

The background of the cover is a photograph of a large, two-story residential house with a light-colored stucco exterior and a tiled roof. Two tall palm trees are prominent in the foreground, framing the house. The sky is clear and blue.

inside



CALIFORNIA LANDSCAPE CONTRACTORS ASSOCIATION
EAST BAY CHAPTER

APRIL 2022

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- Drip Irrigation Training a Success

On the cover: Echo Ridge OA by Allied Landscape, winner of the Achievement Award for Large Residential Maintenance at the 2021 CLCA East Bay Chapter Beautification Awards.

LANDSCAPE WATER USE SYMPOSIUM



We are bringing together Contractors, Property Managers, Community Managers, and Water Purveyors to discover the state of water restrictions and rebate programs, how to manage landscapes from a sustainable perspective, and how to plan for capital improvements that will best serve property owners and our environment alike.

- \$35 CLCA Members
- \$50 Non-Members

AGENDA

10:00 - 10:45 AM PRESENTATION
HOW TO SAVE WATER IN COMMERCIAL LANDSCAPES

11:00 - 12:00 PM PANEL DISCUSSION
WATER DISTRICT PERSPECTIVES AND RESOURCES TO HELP

12:00 - 12:30 PM LUNCH (PROVIDED)

12:30 - 1:30 PM PRESENTATION
SELECTING AND UTILIZING SMART IRRIGATION CONTROLLERS

APRIL 19, 2022

10 AM - 1:30 PM

SAN RAMON



Register Online
EVENTBRITE
or email : k.hunter@contactallied.com



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New Bills Emerge Impacting How We Do Business

Jay Martinez, CLCA Director of Legislation

In 2022 there are 2,130 legislative bills pending in the State Assembly and State Senate. Of those, 128 are being tracked for CLCA.

While it is tempting to think the bill introduction deadline means no more new bills, CLCA stays ever vigilant due to the Legislature's use of "spot bills." Spot bills are legislative bills that are introduced but still need the detail language inserted. Essentially, they are introduced to meet the deadline and are holding a spot for the real legislative language to be added at a later date. CLCA continues to monitor these spot bills to see if they materialize into legislation we need to take advocacy action on.

In the time since my last update to you, the Governor and Legislature reached agreement on a package of bills including supplemental paid COVID sick leave of up to 80 hours per employee. CLCA just held a webinar on these COVID changes, including sick leave. You can view it in the members section of the CLCA website and you can view it on demand.

In reviewing the scores of new legislation, here are a few bills of interest:

SB 1162 (Limon-D): Employment: salaries and wages

Places new and burdensome reporting requirements on all employers of 100 or more employees or sub-contractors. It requires the pay data report to include the median and mean hourly rate for each combination of race, ethnicity, and sex within each job category. It requires employers with multiple establishments to submit a report covering each establishment and establishes civil penalties of up to \$200 per employee for failure to comply. It requires the Department of Fair Employment and Housing (DFEH) to publish each private employers pay data report on an internet website available to the public.

AB 2182 (Wicks-D): Discrimination: family responsibilities

This bill would further expand the California Fair Employment and Housing Act (FEHA) and is practically identical to AB 1119 which CLCA has already opposed. It would expand the FEHA to protect characteristics that include "family responsibilities," defined to mean the obligations of an employee to provide direct and ongoing care for a minor child, other family member or anyone else the employee has a close caring relationship. This greatly expands the FEHA and would create a bonanza in discrimination litigation opportunities.

AB 1872 (Low-D): Election day holiday

This bill adds the day on which a statewide general election is held, which is the first Tuesday after the first Monday in November of any even-numbered year, to the list of state holidays. It requires public schools, community colleges, CSU and UC to close campuses on a day on which a statewide general election is held. It requires state employees be given time off with pay.

AB 1874 (Smith-R): Contractors: unlicensed work

This bill would authorize a person who is not licensed as a contractor to advertise for construction work, or a work of improvement covered by existing law if the aggregate contract price for labor is less than \$500, and the person states in the advertisement that they are not a licensed contractor. Current law sets the threshold at \$500 but includes labor, materials, and other items.

