

Board of Licensure for Landscape Architects meeting transcript

August 8, 2024

Curtis LaPierre (00:00:02):

Licensure for Landscape Architects. It's now 10:01 AM on Thursday, August 8th, 2024. I'm calling this board meeting to order. This meeting is open to the public, and we will provide an opportunity for public comment later in the meeting. Reduce background noise. Please mute yourself when you are not speaking. Also for board members to help us capture the information correctly, please state your name when making comments. Thank you. Item two, roll call. Sydney, if you please call the role.

Sydney Muhle (00:00:41):

LaPierre.

Curtis LaPierre (00:00:42):

Present.

Sydney Muhle (00:00:43):

Vice Chair Crabill.

Daren Crabill (00:00:47):

Here.

Sydney Muhle (00:00:47):

Board Member Anderson.

Jason Anderson (00:00:47):

Here.

Sydney Muhle (00:00:47):

Board Member Solorio.

Lindsey Solorio (00:00:48):

Here.

Sydney Muhle (00:00:48):

And board member Robinson-Losey has an excused absence for today. We have a quorum.

Curtis LaPierre (00:00:54):

Okay, great. Let's move on. Item three is approval of the agenda and we will need a motion for approval.

Daren Crabill (00:01:03):

This is Darren Crabill. I'll so move to approve.

Lindsey Solorio (00:01:07):

Second the motion.

Curtis LaPierre (00:01:09):

Motion is made and seconded. All those in favor?

Daren Crabill (00:01:13):

Aye.

Lindsey Solorio (00:01:13):

Aye.

Curtis LaPierre (00:01:18):

Aye. Did I do minutes or agenda?

Sydney Muhle (00:01:20):

You did do an agenda.

Curtis LaPierre (00:01:21):

Okay. Next is approval of minutes. Same thing. Need a motion for approval.

Jason Anderson (00:01:27):

I move to approve the minutes. Jason Anderson.

Curtis LaPierre (00:01:31):

Thank you Jason. A second?

Lindsey Solorio (00:01:35):

This is board member Solorio. I second the motion.

Curtis LaPierre (00:01:39):

Thank you. All those in favor, approval of the minutes.

Jason Anderson (00:01:42):

Aye.

Lindsey Solorio (00:01:42):

Aye.

Curtis LaPierre (00:01:43):

Aye. Under old business, each update, let's go ahead and open the discussion. Any of the board members have any recent outreach activities?

Daren Crabill (00:02:02):

I do not.

Lindsey Solorio (00:02:05):

I do not either.

Jason Anderson (00:02:05):

Nor do I.

Curtis LaPierre (00:02:05):

When did we meet last? I'm trying to remember if I-

Lindsey Solorio (00:02:11):

May.

Curtis LaPierre (00:02:11):

May?

Sydney Muhle (00:02:11):

May 5.

Curtis LaPierre (00:02:11):

Have done anything.

Sydney Muhle (00:02:15):

So unfortunately, we met as the universities were coming out of their school year, and we're not back into the school year quite yet, so there really hasn't been a whole lot, but the board had requested that this be a standing item so-

Curtis LaPierre (00:02:29):

Right. No it's good.

Jason Anderson (00:02:33):

Well, board member Anderson addressing that issue. I will be going to WSU again sometime here in the fall and can probably do another presentation.

Curtis LaPierre (00:02:54):

And I feel like I've been doing stuff but it's been working with interns at work, so landscape architecture students that we've hired as interns at various offices to talk to about how their experience is going and what their future plans are and do they like transportation infrastructure. Let's go ahead and move on to-

Jason Anderson (00:03:24):

Real quick.

Curtis LaPierre (00:03:28):

Jason, yeah.

Jason Anderson (00:03:28):

[inaudible 00:03:29] Anderson. As are you going to, I know Curtis in the past you've done things at WASLA. Is there going to be something in Spokane for the current WASLA conference?

Curtis LaPierre (00:03:41):

I have not been asked and I probably will not volunteer because the last time I did it, there was only a few people. You were there.

Jason Anderson (00:03:50):

I was there.

Curtis LaPierre (00:03:53):

Thank you for going up. So probably not, it wasn't like a big loss. Especially if something else is [inaudible 00:04:05] choice, they probably won't come to hear about licensure, but if they see I'm going and they ask me to say something at lunch, I could.

Jason Anderson (00:04:17):

Does it make sense to maybe reach out to WASLA and ask if we attend a young professional's happy hour or something like that?

Curtis LaPierre (00:04:26):

I think they have an opening reception and they have a closing.

Jason Anderson (00:04:30):

Oh, I'm sorry-

Curtis LaPierre (00:04:33):

You mean outside of the conference? Entirely positive. Yeah. Great idea.

Jason Anderson (00:04:41):

If that's something I can do.

Curtis LaPierre (00:04:41):

Yeah.

Sydney Muhle (00:04:43):

I was going to say if one of you has a contact with WASLA, that would be great. We have some staff contacts but it doesn't seem like the information flows as much through staff as it does through you guys, but I know events like that have been successful for some of our other professions.

Curtis LaPierre (00:05:07):

Good. Anything else on outreach then? Hearing none. Item 5.2, the 2024 Council of Landscape, Architectural, Registration Boards, CLARB, Licensure Summit, that's with ASLA, and annual meeting updates. Sydney, you have some information or discussion?

