

JUNE 2020

inside



CALIFORNIA LANDSCAPE CONTRACTORS ASSOCIATION
EAST BAY CHAPTER

Scoop

*On the cover: Front Hillside
Extravaganza by Roxy Designs, winner
of the award for Small Design Build
Installation at the 2019 CLCA East Bay
Chapter Beautification Awards.*

Rescape Offers OnLine Trainings

ReScape is excited to offer online professional development opportunities. Our virtual courses address the latest best practices in regenerative landscaping and are taught by subject-area experts. These live, online courses include interactive activities and thoughtful discussions designed to help professionals adopt best practices of our 8 Principles of Regenerative Landscapes.

Upcoming Online Trainings

- ReScape Design Qualification Training - June 4, 9, 11
- ReScape Rater Training - June 15, 17, 19
- ReScape Maintenance Qualification Renewal Training - June 18
- ReScape Advanced Professional Workshops: IPM & GSI - June 22, 26
- ReScape Maintenance Qualification Training - June 23 - July 9

We understand this is a difficult time for many, thus we are offering \$100 discounts on our design and maintenance qualification trainings. Use the discount code "RESILIENCE." Additionally, limited scholarships are available for participants in Sacramento County and employees of StopWaste Member Agencies.

Information

For more information or to register, visit <https://rescape.memberclicks.net/rescape-qualification-trainings>

ReScape Design Qualification Training

June 4, 9, and 11, 2020

Live online webinar | \$545 per person
Participants will learn about regenerative landscape practices from leading experts in soil health, stormwater, plant selection, integrated pest management, and more. The Design Qualification Training also provides in-depth information about our Rated

Landscape Program and serves as a pre-requisite for becoming a ReScape Rater. Continuing Education Units for external certifications and qualifications from the Association of Professional Landscape Designers (APLD), International Society of Arboriculture (ISA), Qualified Water Efficient Landscaper (QWEL) and more*

ReScape Rated Landscape Rater Training

June 15, 17, 19, 2020 | 9:00am - 2:30pm
Live Online Webinar | \$425 per person

ReScape Qualified Raters serve as professionals who verify that the design and construction of a new or renovated landscape meets the requirements of the ReScape Landscape Scorecard. ReScaper Raters must meet professional eligibility requirements and complete both a ReScape Professional Qualification Training as well as the Rater Training course.

To be eligible to take this course, one must be a ReScape Qualified Professional, with a current Qualification (or signed up for an accompanying Design Qualification Training) and hold one or more of the licenses, degrees, certifications or experiences listed on our Raters webpage.

ReScape Maintenance Qualification Renewal

June 18, 2020 | 8:30am - 3:30pm

Live Online Webinar

\$220 (includes 2-year membership)

\$265 (includes 2-year membership plus Directory Listing)

Open to any and all current or formerly qualified ReScape Qualified Professionals in Landscape Maintenance. Please reach out to info@rescapeca.org with questions about your qualification status.

ReScape Professional Trainings

June 22, 2020 | 9:00am - 1:00pm

Green Stormwater Infrastructure

June 26, 2020 | 9:00am - 1:00pm

Integrated Pest Management

- Both Classes: IPM & GSI + Stormwater Management - \$160 general / \$150 member
- IPM Workshop ONLY - \$85 general / \$80 member
- GSI + Stormwater Management Workshop ONLY - \$85 general / \$80 member
- Bundle workshop registration and ReScape qualification renewal:
- Both Classes + 2-Year Membership Renewal with Directory Listing (\$390 value!) - \$265 RQPs only
- Both Classes + 2-Year Membership Renewal (\$294 value!) - \$220 RQPs only

Rescape Maintenance Qualification Training

Online Class Sessions, 11:30am - 3:30pm:

Tuesday, June 23, Thursday, June 25, 2020

Tuesday, June 30, Thursday, July 2, 2020

Tuesday, July 7, Thursday, July 9, 2020

\$575)includes one year ReScape Qualified Professional membership plus Directory Listing)

The Maintenance Qualification Training is offered as six half-day online sessions. The course provides landscape maintenance professionals with:

- Techniques to reduce maintenance costs, chemical inputs, water and energy
- Training from industry experts about IPM, firescaping, irrigation, soil health and water conservation
- Methods to support regenerative landscapes
- Understanding of ReScape's whole systems approach

Each workshop is eligible for 3 ReScape CEUs. Workshops eligible for CEUs for external certifications and qualifications.

