

BOARD OF LANDSCAPE ARCHITECTURE

TELEPHONE CONFERENCE CALL

September 19, 2003

9:00 A.M.

(850) 487-8540 or Suncom 277-8540

General and Board Business Meeting Minutes

Call to Order

Mr. Davis called the meeting to order at 9:03 a.m.

Board Members Present:

Paul Davis, Chair

Elizabeth Marshall-Beasley

Elizabeth Anne Gillick, Vice-Chair

Philip Graham

Collene Walter

Others Present:

Barbara Edwards, Board Counsel

Juanita Chastain, Executive Director

David Nam

Terri Estes, Government Analyst

Ed Mazur

Pat Roberson

Application Review

Florida Design Consultants, Inc.

Mr. Graham recused himself from the review of this application because he has a current project with the firm. Ed Mazur and Pat Roberson were present from the firm. Ms. Estes informed the board that this firm had previous civil litigation.

Ms. Gillick commented that the firm was determined no way responsible according to papers in the agenda. Mr. Mazur responded that she was correct. He commented that the suit was a civil engineering matter. He commented that it was a dispute between the developers and they sued everyone associated with the project. Ms. Gillick asked if there were other pending suits against the firm. Mr. Mazur responded in the negative.

MOTION: Ms. Gillick moved to approve the certificate of authorization.

SECOND: Ms. Walter seconded the motion and it passed unanimously.

Review of Continuing Education Providers and Courses

Florida Nurseryman & Growers Association – Provider 2460 Great Southern Tree Conference

Ms. Walter presented the course and commented that this was a reoccurring course. She commented that the application was detailed and complete.

MOTION: Mr. Graham moved to approve the course.

SECOND: Ms. Gillick seconded the motion and it passed unanimously.

American Society of Landscape Architects (National) – Provider 2640 Green Laws: Designing with Community Landscape Codes Preserving Community Character through Design

Ms. Walter presented the course and stated that the courses would be desktop seminar via the telephone and internet. Ms. Edwards asked Ms. Walter about her description of her memorandum using the word in general. Ms. Walter commented that the board discussed various organizations, such as the Florida Department of Transportation, that national organizations that provide continuing education to more than one profession have a standardized course description and outline. She commented that over the past year some provided very detailed outlines and some provided more of a synopsis. She stated that the board set a policy that for the organizations that the board knows and works with, i.e. ASLA, that they could understand the course from a limited outline. She commented that for courses that were more a financial course then they would require a more detailed outline and description.

Ms. Walter commented that the information submitted for each course substantiates the requested number of credit hours.

MOTION: Ms. Walter recommended and moved to approve courses a and b.

SECOND: Ms. Marshall-Beasley seconded the motion and it passed unanimously.

American Society of Landscape Architects (National) – Desktop Seminar Series Developing Therapeutic Gardens in Various Communities Part I Developing Therapeutic Gardens in Various Communities Part II Design for Learning: Values, Qualities & Process of Enriching School Landscapes Integrated Stormwater Management –Part I Integrated Stormwater Management –Part II Stream Assessment – Part I Stream Assessment – Part II Stream Restoration – Part I Stream Restoration – Part II

Stormwater Planning: Watersheds to Storage Sheds
Aesthetics, Community Character & the Law – Part I
Aesthetics, Community Character & the Law – Part II
Land Use & Water Quality
Traffic Calming
Construction Impact on Trees
How to Communicate with Congress
Strategic Planning for the Small Firm
Introduction to Entitlement: An Overview Part I
Entitlements: Working Towards Solutions Part II
Managing Risk to Avoid Being Sued: Basic Training for the Smaller Landscape Architectural Firm
Managing Risk to Avoid Being Sued: Advanced Training for Established Landscape Architectural Firm
Aggregate Industry Issues & Reclamation Opportunities – Part I
The Reclamation Planning Process – Part II
Reclamation Cased Studies Part III
Applying Digital Archiving
Improving Productivity, Efficiency & Quality of CADD Drawing
Introduction to Digital Multi-Media for the Small Office
Advanced Digital Multi-Media for the Small Office
GIS: Design Format of the Future, Here Today

Ms. Walter presented the 29 courses and stated the applications were complete and the information submitted substantiates the credit hours requested.

MOTION: Ms. Walter moved to approve the 29 courses.

SECOND: Mr. Graham seconded the motion and it passed unanimously.