Sydney Muhle (00:05:31):

I do. So at the last board meeting, most of the board members had indicated that they were not going to be able to attend due to other scheduling conflicts during that same time. Board Member Anderson had volunteered to see if he could make his schedule work, and unfortunately, he was not able to either. We're also facing similar struggles with staff issues and other conflicts that are going on with our schedules. So right now, it's looking like Washington will not have any representation at this year's CLARB annual meeting. We've already communicated that to CLARB but I did want to, one, bring that back to the board so you guys had an awareness, but also just to see if any circumstances had changed that somebody now wanted to attend to offer that opportunity.

Curtis LaPierre (00:06:18):

Okay. Yeah, I'd like to find a way to communicate to their leadership that adding a travel day on each end of that really makes it more of a burden coming from an opposite coast. So they really should be looking at cities to which you can fly direct to from places like Seattle.

Daren Crabill (00:06:41):

That's a good idea actually.

Curtis LaPierre (00:06:42):

Yeah, because Buffalo will be basically an all-day.

Sydney Muhle (00:06:48):

And we did share that with the CLARB.

Curtis LaPierre (00:06:51):

We did, great.

Sydney Muhle (00:06:54):

And the response that we got back was, well a lot of other jurisdictions are choosing to send someone for the license or something and somebody separate for the annual meeting and I said, okay, that's great when you're traveling from much, much closer, but when you're traveling from the opposite coast, having to try and coordinate that for two people that still take really big chunks of travel time, it's probably not as feasible when we're struggling to get one to be able to travel during that time. So I think it's going to be an ongoing discussion. I also mentioned to them years past when hybrid options were available for the annual business meeting that that was helpful when we had things on either coast. Understanding the East Coast has the same thing when they're out here, that those hybrid options to at least have some virtual attendance as your schedules allow was really incredibly helpful, and they didn't respond to that piece of it, so we'll see if they hear that from anyone else.

Lindsey Solorio (00:07:58):

What are the dates of the meeting we just discussed? [inaudible 00:08:06]. Normally, when I have my multiple screens, I have that already pulled up but I can't do that at the moment.

Curtis LaPierre (00:08:18):

You're thinking you could go?

Lindsey Solorio (00:08:20):

For some reason, I had in my head that it was October but this is a no-go for me.

Sydney Muhle (00:08:25):

We're finding that September is a really, really hard time of year and seems like a lot of our other professional associations have moved away from September for that reason.

Lindsey Solorio (00:08:38):

Very close to the start of school and-

Jason Anderson (00:08:41):

Made it work but unfortunately my partner's in Canada for her job so-

Sydney Muhle (00:08:47):

Having a parent at home is definitely required so we understand and so, again, we wanted to make sure the board was aware just of the scheduling challenges for this year and one, to offer that opportunity in case circumstances had changed, but also to let you guys know that we had shared that with CLARB. If you guys have anything additional, any additional comments, I can get you the contact information for the folks at CLARB to send that directly to and have some input as they look at scheduling future years.

Curtis LaPierre (00:09:18):

Just out of curiosity, we're not sending anyone this year, does this give us an ability next year if it's in a reasonable location?

Sydney Muhle (00:09:29):

Yeah. Good question. We're not spending any of those CLARB-

Curtis LaPierre (00:09:32):

[inaudible 00:09:32] us or-

Sydney Muhle (00:09:32):

Yes, but we're not spending any of those CLARB points this year. All of that will stay in our account and give us a bigger balance for next year.

Curtis LaPierre (00:09:39):

Great.

Lindsey Solorio (00:09:44):

I definitely like to go on another year if there's opportunity.

Sydney Muhle (00:09:45):

Next year should be region two, which I believe is south, so I don't know where specifically it's going to be. I'm not as connected to that with Julie still in that position, but I believe it's going to be in the southern regions somewhere. I just don't know if it'll be close to-

Curtis LaPierre (00:10:03):

In the golf course, right in hurricane season?

Sydney Muhle (00:10:10):

Yeah, it's perfect time.

Curtis LaPierre (00:10:10):

[inaudible 00:10:12].

Sydney Muhle (00:10:14):

For next year?

Curtis LaPierre (00:10:15):

Yeah.

Sydney Muhle (00:10:15):

I do not but as soon as those are released, I will certainly get them to you. Julia May already have them but they would be tentative at this point.

Jason Anderson (00:10:24):

The sooner, I think, the better, for me anyways.

Sydney Muhle (00:10:29):

Yeah, I'll check with Julia. Unfortunately, she was not able to join us today. She is on vacation so I'll reach out to Julie and see if she knows so we can give you that tentative date to start planning, understanding this early, they would still be tentative. They usually set it early in the calendar year.

Curtis LaPierre (00:10:46):

Great. Any other old business then? Hearing none, let's move on to new business. Item 6.1 is a licensing fees discussion. Sydney, if you could please introduce that.

Sydney Muhle (00:11:01):

Absolutely. So this was an agenda item that was affected by Board Member Solorio at the last meeting, and I just wanted to provide an introduction for this item. This board does not have a direct say on fees, so I did want to make that statement before we go too far into this discussion that this would really be

in an advisory capacity for this board providing some advice for the agency for the next time fees are considered. You guys are not on anyone's radar [inaudible 00:11:36] this time, but wanted to make sure that you guys as well as any members of the public joining understood that this was not something that the board had control over necessarily, but just an advisory capacity to the agency.

