

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

4.26



FROM: TLMA – Code Enforcement Department, Riverside County Sheriff and County Counsel

SUBMITTAL DATE:
June 23, 2015

SUBJECT: Approval of Dakeno, Inc. and So Cal Sandbags, Inc. as Vendors to Provide On-Call Services for Abatement and Removal of Marijuana Cultivation in the Unincorporated Areas of Riverside County; Authorize the Purchasing Agent to Enter into an Agreement with Each of the Vendors for a Period of One Fiscal Year (FY 15/16); and, Approval of a Budget Adjustment; All Districts; [\$200,000 Total Cost]; Code Enforcement Cost Recovery Fund 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Dakeno, Inc. and SoCal Sandbags, Inc as vendors to provide on-call services for abatement of violations of the Ordinance No. 925 ban on marijuana cultivation, under the direct supervision of Sheriff Department law enforcement personnel; and
2. Authorize the Code Enforcement Department, in coordination with the Sheriff's Department, to manage abatement schedules with the two vendors; and
3. Authorize the Purchasing Agent to execute agreements with the Dakeno, Inc. for \$100, 000 and SoCal Sandbags, Inc for \$100,000. for on-call abatement services through June 30, 2016; as approved by County Counsel; and

(Continued Page 2)

Stanley L. Sniff
STANLEY L. SNIFF
Sheriff-Coroner-PA

Gregory P. Priamos
GREGORY P. PRIAMOS
County Counsel

Juan C. Perez
JUAN C. PEREZ, Director
Transportation and Land
Management

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 200,000	\$ N/A	\$ 200,000	\$	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

SOURCE OF FUNDS: Code Enforcement Cost recovery funds - 20270	Budget Adjustment: YES
	For Fiscal Year: 15/16

C.E.O. RECOMMENDATION:

APPROVE
BY: *Tina Grande*
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

Prev. Agn. Ref.: Item No 16-2
5/19/15 & Item No. 3-26 6/2/15

District: ALL

Agenda Number:

3-19

Approved Purchasing Agent
 Susana Gardia-Bocanegra
 RIV
 FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: *[Signature]* 7/1/15

- A-30
- 4/5 Vote
- Positions Added
- Change Order

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Approval of Dakeno, Inc. and So Cal Sandbags, Inc. as Vendors to Provide On-Call Services for Abatement and Removal of Marijuana Cultivation In the Unincorporated Areas of Riverside County; Authorize the Purchasing Agent to Enter into an Agreement with Each of the Vendors for a Period of One Fiscal Year (FY15/16); and, Approval of a Budget Adjustment; All Districts [\$200,000 Total Cost]; Code Enforcement Cost Recovery Fund 100%

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RECOMMENDED MOTION continued:

4. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding, to sign amendments that do not change the substantive terms of the agreement, and the ability to move the funds among the vendors, as approved by County Counsel; and
5. Approve and direct the Auditor-Controller to make Budget Adjustments to appropriations from Special Assessments Revenue and the Code Enforcement Abatement Services Expense in the amount of \$200,000, (as per attached Schedule "A").

BACKGROUND:

Summary

On June 2, 2015, the Board of Supervisors adopted Ordinance No. 925, an Ordinance of the County of Riverside Prohibiting Marijuana Cultivation and Declaring Marijuana Cultivation to be a Nuisance. Marijuana cultivation, upon any premises within all unincorporated areas of Riverside County is prohibited and declared to be unlawful and a public nuisance that may be abated in accordance with the procedures set forth in Ordinance 925, which includes limited exemptions from enforcement for no more than 12 plants per qualified patient under certain conditions and standards with only two qualified patients per parcel. The Ordinance sets specific requirements for noticing, a 10-day appeal period and hearing process, and abatement procedures, including the ability for the County to recover its enforcement costs through administrative civil penalties and liens and assessments placed on the property.

The abatement process will include application to the Riverside County Superior Court for a warrant authorizing entry by County personnel and the on-call contractors for purpose of performing the nuisance abatement work by removing and destroying the marijuana plants, including any fixtures and other moveable property and equipment used for marijuana cultivation. In this abatement process the contractors and Code Enforcement personnel managing the contract will be working closely with and under the direct supervision of Sheriff Department Law Enforcement personnel.