AB 1949 (Low-D): Employees: bereavement leave

This bill would make it an unlawful employment practice for an employer to refuse to grant a request by an employee to take up to 5 days of bereavement leave upon the death of a family member. The bill would require that leave be completed within 3 months of the date of death and that it be taken pursuant to any existing bereavement leave policy of the employer if one exists.

AB 1993 (Wicks-D): Employment: COVID-19 vaccination requirement

This bill would require an employer to require each person who is an employee or independent contractor, and who is eligible to receive the COVID-19 vaccine, to show proof to the employer that the person has been vaccinated against COVID-19. This bill would establish an exception from this vaccination requirement for a person who is ineligible to receive a COVID-19 vaccine due to a medical condition or disability or because of a sincerely held religious belief and would require compliance with various other state and federal laws.

It repeals these provisions when the federal Centers for Disease Control determines that COVID-19 vaccinations are no longer necessary for the health and safety of individuals.

AB 2188 (Quirk-D): Discrimination in employment: use of cannabis

This bill would make it unlawful for an employer to discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, if the discrimination is based upon the person's use of cannabis off the job and away from the workplace or upon an employer-required drug screening test that has found the person to have non-psychoactive cannabis metabolites in their urine, hair, or bodily fluids.

SB 1458 (Limon-D): Workers' compensation: disability benefits: gender disparity

This bill increases disability payments to claimants by the percentage of disparity in earnings between genders as reported by the applicant's employer in its pay data report to the Department of Fair Employment and Housing. The bill would apply prospectively to injuries occurring on or after January 1, 2023.

You can see all the bills CLCA is monitoring plus any advocacy positions taken by visiting the CLCA Legislation Center, clca.org/advocacy/clca-legislation-center/.



MWELO for Landscape Designers

May 18, 2022, 8:30 am-12:30 pm - Webinar
Cost: \$140

Join us for an interactive webinar for anyone who needs to submit plans for landscape projects that must comply with MWELO.

This half-day training includes an interactive exploration of regenerative landscape design strategies that meet the State's Model Water Efficient Landscape Ordinance (MWELO). The webinar will cover MWELO basics, the two compliance pathways, water budget calculations, irrigation best practices, climate-appropriate plant selection, optimal use of compost and mulch, plan submittal requirements, and ordinance clarifications followed by hands-on design exercises. Taught by a MWELO plan reviewer, inspector, and creator of the DWR MWELO Guidebook and a Landscape Architect that will address designers top 100 most asked questions.

Experts will walk you through the permit application process and explain the basics of MWELO, the different compliance pathways, plan submittal requirements, inspection/audit requirements while addressing the top 100 most asked questions regarding plants, irrigation, soil, mulch, water features and more.

Register at <https://bit.ly/3iKIW0Q>.

Ready. Set. Enter!

The CLCA East Bay Chapter board of directors announces the chapter will be hosting the Beautification Awards in June.

You are invited to participate in the 2022 CLCA East Bay Chapter Beautification Awards Program. This is your opportunity to show off your best projects and earn bragging rights into the bargain. Watch your email for entry form information. Entries and payment must be received by 5 p.m., April 29, 2022. Payment may be made online at clcaeastbay.org or you may mail a check with your entries to: CLCA East Bay Chapter, c/o Laura A Leuer, 3130 Balfour Rd., Suite D #215, Brentwood, CA 94513. No entries or payment will be accepted after 5 p.m., April 29.

Start considering which projects you would like to enter. The awards program provides many benefits to participants, such as

- When you win, you earn bragging rights and the ability to market yourself as a CLCA-award-winning company. Hang those award plaques in a prominent place in your office so the whole world can see your accomplishments.
- Entering the awards also shows your clients that you are confident of your work and provide a quality product.
- The awards are great for employee morale and provide an incentive for your employees to do their best.
- Winners are featured on the chapter website and on the front page of this newsletter throughout the year and on future chapter awards program promotions

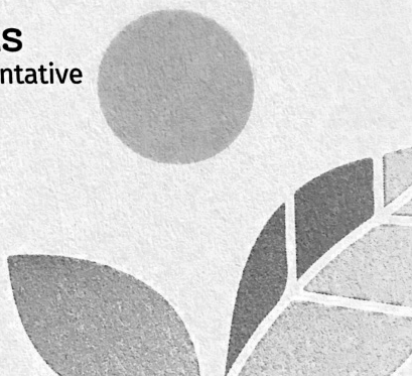
Judging will take place May 12 and 13, 2022. Projects are scored anonymously by judges from outside the CLCA East Bay Chapter. All qualified entries will be evaluated and scored according to the Judges Guidelines listed in the entry packet. The awards will be presented to the winners at the awards presentation on June 3, 2022.