Lindsey Solorio (00:11:52):

I have some other materials if anyone like some. This is Board Member Solorio. After I requested this be a agenda item after our last meeting, I conducted just some preliminary research about the licensing fees of related professions to landscape architecture in Washington state, and then also a national comparison by state of initial licensing fees and renewal fees and continuing education. So the first sheet of the packet, so Washington state fees, the second sheet is national fees, and then the third sheet is a graph that visually shows person. And my findings are that the landscape architecture license both within this state is much higher in comparison to the other related professions that are regulated and as well on the higher end of the national fees as well.

(00:12:55):

Oregon and California are just about the only states that are higher than Washington fees, and California has no continuing education requirements, so the substantial overall cost to carry that license is less than what landscape architects say in Washington state. And while I moved the board, I wanted to find out where did the funds go from fees that are generated, how were those used in support of the boards, and although the landscape architecture license fees are higher, is there a different level of board support for the profession than other licensed professions? I would love information.

Deborah Peter (00:13:43):

I connect some of it. I think that this is one of the areas that we're trying to get clear on how we communicate how your fees support each of the different programs and where those fees go to. On a very high level, I can tell you that they go to supporting the systems that we utilize for licensure. There are associated costs that unfortunately continue after we purchased a new system. We're still having ongoing costs. They pay for the infrastructure, the buildings that we are renting, the locations, the technology, our computers, pays for the staffing costs, which unfortunately is probably the highest piece of that. With any business, as you know, rising costs to do business and for salaries has been increasing. Some of the things that are outside of the control of Department of Licensing are legislatively mandated salary increases, so we don't have control over those.

(00:14:47):

When the legislature says that they're going to do a 7% increase over two years, we are forced to absorb those costs and unfortunately share them with our licensing people to pay for that. We also have what we call indirect costs, so part of that goes to supporting Department of Licensing and the infrastructure that supports the agency as a whole. That would be our human resources, our director's office, and all of those exteriors. It is supposed to be worked out as a percentage for each licensing base, which means that sometimes, the costs don't fall very equitably within programs. Smaller programs sometimes get a little hit harder than our larger programs, because it's shared out amongst a smaller licensing base. This

is where you see higher costs to have licensing because instead of having 100,000 licensees like the cosmetology program, you have a very small licensing base to share that cost out.

(00:15:58):

Now granted, there are fewer employees that support landscape licensure than in cosmetology because obviously, it takes a lot more work to manage 100,000 licenses than it does, what do we got? I didn't look at the numbers for landscape, much fewer. That is a really overall, but what we're trying to do in our budget office is get a much clearer tools for helping to understand that, and as we have that, we will share it out with the board trying to get some charts and some real clear information to share so that you have an idea of where those fees are going. And as Sydney said, the board doesn't have say in it but you do have a voice in expressing the concerns of your licensees, and I appreciate putting together some research, Board Member Solario, on how Washington compares that. We do take that into consideration. We do not want to collect fees above what we need to run the program.

(00:17:05):

We are statutorily required to be fee neutral, which means that we're not creating an excess of funds. We don't want to have so much in there that we've got funds that look ripe for a sweep. We want to make sure that we have funds to manage the program and have a balance and we try, and keep a three-month operating balance. That is what we internally have as our goal and the reason is it's smart business. Three months gives us an emergency fund. If you have a very large legal case that costs us a lot of attorney fees, we need to have the money available in that case. Luckily, landscape Architects doesn't see very many big complaint cases that would take that, but we don't want to have any surprises like that. Yeah, Darren.

Daren Crabill (00:18:06):

Are the other state professional licenses that you have listed here, are these also two-year renewal cycles or are they single year?

Deborah Peter (00:18:15):

It varies. I mean I think we didn't do this research so you'd have to ask.

Sydney Muhle (00:18:20):

I know for ours, architects and geologists are two-year. For engineers and professional land surveyors, unfortunately, they are a different agency, so I could not speak to those without going and doing some research.

Deborah Peter (00:18:37):

What we've discovered when we've been looking across some of our other professions at jurisdictions across the country, there is very different examples of how they do licensure, and so you see this wild variance in terms of fees. What we find is the wild variance is based on how much of their general funds supports the licensing. So if you have a jurisdiction for instance that their state general fund is paying for, part of their infrastructure, their licensing fees are of course going to be lower. Unfortunately, here

in Washington, we're statutorily required to maintain and support our programs, our licensing programs. They have to be self-sufficient. That's what drives up the cost of your fees.

Curtis LaPierre (00:19:31):

That has to be the case because California lots of landscape architects, high fee. Some of the other states in which I'm licensed, Wyoming, South Dakota, Idaho, there's hardly any landscape architects and the renewal fees are really low.

Deborah Peter (00:19:49):

So it could be their general fund is supporting those and that's what we've found out, then trying to compare them, the different jurisdictions, it doesn't make sense. It's apples to oranges.

Curtis LaPierre (00:20:03):

And is that across the board for all professional licensing that in Washington there's no general fund support?

Deborah Peter (00:20:16):

For here within the business and professions division of Department of Licensing, that is true. Now we have lots of different licensure within the state and I am not an expert on that. I mean Department of Health has number of licenses that they maintain. Department of Social and Health Services, the same.

Curtis LaPierre (00:20:34):

[inaudible 00:20:35].

