

DEPARTMENT: Public Works

By: Michael D. Edwards Phone: 966-5356
Director of Public Works

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No X)

Presentation by the departments and elected officials directed by the Board of Supervisors to study the vandalism problem. Further direction from the Board is requested based on the results of this presentation and the programs recommended for implementation.

Minutes of the three meetings held by staff are attached for the Board's information and detail the various solutions considered.

Also attached is information on the following specific programs recommended for Board consideration and implementation:

- (a) Revised closure hours and restricted alcohol consumption at County parks as detailed in the April 28 memo from Jim Evans, Housing and Community Development Director.
- (b) Control of "Graffiti Implement" possession by minors; sample ordinance from the City of Clovis provided by District Attorney Griffith.
- (c) Summary of the proposed "Park Watch" program provided by the Parks and Recreation Commission.
- (d) Summary of the "S.C.O.P.E." program provided by Under Sheriff, Pelk Richards.

Based on Board direction, staff will return with final programs for Board approval.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On December 14, 1993, Public Works, with assistance from Housing and Community Development and the Sheriff's Office, presented a summary of recent vandalism problems and sought Board direction. The Board directed same, along with the District Attorney and the Probation Department, to work together on proposed solutions to the problems. The group met three times (see attached Minutes) and formulated the four programs identified above as the recommended primary County emphasis to minimize the problem.

On April 26, 1994, the Sheriff's Office presented the concept of the S.C.O.P.E. program.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Direct staff to return with the recommended programs and ordinances for Board approval.
2. Request staff to modify and/or eliminate its recommended programs.
3. Direct staff to consider other programs and return to the Board with recommendations.
4. No action. The vandalism problems may escalate unabated.

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5th Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve Contingencies,
if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachment and number
the pages consecutively:

1. Minutes of three meetings dated 1/21/94, 3/23/94, 4/19/94 _____
2. (a) Evans Memo 4/28/94 _____
2. (b) City of Clovis Ordinance 94-3 _____
2. (c) Parks & Rec Comm. Report on Park Watch Program _____
2. (d) S.C.O.P.E. Program _____

CLERK'S USE ONLY

Res. No.: 94-181 Ord. No. _____

Vote - Ayes: _____ Noes: _____

Absent: _____ Abstained: _____

() Approved () Denied

Minute Order Attached () No Action Necessary

The foregoing instrument is a correct copy of
the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

- Recommended
- Not Recommended
- For Policy Determination
- Submitted with Comment
- Returned for Further Action

Comment: _____

A.O. Initials: 

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: MIKE EDWARDS, Public Works Director
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Recommendations to Address Vandalism Problem

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on May 17, 1994

ACTION AND VOTE:

Mike Edwards, Public Works Director;

E) Presentation and Recommendation:
Vandalism Problem

BOARD ACTION: Discussion was held with
Public Works Director, Pelk Richards/Undersecretary,
Moffett/Chief Probation Officer, Jim Moffett,
Community Development Agency Director,
Turkington/Deputy District Attorney, and
Maintenance. Joan Tune provided input on
Coulterville Park facilities. (M) Table
181 adopted appropriating \$1,000 from
Contingency for rewards to implement the
program/Ayes: Unanimous. Jim Evans,
and Recreation Commission can work with
implement the program. No action was
relative to changing the hours and res
implementing graffiti regulations - Staff
requested that the Parks and Recreation
these issues.

6/6/94
Per Pelks (S.O.)
Conversation with
Ken Hawkins (auditor)
it was decided that
no budget action
form is necessary
for fund #201

cc: Roger Matlock, Sheriff
Jim Evans, Housing and Community
Development Agency Director
Jim Moffett, Chief Probation Officer
Ken Hawkins, Auditor
George Griffith, District Attorney
File



MARIPOSA COUNTY

DEPARTMENT OF
PUBLIC WORKS
Divisions of
Administration

MEMORANDUM

To: Vandalism Committee Members
From: Michael D. Edwards, Director *ME*
Date: January 21, 1994
Re: Minutes of First Meeting Held January 21, 1994
at the Law Library

The following were in attendance: Pelk Richards, Rich Begley, Jim Evans, Jim Moffett, George Griffith, Jack Leard and Mike Edwards.

Gating of Mariposa Park was discussed, but the consensus was that this was not a good idea.

Rich suggested finding people to "camp" out and look for problems.

Jim Evans suggested meeting with Jeff Green and revise the current ordinance and assign hours (seasons also.)