American Society of Landscape Architects (National) – 2003 ASLA Annual Meeting
Courses Provider 2640

Educating about Smart Growth for Healthy Lifestyles
Emerging Culture of Green Roof Technology
Saving Downtown Balancing Economics & Authenticity
Principles and Practice of River Restoration and Design
Meeting of the Minds
CEO Round Table – Is the Glass Half Full or Half Empty
Specification Fundamentals and Software for Landscape Architecture

The Crescent City
Rocks, Trees, Rivers? State-of-the-Art in Digital Landscape Modeling
Crime Prevention through Environmental Design
Ecological Infrastructure: Premier for Integrated Wastewater Management

Applying Context Sensitive Design at a Site Scale

Fuzzy Edges between Green & Blue: How Designers are Reshaping Aquatic Shorelines
Planning for Retirement: Reaching your Goal
Making Arbitration Work for you
Plan Before the Plan: LSU Mater Plan 2003
Digital Terrain Modeling: Interactive Visualization of Landscape Proposals
Life as we know it will never be the same 9-11
Applying Landscape Ecology to Restoration in Developing Areas
American Parkway: Culture, Place & Collaboration
Neponset River Daylighting Project
Time and Stress Management
LARE Survival
Memories from the Mist: Interpreting Multiple Layers of History at Chalmette Battlefield & National Cemetery
Approaching Technology as a Design Process
Landscape Codes & Culture, the Visual Effects
Permeable Interlocking Concrete Pavements - Design & Construction
From the Beach to the Mountains: Universal Design for All
Gulf Coast Conservation & Restoration Issues
Demystifying those Mysterious Fellows
What you don't know can hurt you: American Standard
Slave Landscape & Life in Low County Plantations: Myth & Reality
Digital Site Analysis: Visualizing the Layers of Space, Culture and Place Regulatory Landscape: Stormwater Phase II
Introduction of a New Distributed Split: Flow Stormwater Design Strategy
Learning from the 2003 Rail-Trail Design Recognition Awards
Case Studies: Restoration & Reclamation Projects in Louisiana, Pennsylvania, and Arizona
Winning Strategies: ASLA Professional Awards Jury Discussion
Post WTO Entry: American Landscape Architects Opportunities in China
Landscape of Ragdale: Country House to Artist Retreat
Prototype for Interactive e-Education & Visualization
Green Infrastructure: Achieving LEED Standards with Creative Site Design
A Comprehensive Approach for Protecting Water Quality: Regional Planning, Assessing Impervious Area, and Appropriate Stormwater Management Techniques
Walkability's Unique Role in Creating High-Quality Public Space & Community
New Environmental Issues on the NYC Waterfront
Public Partnerships to Create a City of Trees
Whatcha Gonna Do? Part Two
Sante Fe County's Alternative to Sprawl
Creating the Digital Design Practice

Ms. Walter presented the courses and commented that they would be in the form of seminars, workshops, and lectures. She commented that an overall outline was submitted and individual applications for each course. She commented that this would allow an individual to receive credit hours for only the sessions they attend.

MOTION: Ms. Walter recommended and moved approval of the 49 courses.

SECOND: Ms. Gillick seconded the motion and it passed unanimously.

**American Society of Landscape Architects (National) – Landscape Architecture
Technical Information Series (LATIS) Home Study Courses Provider 2640**

Design for Learning: Qualities and Processes of Enriching School Landscapes

Geographic Information Systems: Using Tools for Informed Growth

Structural Soils

Vegetated Swales

Reclamation Planning and Pits and Quarries

Ms. Walter presented the courses and stated this was an old program that has been revised and updated for home study use. She commented that this would be a booklet that requires completion of course, an examination, and ASLA scores the examination for continuing education credit.

MOTION: Ms. Walter moved to approve the 5 courses.

SECOND: Ms. Marshall-Beasley seconded the motion and it passed unanimously.

FNGA- Special Event and Allied Trade – Provider 0002640

The Green Side of Development

Ms. Chastain commented that the board office received course information and that Ms. Walter had reviewed the course. Ms. Walter presented the course and commented that it was for an optional 2-hour credit course. She commented that the event would be held September 25, 2003. She commented that this course was a breakfast that will be held in conjunction with the FNGA and Allied Trade Show. She commented that it would consist of a presentation from Cherry Lake Tree, a round table discussion that would be facilitated by the Director of Horticulture with Universal Studios, and a presentation on the Audubon International Program. She commented that the application included resumes and she reviewed the education and experience for the speakers and instructors. She commented that the outline and application was complete and substantiates the requested 2 credit hours.

