

City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JULY 26, 2016**
FROM: PUBLIC WORKS DEPARTMENT **WARDS: ALL**
SUBJECT: GRAFFITI PROGRAM UPDATE

ISSUE:

Receive an update on the Graffiti Program.

RECOMMENDATION:

That the City Council receive an update on the Graffiti Program.

COMMITTEE RECOMMENDATION:

The Public Safety Committee met on June 2, 2016, with Chair Perry, Vice Chair Melendrez and Member Burnard present, to receive an update on the Graffiti Program. Public Works provided additional information regarding the fees charged to individuals, provided a comparative analysis of fees charged by other public agencies, and developed a simple methodology of calculating a "per tag" charge to individuals responsible for graffiti vandalism. Unanimously, the Public Safety Committee motioned to endorse the methodology for the "per tag" charge and also recommended that an update be provided to the City Council.

BACKGROUND:

At the January 20, 2016, Public Safety Committee meeting it was requested by Councilmembers Burnard and Melendrez that an item be brought before the committee to consider the graffiti program costs, the potential of recovering those costs, and to provide information on outreach to students.

At the March 16, 2016, Public Safety Committee meeting, Public Works provided an overview of the program and information on the requested items. The Committee requested that Public Works return to provide additional information regarding the amounts charged to vandals when the City is seeking cost recovery from those caught tagging. It was asked that we determine if it would be possible to increase the hourly rate for recovery and provide a comparative analysis of this with what is charged in other cities. It was also requested that additional information be provided on the Graffiti Education School Outreach Presentations.

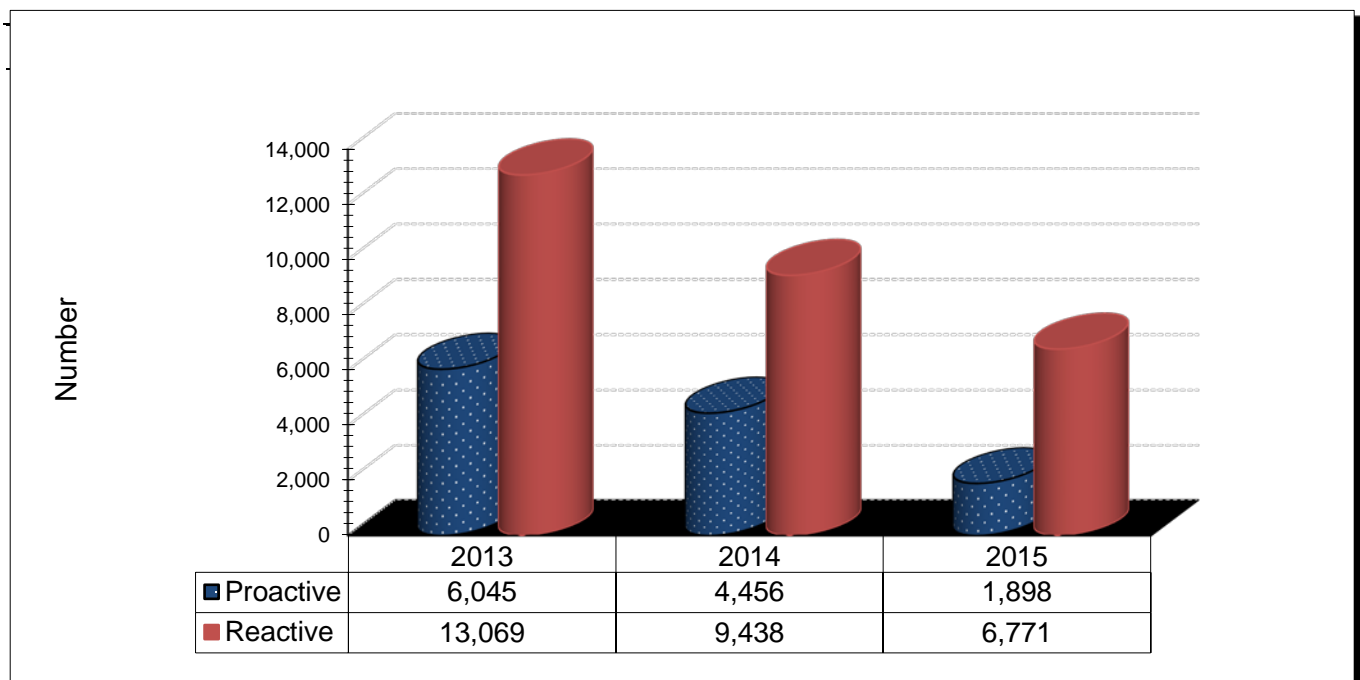
DISCUSSION:

