



## Minutes

### CALIFORNIA ARCHITECTS BOARD Landscape Architects Technical Committee Meeting

August 2, 2022  
WebEx Teleconference

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

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

#### California Architects Board (Board) Members Present

Ronald A. Jones, LATC Liaison

#### Staff Present

Laura Zuniga, Executive Officer  
Trish Rodriguez, Program Manager  
Nicholas Barnhart, Licensing Coordinator  
Blake Clark, Examination Analyst  
Kourtney Nation, Special Projects Analyst  
Stacy Townsend, Enforcement Analyst

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

Mary Kate Cruz Jones, Board and Bureau Relations  
Harmony DeFilippo, Budget Analyst, Fiscal Operations/Budget Office  
Karen Halbo, Regulatory Counsel, Attorney III  
Michael Kanotz, LATC Counsel, Attorney III  
Matt Nishimine, Regulatory Specialist, Fiscal Operations/Budget Office  
Matthew Wainwright, Legislative Analyst

#### Guests Present

Stephanie Landregan, Program Director, University of California, Los Angeles  
(UCLA) Extension Program  
Tracy Morgan Hollingworth, California Council of American Society of Landscape  
Architects (CCASLA)  
Katharine Rudnyk  
Michelle Sullivan

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

LATC Chair, Jon Wreschinsky called the meeting to order at 10:00 a.m. and Vice Chair, Pamela Brief called roll. Five members of LATC were present, thus a quorum was established.

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

Mr. Wreschinsky explained the meeting was held via webcast pursuant to Government Code section 11133, and there was no physical meeting location. He reminded webcast viewers that anyone interested in participating in the meeting must join the WebEx meeting.

Mr. Wreschinsky thanked the meeting participants for their attendance and welcomed Ronald A. Jones, LATC Liaison to the Board. He reminded members that votes on all motions will be taken by roll call and thanked LATC staff for preparing the meeting materials.

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

Mr. Wreschinsky invited members of the public to address the LATC. There were no comments from the public.

Mr. Wreschinsky announced that Agenda Item G (Budget Update) would be discussed before Agenda Item F (Draft Minutes), to accommodate guest speakers.

## **E. Review and Possible Action on April 7-8, 2022 LATC Meeting Minutes**

- **Andrew C. N. Bowden moved to approve the April 7-8, 2022 LATC Meeting Minutes as presented.**

**Pamela S. Brief seconded the motion.**

There were no comments from the public.

**Members Bowden, Brief, Landry, Trauth, and Chair Wreschinsky voted in favor of the motion. The motion passed 5-0.**

## **G.\* Discuss and Possible Action on the Committee's Annual Budget – DCA, Budget Office**

Harmony DeFilippo presented the Committee's revenues and expenditures for fiscal year (FY) 2021-22 and explained that costs increased partially due to the Committee's business modernization efforts. She provided an overview of the fund condition statement, noting that the fund condition projects ongoing expenditures with a three percent growth factor increase per year. She added that the projected fund condition shows the Committee will fully expend its appropriation going forward. Ms. DeFilippo further explained that the Committee's fund condition reflects a structural imbalance. She clarified that the Committee's fund balance is currently declining due to increased expenditures outweighing revenue, and the fund would become insolvent in FY 2023-24. She added that in recent years the

Committee's fund has had prior yearly savings, however, the Committee's costs are projected to increase from costs associated with business modernization. Ms. DeFilippo reminded the Committee that current law requires the fund to remain valuable and solvent, therefore, the Committee is required to rectify these fundamental structural issues. She explained that the Committee's fees are currently set at their statutory maximum, therefore, the Committee may need to seek statutory changes to increase fees in the 2022-23 legislative session. Ms. DeFilippo advised that Committee staff will work with the DCA Budget Office to identify possible actions to reduce or eliminate the structural imbalance to ensure the fund remains solvent and able to fully meet its licensing and enforcement mandate.