Deborah Peter (00:20:35):

But here in DOL, yeah for our professional licenses, that is the case for all of them.

Lindsey Solorio (00:20:46):

How often do increases typically happen for licensing fees?

Deborah Peter (00:20:52):

We are looking at them all the time. I would say that we work very closely with our budget office. One of the positions that we are adding and we're really excited about is a forecaster that will be helping us to try and predict some of these before we get to the point that we have to break our fees exponentially higher. That if we can anticipate what we're looking at for costs increases, we can do much smaller incremental changes over a longer period of time, so it doesn't hit you. I think what happened when we had our fee increases last in 2022 for this program, it was significant because we hadn't had a fee increase in a number of years.

(00:21:41):

We have other programs that are facing that. Currently, we've had to share that message with our appraiser program. It was a very substantial, also painful, because very similar to landscape architects, it's a very small program of licensees that have to be supported. They hadn't had fee increases since 2009 either. So when you look at that contract, there's two fee increases for that program, and so this year, it really hit them hard. We are working to be better about how we do our fee increases. That is our commitment because we do understand the impact to small business. We understand it's not easy. You have businesses to run, you have expenses that you need to be able to predict and your licensing fees are part of that.

Sydney Muhle (00:22:37):

And if I can add just a little additional history in that, so this profession had not had a fee increase since 2009. There was one that had been approved and then froze, so that fee increase never actually went into effect. And then this fee increase was originally supposed to happen early in the COVID years and the agency, knowing the impact that COVID was having on all of our professions, had placed those fee increases on hold. And what was originally supposed to be just a few weeks, as we all know, expanded to four years very quickly. And within those two years in between when the increases were supposed to go into effect and when we went back to look at them to actually put them in place, a number of variables had changed, and that led to that fee number changing more than what we had anticipated.

Jason Anderson (00:23:31):

[inaudible 00:23:32] currently be taken in covering the costs.

Deborah Peter (00:23:35):

That's our understanding. I think we can make a commitment to bring some more fee information at our next board meeting and we'll try and ask our budget office where we're at so you can get a kind of snapshot.

Sydney Muhle (00:23:50):

And part of that will also be discussing with the next agenda item too.

Jason Anderson (00:23:54):

Okay. I'm also curious just the amount of architects and engineers licensed in the state.

Sydney Muhle (00:24:00):

So I know the number of engineers is very high. I think they would probably be comparable to some of our larger programs within DOL. They're definitely a significant number. Architects, they're sitting at right around 7,000 licensees, and in the licensing report we'll be going over today, you guys are at less than 900, so that is a rather small number still having to share in the cost of maintaining the program.

Daren Crabill (00:24:34):

Sorry, one more. It seems the gap won't be fixed this way but it almost seems flipped in what... You would expect a higher initial fee with a lower renewal fee. I know, I was just looking at the numbers, when you get 10 new licensees a quarter, obviously that doesn't mean much dollar wise, but I think one of the things to be looked at that maybe help reduce pressures is just bring the initial fee in line with the renewal fee and I don't know, it does seem flipped in what you would expect to see, and as you look at the other states, you see a lot of that juxtaposition between the two, not everywhere, but anyway, it's interesting.

Sydney Muhle (00:25:33):

Deb can correct me if I'm wrong, but I believe the reason we're seeing that right now is because you guys have a significant number who are maintaining an active license without having new licensees coming in, and so that's why the cost to maintain those is more, and that's why that renewal fee is higher, versus being able to be shared with new licensees coming in.

Lindsey Solorio (00:25:56):

Board Member Solorio, as we've discussed at the previous meetings about a overall aging population of licensees that more will be exiting the profession in the next decade than coming in, I imagine that the implications and fee costs will only grow from there if our population becomes less, even more, and then having to share the overall costs.

Deborah Peter (00:26:27):

And I think that we have many of our professions that are in that same place, particularly the smaller professions that require quite a bit of education coming into the profession, what we're seeing is a real gap and kind of a stale population community. You're not seeing as much growth in the industry. I think when we're starting... Our division, we're working with an outreach group to try and figure out how we can get into a younger audience to start sharing the information about professional pathways sooner rather than later. I believe you've met Bill Dutran in your meetings in the past.

Curtis LaPierre (00:27:13):

I have, yeah.

Deborah Peter (00:27:14):

He and his team are working on doing more with DECA and some of these other more high-school-gearred organizations, so that might be where your outreach group may also want to start focusing some attention is before they even get to college, get them thinking about what else could they do. If they love to be outside, they love to maybe think about the pathway of landscape architecture, get them thinking about it young, and finding out what it would take in high school and before college to think about that.

Sydney Muhle (00:27:55):

And I just did some quick math. Right now, 40% of your licensing base is over the age of 55, and as we're looking at those numbers and trying to forecast, we look at anyone over the age of 55 is at or approaching traditional retirement age. Granted a lot of licensees do stay in their profession well past 55, but that's where that number can get a lot more variable to it. So 40% is not the highest that we have right now, but it is a pretty significant number that is going to be rapidly approaching that retirement age.

Curtis LaPierre (00:28:43):

It might be nice to do a little newsletter talking about your findings, but make sure you've got it maybe on a... So it's apples and apples, like maybe a per year renewal, what it costs, because I have California license, I don't ever remember paying that much, but I think it might be only three years.