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Sponsor Profile:

Devil Mountain Nursery

Devil Mountain was established in 1995 as a wholesale brokerage in San Ramon. Driven to overcome the limited plant palettes available to architects, designers, and landscape contractors, the founder set out to find and procure whatever plants necessary to meet any-and-all design specifications.

From the beginning, the company has been relentlessly dedicated to delivering what you need, when you need it, at the best quality available.

That's why Devil Mountain has more varieties of plant material on the ground than any other wholesale nursery in Northern California.

Devil Mountain is dedicated to your success. They help your landscape design plans come to life with the finest plants available and help you meet your client's requests by procuring everything from common to hard-to-find plant specimens from an extensive network of vendors.

To help ensure the variety and quality customers deserve, Devil Mountain opened a growing grounds in 2006 in Clements.

In 2017, they opened a Petaluma store to better serve the North Bay. And in 2018, a fourth location opened in Morgan Hill for customers in San Jose, the South Bay and the Monterey Peninsula.

Devil Mountain has cultivated the largest network of quality growers to confidently and quickly get you the plants you need.

Today, Devil Mountain has four locations, serving landscape professionals throughout Northern California. Devil Mountain is a proud supporter of the following trade organizations: APLD, CLCA, CANGC, ASLA, ReScape California.

Devil Mountain is proud to serve the people who make neighborhoods better and more beautiful. From designers to installers, they support the organizations that make the state a beautiful place to be.

Workshops & Education

With 25 years of experience in the California nursery industry, Devil Mountain has a lot to talk about—including their expertise in water-efficient plant varieties. Sharing their knowledge with the community is one way they can give back. Come learn at one of the following industry events:

- Model Water-Efficient Landscape Ordinance (MWELO) Workshops
- Bay-Friendly Qualified Professional Trainings

Bay-Friendly

Devil Mountain is proud to set an example of sustainability as the nursery sponsor of ReScape California (formerly Bay-Friendly), an advocate and expert in the creation of sustainable landscapes for residential, commercial, multi-family, and public spaces. In collaboration with ReScape California, Devil Mountain presents workshops for landscapers on bay-friendly design and plant selection. Their experienced employees also act as instructors in ReScape California's professional training courses.



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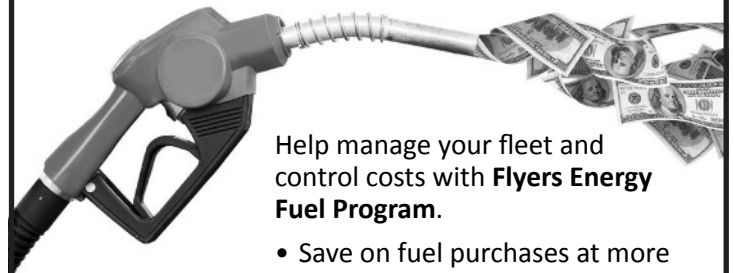
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East Bay Chapter Newsletter

The CLCA East Bay Chapter newsletter is published monthly. Copy and advertising deadlines are the 10th of the month preceding publication. Materials may be mailed to: Jerrie Beard & Associates, PO Box 96, Coloma, CA 95613. Or email to: jsb@beardassociates.com. For information on advertising and rates, contact Jerrie Beard at (530) 990-3580.

