



City of Arts & Innovation

City Council Memorandum

.....

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: October 9, 2012

FROM: CITY ATTORNEY ITEM NO: 12
CITY MANAGER

WARD: ALL

SUBJECT: STATUS REPORT ON THE PROGRESS OF THE “NEIGHBORHOOD LIVABILITY PROGRAM” FOR IMPROVING THE QUALITY OF LIFE IN THE CITY OF RIVERSIDE

ISSUE:

The issue for consideration by the City Council is the continued utilization of the Neighborhood Livability Program as a tool for improving and maintaining the quality of life in the City of Riverside’s twenty-six neighborhoods.

RECOMMENDATIONS:

That the City Council:

1. Continue its support of the Neighborhood Livability Program based upon the successes demonstrated in this status report and that the City Council receive and file this report; and
2. Direct the City Attorney’s Office to provide another status report on the Neighborhood Livability Program in six months.

BACKGROUND:

A. History of Program

On September 23, 2003, the City Council authorized the creation of a Neighborhood Livability Program, as proposed by the City Attorney’s Office in cooperation with the Community Development, Fire, Police and Public Works Departments, to improve and maintain the quality of life of Riverside neighborhoods. The Mayor and City Council have emphasized the importance of preserving and improving the safety and livability in Riverside’s neighborhoods in the City of Riverside’s Strategic Plan.

A task force comprised of representatives of key departments was established. The Task Force's role was to begin identifying and prioritizing specific problems, targeting the "worst of the worst" for appropriate, *proactive*, and remedial action.

The Task Force has made a substantial effort to gather information from residents and businesses, the Mayor, the City Council, the City Manager, and City staff, and to identify and prioritize the properties presenting the most serious quality of life issues in the City. Such properties have been identified in terms of geographically defined area(s) with chronic and multiple quality of life problems (i.e., "focus neighborhoods"); single, problematic properties (i.e., the "worst of the worst"); and specific problems occurring in multiple locations throughout the city. The overwhelming majority of the problem properties are brought to the City's attention by negatively affected neighbors and business owners.

B. Current Status of Program and Program Results for May 2012 – October 2012

As explained in the prior report, the Task Force continues to examine specific problem properties and neighborhoods to determine the most effective investigative approach and enforcement tool(s).

1. Transitional Housing Task Force

One primary focus of the Neighborhood Livability Program's efforts has been the Transitional Housing Task Force. This effort was originally developed to address the sudden increase in public complaints regarding so-called "group homes." As cases were investigated, it became clear the common thread to the complaints was the existence of serious, substandard housing conditions at these locations. Accordingly, investigation procedures and enforcement actions were developed and implemented to address these problems.

Approximately 2 cases have been resolved during this reporting period. Both properties were voluntarily brought into compliance by the owners after issuance of the notice of violation. The City will be re-inspecting these properties for compliance with the Hearing Officer's orders. To date, the Task Force has successfully resolved 154 complaints associated with the negative affects of transitional housing.

With the passage of AB 109 and the implementation of the Governor's Public Safety Realignment Plan, the THTF stands ready to address any negative impacts of the plan.

2. Receiverships/Judicial Foreclosures

To date, the City has initiated 39 receivership and judicial foreclosure actions against the owners and lenders of neglected properties that have been declared continuous public nuisances. Of these, 28 have been successfully prosecuted and 11 court actions are currently pending in the Riverside County Superior Court. We anticipate filing an addition 7 - 9 actions during this next reporting period.

3. Nuisance/Drug Abatement Actions

The City has initiated five actions to abate continuous nuisance or drug related activities. Four of these court actions have resulted in permanent injunctions and one case is currently pending in the Riverside County Superior Court. We are currently working with the Riverside Police Department on several additional cases to be filed during this next reporting period.

4. Vacant Problem Properties

In 2007, the City adopted Riverside Municipal Code Chapter 6.11, which declares substandard properties left vacant in excess of one hundred and eighty days and that are not the subject of an active building permit for repair, a continuous public nuisance. The Neglected Property Abatement (“NPA”) Team was subsequently created in 2008 to address the negative secondary affects (e.g., neighborhood blight, transient activity, etc.) associated with open and vacant properties. Through a combination of code enforcement actions (e.g., warning notices, citations, etc.), the NPA team has achieved 97% voluntary compliance, prior to having to declare properties permanent public nuisances. During this reporting period, 137 properties were voluntarily rehabilitated by the owners. Additionally, two substandard structures were demolished voluntarily by owners in lieu of City enforcement action. The City initiated one demolition this reporting period against a substandard vacant and abandoned property.

