

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

426



April Marek

Approved  
Purchasing Agent

**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%

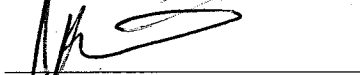
**RECOMMENDED MOTION:** That the Board of Supervisors:


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  
Sheriff-Coroner-PA

  
GREGORY P. PRIAMOS  
County Counsel

  
JUAN C. PEREZ, Director  
Transportation and Land  
Management

FISCAL PROCEDURES APPROVED  
PAUL ANGIULO, CPA, AUDITOR-CONTROLLER  
BY:  7/1/15  
Susana Garcia-Rocanegra  
RIV

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

**C.E.O. RECOMMENDATION:**

APPROVE

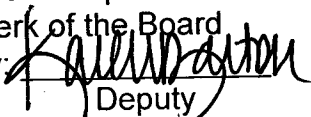
BY:   
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley  
Nays: None  
Absent: None  
Date: July 7, 2015  
xc: TLMA-Code Enforce., Purchasing, Auditor

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

A-30  
 Positions Added  
 4/5 Vote  
 Change Order

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

3-19

**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%**

**DATE:** June 23, 2015

**PAGE:** 2 of 3

**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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**PAGE:** 3 of 3

**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  Skiploader 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

**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
to Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** BRITT Holmstrom

**Address:** \_\_\_\_\_  
(only if follow-up mail response requested)

**City:** Mead Valley **Zip:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Agenda #** 3-19

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**  
\_\_\_\_\_ **Support**      \_\_\_\_\_ **Oppose**      \_\_\_\_\_ **Neutral**

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

\_\_\_\_\_ **Support**      \_\_\_\_\_ **Oppose**      \_\_\_\_\_ **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_

## **BOARD RULES**

### **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### **Requests to Address Board on items that are "NOT" on the Agenda:**

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

### **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.** Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

### **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

### **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.

**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
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**SPEAKER'S NAME:** GARRY GRANT

**Address:** \_\_\_\_\_  
(only if follow-up mail response requested)

**City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_

**Date:** JULY 7<sup>TH</sup> 2013 **Agenda #** 3-19

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

**Support**       **Oppose**       **Neutral**

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