Check the website for details at

<https://rescape.memberclicks.net/rescape-qualification-trainings>.



president's message

Look for the Silver Lining

Leeanna Schoeder, CLCA East Bay Chapter President

What an interesting year we have all had so far. And the hits just keep coming! As I write I am trying to make sense of this unprecedented moment in world history. However, being an eternal optimist, I am going to spend this time looking for the silver lining of this year so far.

What has been good about 2020?

- The world came together to fight the devastating Australian wildfires.
- COVID-19 stopped the world, but not our heroic healthcare workers.
- Family dinner together is popular once again.
- Animal Shelters report a boost in adoptions and foster applications.
- Businesses are finding new ways to innovate.
- People are sending cards and letters to nursing home residents.
- It's never been easier to watch movies and theatre from home.
- Zoos and animal sanctuaries are doing livestreams of the animals at play.
- Parks and museums are creating new online content to bring their cultural and natural resources to the home computer and enhance distance learning.
- People are catching up on their reading.
- You woke up today.
- Palau has banned sunscreens to help their endangered coral reefs.
- A single mother received a \$2,020 tip. She plans to use the money to regain custody of her children and get a driver's license.
- Stan Rohrer, a double-amputee veteran, celebrated his 90th birthday by going skydiving with his daughter on January 7, 2020.
- A Detroit nonprofit is helping save the bees. As of this year, there are 160 hives across Michigan and the program continues to grow.
- Wildlife has found sanctuary in empty city streets. People have seen nature in action like never before.
- Gotham Whale spotted 272 whales off New York City shores last year, a 540 percent increase since it started tracking eight years ago.
- Distancing block parties are becoming popular.
- Video graduations, birthdays and even weddings are well attended by family and friends, thanks to technology!
- High schools are coming up with creative ways to celebrate graduation with great success perhaps changing the way graduations are done in the future.
- Crafting has become popular again.
- Celebrities have stepped up and proven they are real, caring people after all. (My personal thanks to SGN, Some Good News and John Krasinski. I'll miss you). Check out the last show here: <https://www.youtube.com/watch?v=TXdKrtmexWU>

Despite all the bad things going on around the world, it's always best to look at all the good things 2020 has brought. People got a second chance at life, wildlife is thriving, and humans are working tirelessly to fix our mistakes day by day. This year might bring a lot of heartbreak and destruction, as all years do, but it's just as likely to bring positivity to the world if you know where to look for it.

Fire Resistant Landscaping

Courtesy of: www.readyforwildfire.org/prepare-for-wildfire/get-ready/fire-resistant-landscaping/

A fire-resistant landscape isn't necessarily the same thing as a well-maintained yard. This type of landscape uses fire-resistant plants that are strategically placed to resist the spread of fire to the landscape. Fire resistant plants are great in California because they are often drought tolerant, too. With weeds allowed to grow during quarantine, tall weeds have taken over. The threat of fire is upon us as the weather continues to warm up.

Choose Fire-Resistant Plants and Materials

- Create fire-resistant zones with stone walls, patios, decks, and roadways.
- Use rock, mulch, flower beds and gardens as ground cover for bare spaces and as effective firebreaks.
- There are no "fire-proof" plants. Select high-moisture plants that grow close to the ground and have a low sap or resin content.
- Choose fire-retardant plant species that resist ignition such as rockrose (pictured below), ice plant and aloe.



- Select fire-resistant shrubs such as hedging roses, bush honeysuckles, currant, cotoneaster, sumac and shrub apples.
- Plant hardwood, maple, poplar and cherry trees that are less flammable than pine, fir and other conifers.