5. Graffiti Abatement

California Civil Code Section 1714.1(b) provides that acts of defacement of property by paint or similar materials committed by minors are imputed to their parents who have custody and control of the minors. The City is entitled to recover up to \$25,000.00 per incident and including civil damages, police investigative cost, court costs, and attorney’s fees. The City Attorney’s Office initiates lawsuits against the parents of minor “taggers” as a deterrent to future vandalism.

Under the leadership of the City Council, the City has been very aggressive in seeking restitution for graffiti committed in the City of Riverside. To date, the City Attorney’s Office has initiated collection actions against 453 individuals and obtained settlements and judgments for a total of \$338,651. Also, juvenile offenders and their parents have completed 5,805 hours of community service.

6. Extraordinary Police Services or Responses

The City Council adopted Riverside Municipal Code Chapter 9.60 on December 8, 2008 in response to the disproportionate amount of public safety resources being expended to respond to certain properties and businesses. The criminal and/or nuisance activities associated with these properties resulted in the unreasonable diversion of vital and critical public safety resources.

The Purpose of the ordinance is to hold owners and occupants who utilize an extraordinary amount of police service accountable for the additional costs arising out of the use of their property and deter further criminal and/ or nuisance activity in the future. An extraordinary police service or response occurs when: (1) three or more officers and a supervisor respond to a single emergency response; or (2) a second response to the same business or property within a thirty day period; or (3) a third emergency response to the same business or property within a ninety day period. An owner or occupant who is an individual person and is the victim of a crime shall not be liable for the extraordinary police service or response related to the crime. Since inception, the City has initiated 22 actions and recovered \$7,197.37 in extraordinary police services. The enforcement of this ordinance has been a powerful deterrent to future incidents and with one exception, the City has not had a repeated nuisance call for service.

C. Neighborhood Livability Program: Progress to Date (Since Sept. of 2003)

- 154 “transitional housing/group home” complaints resolved
- 75 problem board-up demolitions
- 520 voluntary property rehabilitations
- 39 judicial foreclosures/receiverships
- 5 nuisance/drug abatement actions
- 453 graffiti cases and \$338,651 collected in settlements and judgments

Overall, The Neighborhood Livability Program has been an unqualified success and is considered a model for cities throughout the state. The program has been identified by the National League of Cities as a “proven solution for combating blight, crime and nuisance activities.” On August 14, the City Attorney made a presentation to the Hemet City Council on Riverside’s successes at the request of Hemet’s City Manager and City Attorney. It is also likely that the Program will be featured at next year’s City Attorneys Conference. The success of this program is a result of the leadership and support of the City Council and the hard work and dedication of the members of the Community Development, Fire, Police and Public Works Departments in addition to the staff of the City Attorney’s Office.

FISCAL IMPACT:

Generally, none other than staff time. The City’s abatement costs as well as the administrative fines and penalties are assessed as liens against the property owner or through sale of the property. The City also seeks reimbursement for the attorney's fees and costs incurred by the City Attorney’s Office. The City Attorney’s Office also utilizes rehabilitation agreements with property owners and lenders as an alternative to assessment liens and/or litigation.

Moreover, the overall positive impact that this Program has had on the livability of various neighborhoods outlined above, while not subject to a precise fiscal impact, cannot be underestimated. The elimination of substandard housing and the reduction in criminal and nuisance activities has proven to be invaluable to the safety of the residents of the City of Riverside.

Prepared by: Gregory P. Priamos, City Attorney
Scott C. Barber, City Manager

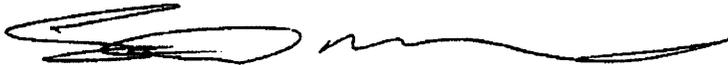
Neighborhood Livability Program

Late last year, one of my fellow RNP board members came to me about an issue in a neighborhood in the area we represent. One of the neighbors had been terrorizing the neighborhood for 10 years. He would throw rock, bottles, canned goods, golf balls, and pretty much anything he could get his hands on at the neighboring homes. Their roofs were filled with trash, and their windows were broken. The mother of this person, would pay for the broken windows over the years, but could not control her son. Children could not play outside, or by the windows, and no parties were ever held outside. The neighborhood was being held hostage by this individual.

Over the years, there were many calls to the police and other city personnel, and even a complaint filed with the District Attorney's office. Until the task force was formed, the police and the other entities were frustrated. There was only so much they could do within their sphere of influence. Once the task force was in place, these kinds of issues could now be addressed through multiple channels with a single focus.