The Graffiti Program involves a multi-departmental strategy involving Public Works, Police, Information Technology, Community & Economic Development, Parks, Recreation and Community Services, Public Utilities, and the City Attorney's Office. Partnerships have also

evolved over the years with Alvord Unified School District (AUSD), Riverside Unified School District (RUSD) and non-profits such as Keep Riverside Clean and Beautiful, to promote education, community beautification and volunteerism. The collaborative plan is intended to provide a zero tolerance and multi-faceted attack on graffiti involving the following:

1. Public Education
2. Community Involvement
3. Rewards for public calls leading to an arrest
4. Rapid Response times, 24 hour goal
5. Documenting and tracking offenders
6. Prosecution of offenders

The program has a key goal to remove graffiti within 24 hours of when it occurs, which helps prevent reoccurrence. The long term implementation of the program has led to a significant reduction in graffiti in the last few years. In 2015, 8,669 graffiti tags and service requests were addressed, a 38% reduction from 2014 and a 55% reduction from 2013. This includes abatement of graffiti that is reported by the public through the 311 as well as proactive removal of graffiti by crews as they identify it in the field.



Currently, City crews will remove graffiti that is within the City of Riverside right-of-way, on property that is maintained by the City, or on private property, with signed waiver, when it is visible from public right-of-way. Residents/Businesses can call 311 to access this free service. Crews do not remove graffiti in the following situations:

1. When graffiti is on 2nd floor or higher
2. When a ladder is needed to access the graffiti
3. When a fence or wall prevents access to the graffiti
4. When graffiti is not visible from the City right-of-way (public view)
5. If crews feel their safety is in jeopardy
6. When property/business owner has not provided consent from removal on private property.

In an effort to help residents/businesses address graffiti removal in areas not covered by the current free service, the City is evaluating a voluntary “Resi Pay” option, which would allow residents/businesses to reimburse the City to remove graffiti on their property. Such a program would likely be structured similar to the resi-pay tree program, where the City contracts with a vendor for removal in situations where the City crew cannot remove the graffiti. By having one contractor, the City can obtain a locked contract rate for the service and help facilitate the removal.

Public Outreach and Education

The Public Works Department has an extensive program of outreach and educating the public about the impact graffiti has on a community through a combination of media and outreach targeted toward three primary segments; youth, business and community. Outreach topics include eradication and prevention through various methods including:

1. School Education Program
2. Promotional Items
3. Community Events
4. Community Presentations
5. Poster and Video Contests
6. Brochures and Posters
7. Advertisement on Solid Waste Trucks
8. Website

School Outreach and Education Presentations

In January 2009, the Public Works Department in cooperation with AUSD and RUSD launched its graffiti education program. The program educates elementary and middle school students about the adverse impact graffiti has on the community, consequences to individuals arrested for graffiti vandalism, and alternatives to criminal behavior.

The presentation is designed for the vulnerable and impressionable younger student and is therefore not conducted in high schools. Presentations last one to one and a half hours and are scheduled only for Elementary and Middle Schools that offer after-school programs and is designed to generate conversation with the students. On average there are over 20 presentations, to over 1,000 students at elementary and middle schools each year. This year we conducted approximately 28 presentations to over 2,200 students. Attachment 1 identifies the over forty schools that regularly receive this educational presentation, as well as a list of private schools within the City of Riverside that do not receive this anti-graffiti education.

Recently, it was noted that the number of juveniles arrested in 2015 was dramatically reduced. This is a milestone for the graffiti program, demonstrating success in our efforts of eradication, education, enforcement and engagement.