Become Familiar with Personal Liability and What it Means for You

Steven Cesare, Ph.D. The Harvest Group, Landscape Business Consulting
harvestlandscapeconsulting.com | (760) 685-3800

A business owner from California asked a question of me the other day regarding the degree of personal liability he and his managers may be confronted with when dealing with various human resources topics. Though initially incredulous, the owner acknowledged that “while it may seem crazy, after all, this is California.” To be perfectly clear: The dominant issue in his inquiry was that if an employee is targeted for personal liability, that employee’s company is not necessarily obligated to defend the individual employee in court. That means, the employee must secure his/her own individual legal defense, and risk damages that impact his/her personal assets, wealth, and earnings.

At the state level, the owner’s fears were justified. Per state law, an owner, director, officer, or managing agent (e.g., HR) of the employer; employees may now bring actions against the managing person or owner directly as an individual, as well as against the employing entity itself. Such action may be triggered by allegations related to sexual harassment, various wage and hour violations, as well as abusive conduct.

Beyond California, several other states including New Jersey, New York, Massachusetts, Connecticut, Ohio, Oregon, Pennsylvania, and Washington allow plaintiffs to bring claims against individuals under the theory that they “aided and abetted” discrimination or harassment. At the federal level, there are currently 10 employment laws that permit individual civil liability:

- Consolidated Omnibus Budget Reconciliation Act (COBRA),
- Employee Retirement Income Security Act

- (ERISA),
- Fair Labor Standards Act (FLSA),
- Family and Medical Leave Act (FMLA),
- Foreign Corrupt Practices Act (FCPA),
- Immigration Reform and Control Act (IRCA)
- Occupational Safety and Health Act (OSHA),
- Section 1981 of the Civil Rights Act of 1866,
- Section 1983 of the Civil Rights Act of 1871, and
- The Uniformed Services Employment and Reemployment Rights Act (USERRA).

Among those 10 laws, the following five allow individual criminal liability: ERISA, FLSA, FCPA, IRCA, and OSHA.

To protect oneself against personal liability, individuals should:

- Verify they are protected against personal liability claims to the degree to which they are explicitly covered as part of their employer’s Employment Practices Liability Insurance (EPLI) policy,
- Develop an Asset Protection Trust (i.e., Living Trust) that shields “trust” assets from personal liability,
- Become professionally fluent with the relevant employment laws that impact personal liability, and
- Verify legal compliance with all procedures associated with the aforementioned topics at all times.

If you have any questions or comments about this topic or anything else related to human resources, simply call me at (760) 685-3800.

Webinars – Education That Comes to You!

Get the basics, dig deep, or just brush up on your skills. CLCA hosts webinars, featuring a variety of professional development topics, throughout the year – open to both members -- free to CLCA members.

Past webinar topics include:

- Drought update
- Hiring right the first time
- Benchmarking your business
- Workplace investigations: He said, she said
- Unlocking the secrets to native landscaping
- Immigration update
- Employee handbooks
- What keeps employers up at night?

Can’t attend a webinar? CLCA members, you are in luck. Archived webinars are available on-demand for members only. View some of the most recent and popular archived webinars below.

- The first four MWELO Essential Elements Workshop Series (MEEWS) webinars have been posted to clca.org/meews.
- Essential Planning for Returning to Work: Business Action Steps for COVID-19
May 14, 2020 | 61 minutes
- Choose To Grow Forward: Part II
April 30, 2020 | 66 minutes
- I Know I Should ... But ...
April 15, 2020 | 60 minutes
- Choose To Grow Forward
April 7, 2020 | 68 minutes

Member Standings

30+ Year Members

Joe Korematsu (1956)
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 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)

Life Members

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

25 Year Members

Cassidy Lundin, Tree Sculpture Group
 Paul Thelander, Tree Sculpture Group

24 Year Members

Lisa Goodman, Goodman LS Design

15 Year Members

Loren McIrvine, Allied Landscape Services

10 Year Members

Peter Rosen, Dynamic Designs

7 Year Members

Leeanna Schoeder

5 Year Members

Mae Clark, GrowPlenty

4 Year Members

Djordje Milic, IRI LS Design & Const.