After talking to neighbors, and taking pictures, I went to Mayor's Night Out and showed the Mayor. He asked me to send him the pictures and a brief explanation, and he sent them on to the task force. I was contacted by Greg Priamos, and he asked for additional information. I was also contacted by Lt. Leach, our Area Commander with RPD. My fellow board member collected the information, and was in close contact with the neighbors during the entire process. The task force immediately made contact with the neighbors and the occupants of the offending home and sent them legal notice. Over the course of several months through in partnership with a group of agencies, this problem was corrected. Just this past month, one of the children was actually able to have a birthday party outside. I believe in the viability of this program, and urge you to vote favor of continuing to let these agencies do their good work.

Regards,



Scott Andrews

cc: Mayor
City Council
City Manager
City Attorney

**CITY OF RIVERSIDE
SPEAKER CARD**

WELCOME TO THE RIVERSIDE CITY COUNCIL MEETING.

IF YOU WISH TO ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY, PLEASE COMPLETE AND SUBMIT THIS CARD TO THE CITY CLERK. SPEAKERS ARE ENCOURAGED TO SUBMIT THEIR CARDS TO THE CITY CLERK BEFORE THE SCHEDULED MEETING TIME. SPEAKER CARDS WILL BE ACCEPTED UNTIL THE AGENDA ITEM IS CALLED.

ITEM NO.: 12
NAME: Janice Bielman DATE: 10/09/12

CITY/NEIGHBORHOOD: Magnolia Center W3 PHONE # (Optional): _____

ADDRESS (Optional): _____
Address City/State/Zip

SUBJECT: Neighborhood Livability Program

SUPPORT OPPOSE NEUTRAL

In accordance with the Public Records Act, any information you provide on this form is available to the public.

PLEASE TURN OFF OR SILENCE PAGERS AND CELLULAR TELEPHONES.

SEE REVERSE FOR FURTHER INFORMATION

**CITY OF RIVERSIDE
SPEAKER CARD**

WELCOME TO THE RIVERSIDE CITY COUNCIL MEETING.

IF YOU WISH TO ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY, PLEASE COMPLETE AND SUBMIT THIS CARD TO THE CITY CLERK. SPEAKERS ARE ENCOURAGED TO SUBMIT THEIR CARDS TO THE CITY CLERK BEFORE THE SCHEDULED MEETING TIME. SPEAKER CARDS WILL BE ACCEPTED UNTIL THE AGENDA ITEM IS CALLED.

ITEM NO.: 12
NAME: BARY COFFER DATE: 10-9-12

CITY/NEIGHBORHOOD: WARD 3 PHONE # (Optional): _____

ADDRESS (Optional): _____
Address City/State/Zip

SUBJECT: Neighborhood Livability Program

SUPPORT OPPOSE NEUTRAL

In accordance with the Public Records Act, any information you provide on this form is available to the public.

PLEASE TURN OFF OR SILENCE PAGERS AND CELLULAR TELEPHONES.

SEE REVERSE FOR FURTHER INFORMATION

**CITY OF RIVERSIDE
SPEAKER CARD**

WELCOME TO THE RIVERSIDE CITY COUNCIL MEETING.

IF YOU WISH TO ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY, PLEASE COMPLETE AND SUBMIT THIS CARD TO THE CITY CLERK. SPEAKERS ARE ENCOURAGED TO SUBMIT THEIR CARDS TO THE CITY CLERK BEFORE THE SCHEDULED MEETING TIME. SPEAKER CARDS WILL BE ACCEPTED UNTIL THE AGENDA ITEM IS CALLED.

ITEM NO.: #12
NAME: Shesca Ludwig DATE: 10-9-12

CITY/NEIGHBORHOOD: _____ PHONE # (Optional): _____

ADDRESS (Optional): _____
Address City/State/Zip

SUBJECT: _____

SUPPORT OPPOSE NEUTRAL

In accordance with the Public Records Act, any information you provide on this form is available to the public.

PLEASE TURN OFF OR SILENCE PAGERS AND CELLULAR TELEPHONES.

SEE REVERSE FOR FURTHER INFORMATION

**CITY OF RIVERSIDE
SPEAKER CARD**

WELCOME TO THE RIVERSIDE CITY COUNCIL MEETING.

IF YOU WISH TO ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY, PLEASE COMPLETE AND SUBMIT THIS CARD TO THE CITY CLERK. SPEAKERS ARE ENCOURAGED TO SUBMIT THEIR CARDS TO THE CITY CLERK BEFORE THE SCHEDULED MEETING TIME. SPEAKER CARDS WILL BE ACCEPTED UNTIL THE AGENDA ITEM IS CALLED.