Poster and Video Contests

In addition to anti-graffiti presentations, Public Works holds annual poster and video contests to encourage middle and high school students to help develop and promote anti-graffiti messages for use in the program. The video contest is held at the high school level and offers awards of \$1,000, \$500 and \$250 to the first, second and third place winners. The poster contest is open to middle school students and offers awards of \$500, \$250 and \$125 to the first, second and third

place winners. The winning videos are used as part of the school outreach programs and broadcast on Channel 3. The winning posters are printed on T-shirts and distributed to volunteers at community clean up events.

Another method of education and outreach implemented through the program is conducting paint-out projects on a recurring basis. The Public Works Department encourages volunteerism, community awareness and involvement in the battle against graffiti by providing an opportunity for the community to come together to combat graffiti vandalism. Approximately 15-20 graffiti paint-outs are held annually in partnership with Keep Riverside Clean and Beautiful, managed by the Greater Riverside Chambers of Commerce, as well as other groups such as Boy Scouts, local schools, colleges, clubs, neighborhood groups, church groups, businesses, non-profit groups and the Riverside County Probation Department. Events are often conducted in hard to reach places such as along railroad tracks, which require advance planning and coordination. Projects are planned and conducted for groups ranging in size from 10 persons to over 50 individuals, working with approximately 500 individuals each year.

Graffiti Rewards Program

The goal of the Graffiti Rewards Program, implemented in October 2007, is to increase the City's ability to arrest graffiti criminals (taggers) and reward witnesses (tipsters) who report graffiti crime. In 2010, City Council increased the cash reward from \$500 to \$1,000 for information that leads to the arrest of anyone for the crime of graffiti or possession of vandalism tools. Callers may elect to remain anonymous.

Since October 2007, the City has received 213 calls from tipsters who reported witnessing graffiti activity. As detailed in the table below, 112 (53%) were eligible for the reward and to date \$77,000 has been disbursed to tipsters. Of these, 70 were awarded at the \$500 level and 42 were awarded at the \$1,000 level. All rewards are subject to cost recovery from graffiti vandals through restitution and community service sought by the City Attorney's Office.

Table 1 – Graffiti Rewards Program Calls and Rewards

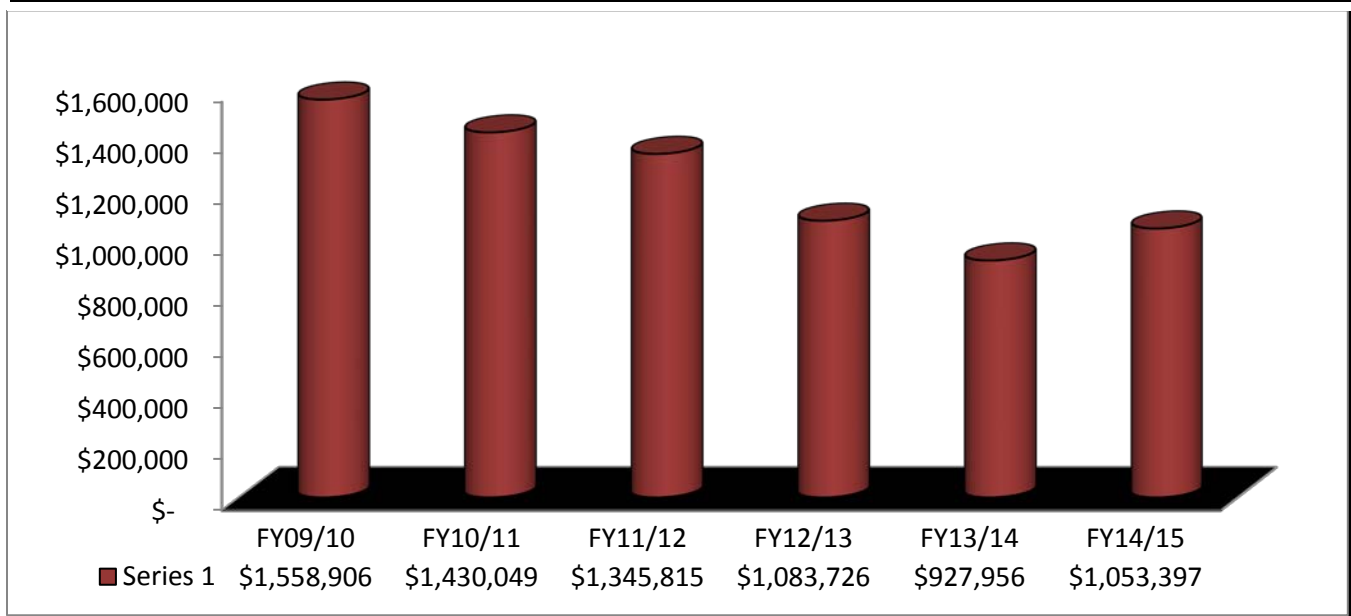
	Ward 1	Ward 2	Ward 3	Ward 4	Ward 5	Ward 6	Ward 7	Anon.	Total
Calls	13	6	58	14	21	39	48	14	213
Rewards	4	3	41	5	12	23	20	4	112
Pending	1	1	4	1	1	0	4	2	14