MOTION: Ms. Walter recommended approval of the course.

SECOND: Ms. Graham seconded the motion and it passed unanimously.

Ms. Edwards commented that the board has a rule that requires the application to be submitted 60 days prior to the course. She commented that if the board had a rule they were not going to enforce then they do not need the rule.

Ms. Walter asked Ms. Edwards if the board needed to note in the motion why they are not following the rule in this case because of special circumstances. Ms. Edwards replied that was a good idea.

Ms. Gillick commented that she did not want to move this application forward to avoid friction but because the provider was already on the agenda for review and was approved.

MOTION: Ms. Gillick moved approval of the course based on the provider already being on the agenda and not set a precedence regarding the 60 day requirement.

SECOND: Ms. Walter seconded the motion and it passed unanimously.

Discussion

Letter from Linda Long – The Florida Chamber’s Environmental Network

Mr. Davis commented that he did not believe the board had the ability to retroactively approve a course.

MOTION: Mr. Graham moved to approve.

SECOND: Ms. Walter seconded the motion for discussion.

The board discussed the possibility of retroactively approving this course and the precedent it would set. The question was called and failed.

MOTION: Ms. Gillick moved to deny the request to make the course approval retroactive.

SECOND: Mr. Graham seconded the motion and it passed unanimously.

Ms. Gillick asked the staff to relay the board’s feeling that in no way is this a negative feeling against them as a provider.

Ratification List – (faxed)

MOTION: Ms. Walter moved to approve the list as presented.

SECOND: Ms. Gillick seconded the motion and it passed unanimously.

Review of Statutes and Rules – Memorandum from Barbara Edwards

Mr. Graham asked her to verify that this must be completed by October 1, 2003. Ms. Edwards replied in the positive.

Ms. Edwards commented that this was an opportunity for the board to address issues with the legislature. Mr. Davis asked if the electronic signing and sealing was part of the issues. Ms. Edwards commented that issue was mentioned but received a response that it would require a statutory changes.

Ms. Edwards commented that the legislature has asked that the board identify any agencies that have concurrent or overlapping jurisdiction of professions. She commented that there might be some overlap with the Department of Environmental Protection (DEP). Mr. Davis commented that DEP has a mangrove certification program, which is identified in Chapter 481.

Ms. Edwards asked the board if they provided a training program for mangrove trimming or does DEP have a program. Mr. Graham would research. Ms. Walter commented that Rule 61G10-17, is mangrove trimming preservation requirement. Ms. Gillick read the rule and it referred Chapter 481 and 403.

The board discussed the Board of Engineers having overlap but determined that it was responsibilities not regulatory or jurisdiction overlap.

Mr. Graham read Chapter 403.9329(e) regarding mangrove trimming. It was determined that DEP certifies mangrove trimmers and DBPR registers mangrove trimming under the landscape architects license.

Ms. Edwards commented that Chapter 481.305 requires 12 hours to reactivate their license and she recommended that the statute be corrected. The board decided to leave the statute and make no changes.

Ms. Edwards commented that the board would like to have landscape architects defined as a design profession. Mr. Davis commented that he understood that the Building Code was being updated to include landscape architects as design professionals.

Mr. Nam commented that the International Code would be the base template for the Florida Building Code in 2005. He commented that the International Code uses the registered design professional terminology and does not identify specific design professionals. He commented that it uses the overarching term, which references the statute that regulates the design professional. He commented that the current Florida Building Code only identifies architects and engineers. He recommended that the board give the Building Code modifications an opportunity to succeed prior to requesting legislative changes the Chapter 481.

Ms. Gillick asked Mr. Chastain if she was going to contact Mr. Rodriguez regarding the Florida Building Code letter. Ms. Chastain replied that she had not been able to speak with Mr. Rodriguez but had left a message. She continued by stating she had spoke with Mr. Wiggins regarding the proposed language modifications and he spoke with Mr. Drylie and she was waiting on a fax from him regarding the revised proposed language. Ms. Chastain commented that the revised proposed language would define design professionals as required by statute.

Ms. Gillick commented that it was important to have landscape architects in the current Building Code and not wait until the International Code is used. The board concurred. Ms. Walter commented that the International Code would be a based template and the Commission would be able to make changes.

