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August 16, 2018

Mr. Jeff B. Bryson, Foreperson
County of San Diego Grand Jury
550 W. C. Street, Suite 860
San Diego, CA 92101-3513

Re: Response to the County of San Diego Grand Jury Report, "Graffiti Reporting and Mitigation in San Diego County"

Dear Mr. Bryson:

The North County Transit District (NCTD) is in receipt of the above-entitled Grand Jury report dated May 29, 2018. NCTD has reviewed the report and has the following comments related to the Facts and Findings of the report:

BACKGROUND

NCTD currently has a robust program for graffiti removal and mitigation, while working closely with surrounding municipalities and partner agencies. Generally, graffiti on NCTD vehicles, property, or along the railroad right-of-way is reported primarily by NCTD or its Rail Contractor's employees. Bombardier Transportation (Holdings) USA, Inc. (Bombardier) is the contractor for operations and maintenance for both the COASTER Commuter Rail and the SPRINTER Hybrid Rail, which operate on the San Diego Subdivision and the Escondido Subdivision respectively. Once graffiti or vandalism is reported, damage that is vulgar or safety critical to railroad operations is mitigated within 24 hours. All other graffiti is contractually required to be removed within 5 days, with most removal occurring within the first 48 hours. Customers or members of the public can report graffiti to NCTD through our Customer Service Department, either through a phone call, e-mail, online form or in-person at one of our Customer Service locations. Reports are entered into our Customer Service database and are assigned to the responsible party for mitigation. Once graffiti removal is complete, the reporting individual is notified of the corrective action and removal.

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RESPONSE TO FINDINGS:

In accordance with California Penal Code 933(c), please find NCTD's specific responses to the May 29, 2018 County of San Diego Grand Jury Report: "Graffiti Reporting and Mitigation in San Diego County."

Finding 01: There is no easily available information to guide the public on reporting graffiti.

Response: NCTD partially disagrees with this finding. The NCTD Rider's Guide, on page 11, tells customers that: "Your feedback is important to us". Furthermore, the NCTD website address and phone number to contact Customer Service are listed on the back cover of the Rider Guide in both English and Spanish. Feedback on all customer-related issues, including graffiti, can be reported via phone, e-mail, an online form, or through an in-person visit to one of our Customer Service locations. NCTD's website, goNCTD.com, has a link in both the header and footer of every page which connects a visitor to the Customer Service Department landing page. In addition, the vast majority of individual landing pages (approximately 100), also contain a side bar menu with contact information for Customer Service. NCTD agrees that there is room for improvement on providing information at our transit centers and rail stations on ways to contact us to report issues, including graffiti incidents. In April 2018, the Board of Director's authorized NCTD to engage a consultant to develop a Wayfinding Master Plan for all of our transit centers. This Plan provides the opportunity to include standards for signage that will provide contact information for NCTD's Customer Service Department.

Finding 02: Residents trying to report graffiti find it difficult to locate information explaining reporting procedures.

Response: NCTD partially disagrees with this finding. As outlined in Finding 01, NCTD provides information via multiple sources on how an individual can contact Customer Service, which is where they can report graffiti. As further stated in Finding 01, NCTD acknowledges there is room for improvement at its transit centers and is currently in process of exploring options to address via a Wayfinding Master Plan.

Finding 03: There is little effective effort by county, city and mass transit agencies to increase public awareness on how to report graffiti.

Response: NCTD partially disagrees with this finding. As discussed in the response to Findings 1 & 2, there are multiple ways to contact NCTD Customer Service Department, but as noted, NCTD does agree there is room for improvement for increased public awareness to specifically report graffiti on NCTD property and revenue vehicles.

Finding 04: It is extremely difficult to determine which agency has jurisdiction over a graffitied area in order to report it properly since often there is a very fine line between what is in the mass transit right-of-way and what is in the state, county or city jurisdictions.

Response: NCTD partially disagrees with this finding. NCTD is a good community partner and responds to reports of graffiti vandalism from the public and from other local jurisdictions. Members of the public can report graffiti observed on all properties (public, private) to 211 and to San Diego Code Compliance (unincorporated areas of the County), or the Graffiti Hotline for their City. There is no need for the public to specifically identify the property owner to report vandalism. NCTD maintains a Real Estate Department that works closely with Bombardier employees to ensure all graffiti reports that are identified on NCTD property are quickly mitigated. If the NCTD Customer Service Department receives a report of graffiti outside of NCTD property, Customer Service will notify the responsible agency or jurisdiction of the graffiti for their mitigation.

Finding 05: Graffiti in high-volume areas sometime may be overlooked because of jurisdictional issues.