Lindsey Solorio (00:29:10):

Yes. And on the second sheet where the breakdown by state, under the renewal fee, I calculated that to match our two-year cycle, but if that state does not renew the license on a two-year cycle, I noted that with the annual or tri-annual fee, but you're absolutely right though, that that might be helpful for our licensees to see.

Curtis LaPierre (00:29:36):

The main point is though that we rank among the highest, although Oregon does have a continuing education requirement and they do audits frequently. Found that out. Okay, good to know. Yeah, an article would be really good to kind of communicate that the board is looking at this. I'm sure people are wondering why they're paying so much but it is a pretty logical explanation that for very small profession compared to engineers, and that's why.

Daren Crabill (00:30:25):

I think that the demographic trend of our aging licensees is a really key thing to share with the larger-

Sydney Muhle (00:30:35):

Yeah, one thing we're hearing at the national level from all of the professional associations is particularly for STEM professions, at least they seem to be the ones looking into it the most, is students are deciding by eighth grade what their professional track is going to be, and so a lot of professions are gearing their outreach toward if we can't get them by eighth grade, [inaudible 00:31:00], so that tells you the educational track work on nationwide that as the push for STEM professions has increased, they're really starting to get into that, starting at the high school level, and that generally, if you don't have them that early, you're not going to.

Curtis LaPierre (00:31:23):

My research, very informal research done over the years getting in any room full of landscape architects, when I asked who didn't learn about landscape architecture until they were in college and maybe

happened upon it in the course catalog, and more than half will raise their hands. They had no idea when they got to college what-

Sydney Muhle (00:31:51):

I never heard about a landscape architecture program in college, and I came from a very environmental studies based university and never heard about that program until I was into my professional career and had to work with landscape architects on projects and I was like, "Wait a minute."

Curtis LaPierre (00:32:13):

Are they so invisible?

Deborah Peter (00:32:15):

And that's a good question. I mean that is maybe where our outreach unit can help us to get that message out and to support that for the board. So that is an area that we can look at putting some resources towards. One of the other professions asked us to help them put together a tri-fold brochure on the profession and I think that's someplace that we can also support this board.

Curtis LaPierre (00:32:44):

Although if it's middle school, it probably should be more TikTok than a tri-fold.

Deborah Peter (00:32:49):

Probably true. Yes, yes. If we're going to be trending towards the younger generation, then paper is probably not the way to go.

Sydney Muhle (00:32:59):

I got to say some of our other state agencies have really jumped on the social media trend and they're doing a great job with it, and it's having an impact.

Lindsey Solorio (00:33:13):

This is Board Member Solorio, I'd be happy to put together an article for an upcoming newsletter. Do we have quarterly newsletters or?

Curtis LaPierre (00:33:21):

We don't.

Daren Crabill (00:33:23):

I think it would be shared with ASLA as the-

Curtis LaPierre (00:33:25):

Yeah, WASLA's emailed newsletter would be a good one.

Sydney Muhle (00:33:30):

I believe the board had one years ago, but WASLA's had much more traffic and so it just made sense to have articles in theirs.

Curtis LaPierre (00:33:42):

The out-of-state licensees don't have the benefit of WASLA as they did years ago with-

Sydney Muhle (00:33:53):

And this may be something you guys want to look at partnering with WASLA on and maybe creating some sort of task force to start addressing because this really isn't just going to impact this board. It's not just going to impact WASLA. It is going to have a massive impact everywhere. So I think if you guys could come up with some innovative solutions with them on how to start getting kids interested in the profession at a younger age, you might not see the benefits of it immediately, but I think you would start seeing them faster.

Lindsey Solorio (00:34:27):

Curtis, you're involved with WASLA?

Curtis LaPierre (00:34:28):

No ASLA.

Lindsey Solorio (00:34:29):

ASLA, okay. Do we have a contact at WASLA who would be the right person to approach about putting a piece out?

Curtis LaPierre (00:34:42):

Yeah, whoever is the president now.

Sydney Muhle (00:34:46):

We have a staff contact and I can reach out to them and see [inaudible 00:34:50] submit something. Okay,

Lindsey Solorio (00:34:51):

Okay, wonderful. Thank you, Sydney. Thank you everyone for [inaudible 00:34:59].

Curtis LaPierre (00:34:59):

If there is not anything more on licensing fees discussion, I'll move on. Sydney on the program fund designation discussion.

Sydney Muhle (00:35:11):

So this is really just catching up the rest of the board on something that has been going on in the background but unfortunately, the way your guys' meetings hit this year, it came up too late for the last meeting and too early to where we're now kind of having to play catch up for you guys. So Deb had mentioned Bill Dutran, he was the administrator for our program and now he's outreach and policy specialist for the division, and this is one thing that he has taken over but unfortunately, he had planned vacation, he couldn't rearrange plans, so you guys need to deliver the talking points. But this is a proposal that has come from the agency. We had a number of small programs that were identified to move into a different fund designation within our budget and finance office and this is called an O6L account. Right now, you guys are a standalone account, meaning you have your own code and everything within that.

(00:36:16):

This O6L designation would move you guys under an umbrella designation but you would still be a standalone under that umbrella. What this does is provide a little bit of essentially overdraft protection so that if you guys do have a really large case for whatever reason that comes up that does require large attorney's fees or a lot more investigator support, things like that that would have a really large financial impact to the program, this makes it so that you guys wouldn't feel that impact so immediately and it allows us to kind of space out how those financial impacts would hit, so we wouldn't have to do something like a fee increase immediately to start making back up what that three month fund balance would be. It allows us to kind of have that three month fund balance in there, but tap into it a little bit more, and then backfill that with fees.