Mr. Nam recommended that the board continue to promote the adoption of Modifications 702 and 703. He commented that they use, only as a second option, the based template language from the International Code. He commented that it was important for the board to express the importance of this issue to ASLA because they are in a transition with leadership.

Ms. Chastain confirmed for the board that the letter to Mr. Rodriguez regarding the importance of Modifications 702 and 703 was sent. She commented that she has begun to perform follow-up calls to the Commissioners.

Ms. Gillick commented that Ms. Chastain could convey that by the title of landscape architects some building officials do not understand the duties and ability of what landscape architects are allowed to do under the statute. Ms. Walter commented that this was not an expansion of their ability but recognition.

Mr. Nam commented that the statute gives specific ability to discipline licensee's that violate the building code. He commented that he did not believe the legislature would not have authorized the board the ability to discipline for violations of the building code if you were not intended to perform activities under the building code.

Mr. Nam informed the board that the Administrative TAC would be reviewing the modifications at the beginning of the meeting. Mr. Graham asked Mr. Nam if ASLA would be contacting the Commissioners regarding the modifications. Mr. Nam replied that they would not be contacting the Commissioners to avoid repetition and it might not be beneficial. He commented that ASLA would be providing backup material in the Commissioner's packets.

Mr. Graham commented that this issue goes back to the fact that the Commissioners do not understand what landscape architects do. Mr. Nam commented that he agreed that they do not understand what their profession does.

Ms. Edwards confirmed that the board did not want to address the design professional issue in her letter to the legislature. The board confirmed. Ms. Edwards commented that Chapter 481.321 would need to be updated to allow for electronic signing and sealing. Ms. Gillick commented that she was not in favor of opening Chapter 481.

Ms. Marshall-Beasley commented that she was under the impression that the Department of Transportation (DOT) was addressing this issue. She continued by stating she had a concern regarding the tampering of documents. Mr. Nam commented that ASLA was supporting the DOT legislative package to include the electronic signing and sealing because they are moving in the direction to only accept electronic signing and sealing.

Mr. Graham commented that he felt it would be helpful to have a rubber stamp in addition to the metal embossed seal. Ms. Gillick did not agree. Mr. Nam commented that should allow for a broader statute for electronic signing and sealing, or other future means.

Mr. Davis commented that they were reluctant to open the statute for revisions. He commented that opening the statute allows for opposition and potential for insertions and deletions in the statute.

Mr. Nam commented that the Board of Architecture and Interior Design was discussing privatization.

Ms. Marshall-Beasley left the meeting at 10:45 a.m.

Ms. Edwards asked the board if they did not want to make any changes to the statute at this time. The board confirmed. Ms. Edwards stated that the board might want to advise the department what they would like changes but are not willing to open the statutes at this time. She continued by stating that the letter must be sent and they could address the concerns of the board without opening the statute, however, the legislature could make changes if they like, even if they kept a low profile.

Ms. Walter commented that the letter should include the clarification of the rules, the overlap with DEP, and delete any reference to the statute changes. Mr. Nam commented that if the board had the authority to make the changes they would but there is a downside to making statutory changes. He commented that he had a concern for ASLA bringing certain issues to the legislation and the letter from the board does not reflect the same.

Ms. Edwards commented that the department might draft language that would allow for electronic signing and sealing for all professions. She commented that she would complete the letter and have the Chair review prior to submitting.

New Business

Ms. Chastain commented that she spoke with Mr. Bolusky with FNGA and he was not able to attend the November 7, 2003. She commented that he was very interested in attending but had prior obligations. She commented that he offered to the board an alternate title of FNGA's Florida Certified. The board discussed and requested that they remove the second Florida.

The board endorses the program; however, they do not feel that Florida Certified should be included in the title of the program. They asked Ms. Chastain to propose to Mr. Bolusky that the program be called FNGA Certified. The board asked Mr. Bolusky to attend the November meeting or send a representative.

The board reviewed the future format for obtaining the Florida Building Code advanced and the core courses.

Mr. Davis confirmed to the board that he and Ms. Gillick attended the CLARB meeting.

Old Business

No old business.

Adjourn

MOTION: Ms. Gillick moved to adjourn.

SECOND: Ms. Walter seconded the motion and it passed unanimously.

The meeting adjourned at 11:20 a.m.