2 Year Members

Chad Irwin, Astro Green Ventures Group

The East Bay Chapter Thanks Our 2020 Partners for Success

Gold - \$1500

- Four Dinner Tickets to the Beautification Awards Banquet and sponsorship of a prestigious 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 the 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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East Bay Chapter Monthly Board Meetings

Board meetings are held on the 1st Thursday of the month at 4:00 p.m. (some exceptions). Check the calendar for locations.

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) 621-1701.

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2020 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

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
2006	Gregory Wrenn, Rick Martens, CLT
2005	Dennis Brewer
2003-04	Rick Martens, CLT
2000-02	Gregory Wrenn
1999	Rob Solomon CLT, CLP
1997-98	Dave Wolkenhauer, CLT
1996	Diane McNally
1995	Dan Berger, CLT
1994	Craig Hutchinson
1993	Steve Schlitt
1992	Matt Schiller
1991	Robert Battinich
1990	John Redmond
1989	Jim Kwiat
1988	Thomas Raeth
1986-87	John Nishizawa
1985	Thomas A. Adan
1984	David Burnley
1983	Don Young
1982	David Gutru
1981	Joe Tanouye
1979-80	J. Warren Thurston
1979	Peter Rumore
1978	Pat Nichols
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.

New Legal Form Targets COVID Delays, Costs

Delays and additional costs are just some of the headaches contractors and clients face when returning to work. CLCA has created an addendum to its popular residential home improvement contract that addresses these and other pandemic-related issues. You can download the document at <https://bit.ly/2Ma6vic>. Available as a one-page fill-in-the-blank PDF, the addendum was created by the Law Offices of William Porter, the voice behind CLCA's popular Attorney on Call member benefit program.

What Does The Addendum Address?

- Additional costs, such as increased travel expenses because employees can't carpool to job sites.
- Project delays due to scarcity of materials or labor.
- Project termination, including who pays for what.

The addendum allows you to plan for these contingencies and more. The legal form should be used in conjunction with CLCA's Residential Home Improvement Contract.

Paycheck Protection Program Update

The U.S. Small Business Administration has provided updates on Economic Injury Disaster Loans and the Paycheck Protection Program. The SBA notes that "The Paycheck Protection Program is a loan designed to provide a direct incentive for small businesses to keep their workers on the payroll. SBA will forgive loans if all employees are kept on the payroll for eight weeks and the money is used for payroll, rent, mortgage interest or utilities. You should consult with your local lender as to whether it is participating in the program."

For more information, visit <https://bit.ly/2M7PvsZ>.

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Dublin 925.560.9920

Barry Elder Joins Weathermatic as Director of Distribution, California Region



Weathermatic welcomes Barry W. Elder as Director of Distribution, California Region to lead business development in the largest U.S. sales market. Elder brings 30 years of green industry experience ranging from landscape construction to manufacturing (FX Luminaire) to distribution (Ewing Irrigation). Elder is committed to the industry as a California Landscape Contractors Association (CLCA) member for 20 years and has served on boards of numerous state and local organizations. Elder will be responsible for building and managing a regional sales team while growing and maintaining existing and new business relationships with professionals in



landscape construction and maintenance, wholesale distribution, irrigation design and consulting, landscape architecture, public agencies, institutions and non-profit organizations.

"We are excited to double down on the California marketplace and invest in Barry joining the Weathermatic family and contributing to our "Water with Purpose" mission! His energy and history of success in past endeavors speak for themselves. Barry is

committed to his customers, and his passion for his work is impressive as well," said Fred March, Weathermatic president of Wholesale Distribution.

Elder joins Weathermatic, the "World's

Leader in Smart Water Technology," as it celebrates its 75th anniversary in business. Weathermatic designs and manufactures a full line of irrigation equipment exclusively for professionals who are inspired to take a water first approach in irrigation design, installation, and maintenance. Committed to the highest quality standards and best warranties in the industry, Weathermatic is known for the patented SmartLink Network as the most innovative equipment and cloud-based software technology ever produced for irrigation controllers and water management systems. The Weathermatic Foundation is central to the Weathermatic "Water with Purpose" mission in providing clean drinking water to thirsty people in need around the world with over 20,000 lives saved and counting.



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~KURAPIA~

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