Program Costs

The Public Works costs for the program have decreased from a high of almost \$1.6M in Fiscal Year (FY) 09-10 to a little over \$1.0M in FY 14-15. As a result of the need to respond to fewer service requests, the graffiti crews have utilized extra time to uniform walls, apply sacrificial graffiti coating on light standards, clean poles by removing signs, tape, and proactively sweeping for graffiti. The graffiti crews are also utilized to fill in on other crews when possible as well as help

with weather related events such as rain and wind storms to address other emergency situations throughout the City.

Chart 2 – Public Works Graffiti Program Costs by Fiscal Year



In addition to costs incurred by Public Works, the Police Department also has staff assigned to investigate and work with the City Attorney's Office to prosecute graffiti vandals and seek restitution. The cost for these efforts is estimated at \$400,000 annually for Police Department and \$450 per case for the City Attorney.

Graffiti Enforcement, Prosecution, and Cost Recovery

The Riverside Police Department (RPD) Graffiti Unit consists of two full-time sworn personnel working in conjunction with officers from each neighborhood policing center to assist with graffiti investigations. RPD arrested 62 persons in 2015 bringing the total number of arrests to 1,373 since 2005.

Table 2 – Graffiti Arrests

Fiscal Year	2013	2014	2015
Arrests	62	94	62

To supplement criminal prosecution of graffiti criminals, the City Attorney's Office files graffiti cases in Civil Court to seek reimbursement for expenses associated with eradicating graffiti within the City. Civil Court allows the City of Riverside the ability to recover costs that are not recoverable in Criminal Court. Civil Code Section 1714.1(b) provides for recovery of clean-up costs, attorney's fees, police investigative costs, and court costs up to \$25,000 in actions brought against the parents of minors who deface property with paint or similar materials. Since 2005, the City Attorney's Office has initiated collection action against arrested individuals with judgments awarded from 2005 through February 2016 totaling \$399,805.

Table 3 – Restitution Awarded

FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16 (YTD)
\$69,169	\$47,604	\$15,161	\$10,930

In August 2008, the Community Service Program was initiated to allow individuals arrested for graffiti vandalism to “work off” a portion of the restitution owed to the City. Work completed by participants consists of litter and weed abatement, filling sandbags, and tree planting. To date, arrested individuals have contributed an estimated 5,682 hours of community service.

Public Works Charge for Removal of Graffiti

CURRENT METHOD

The current costs for graffiti removal in the City are based on the 311 Call Center costs charged to the Public Works Department for each service request. This is converted to a per tag rate of \$24.70 and added to the actual costs for labor and fringe benefits for each crewmember responsible for removing the graffiti. Using the mid-salary of the crews removing graffiti, the cost to remove a simple tag, taking 15 minutes, would cost approximately \$34.54.