The purpose of the Form 11 is to seek Board of Supervisors approval to contract with two vendors for marijuana cultivation abatement services in the unincorporated areas of Riverside County. Code Enforcement has solicited informal quotes from four contractors that have performed satisfactory and dependable abatement services for the Code Enforcement Department in the past. The vendors were asked to provide quotes for hourly staff services as well as support equipment. Based on the results of the informal quotes, we are recommending two vendors; Dakeno, Inc. and SoCal Sandbags, Inc., in order to provide multiple resources to assist the Sheriff and Code Departments in abatement work.

The contractors shall supply labor, materials and equipment as necessary for the removal and proper offsite disposal of marijuana plants, in accordance with all federal, state and local laws. The Code Enforcement Department will manage abatement schedules with the qualified vendors. The Riverside Sheriff's Department shall have oversight in the removal, transportation and offsite disposal of marijuana plants. The resulting contract term will be for one (1) year.

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Impact on Citizens and Businesses

The proliferation of large-scale marijuana cultivation increases the risk of criminal activity, degradation of the natural environment and often results in illegal electrical and water connections and alterations. Large-scale marijuana cultivation also creates increased nuisance impacts to neighboring properties. The purpose of Ord. 925 is to provide for greater enforcement against large-scale marijuana cultivation with the goal of improving community livability and protecting public health, safety and welfare, while also recognizing a limited enforcement exemption for small amounts of marijuana cultivated for medical uses by registered medical marijuana patients under certain conditions and standards.

SUPPLEMENTAL:

Additional Fiscal Information

The on-call contract services will initially be funded by existing Code Enforcement abatement revenues held in reserve in the Code Enforcement Cost Recovery abatement fund. The Code Enforcement Department will work to recover the costs involved for enforcement actions through the collection of administrative civil penalties and the placement of liens, and special assessments on the properties necessitating the enforcement action. Since this is a new program, the \$200,000 budget request is an initial estimate to allow the County to get the program up and running. We will evaluate actual costs after 3-6 months of program implementation to determine if additional funding is necessary to continue with abatement actions in FY 15/16. Should additional funding be necessary, Code Enforcement will discuss the potential need for additional funding support with the Executive Office and bring a funding proposal back to the Board for consideration.

Contract History and Price Reasonableness

Code Enforcement has contacted four vendors that currently provide abatement services for code enforcement. The vendors were requested to provide quotes for this type of abatement and Dakeno, Inc. and SoCal Sandbags, Inc. provided the lowest hourly rates for this abatement service, (Attachment B). The intent is to issue a Request for Proposal (RFP) in the future as we roll out the program and can develop criteria based on actual experience to include in our RFP

ATTACHMENTS

- A. Schedule "A" - BUDGET ADJUSTMENT
- B. CONTRACTOR QUOTES – SOCIAL SANBAGS and DAKENO, INC.

ATTACHMENT "A"

Schedule A

Increase Estimated Revenues:

10000-3140100000-770100	Special Assessments	\$200,000
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Increase Appropriations:

10000-3140100000-527950	Abatement Services	\$200,000
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ATTACHMENT "B"

SoCal Sandbags, Inc.

Description	Cost
Crew Foreman (State Prevailing Wage Rates)	Hourly Labor Rate \$75.00
Laborer w/small tools (State Prevailing Wage Rates)	Hourly Labor Rate \$55.00
Dump Truck w/CDL Driver	Hourly \$105.00 Equipment Rate
Other Equipment – Provide Separate List w/Operator Skid loader with Grapple & Bucket (Operated) \$135.00/Hr. Skid Steer (Bobcat) with attachments (Operated) \$125.00/Hr. Roll Off Truck with 40 CY Trash Container (Operated) \$105.00/Hr. Dump Fees for 40 CY Trash Container Cost + 15% F650 Flatbed Dump Truck (Driven by Crew Foreman) \$30.00/Hr.	

Dakeno, Inc.

Description	Cost
Crew Foreman (State Prevailing Wage Rates)	Hourly Labor Rate \$52.00
Laborer w/small tools (State Prevailing Wage Rates)	Hourly Labor Rate \$48.00
Dump Truck w/CDL Driver End Dump	Hourly \$110.00 Equipment Rate
Other Equipment – Provide Separate List w/Operator Excavator, Loader, Bob Cat	Hourly \$135.00 Equipment Rate