Response: NCTD wholly disagrees with this finding. All graffiti reports are mitigated based on our internal procedures and if located on NCTD property, it is removed within the timeframes previously specified.

Finding 06: There is very little coordination among agencies in San Diego County to pass on graffiti reports.

Response: NCTD wholly disagrees with this finding. NCTD works closely with surrounding municipalities as well as local law enforcement and San Diego Metropolitan Transit System (MTS). NCTD understands that it requires a coordinated effort to combat graffiti and that proper notification of the cognizant agency is key to graffiti mitigation. Local jurisdictions are notified via their published Graffiti Hotline or through their Code Compliance office. It is also important to note that some of the graffiti visible while riding transit is on property that is either private or owned by another agency. To the extent that NCTD cooperation is necessary for a property owner to remediate graffiti, NCTD makes good faith efforts to do so. For example, NCTD has issued right-of-entry permits allowing various cities and private contractors to access its right-of-way to remediate graffiti on their adjacent property. As discussed in the response to Finding 4, NCTD makes every effort to contact a property owner for a graffiti report that is received by NCTD that is not on our property.

Finding 07: County residents wishing to report graffiti may become discouraged because there are multiple reporting systems requiring different means for reporting.

Response: NCTD partially disagrees with this finding. NCTD recognizes that because multiple entities are involved, each with unique property ownership and associated responsibility for mitigating graffiti, that residents may sometimes experience confusion regarding the respective reporting processes. However, all incidents of graffiti vandalism may be reported through the San Diego County 211 system or via the published Graffiti Hotline for their Community. Relative to its specific property and responsibility, NCTD believes that it provides multiple methods of reporting via its Customer Service Department, a single point of contact, to accommodate all individuals and inquiries related to graffiti mitigation.

Finding 08: A single, centralized, user-friendly San Diego County graffiti reporting system would improve graffiti reporting and mitigation.

Response: NCTD wholly disagrees with this finding. The San Diego 211 system currently exists as a centralized reporting system for observed graffiti and other vandalism. NCTD currently works with numerous municipalities and agencies to mitigate graffiti on NCTD property and along the railroad right-of-way. Although reporting is critical, it also requires the ability to go to a graffiti location and mitigate the damage. NCTD currently has a robust plan in place to mitigate the effects of graffiti on its property.

RESPONSE TO RECOMMENDATIONS:

Recommendation 18-39: Improve reporting of graffiti to ensure that proper jurisdiction receives the report, eliminate confusion and delay in mitigating graffiti, and provide updated information to local law enforcement. The Grand Jury believes that a single, county-wide, user-friendly reporting system (telephone hotline, website, and/or smartphone app) could be effective in achieving these goals.

Response: NCTD believes it already has the elements in place to address this recommendation. Relative to NCTD, our current procedure for graffiti mitigation quickly removes any graffiti that is located on NCTD's vehicles, property or along the railroad right-of-way. The San Diego 211 system exists as a centralized reporting system for observed graffiti and other vandalism. NCTD contracts with local law enforcement and works with surrounding law enforcement agencies to provide updated information on graffiti and other vandalism on NCTD property and works with other local jurisdictions and MTS to report graffiti on their property for timely mitigation. Additionally, NCTD is currently in the procurement process for a Customer Relationship Management System which will provide many enhanced opportunities for communications between NCTD, our customers, and the public. While the procurement has not yet closed, NCTD anticipates that these enhancements will support improved options for graffiti reporting.

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Recommendation 18-40: Find new ways to better publicize the use of graffiti-reporting systems, via methods such as new agencies, flyers, and signage.

Response: The recommendation has not yet been implemented but will be implemented in the future. NCTD will add a link titled "Report Graffiti" to the GoNCTD.com webpage for an online form to report graffiti. Additionally, NCTD will schedule on-going social media posts on Facebook and Twitter to remind customers on how to report graffiti. NCTD will also create additional signage for revenue vehicles providing Customer Service numbers for all inquiries about NCTD and its transit operations. NCTD has enrolled in the Graffiti Reporting service through the San Diego 211 system to publish our Customer Service contact information for graffiti reporting.

NCTD appreciates the time and efforts of the members of the Grand Jury. We believe our responses indicate our commitment to providing the best service to our customers.

Sincerely,

A handwritten signature in blue ink that reads "Matt O. Tucker". The signature is written in a cursive style with a long horizontal line extending to the right.

Matthew O. Tucker
Executive Director, NCTD

cc: Lori A. Winfree, General Counsel, NCTD
Karen Tucholski, Chief Administrative Officer, NCTD
Sean Loofbourrow, Chief of Safety and Security, NCTD