(00:37:16):

It changes the way that we're able to work within the accounting for the program. So this is a proposal. It does require legislative action for that to occur. Most of our programs when they first start out in that O6L designation, just while they get program fees and start building a fund balance, and then they're automatically moved out of it after a couple of years. What we're proposing to do is to move you guys back into that O6L account so when we have things like fee increases where when we do those things and we're going, "Oh my gosh, this is going to be a really significant impact," it allows us to space that out a little bit more without having to hit you get so hard, where we can maybe space it out over a couple of fee cycles. And so discussions have already happened with Curtis and Daren because of how the timing has to work with getting this agency legislation put forward.

(00:38:18):

Staff had already reached out to Curtis and Daren and they had a discussion with Bill as well as our assistant director, Jennifer Clawson, on what the impact of that would be, but with the understanding that we would be bringing this to the full board to get you guys all up to speed. So this is moving forward as agency request legislation. That process starts really, really early and then would become a pre-filed bill toward the end of this calendar year. At any point, if for whatever reason you guys felt that, "Hey,

this isn't looking like it's going to be the right move for our profession," we can always pull you guys out of that bill, but right now, we're trying to get everybody in it though we need to. It's a lot easier to pull you guys out than put you in down the road. So wanted to, one, inform the full board of what's going on, and then two, see if you guys had any additional questions so we could answer as this is moving forward. So I'm happy to answer any questions, and it looks like there are questions brewing.

Jason Anderson (00:39:22):

You keep mentioning involved in some sort of big event where lawyers involved. Can you give me an example because I'm just-

Sydney Muhle (00:39:30):

Absolutely. And it won't come from this program, but the one who references from our geology program, so also very small licensing base. I think they're right around that thousand licensing mark, just like you guys are, and they, similar to you guys do not have very many complaint cases that come in. When they do, they're usually for a pretty good reason. A couple of years ago, they had a case, I think this was actually right before COVID, wasn't it? They had a case that came in. Again, not very common for them, but it was a very significant case, and to all of the circumstances that ended up going through an appeal process have moved beyond the board into the courts and was appealed all the way up to the Washington State Supreme Court.

(00:40:19):

That became a very, very significant legal battle for them that completely obliterated their fund balance in a hurry. I think that entire process moved within a couple of months, and so that's all attorney's fees as it moves through the lower courts on up, and that adds up really, really quick, and completely obliterated their fund balance. They had to do almost an immediate fee increase just to be able to cover the costs associated with this one case. So while that is a rare, worst case scenario, it was kind of a cautionary tale, but for us, it can happen, particularly with these smaller programs where that impact is going to be really, really significant.

Deborah Peter (00:41:02):

Just to preface what Sydney had said, when we take into consideration if you do have a case that the respondent, the licensee wants to appeal to the board, so if there is a decision that is recommended and the board takes, that licensee always has the possibility of appealing, and at that point, you would have a hearing in front of you as the board. That doesn't seem like it would be costly, even just a brief hearing, but if we think about the fact that they have the right to request where that hearing location is, and so if the respondent is east of the mountains, then we need to move the board east of the mountains. If they choose not to have it in a virtual sitting, which would be ideal, then you're all traveling to Eastern Washington to attend a hearing.

(00:41:58):

Also, all of us would be having to travel, our AAG, which we would have two representing, one for the respondent, one for the board. You would also be looking at the cost of a court reporter. I mean you see how things start to compound. One hearing can have significant impact in terms of your budget. So

putting your account in 06L gives you a bit of a buffer on that. As I said earlier, in terms of budget, you still have to be stand-alone, you still have to be self-sufficient, but if something hits like this, we're not going into emergency rulemaking to get the funds.

Curtis LaPierre (00:42:41):

Right.

Deborah Peter (00:42:42):

[inaudible 00:42:42] that clarifies.

Jason Anderson (00:42:45):

Thank you.

Sydney Muhle (00:42:45):

All right, well if there are no other questions, this will be moving forward. We'll keep you guys apprised of what's going on with it, but especially a lot of times when any legislation is introduced that pertains to any of our professions, there's kind of a sudden panic, and I think you guys will probably hear about it more than some of our other professions will, particularly around the pushes that have happened across the country for deregulation. This is not a deregulation push, this is just this internal funding designation changing. Just the way that Washington state is structured, this requires a legislative action to do.

Curtis LaPierre (00:43:32):

Thank you. No further discussion on that item 6.2, we'll move on to 6.3. This is a discussion I wanted to kind of throw out there on a potential if there's any need for state-based examination. A couple other western states, Alaska has a whole other requirement for taking a class in cold regions. Engineering, California has a separate test. It's very heavy on water conservation and on fire, among other things. State historic preservation is another California item. In my capacity as a consultant for Washington State Department of Transportation, I help manage design build contracts, and I personally always check to make sure that the landscape architects, or at least the one in charge, is licensed within the state.