Table 4 – Current Graffiti Removal Rate Per Tag

Fixed Cost 311 Call Center	Mid Salary for Staff	Average 15 Min Removal	Public Works Charge for Average Removal
\$24.70	\$39.35	\$9.84	<u>\$34.54</u>

In addition to the Public Works cost, Riverside Police Department and the City Attorney's Office are eligible to add their direct costs involved with the case. When a \$1,000 graffiti reward is awarded as a result of the arrest of the individual, the cost of the award is added to the total damages the City seeks from the graffiti vandal. Costs are held in Civil Court so that the City can recover as much of the costs associated with the case as possible.

Surrounding Cities Charge for Removal of Graffiti - (Average Cost)

Seven local cities were contacted to provide information how graffiti vandals are charged for damages within their jurisdictions. The costs and calculations to remove graffiti are varied. The average tag removal in the City of Riverside is approximately one square foot that takes 15 minutes to clean/remove. This average was used to compare the charges from other cities using the same size and time. Three cities provided hourly costs ranging from \$100.82 plus \$5 per square foot to \$138.95 plus \$3.75 per square foot. The remaining two cities charge per square foot ranging from \$7.40 to \$9.00. The cities of Corona and Moreno Valley stated that they charge actual costs.

Table 5 – Graffiti Removal Costs and Calculations – Surrounding Cities

City	Sq Ft Rate Charge	Per Tag Charge	Hourly Rate Charge	Calculated Rate for Average Tag *	Calculation
Anaheim	\$ 7.40			\$ 7.40	Contracted
Chino	\$ 9.00			\$ 9.00	Avg. cost (Labor, Material, Equipment)
Chino Hills	\$ 3.75		\$ 138.95	\$ 38.49	Avg. cost of blended Labor hourly and Equipment, PLUS avg. cost of materials.
Corona					Actual Costs
Jurupa Valley	\$ 5.00		\$ 100.82	\$ 30.21	Cost of 2 employees plus vehicle, overhead, PLUS fixed material cost.
Moreno Valley					Actual Costs
Riverside (City)		\$ 24.70	\$ 39.35	\$ 34.54	Call Center/311 cost (\$24.70) plus actual Labor & Fringe Benefits (\$9.84)
Riverside (County)			\$ 110.00	\$ 27.50	Time and Material
Jurupa Valley	\$ 5.00		\$ 100.82	\$ 30.21	Cost of 2 employees plus vehicle, overhead, PLUS fixed material cost.

*1 Square Foot of area removed in 15 minutes

Proposed New Method of Determining Actual Costs

The current costs recovered by the City are determined by a calculation involving only a portion of the Graffiti Program budget. After consultation with the City Attorney's Office, and upon evaluating other City rates and calculation methods, staff have identified a proposed method that would recover a larger portion of the costs incurred by the City of Riverside's Graffiti Program. This proposed new method uses the previous fiscal year's annual cost of the Graffiti Program divided by the same year's approximate number of removed tags. This calculation allows for the full cost of the effort, including 311 Call Center charges, materials, vehicles and staff related to the program to be captured.

Table 6 – Proposed Graffiti Removal Rate Per Tag

Fiscal Year	Graffiti Budget	Service Requests	Tags	Cost per Tag
15/16	\$1,172,971	8,435	21,931	\$53.48

The new method of determining the cost per tag is proposed to be updated each July, based on the prior year's costs and removal statistics, to set the rate for the current fiscal year. The City Attorney's Office and the Riverside Police Department would continue to charge for their direct costs related to each case.

FISCAL IMPACT:

There is no fiscal impact with receiving and filing this report. Any changes to the proposed cost per tag would have minimal impacts to General Fund Revenue. The increase in cost recovery per tag would be approximately 55%. Based on a historic average of court judgments, settlements and arbitration amounts, the change could result in approximately \$23,000 in additional restitution due to the City. However, with the current downward trend in graffiti citywide, this amount is likely to decrease as graffiti decreases.

Prepared by:	Kris Martinez, Public Works Director
Certified as to	
Availability of funds:	Scott G. Miller, Interim Finance Director/Treasurer
Approved by:	Al Zelinka, FAICP, Assistant City Manager
Approved as to form:	Gary G. Geuss, City Attorney

Concurs with;



Jim Perry, Chair
Public Safety Committee

Attachment:

1. Graffiti Education School Outreach
2. Presentation