Pelk stated he is working with Wayne Bullis on a Neighborhood Watch program in Coulterville that may be utilized for parks.

Rich suggested a "reward system" for reporting vandalism that leads to prosecution and conviction. Signs could be posted at the parks. George and Jim Moffett said they could prosecute only the worst cases which had good evidence.

George suggested a separate ordinance against possessing and selling certain magic markers and aerosol paint. State law requires that aerosol cans be locked up and unlawful sale to persons under 18 years old.

Look at M.I.D. standard (part of County ordinance). Confine alcohol to certain uses (group meetings, etc.); otherwise it should be prohibited

Rich will talk to the Parks and Recreation Commission regarding a watch program and "we tip" reward system.

The next meeting is scheduled for approximately two months to allow time to explore above suggestions and come up with other possibilities.

sm

cc: Richard Begley
Jim Evans
George Griffith
Jack Leard
Jim Moffett
Pelk Richards

/ - /



MARIPOSA COUNTY

DEPARTMENT OF
PUBLIC WORKS
Divisions of
Administration

MEMORANDUM

To: Vandalism Committee Members

From: Michael D. Edwards, Public Works Director *MDE*

Date: March 23, 1994

Re: Minutes of Second Meeting Held 3/21/94
at the Law Library

The following were in attendance: Rich Begley, Pelk Richards, Jim Moffett, George Griffith, Jack Leard and Mike Edwards (Don Weston, who was representing the History Center, was also present).

The Sheriff's Office received several compliments on their recent efforts. Incidents of vandalism seem to be declining. The consensus was that these efforts and others were a deterrent, especially if there is periodic newspaper coverage on the issue.

Recent vandalism reports were handed out to the attendees.

Jim Evans is to report on progress with possible County Ordinances (through County Counsel) at the next meeting, including:

1. Setting of seasonal "hours of use" at the County parks.
2. Controlling use of alcohol to certain types of users at the parks (i.e. responsible groups; refer to M.I.D. regulations).

George Griffith to also work with County Counsel on possible ordinances to control the sale (or possession) of markers and aerosol paints by minors, in addition to State law. Several cities have similar ordinances which are apparently successful.

Rich Begley provided a draft public invitation from the Parks and Recreation Commission to participate in the proposed "Park Watch Program". This will be discussed at the next Commission meeting. If approved, Rich will publicize it and contact community service groups regarding the reward system. Jim Moffett offered to approach the Lion's Club. The committee was supportive.

Pelk Richards spoke about the "SCOPE" proposal that will hopefully use citizen volunteers to patrol facilities in the Mariposa TPA. They will receive 40 hours of training from volunteer deputies. They would be uniformed and equipped with a County car with a special emblem and a radio. They would not perform law enforcement, but may assist the Sheriff's Office with other administrative duties. The concept has apparently worked successfully in other jurisdictions. Pelk envisions

a maximum of 15 volunteers initially. They would provide 24-hour per day coverage. The committee supported the idea and felt it should be well publicized.

Don Weston related the various types of vandalism that has occurred at the Museum/History Center. He also noted that the problems have declined recently.

Jim Moffett provided an update on the Ponderosa Basin vandalism. The juveniles will be taken through a formal court process to assure that the case receives maximum visibility and newspaper coverage. It has already had a positive impact on other juveniles.

The committee felt it was important to report back to the Board of Supervisors as soon as possible. Therefore, the next meeting was set in one month. It will be at 9:00 a.m. on Monday, April 18 in the Sheriff's Office conference room. A reminder notice will be sent.

sm

cc: Jeff Green, County Counsel

Committee Members:

Richard Begley, Parks & Recreation
Jim Evans, Director, H.C.D.
George Griffith, District Attorney
Jack Leard, Parks Maintenance Supervisor
Jim Moffett, Chief Probation Officer
Pelk Richards, Undersheriff



MARIPOSA COUNTY

DEPARTMENT OF
PUBLIC WORKS
Divisions of
Administration

MEMORANDUM

To: Vandalism Committee Members

From: Michael D. Edwards, Public Works Director *Mike*

Date: April 19, 1994

Re: Minutes of Third Meeting Held April 18, 1994
at the Sheriff's Office

The following were in attendance: Pelk Richards, Jim Allen, Jim Moffett, Rich Begley, Jack Leard, Jim Evans, Mike Edwards