(00:44:42):

But even though, and I find people from all over the country that are working here, licensed by reciprocity here, that I sometimes feel that they're lacking particular knowledge of local conditions. And it's mostly in the area of fish passage, salmon, water quality, understanding native plants and stream hydrology and how those kinds of things work together. Really specific stuff. And add to that, local soils condition's too different. Our geology is very different than areas that are south of here, for example, that are not glaciated, and understanding that's really important for what we do.

(00:45:44):

But I just wanted to ask, all that information is available. Sometimes it's that people don't know what they don't know. They're working along until you tell them that they need more information. It's

available, but are you folks running into anything that would tell you that people from out of state are practicing locally without enough knowledge to effectively practice? Now it's on all of the licensees not to practice outside the areas of expertise, that's kind of on you as an individual licensee to make sure that you've never done restoration work, that you don't just jump right into it and assume you know what you're doing, that you really look for information outside expertise to help. So I just kind of wanted to get an impression. I mean, this would be a way adding an examination beyond what we already required, the state-based would be to wait, make that initial fee go way up. So to administer that would admittedly add quite a bit to have to-

Daren Crabill (00:47:21):

It's like an initial-

Curtis LaPierre (00:47:23):

Yeah, like California does a 200-question exam that you really got to study for.

Lindsey Solorio (00:47:33):

Louisiana has a separate exam that I found in looking through them. This as well. Yeah.

Curtis LaPierre (00:47:39):

Yeah, I didn't know that. So I could see that though down there. Yeah.

Daren Crabill (00:47:44):

We do have one that's open book basically, it's on the statues.

Curtis LaPierre (00:47:51):

Do you know the law?

Daren Crabill (00:47:53):

I do know the law.

Curtis LaPierre (00:47:54):

Yeah.

Daren Crabill (00:47:59):

My opinion is, Washington state, this is where I originally got licensed, I've never come across any of those things that you mentioned. So if you were to make me take that exam, I would be like, "Why am I doing this?" So I think it's a very specialized thing that not every, as we are a varied profession, could spend your entire career and never touch a fish passage.

Curtis LaPierre (00:48:33):

That's true.

Daren Crabill (00:48:34):

Right?

Curtis LaPierre (00:48:35):

Absolutely true. Yeah.

Daren Crabill (00:48:37):

That would be my concern about on top of another administrative task for staff and et cetera.

Lindsey Solorio (00:48:48):

Board member Solorio. Do we have numbers on how many of our licensees are out of state by reciprocity versus local care?

Sydney Muhle (00:48:58):

We actually do have a report coming on that under licensing. I have to jump ahead just a little bit. So these are just new licenses that we've had over recent years, so this does not represent a total but new coming in last year was definitely our most significant where we had about 40 that came in via reciprocity, but overall, the number is not very high from year to year.

Daren Crabill (00:49:43):

Sorry, one more maybe comment. To me, that is a item that needs to be managed by the project itself and not by the state. Part of a contract of any type is proving your qualifications and one of the tasks is this passage and whatever other five things, there's a process by which you prove your qualifications for those things, and then you get the job in theory. And so I don't necessarily see it as a statewide issue that needs to be managed at this broad level. Personally, I would have to be convinced otherwise.

Curtis LaPierre (00:50:38):

Yeah, I don't think there's anything as compelling as, for example, the expertise needed in Alaska because of cold conditions, or maybe the expertise needed in California on water conservation and fire, that's two of the big ones that are really a statewide concern and touch on all areas of practice because it all involves water and potentially all involves managing fire potential. Okay. Yeah, good point about individual's qualifications on a project-by-project basis.

Lindsey Solorio (00:51:26):

Board Member Solorio. My experience with some of those elements like fish passages is that I can't think of a project where a fish passage was just proposed out the blue without some kind of overarching agency requiring it and dictating the design. And especially like WSDOT and things like that. My mind

somewhat limits the amount of unqualified professionals that might be contributing to a project in that capacity.

Curtis LaPierre (00:52:01):

Right. Good point. Okay, unless there's any more on that, I think we can put that one to bed. Item seven, moving on, complaint cases for review. None. Under reports, we have committee task force reports. I think the WAC review committee, Sydney, you're going to provide an update.

Sydney Muhle (00:52:45):

I am, and this is more of an apology than a report. I was working to have the WAC review out to all of you this past quarter to review, and as I was working on it, our legislative and policy office reached out to me and said, "Hey, we've had a request come in from a constituent group that identified a number of our professions and particularly their WACs," and requesting a change for inclusive language. So they did not realize that we were working on a WAC update simultaneously and they were willing to just undertake that solo venture to address that inclusive language. And I said, "No, we already have one going on. So how about you send that over to me and we'll get it and just wrap it all in one." So unfortunately, I was not able to get that completed prior to this meeting, but wanted to apologize for the, again, delay but also appreciated them bringing it forward when they did because I'd rather get it all done as one rather than try and catch it up [inaudible 00:53:41].

Curtis LaPierre (00:53:40):

So we may see that next time?

Sydney Muhle (00:53:44):

You'll see it next quarter.

Curtis LaPierre (00:53:54):

Next one is staff report on centralized investigations and audits, audience unit reports, complaints status reports, I think.

Sydney Muhle (00:54:05):

Yep. And I will be handling all of the staff reports today. So I will just take over if any of you don't mind.

Curtis LaPierre (00:54:10):

Completely.