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2022 CLCA State Executive Board

clca.org/about/board-of-directors/

Past CLCA State Presidents from the East Bay Chapter

2018 Aaron Huxley
2017 Tim Hendricks
1996 John Redmond Jr.
1986 Roger D. Fiske
1978 Joe Tanouye

East Bay Past Chapter Presidents

2021 Paul Wong
2019-2020 Leeanna Schoeder
2018 Eric Santos
2017 Roxy Wolosenko
2016 Calvin Craig
2014-15 Peter Rosen
2012-13 Tim Hendricks
2011 DeeAnn Schuttish
2009-10 Nate Silin
2007-08 Barry Minor
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1997-98 Dave Wolkenhauer, CLT
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1984 David Burnley
1983 Don Young
1982 David Gutru
1981 Joe Tanouye
1979-80 J. Warren Thurston
1979 Peter Rumore
1978 Pat Nichol
1977 Joe Korematsu
1976 Chuck Rich

East Bay Chapter Life Members

Congratulations and Thank You to the following CLCA East Bay Chapter Members for their continued support for over 25 years.

Roger Fiske Ken Gerlack
Jeffrey Jones Joe Korematsu
George Sunayama Jack Rydman
Thomas Raeth Kevin Berndt

CLCA East Bay Chapter Contractor's Honor Code

The CLCA East Bay Chapter exists to support Contractor's AND their employees. To successfully meet this objective, and encourage the involvement of all levels of the landscape industry, the Board of Directors is committed to supporting the following Contractor's Honor Code:
The solicitation, recruitment of, or attempt to hire another Contractor's employees while attending any CLCA function is strictly prohibited.



Drip Irrigation Technologies Training Informative

On February 17, CLCA East Bay presented a workshop of Drip Irrigation Technologies and Strategies. Attendees learned about some of the latest advancements in drip manufacturing along with the fundamentals of designing, installing and maintaining residential and commercial installations.



Member Standings

30+ Year Members

Joe Korematsu (1956)
Roger Fiske (1962)
Cagwin & Dorward (1963)
Ken Gerlack (1966)
Lafayette Tree & LS (1967)
Horizon (1970)
Ewing Irrigation (1973)
BrightView Tree Co. (1973)
SiteOne Landscape Supply (1974)
Professional LS Mngmt (1980)
Delta Bluegrass Co. (1980)
Landscape Care Co. (1985)
LandPlan's LS Inc. (1982)
Village Nurseries (1983)
L.H. Voss Materials (1987)
P.J. McNamara (1987)
Suma Landscaping Inc. (1988)
Berndt Landscape & Garden Maint (1988)
Trimacs Maint. & LS Const, Inc. (1988)
Diamond K Supply Ltd. (1990)
Tony Franchetto (1991)

Life Members

George Sunayama, Joe Korematsu, Roger Fiske, Paul Schultz, Ken Gerlack, William Rogers, Thomas Raeth, Dan Berger, Robert Battinich, Kevin Berndt, Stephen Lambert, Calvin Craig

34 Year Members

Susan Frank, Suma Landscaping

21 Year Members

Marisol Otero, Robert Cruikshank

6 Year Members

Dona Wessells, WA! Wessells Associates
Dagoberto Garcia, D. Garcia's Landscaping

1 Year Members

Dennis Orgoglio, Crowne Landscaping
Maverick Fernandez, Fernandez & Sons
Miguel Fernandez, Fernandez & Sons

The East Bay Chapter Thanks Our 2022 Partners for Success

Gold - \$1500

- Four Dinner Tickets to the Beautification Awards Banquet and sponsorship of a Judges or Sweepstakes Award plaque.
- Four Tickets to the Baseball Event (includes tailgate party).
- Free Admission to All Dinner Meetings during the year.



Silver - \$1000

- Three Dinner Tickets to the Beautification Awards Banquet and Sponsorship of an Award plaque for one of the award categories.
- Three Tickets to Baseball Event (includes tailgate party).
- Free Admission to Three Dinner Meetings of your choice during the year.



Bronze - \$750

- Two Dinner Tickets to Beautification Awards Banquet and Sponsorship of an Award plaque for one category.
- Two Tickets to the Baseball Event (includes tailgate party).
- Free Admission to Two Dinner Meetings of your choice during the year.

All Partners Receive

- Company Name recognition in the chapter's monthly newsletter, Inside Scoop and the mid-monthly electronic newsletter E-Scoop. Company event promotion in electronic newsletter, E-Scoop.
- Company Name recognition at every event, logo on table-tents or event fliers, Company logo on the chapter website and event announcements.

For information, or to become a sponsor, call Laura Leuer at (510) 207-4350.



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