes that the complaint has merit it will begin the investigation by evaluating the professional and/or technical aspects of your complaint. A letter will be sent to the landscape architect or unlicensed individual approximately ~~10~~ ten days after receipt of your complaint requesting a response to the allegations.

The ~~Board~~ LATC may only take action where there is a violation of the ~~Landscape Architects Practice~~ Act. If your complaint concerns something outside the ~~Board's~~ LATC's jurisdiction, you will be notified if another state or local agency might be able to assist you. If you are seeking recovery of money for alleged damages, you should consider other avenues of redress (i.e., arbitration, small claims court, civil, or criminal action) as the ~~Board~~ LATC does not have the authority to recover monetary damages for you. The Department of Consumer Affairs has several publications available at www.dca.ca.gov concerning small claims court.

The ~~Board~~ LATC gives priority to gives the highest priority to complaints involving a person's life, health, safety, or welfare.



## **SPECIAL PROVISIONS IN THE EVENT OF A NATURAL DISASTER**

In the event of a declared disaster such as an earthquake, fire, or flood, additional provisions of state law become effective.

### **PENALTIES FOR UNLICENSED PRACTICE**

When responding to advertisements or solicitations offering architectural services, disaster victims should verify whether the person offering services has a valid license. Only persons licensed by the Board may call themselves architects and provide architectural services.

During a declared state of emergency, the penalty against an unlicensed person who represents that he or she is an architect in connection with the offer or performance of architectural services for the repair of damage to a structure caused by a natural disaster is increased and punishable by a fine up to \$10,000 and/or imprisonment.

### **REQUIREMENTS FOR RECONSTRUCTION**

Individuals are advised to contact their local building officials for clarification of the requirements for repair or reconstruction of their project. It may not be possible to recreate the home or business as it existed before the disaster if it was designed years ago to conform to building codes that have since been changed. In some instances, substantial design or redesign services may be necessary to meet current code requirements.

### **RELEASE OF COPY OF PLANS**

If damage to residential real property is caused by a natural disaster declared by the Governor, and if the damage may be covered by insurance, the architect or other person who prepared the plans originally used for the construction or remodeling of the property must release a copy of the plans to the homeowner, the homeowner's insurer, or a duly authorized agent of either upon request. The plans may only be used for verifying the amount of damage for insurance purposes.

The architect may charge a reasonable fee to cover the reproduction costs of providing a copy of the plans. The plans cannot be used to rebuild any part of the property without prior written consent of the architect or other person who prepared the plans. If prior written consent is not provided, the architect will not be liable if the plans are subsequently used by the homeowner or anyone else to rebuild any part of the property.

### **IMMUNITY FOLLOWING AN EARTHQUAKE**

California has a Good Samaritan Law for licensed architects, engineers, and land surveyors who, at the request of a public official, provide safety inspection services, without compensation, at the scene of a declared national, state, or local emergency caused by an earthquake. This law provides that the "Good Samaritan" architects who provide these services are immune from liability. This immunity applies only for an inspection that occurs within 30 days of the declared emergency.

**WHERE TO NOTIFY THE BOARD LATC CONTACT INFORMATION**

California Landscape Architects Board Technical Committee

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

(916) 574-7223

(800) 991-2223

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DRAFT

## Agenda Item M

### REVIEW TENTATIVE SCHEDULE AND CONFIRM FUTURE LATC MEETING DATES

<u>May</u> 30	<i>Memorial Day</i>	<i>Office Closed</i>
<u>June</u> 9	California Architects Board Meeting	Bay Area
<u>July</u> 4	<i>Independence Day</i>	<i>Office Closed</i>
<u>September</u> 5 29	<i>Labor Day</i> California Architects Board Meeting	<i>Office Closed</i> Los Angeles
<u>October</u> 21-24	American Society of Landscape Architects Annual Meeting	New Orleans, LA
<u>November</u> 11 24-25	<i>Veterans Day</i> <i>Thanksgiving Holiday</i>	<i>Office Closed</i> <i>Office Closed</i>
<u>December</u> 8-9 26	California Architects Board Meeting <i>Christmas Observed</i>	Sacramento <i>Office Closed</i>

## **Agenda Item N**

### **ADJOURNMENT**

Time: \_\_\_\_\_