Matt Nishimine directed the Committee members to the memorandum in the meeting materials regarding fiduciary responsibilities, liabilities, and governing laws with respect to the fiscal state of a Board or Committee. He summarized that the document outlines committee member fiduciary responsibilities with regard to the fund condition. He explained that the Committee cannot over expend its annual budget appropriation and that Committee members are personally responsible for any overage. He shared that LATC staff and the Budget Office are working to conduct a fee study to help guide the Committee and Program to ensure the LATC can meet its mandate to provide oversight and enforcement of the Landscape Architects Practice Act while also safeguarding the environment. Mr. Nishimine shared that staff recently concluded that a statutory fee increase would be required to ensure the LATC has sufficient resources and can maintain operations in the future. He explained that staff began a comprehensive analysis of the LATC's expenditures and revenues with the objectives to ensure the LATC is fully accounting for all costs and recovering sufficient revenues for those costs. He explained that staff expect to complete the study before the next LATC meeting, at which time Budget Office staff will present the findings of the report to LATC and then provide a presentation to the Board at their December meeting. Mr. Nishimine explained that upon approval from the Committee to seek a statutory change, staff will work with the DCA Division of Legislative Affairs to seek a legislative change during the 2022-23 legislative session with an effective date of January 1, 2024.

Mr. Wreschinsky asked if the primary cause of the coming deficit is the cost associated with the business modernization project. Mr. Nishimine confirmed the project is a contributing factor. Mr. Wreschinsky asked if there is a particular reason why the costs for business modernization are primarily funded by licensees rather than the state committing funds to DCA for the upgrade. Mr. Nishimine responded that the programs within DCA are all self-funded by their licensees and typically do not receive general fund dollars.

Mr. Wreschinsky clarified that his concern is LATC may need to drastically increase fees for licensees and candidates to offset costs. Mr. Bowden noted that in recent years the LATC fund had excess in reserve and members were advised to temporarily reduce license fees to balance the budget. Mr. Nishimine responded that the LATC could decide to seek legislation to provide general fund dollars and he explained that projecting for a smaller budget can be difficult when significant costs arise, such as the business modernization project.

Susan Landry asked for clarification on the budget line item for “C/P SERVICES (EXTERNAL)”. Ms. DeFilippo explained that anticipated savings for the current FY is due to a decrease in costs resulting from business modernization project delays. She noted that the fund condition is projected to have 7.9 months in reserve at the end of FY 2021-22. Ms. Landry asked if LATC would need to pursue legislation to request money from the general fund. Mr. Nishimine confirmed the only way to receive a general fund augmentation is through a legislative change. Ms. Landry asked about the state budget surplus. Mr. Nishimine explained that DCA does not track the general fund as DCA does not historically receive general fund dollars. Ms. Landry offered to reach out to a legislator to possibly draft a bill allocating general fund dollars to LATC. Mr. Wreschinsky recommended that Board and LATC staff should determine if other DCA programs are interested in collectively requesting funds, before reaching out to a legislator.

Patricia Trauth inquired if costs related to business modernization could be broken down by year for the Committee members to monitor. Mr. Nishimine confirmed Budget Office staff could break costs down in more detail. Ms. Trauth asked if business modernization costs will be included in the budget permanently. Ms. DeFilippo confirmed that as the project finalizes LATC will incur maintenance costs which are lower than the costs associated with the project initiation and implementation. Mr. Wreschinsky asked when the project is expected to be fully implemented across DCA. Mr. Nishimine explained that every DCA program is on their own business modernization schedule and shared that LATC benefitted from prior experience of other DCA programs. He further explained, LATC is sharing the costs with the Board and other DCA programs. Ms. DeFilippo confirmed she will provide Ms. Rodriguez with a detailed update of the exact business modernization costs to share with the Committee. Ms. Brief asked if the decision to undergo business modernization was made jointly with the Board. Ms. Rodriguez confirmed it was a joint decision. Ms. Brief asked if it would be possible at this point to slow down the process and potentially reduce expenditures by spreading costs overtime. Ms. Zuniga reminded members that LATC is in a group with other boards and has already signed a contract and agreed to a schedule. She added that DCA tried several years ago to shift all programs to a platform called BreZE to replace the legacy systems, however, cost overruns prompted legislative oversight resulting in a new state process to obtain project approval. She added that all DCA programs are transitioning to a new system and that LATC is partnering with the Board to fund the project. Mr. Bowden reminded members that LATC has historically been self-funded and expressed concern with requesting general fund dollars for business modernization. He added that costs are rising and LATC’s fees have remained the same, therefore, raising licensure fees is the only option. Ms. Landry asked if the Board is facing similar budget issues as LATC. Ms. Zuniga confirmed that the Board recently voted to raise fees to address a budget deficit, primarily due to business modernization. Ms. Landry asked when LATC will be informed of the recommended fee increase amounts. Mr. Nishimine explained that upon completion of the LATC fee study, Budget Office staff will provide various fee levels for the Committee members to consider. Mr. Wreschinsky added that LATC is faced with difficult decisions starting in November when the fee study is reported, and members have an opportunity to address the budget. He asked if a special meeting is needed to address this issue. Ms. Rodriguez explained staff will coordinate with

the Budget Office and determine if a special meeting is necessary depending on the outcome of the fee study.