Copies of a possible ordinance relative to restricting skateboarding prepared by Jim Allen were handed out and discussed (copy attached). The consensus was that the ordinance may be appropriate to start with the Rest Area. It was also felt that penalties should be in the form of a fine. If possible, it should be merely an infraction rather than a misdemeanor, as is the current case with County ordinances. Jim will review with County Counsel soon. Public Works will submit an item to the Board for general discussion and direction on May 3. *OK*

Jim Evans' April 8 memo regarding park hours of operation and alcohol restrictions was received (attached). It was felt that hours should be set at dawn to dusk for general use with other uses by permit only. The committee agreed with Jim's suggested ordinance change to allow the hours to be set by a Resolution of the Board. Jim's recommended change to add "designated parking areas at County parks" to Section 9.12.010 of the County Code was agreeable. It was also decided that an "open container" clause is necessary to aid enforcement of alcohol restriction at these facilities.

It was decided that the vandalism committee's recommendations should be included in a report to the Board on May 10. Public Works will prepare the Agenda Action form. In addition to the presence of all committee members on that date, the following needs to be provided to Mike at Public Works by May 2, at the latest, for attachment to the Board package:

1. Jim Evans: Revised memo on suggested County Code changes for hours of operation and alcohol consumption restrictions at park facilities.
2. George Griffith: Suggested County Code additions to control sale/possession of aerosol paint and markers beyond State law.

1-4

3. Rich Begley: Summary of proposed "Park Watch" program.
4. Pelk Richards: Summary of proposed "S.C.O.P.E." program.

Committee members should be prepared to discuss with the Board the various issues considered and reasons why these actions are proposed. Discussion should also focus on recent efforts and successes to control the vandalism problem.

A follow-up meeting will be coordinated in about three months to review our progress in this regard and determine if further actions are necessary.

sm

cc: Jim Allen, Captain, Sheriff's Office
Richard Begley, Parks & Recreation
Jim Evans, Director, H.C.D.
George Griffith, District Attorney
Jack Leard, Parks Maintenance Supervisor
Jim Moffett, Chief Probation Officer
Pelk Richards, Undersheriff

Jeff Green, County Counsel



HOUSING AND COMMUNITY DEVELOPMENT AGENCY

- Calaveras/Mariposa County Community Action Agency
- Head Start
- Housing Authority of the County of Mariposa
- Recreation Programs

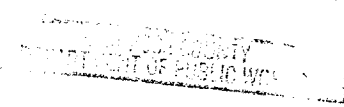
James F. Evans Director

April 28, 1994

TO: Michael D. Edwards, Public Works Director

FROM: James F. Evans, Director

SUBJECT: Vandalism Committee Recommendations



Pursuant to your memo, dated April 18, 1994, regarding the above-referenced matter, I offer the following information:

1) To reduce the potential for vandalism during evening and nighttime periods, it is recommended that hours of operation for all County parks be from dawn to dusk. If this recommendation is approved, posting of the hours of operation at each County Park would be required. Special evening or nighttime events could occur with prior approval. Recommended County Code revisions are

12.16.090 Closure of county parks.

All Mariposa County parks shall be closed to the public during the months of October through March at 10:00 PM until 6:00 AM, and during the months of April through September from 11:00 PM until 7:00 AM AS DETERMINED BY RESOLUTION OF THE BOARD OF SUPERVISORS.

2) There are two recommendations regarding the public consumption of alcoholic beverages. First, designated parking areas in County parks should be added to the areas where alcoholic consumption is prohibited. Again, special events involving consumption of alcohol could occur with prior approval. Second, prohibiting possession of open containers of alcohol in public places would strengthen the ability of the Sheriff's Department to enforce this Section of the County Code. Recommended County Code revisions are

9.12.010 Prohibited acts.

It is unlawful for any person to consume, or to aid and abet, or to counsel any person to consume, OR POSSESS AN OPEN CONTAINER OF, any alcoholic beverage in, on, or upon any public road, street, DESIGNATED PARKING AREA IN ANY COUNTY PARK, or highway, or portion thereof, in an unincorporated town within the county unless the consumption of such alcoholic beverage in, on, or upon such public road, street or highway, OR DESIGNATED PARKING AREA IN ANY COUNTY PARK, or portion thereof, is specifically permitted by order of the board or of any duly constituted legal authority having jurisdiction over any such public road, street, highway, OR DESIGNATED PARKING AREA IN ANY COUNTY PARK, or portion thereof.

