

# COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

**Staff's Recommended Motion was Approved  
by the Executive Committee on July 30<sup>th</sup>,  
2007.**

DATE: July 30, 2007

TO: **EXECUTIVE COMMITTEE**

FROM: Aurora Kerr, Director  
Department of Community Resources

RE: **Approval of Model Ordinance for Landscapers Course on Overseeding Alternative**

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**STAFF RECOMMENDED MOTION: That the Executive Committee:**

- 1) **Approve the Model Ordinance for a Landscapers Course on the Overseeding Alternative, and;**
- 2) **Approve distribution of the Model Ordinance to the member jurisdictions so that they can review and take action.**

**Technical Advisory Committee: Concurs (6/13/07)**

**Energy and Environmental Resources Committee: Staff will verbally report any action from the July 19, 2007 meeting.**

**BACKGROUND:** Several months ago, this Committee directed staff to develop a model ordinance for the "purpose of improving air quality valleywide and transition from scalping to the smart scalping approach."

In response to this request, staff has held several meetings with a task force comprised of local stakeholders including the Desert Hi-Lo Golf Course Superintendents Association; consultant, Dr. Emily Nelson; College of the Desert Horticulture Department; Dr. Robert Green from the UCR Turfgrass Advisory Committee; SCAQMD staff; local landscapers; and general counsel, Toni Eggebraaten, to discuss development of such an ordinance.

As a result, attached is the draft model ordinance which requires completion of a two hour course relative to the overseeding alternative as a prerequisite for issuance of a business license to landscape-related businesses in the Coachella Valley.

The two hour course will consist of two components: 1) air quality training (see attached draft power point presentation). AQMD staff will provide the education on the air quality component as in-kind and as part of the Coachella Valley's State Implementation Plan (CVSIP); and, 2) the alternative reseeding method using the Reseeding Alternative Brochure as a teaching aid. The instructor for the reseeding alternative component would be a local licensed landscaper. There will be a cost for these services but there is funding through a Colmac grant that has been set aside for this purpose.

This model ordinance will not only impact landscapers but will also include landscape-related businesses. The task force felt that in order to have a true impact relative to air quality and public health issues, landscape-related businesses, e.g., nurseries, Home Depot, etc., that sell equipment and seed to landscapers should also be educated and included in this effort.

There are several time components that must be taken in consideration with this model ordinance should the Executive Committee take action to approve the staff recommendation:

**Public Outreach:** There must be a public outreach effort to inform the landscaping communities of the model ordinance and its intent. This will include radio and print announcements. Staff will also make presentations to the local Homeowners Associations including the Community Associations Institute (CAI) and continue work with the Desert Hi Lo Golf Course Superintendents Association. The College of the Desert will also assist by educating their students through their landscaping courses.

**City Council Action:** As a model ordinance, this will take time for the member jurisdictions to review at the individual city councils and take action.

**Training of City Staff:** If adopted, there will need to be training of staff from the member jurisdictions similar to the training done with the adoption of the local dust control ordinances to explain how the landscaping certification will work and city staff's role and responsibilities.

**Landscape Instructor:** CVAG will need some time to hire a local licensed landscaper to work with the AQMD, develop the certificate, coordinate with the member jurisdictions and teach the course.

Given these timing issues; the task force recommends that we use the time wisely to address these areas and make the date of the model ordinance **effective September 1, 2008**. This should be sufficient time to transition to perform the outreach and coordinate with business license departments.

In addition, CVAG staff will continue to educate the public on the reseeding alternatives. Attached is the public outreach program for the reseeding alternative brochure that staff currently uses. We have expanded the education process to make it more comprehensive. It has been expanded to include:

- Partner with utility agencies to include a brochure/landscaping certification info with their monthly billing to customers;
- Make presentations to Desert Contractor's Association;
- Develop a web page with information that goes beyond the brochure;
- Production of a television advertisement

Given the Desert Hi Lo Golf Course Superintendents Association proactive involvement with reseeding alternatives; they will continue to work with CVAG to educate their members on Reseeding alternatives. More than sixty percent of the golf courses in the Coachella Valley use an alternative to scalping.

CVAG believes that with the help of the member jurisdictions, this model ordinance will change the perception of how scalping can impact air quality and our public health. A voluntary effort in which landscaping community would be requested to voluntarily take this course will not work.

Implementation of this model ordinance would be comparable to the implementation of the dust control ordinances which each jurisdiction adopted as part of the CVSIP which includes a component requiring developers, contractors and subcontractors attend a dust control certification course prior to breaking ground on their development.

Several years after the dust control ordinances have been adopted, the dust control classes continue to be held monthly and have positively impacted how developers and the construction industry must build in the Coachella Valley.

In order for this model ordinance to be effective, there needs to be similar support of elected officials valleywide to advocate innovative ways, such as this model landscaping ordinance, to continue to be proactive and improve the air quality in the Coachella Valley.

**FISCAL ANALYSIS:** The SCAQMD will provide instruction of the air quality component as in-kind to this effort. There are funds through a Colmac grant that have been set aside to hire an instructor. There will be some initial time for the instructor to develop the course, meet with city staff and landscaping-related businesses to inform them of the upcoming course, but courses would be taught twice a month at CVAG offices. CVAG staff will work with the Task Force, AQMD, the landscape instructor, and the member jurisdictions as well as others as part of the overall comprehensive plan using either Colmac grant funds or regional AB2766 funds. There is no impact to the General Fund.

:attachments