Stephanie Landregan commented that licensees and candidates should participate in the upcoming budget discussion. She also suggested that LATC expand statutory authority regarding license fees.

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

Mary Kate Cruz Jones provided an update on behalf of the DCA Executive Office. She shared that the Governor signed Senate Bill 189 on June 30, 2022, which reinstates, through July 1, 2023, the remote meeting provisions of the Bagley-Keene Open Meeting Act that were in place during the pandemic. She added that DCA is requesting that boards continue to track meeting costs and encourages the use of WebEx to allow the public to attend meetings remotely.

Ms. Cruz Jones announced that the first DCA Enlightened Licensing Project Report was issued to all boards and bureaus in May and was designed to streamline and enhance licensing processes by utilizing the knowledge and expertise of subject matter experts within DCA boards and bureaus. She added that DCA Executive Office staff are available by phone and email should members have any questions, comments, or concerns.

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

##### **1. Update on LATC's Administrative/Management, Examination, Licensing, and Enforcement Programs**

Trish Rodriguez provided the Committee with a status update on the Business Modernization Project and announced that the first program release is targeted for fall 2022 and will include automation of the Eligibility Application, California Supplemental Examination (CSE) Application, and other applications as permitted. She announced the next Board meeting would be held September 16, 2022.

Ms. Rodriguez reminded members that a new strategic plan was developed in April and announced that DCA SOLID will work with staff to develop an action plan to complete objectives and achieve the goals over the next three years. She shared that LATC plans to hold their next meeting in-person in November.

Ms. Rodriguez noted that a student outreach presentation was conducted remotely on April 14, 2022, for landscape architecture students at the UC Berkeley. She added that the presentation included an overview of LATC, the importance of licensure, and recent regulatory changes expanding pathways to licensure.

Ms. Rodriguez highlighted LATC's recent social media and website activities. She concluded her presentation with an overview of LATC's current rulemaking, examination, and enforcement activity. As part of the update, she shared that the pending rulemaking to adopt California Code of Regulations (CCR) section 2651 (fee waiver) is currently on hold to allow sufficient time to conduct the related fee study and determine LATC's budget needs. Susan Landry asked if any licensees have requested an emergency fee waiver. Ms. Rodriguez replied that LATC staff

have not received any requests for an emergency fee waiver. Mr. Wreschinsky commented that the CSE failure rate is significant for repeat candidates and added that the new business modernization platform should allow staff to further breakdown pass rates. He also noted that Section 4 (Grading, Drainage and Construction Documentation) of the Landscape Architect Registration Examination (LARE) had the highest pass rate in 2021.

## **2. Discuss and Possible Action on Annual Enforcement Report**

Stacy Townsend presented the annual Enforcement Program Report for FY 2021-22 and highlighted that LATC staff continue to process enforcement cases within the goal timeframes outlined by the DCA Consumer Protection and Enforcement Initiative. She directed members to the charts and graphs included in Attachment F.2 of the meeting materials displaying types of complaints received during the last three years and disciplinary actions taken. Ms. Townsend noted that most complaints are related to advertising without a license.

Ms. Landregan addressed Mr. Wreschinsky's earlier comment regarding re-examination pass rates. She opined that LARE re-examination candidates typically do more poorly than first-time test takers possibly due to not appropriately studying for the test.

Ms. Landry asked if LATC staff proactively pursue instances of advertising without a license. Ms. Townsend explained that staff are unable to actively search social media websites to find unlicensed advertising. Ms. Landry asked if websites continue to not be held accountable for allowing unlicensed advertising. Ms. Townsend confirmed LATC staff does not have authority to require social media websites to change their advertising policies.