Sydney Muhle (00:54:12):

So for our complaint status report, we are still sitting at a grand total of four for this year. It hasn't changed since last quarter. So again, you guys don't typically have very many complaints come in. And for our licensee count, we've kind of already touched on this today, so I won't spend too much time, but

particularly under our active licensees 65 and over, we have 152 licensees. Between the ages of 55 and 64, we have 206. And again, that total wanting to draw your guys' attention to it, that accounts for 40% of your active licensees. Between the ages of 45 and 54, we have 276. 35 to 44, we have 211, and between the ages of 25 and 34, we have 51 for a grand total of 896 active licensees.

(00:55:10):

So again, coming back to this comparison of our new licensees via exam versus via reciprocity, this was some data that had been requested by the board at the last meeting. So as you can see, it's really not a huge variable from year to year. It does look like most of our years we do receive more via reciprocity than we do by exam, with the exception being in 2022 and so far this year, but we could just not have hit that time of year. And this is also as of mid-July. So these numbers are a couple of weeks old. So we could have seen a slight bump either way since then, but really not a very significant portion.

Jason Anderson (00:55:57):

Anderson. I was curious the age breakdown of reciprocity versus testing, because I was wondering if people are getting their licenses in other states possibly earlier and then applying for reciprocity in Washington.

Sydney Muhle (00:56:17):

That is an excellent question. I will make sure we bring that data back to you at the next meeting. Are there any other questions?

Curtis LaPierre (00:56:28):

I'm not sure I understand your question. You mean are they-

Jason Anderson (00:56:30):

[inaudible 00:56:36] doing an end around?

Curtis LaPierre (00:56:30):

Yeah.

Jason Anderson (00:56:38):

We could go to Idaho and take the test immediately versus waiting.

Curtis LaPierre (00:56:42):

I get that.

Jason Anderson (00:56:44):

Yeah, so I'm just curious if maybe people are doing that, but I guess maybe it isn't really something to look at because since we've got 57 under the age of 35 that are 51 between 25 and 34, so maybe it's not a big thing at all.

Lindsey Solorio (00:57:02):

Board Member Solorio. It'd be interesting to know because that might help forecast future fees because generally, once you obtain a license, you're going to carry it for a while until you don't have a reason to.

Daren Crabill (00:57:15):

I was also curious in relationship to the numbers that we have, what is our three-month budget carry that we'd like to hold approximately? Is it 25 [inaudible 00:57:36] because just thinking about okay, if we average 40-ish new licensees across new licensees, or if you just do some simple math, that's \$10,000 a year if you were to bump up the initial licensee to the same amount. And I just wonder how that could play into a larger discussion of licensee fees and things like that.

Sydney Muhle (00:58:08):

We don't have that number, but we can request it from our budget office. Any more questions before we move on? Okay. And then this is just a list of our new licensees this past quarter. Six new ones. All right. And then looking at our master action item list, our board charter is still on hold as we've been in discussions with Elizabeth, that's kind of taking on a little bit different shape based on some other things that have come out of the legislature as well as the governor's office. So we're looking at the impact of those.

(00:58:58):

The WAC review is still in progress as I just went over the ongoing outreach with UW and WSU. We did request that age demographic data of our examinees from CLARB, and again, are still waiting on that breakdown. So I'll reach out to them one more time and see if we can get that. We already discussed the CLARB annual meeting travel, adding our totals for new exam licensees versus reciprocity, and we'll get some additional clarifying data for the next meeting. And then also make sure that we share that five-year licensee count with Board Member Anderson for the slide deck.

Curtis LaPierre (00:59:48):

Okay. Ready for a public comment period?

Sydney Muhle (00:59:52):

We are.

Curtis LaPierre (00:59:53):

We now enter our public comment period. The public may address the board on matters within the board's jurisdiction, either verbally, during the meeting, or by submitting written comments in advance. Verbal comments are limited to one three-minute comment. Written comments are limited to 500

words and must have been emailed to the board's staff no less than two business days prior to this meeting. In response to public comments, the board is limited to either requesting the matter be added to a future agenda for discussion or simply referring it to staff. Inflammatory comments or language will not be permitted. Board staff, do we have any written or public comments to be read by staff?

Sydney Muhle (01:00:45):

We do not.

Curtis LaPierre (01:00:45):

You would like to make a comment, please unmute your line, state your name, and share your comments with the board. As a reminder, please mute your line once you have finished.

Sydney Muhle (01:00:56):

You don't have anybody coming off you.

Curtis LaPierre (01:01:05):

Hearing none, we'll conclude the public comments period and move on to item 10, our conclusion. Any announcements by the board that you'd like to share about requests for future agenda items? Any board members like to request something on the next agenda? Still plenty of time if you think of something in the interim. Okay. We can move on to a review of action items and items for the next meeting.

Sydney Muhle (01:01:48):

So the only ones that I had captured was the additional data for the exam versus reciprocity on the age breakdown as well as what the three months of operating expenses look like. And then just kind of continuing some of that discussion on the fees and bring additional information about what those support. I wonder, did you capture anything that I missed?

Lindsey Solorio (01:02:22):

I'm just worrying over a newsletter distributed through ASLA, which I don't know that it needs to be... But just a reminder, providing CLARB 2025 information.

Curtis LaPierre (01:02:27):

Great, thank you. If there's nothing else, we'll just go ahead to item 11, which is adjournment. It's now 11:03 on Thursday, May 9th, 2024. This meeting is adjourned.

Sydney Muhle (01:02:43):

Thank you.