2(A)

ORDINANCE 94-3

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS ADDING CHAPTER 8 TO TITLE 4 OF THE CLOVIS MUNICIPAL CODE RELATING TO GRAFFITI

THE CITY COUNCIL OF THE CITY OF CLOVIS ORDAINS AS FOLLOWS:

SECTION 1: Chapter 8 of Title 4 of the Clovis Municipal Code is added to read as follows:

CHAPTER 8. GRAFFITI IMPLEMENTS

Sec. 4-8.01 Terms Defined.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

(a) "*Aerosol paint container*" means any aerosol container, regardless of the material from which it is made, which is adapted or made for the purpose of spraying paint or other substance capable of defacing property.

(b) "*Felt tip marker*" means any indelible marker or similar implement with a tip which, at its broadest width is greater than one-eighth inch, containing an ink that is not water-soluble.

(c) "*Graffiti*" means any unauthorized inscription, work, figure or design that is marked, etched, scratched, drawn or painted on any surface.

(d) "*Graffiti implement*" means an aerosol paint container, a felt tip marker or a paint stick.

(e) "*Minor*" means a person under eighteen years of age.

(f) "*Paint stick*" means a device containing a solid form of paint, chalk, epoxy, or other similar substance capable of being applied to a surface by pressure, and upon application, leaving a mark at least one-eighth of an inch in width, visible from a distance of twenty feet, and not water-soluble.

Sec. 4-8.02 Possession by Minors - Prohibited.

(a) It is unlawful for any minor to possess any graffiti implement:

(1) While upon public property; or

(2) While upon private property without the consent of the owner of such private property. Such consent must be given in advance and must authorize the minor's presence while in the possession of a graffiti implement.

This subsection shall not apply while the minor is attending, or travelling to or from a school at which the person is enrolled, if the person is participating in a class at said school which has, as a requirement of said class, the need to use felt tip markers.

(b) This section is not intended to conflict with California Penal Code section 594.1.

Sec. 4-8.03 Punishment Provisions.

(a) Police Diversion Program: Community Service with Minimum Hours and Parental Involvement.

In lieu of, or as a part, requesting prosecution of a petition declare a minor to be a ward of the court under Welfare and Institutions Code Section 602 (including, but not limited to, offenses which, in the opinion of the police chief, constitute a violation of this Chapter), the Police Chief or his designated representative shall be authorized to order said minor to perform such community service as the police chief deems appropriate, but which community service shall contain the following minimum elements:

(1) The minor shall perform not less than 20 hours nor more than 100 hours of community service.

(2) At least one of the custodial parents, or if none, guardians, shall be in attendance at least 50% of the period of assigned community service.

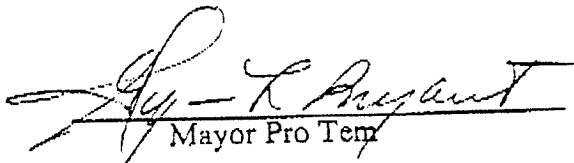
(3) The entire period of community service shall be performed under the supervision of a community service provider approved by the chief of police.

Sec. 4-8.04 Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The city council declares that it would have adopted each section, subsection, sentence, clause, phrase or portion or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 2: This Ordinance shall go into effect and be in full force from and after thirty (30) days after its final passage and adoption.

APPROVED: January 18, 1994


Mayor Pro Tem


City Clerk

* * * * *

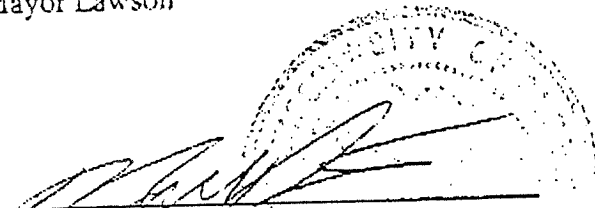
The foregoing Ordinance was introduced and read at a regular meeting of the City Council held on January 3, 1994, and was adopted at a regular meeting of said Council held on January 18, 1994, by the following vote, to wit:

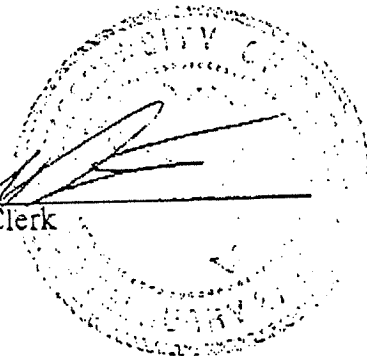
AYES: Councilmembers Sorensen, Wynne, Mayor Pro Tem Bryant