## **H. Review and Discuss 2022 Legislation**

### **1. Assembly Bill (AB) 646 (Low) Department of Consumer Affairs: Boards: Expunged Convictions**

Ms. Zuniga explained that AB 646 requires all DCA boards that post license revocation information online to either remove the information if the related criminal conviction has been subsequently expunged or post a notification of the expungement order.

### **2. AB 1662 (Gipson) Licensing Boards: Disqualification from Licensure: Criminal Conviction**

Ms. Zuniga explained that AB 1662 would allow prospective licensure candidates to request a pre-application determination as to whether their criminal history would be a cause for denial of a completed application for licensure under Business and Professions Code section 480. She added that this pre-application process would be new for all boards and bureaus.

Mr. Wreschinsky questioned the need for separate legislation when a review of an applicant's criminal history is part of the regular license application process.

Ms. Zuniga responded that the intent of the legislation is to allow individuals to determine eligibility for a license prior to completing the qualifying training.

### **3. Senate Bill (SB) 1237 (Newman) Licenses: Military Service**

Ms. Zuniga explained that SB 1237 makes a small change to existing law to define “active duty” in terms of qualifying for a license fee waiver.

### **4. SB 1443 (Roth) The Department of Consumer Affairs**

Ms. Zuniga explained that SB 1443 would extend the sunset date of both LATC and the Board for an additional year, to January 1, 2025.

## **I. Discuss and Possible Action on University of California, Los Angeles Extension Landscape Architecture Pilot Low Residency**

Ms. Rodriguez explained that LATC has authority to review and approve the UCLA Extension Landscape Architecture Program under CCR section 2620.5 (Requirements for an Approved Extension Certificate Program). She shared that proposed amendments to CCR section 2620.5 were recently approved and will take effect on October 1, 2022. Ms. Rodriguez reminded the members that prior to the last LATC meeting, Ms. Landregan, Director of the UCLA Extension Landscape Architecture Program, provided an update on the program that outlined an ongoing pilot low-residency option which began after shifting to online distanced-learning format in response to the COVID-19 pandemic. Ms. Rodriguez added that no action is required for this agenda item and explained that the recent changes will be evaluated during the next scheduled review of the UCLA Extension Landscape Architecture Program.

Ms. Landregan thanked the Committee for reviewing the Proposal to Adopt the UCLA Pilot Low-Residency Hybrid Extension Certificate Program in Landscape Architecture. She added that the program wanted to expand its reach to accommodate students who were enrolled at UC Berkeley Extension Landscape Architecture Program before it closed and were unable to complete the requirements for an extension certificate.

Ms. Landry asked how many students are currently enrolled in the UCLA Extension Landscape Architecture Program. Ms. Landregan replied there are between 90-100 students enrolled each year and approximately 30 students in each cohort.

Mr. Wreschinsky asked if any other certificate programs within UCLA Extension are focused on qualifying students for a professional license. Ms. Landregan confirmed that one program is approved by the State Bar of California to work as a paralegal and another program prepares students to become a licensed certified public accountant. Mr. Wreschinsky inquired if other certificate programs are changing their model to increase virtual participation for residents throughout California or elsewhere. Ms. Landregan confirmed that the interior design program is currently fully online and does not offer a hybrid format. Mr. Wreschinsky asked if students are entering the landscape architecture certificate program from outside of

California. Ms. Landregan confirmed that a few students from other states have shown interest in the program due to their specific career needs.

#### **J. Review and Possible Action on Draft 2022-2024 Strategic Plan**

Ms. Rodriguez reminded the Committee that DCA SOLID updated the LATC Strategic Plan based on the April 8, 2022 LATC Strategic Planning Session for 2022-2024. She added that she worked with Mr. Wreschinsky to confirm the objectives accurately reflect the committee members' discussion. Mr. Bowden and Ms. Trauth agreed that the draft objectives correspond with their discussion.

- **Andrew C. N. Bowden moved to recommend Board approval of the Draft 2022-2024 Strategic Plan.**

**Susan M. Landry seconded the motion.**

There were no comments from the public.