ITEM NO.: _____
NAME: Ann M. Brown DATE: _____

CITY/NEIGHBORHOOD: _____ PHONE # (Optional): _____

ADDRESS (Optional): _____
Address City/State/Zip

SUBJECT: _____

SUPPORT OPPOSE NEUTRAL

In accordance with the Public Records Act, any information you provide on this form is available to the public.

PLEASE TURN OFF OR SILENCE PAGERS AND CELLULAR TELEPHONES.

SEE REVERSE FOR FURTHER INFORMATION

**CITY OF RIVERSIDE
SPEAKER CARD**

WELCOME TO THE RIVERSIDE CITY COUNCIL MEETING.

IF YOU WISH TO ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY, PLEASE COMPLETE AND SUBMIT THIS CARD TO THE CITY CLERK. SPEAKERS ARE ENCOURAGED TO SUBMIT THEIR CARDS TO THE CITY CLERK BEFORE THE SCHEDULED MEETING TIME. SPEAKER CARDS WILL BE ACCEPTED UNTIL THE AGENDA ITEM IS CALLED.

ITEM NO.: 12

NAME: Raychelle Sterling

DATE: 10-9-12

CITY/NEIGHBORHOOD: _____

PHONE # (Optional): _____

ADDRESS (Optional): _____

Address

City/State/Zip

SUBJECT: _____

SUPPORT

OPPOSE

NEUTRAL

In accordance with the Public Records Act, any information you provide on this form is available to the public.

PLEASE TURN OFF OR SILENCE PAGERS AND CELLULAR TELEPHONES.

SEE REVERSE FOR FURTHER INFORMATION

1. of 2

**CITY OF RIVERSIDE
SPEAKER CARD**

WELCOME TO THE RIVERSIDE CITY COUNCIL MEETING.

IF YOU WISH TO ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY, PLEASE COMPLETE AND SUBMIT THIS CARD TO THE CITY CLERK. SPEAKERS ARE ENCOURAGED TO SUBMIT THEIR CARDS TO THE CITY CLERK BEFORE THE SCHEDULED MEETING TIME. SPEAKER CARDS WILL BE ACCEPTED UNTIL THE AGENDA ITEM IS CALLED.

ITEM NO.: 12

NAME: Karen Davis Wright

DATE: Oct 9 2012

CITY/NEIGHBORHOOD: Ward 3

PHONE # (Optional): _____

ADDRESS (Optional): _____
Address City/State/Zip

SUBJECT: _____

SUPPORT OPPOSE NEUTRAL

In accordance with the Public Records Act, any information you provide on this form is available to the public.

PLEASE TURN OFF OR SILENCE PAGERS AND CELLULAR TELEPHONES.

SEE REVERSE FOR FURTHER INFORMATION

2 of 2

CITY OF RIVERSIDE
SPEAKER CARD

~~The city should~~
The city should not
take homes of elderly
financially strapped homes

WELCOME TO THE RIVERSIDE CITY COUNCIL MEETING.

IF YOU WISH TO ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY, PLEASE COMPLETE AND SUBMIT THIS CARD TO THE CITY CLERK. SPEAKERS ARE ENCOURAGED TO SUBMIT THEIR CARDS TO THE CITY CLERK BEFORE THE SCHEDULED MEETING TIME. SPEAKER CARDS WILL BE ACCEPTED UNTIL THE AGENDA ITEM IS CALLED.

ITEM NO.: 12 2 of 2 of citizens, particularly
NAME: Karen Donis Wright neighborhoods in
DATE: 10/9/2012 with high property values.

CITY/NEIGHBORHOOD: Ward 3 PHONE # (Optional): _____

ADDRESS (Optional): According to a citizen I spoke with
The city has taken action on at least
one home in the Victoria Avenue/Ag area
Address City/State/Zip

SUBJECT: Where an elderly womens home

SUPPORT OPPOSE NEUTRAL

In accordance with the Public Records Act, any information you provide on this form is available to the public.

was taken from them. I do not believe
that someone's home should be stolen
from them because they are elderly/low
income and can no longer maintain
the exterior. The city could do maintenance and

PLEASE TURN OFF OR SILENCE PAGERS AND CELLULAR TELEPHONES.

SEE REVERSE FOR FURTHER INFORMATION

home maintenance
put a lien on the
for responsible