NOES: None

ABSENT: Councilmember Armstrong and Mayor Lawson

DATED: January 18, 1994


City Clerk





COUNTY of MARIPOSA

PARKS and RECREATION, HCD

P.O. Box 732
4998 Park Road Phone 209-966-2498
MARIPOSA, CALIFORNIA 95338

MARIPOSA
PARKS
& RECREATION
Divisions of:

• Administration
• Operations

Jim Evans
Director

May 9, 1994

TO: All Citizens and Community Service Clubs

FROM: Mariposa County Parks & Recreation Commission

SUBJECT: Park Watch Program

In Mariposa, as in many other communities, we are having a problem with vandalism. This vandalism is not only affecting county Parks and property, but is now damaging private property as well. In reaction to this rising tide of damage, the Parks & Recreation Commission is proposing to counter with a **PARK WATCH PROGRAM**. Similar to the Neighborhood Watch Program, **PARK WATCH** is a citizen reporting program that features signs announcing the following:

PARK WATCH PROGRAM
\$100 REWARD
LEADING TO THE ARREST & CONVICTION
OF INDIVIDUALS DAMAGING THIS PARK IN ANY MANNER
CALL TO REPORT DAMAGE 911- CALL FOR INFO 966-2498

Mariposa County can use your help in establishing this program. Community service organizations are being solicited to commit to a lottery system to finance the reward indicated on the sign(s). In other words, public spirited groups can sign up to provide the reward, and may not be called until the 25th conviction. Of course they also may be called upon to provide the very first one. Each group can opt to pay once, or multiple times, but it our desire to permit each group to pay once before any group pays twice. It is our desire to maximize the effectiveness of our law enforcement by being their eyes and ears. We hope this is a short lived program and a few examples will serve notice that Mariposa will not tolerate vandalism.

The Mariposa County Parks & Recreation Commission is urging the support of all Mariposa County Citizens for **PARK WATCH**. The resources of county government cannot be directed to the constant repair and replacement of facilities in our public areas, or we will soon go broke. We have to act proactively and take back our Parks for our citizens to recreate in. They aren't hang outs, or drinking and drug use areas. Many park areas are deteriorating rapidly.

2(c)



COUNTY OF MARIPOSA

PARKS and RECREATION, HCD

P.O. Box 732
4998 Park Road Phone 209-966-2498
MARIPOSA, CALIFORNIA 95338

**MARIPOSA
PARKS
& RECREATION
Divisions of:**

- Administration
- Operations

**Jim Evans
Director**

May 9, 1994

Page 2 continued

We can easily use the funds recouped from vandalism repairs to update and beautify our public resources. Mariposa County will supply the signage, but we need you for the rewards.
Please help.

SHERIFF'S COMMUNITY ORGANIZED POLICING EFFORTS

S.C.O.P.E.

S.C.O.P.E. volunteers are community members ages 50 or older, volunteering their time as supplements to all phases of the Sheriff's Department operations. This will allow department personnel to focus on the growing needs of our community. S.C.O.P.E. will be trained by professional law enforcement instructors and after graduation, put to use by the department. S.C.O.P.E. will be **unarmed**, uniformed volunteers, active in community service, making Mariposa a safer, more enjoyable place to live.

S.C.O.P.E. volunteers will wear a uniform that distinctly identifies those personnel as S.C.O.P.E. volunteers. The uniform apparel will be green slacks, white shirt, one Mariposa County Sheriff's Office shoulder patch and a S.C.O.P.E. volunteer patch placed just above the left front shirt pocket. S.C.O.P.E. volunteers will not be armed nor possess peace officer powers.

One function that will be performed by S.C.O.P.E. volunteers, is Patrol Assistant. While engaged in this function the volunteer will drive a vehicle that has been clearly marked as a Citizen Patrol Vehicle. The vehicle will be equipped with a two way radio, spotlights and an amber directional light. The volunteer will receive extensive training in the operation of the Citizen Patrol Vehicle. Specific training will include reading, understanding and giving a pledge that they will abide by the County of Mariposa Policy and Procedure for the Operation of County Vehicles. Each volunteer will further receive instructions that by law they are not exempt from the rules of the road, and that they will not be classified as an operator of an emergency vehicle. The patrol volunteer will not be allowed to engage in vehicle pursuits, stops or any detentions.

The patrol assistant volunteer will be used to patrol areas of law enforcement concerns. One concern recently identified is the amount and frequency of vandalism to county property. Patrol Volunteers can be assigned to patrol these types of areas. Their presents will help deter the irresponsible destruction of property.