**Members Bowden, Brief, Landry, Trauth, and Chair Wreschinsky voted in favor of the motion. The motion passed 5-0.**

#### **K. Discuss and Possible Action on Draft 2022-2024 Strategic Plan Objective to Continue Promoting the Value of the Profession Using Social Media, Specifically Twitter, and Work to Establish a LinkedIn and Instagram Presence to Reach a Greater Audience**

Ms. Rodriguez explained that staff established public LATC profiles on both LinkedIn and Instagram, as outlined in Strategic Plan Objective 3.1 (Continue promoting the value of the profession and professional licensure using social media, specifically Twitter, and work to establish a LinkedIn and Instagram presence to reach a greater audience). She shared that the DCA Office of Publications, Design and Editing (PDE) developed graphics for the LATC social media profiles and explained that LATC staff are moving along with the other strategic plan objectives related to social media.

Regarding Agenda Item J (Review and Possible Action on Draft 2022-2024 Strategic Plan), Ms. Trauth suggested additional correspondence with the Board may be needed for Strategic Plan Objective 4.1 (Research the economic and consumer protection impact of re-establishing the Landscape Architects Board or establishing a merged Board with the California Architects Board to provide better representation, strengthen the distinction between the two entities, and increase efficiency).

Mr. Bowden asked about the intent of the presented social media graphics and headlines. Ms. Rodriguez explained that because visuals are helpful and encouraged when posting on social media, LATC staff provided a list of relevant content categories to PDE staff who developed the graphics for use across social media platforms. Mr. Bowden opined that the graphics should be more representative of landscape architecture. Ms. Brief noted that many of the images used depict water loving landscapes and are not reflective of current practice to



address water issues. She offered to assist staff in choosing replacement images that better represent the profession. Ms. Landry agreed that the images should align better with the profession and the font style should match the LATC logo. Mr. Wreschinsky asked the committee members to consider messaging that would help promote the profession and professional licensure.

#### **L. Council of Landscape Architectural Registration Boards (CLARB)**

##### **1. Review CLARB September 21-23, 2022, Annual Meeting Agenda**

##### **2. Review and Possible Action on 2022 CLARB Board of Directors and Leadership Advisory Council Elections Ballot**

Mr. Wreschinsky reminded the Committee that the CLARB Member Boards recently approved the Uniform Standard for Licensure. He added that CLARB encourages licensure candidates to apply to take the national examination and one candidate was recently permitted to take the LARE under California's jurisdiction without completing the required California application and pre-approval process. Ms. Trauth agreed that the examination registration process outlined by CLARB is confusing and could be a disservice to the profession. Ms. Brief recommended that LATC use its online presence to make the application process clearer for prospective licensure candidates. She suggested that the Committee members provide common questions to LATC staff that could be answered through social media content.

Mr. Wreschinsky noted there were not many candidates on the ballot from states with large numbers of licensees and CLARB seems to be moving away from state representation with large licensee populations. Mr. Bowden added that CLARB has had difficulty recruiting individuals for leadership positions.

- **Andrew C. N. Bowden moved to select Lea Ann Macknally for President-Elect, and Ryan Collins and Mark Taylor for Leadership Advisory Council.**

**Susan M. Landry seconded the motion.**

There were no comments from the public.

**Members Bowden, Brief, Landry, Trauth, and Chair Wreschinsky voted in favor of the motion. The motion passed 5-0.**

- **Andrew C. N. Bowden moved to approve Jon S. Wreschinsky as delegate and Trish Rodriguez as representative in attendance on the Letter of Delegate Credentials for the 2022 CLARB Annual Meeting.**

**Susan M. Landry seconded the motion.**

There were no comments from the public.

**Members Bowden, Brief, Landry, Trauth, and Chair Wreschinsky voted in favor of the motion. The motion passed 5-0.**

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

Ms. Rodriguez reminded the Committee that the next Board meeting is scheduled for September 16, 2022, and the CLARB Annual Meeting will be held from September 21-23, 2022, in Omaha, Nebraska. Ms. Brief recommended holding the next LATC meeting on Friday, November 4, 2022. Mr. Wreschinsky volunteered to represent LATC at the September 16, 2022, Board meeting.

Mr. Wreschinsky shared that he had been reappointed to the LATC (6/1/22 – 6/1/26). Mr. Jones commended the efforts of the LATC and recommended that the Committee continue to make specific requests directly to the Board, as needed.

## **N. Adjournment**

The meeting adjourned at 1:30 p.m.

*\* Agenda items for this meeting were taken out of order to accommodate presenters of items. The order of business conducted herein follows the transaction of business.*