



Short-Term Vacation Rental Program Ad-Hoc Committee agendas and staff reports are available on the City's web page: www.LaQuintaCA.gov

SHORT-TERM VACATION RENTAL PROGRAM AD-HOC COMMITTEE AGENDA

CITY HALL COUNCIL CHAMBER
78495 Calle Tampico, La Quinta

REGULAR MEETING
THURSDAY, AUGUST 6, 2020 AT 4:00 P.M.

SPECIAL NOTICE **Teleconferencing and Telephonic Accessibility In Effect**

Pursuant to Executive Orders N-25-20, N-29-20, N-33-20, and N-35-20, executed by the Governor of California in response to the state of emergency relating to novel coronavirus disease 2019 (COVID-19) and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 *et seq.*), members of the Short-Term Vacation Rental Ad-Hoc Committee, the City Manager, City Attorney, City Staff, and City Consultants may participate in this meeting by teleconference. Additionally, pursuant to the above-referenced executive orders, the public is not permitted to physically attend at City Hall the meeting to which this agenda applies, but any member of the public may listen or participate in the open session of this meeting as specified below.

Members of the public wanting to listen to this meeting may do so by tuning-in live via <http://laquinta.12milesout.com/video/live>.

Members of the public wanting **to address the Short-Term Vacation Rental (STVR) Program Ad-Hoc Committee (Committee)**, either for public comment or for a specific agenda item, or both, are requested to send **written comments ONLY** by email to the Committee Secretary Lori Lorette at LLorette@LaQuintaCA.gov, and specify the following information:

- | | |
|-----------------------------|--|
| 1) Full Name | 4) Public Comment or Agenda Item Number |
| 2) City of Residence | 5) Subject |
| 3) Phone Number | 6) Written Comments |

The email "subject line" must clearly state "Written Comments."

Written public comments must be emailed to the Committee Secretary no later than 12:00 p.m. on the day of the meeting.

Written public comments, received prior to 12:00 p.m. the day of the meeting, will be distributed to the Committee, incorporated into the agenda packet and public record of the meeting, and will not be read during the meeting unless, upon the request of the Committee Chairperson, a brief summary of any public comment is asked to be read, to the extent the City Staff can accommodate such request.

CALL TO ORDER

ROLL CALL

Committee members Best, Butler, Caldwell, Church, Coronel, Franco, Grotzky, Jonasson, McDonough, Monroe, Navarro, Shelton, Spinney, Tamm, and Chairperson Schutz

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Please email "Written Public Comments" to Committee Secretary Lori Lorette at LLorette@LaQuintaCA.gov and limit your comments to approximately 350 words. The Committee values your comments; however, in accordance with State law, no action shall be taken on any item not appearing on the agenda.

CONFIRMATION OF AGENDA

CONSENT CALENDAR

Note: Consent Calendar items are routine in nature and can be approved by one motion.

1. APPROVE MINUTES OF JULY 9, 2020

BUSINESS SESSION

1. DISCUSS ENFORCEMENT SUB-COMMITTEE RECCOMENDATIONS

STUDY SESSION

1. DISCUSS EXECUTIVE ORDER NO. 9 GOVERNING USE AND OCCUPATION OF RELATED TO SHORT-TERM VACATION RENTAL UNITS

2. DISCUSS FORMATION OF ADDITIONAL SUB-COMMITTEE'S

CHAIRPERSON AND COMMITTEE MEMBER ITEMS

REPORTS AND INFORMATIONAL ITEMS

ADJOURNMENT

The next regular meeting of the Committee is scheduled for Thursday, September 3, 2020.

DECLARATION OF POSTING

I, Lori Loret, Committee Secretary of the City of La Quinta, do hereby declare that the foregoing Agenda for the Committee meeting was posted on the City's website, near the entrance to the Council Chambers at 78495 Calle Tampico, and the bulletin boards at the Stater Brothers Supermarket at 78630 Highway 111, and the La Quinta Cove Post Office at 51321 Avenida Bermudas, on August 3, 2020.

DATED: August 3, 2020

LORI LORETT, Committee Secretary
City of La Quinta, California

Public Notices

The La Quinta City Council Chamber is handicapped accessible. If special equipment is needed for the hearing impaired, please call The Hub division of the Design and Development Department at (760) 777-7125, twenty-four (24) hours in advance of the meeting and accommodations will be made.

If special electronic equipment is needed to make presentations to the Committee, arrangements should be made in advance by contacting The Hub Division of the Design and Development Department at (760) 777-7125. A one (1) week notice is required.

If background material is to be presented to the Committee during a Committee meeting, please be advised that fifteen (15) copies of all documents, exhibits, etc., must be supplied to the Committee Secretary for distribution. It is requested that this take place prior to the beginning of the meeting.

Any writings or documents provided to a majority of the Committee regarding any item(s) on this agenda will be made available for public inspection at the Design and Development Department's counter at City Hall located at 78-495 Calle Tampico, La Quinta, California, 92253, during normal business hours.



SHORT-TERM VACATION RENTAL PROGRAM AD-HOC COMMITTEE MINUTES

THURSDAY, JULY 9, 2020

CALL TO ORDER

A regular meeting of the Short-Term Vacation Rental Program Ad-Hoc Committee (Committee) was called to order at 4:02 p.m. by Lori Lorette.

This meeting was held by teleconference pursuant to Executive orders N-25-20, N-29-20, N-33-20, and N-35-20, executed to by the Governor of California in response to the state of emergency relating to novel coronavirus disease 2019 (COVID-19) and enabling teleconferencing accommodations by suspending or waiving specified provisions of the Ralph M. Brown Act (Government Code § 54950 et seq.).

ROLL CALL

PRESENT: Committee Members Best, Butler, Caldwell, Church, Coronel, Franco, Grotsky, Jonasson, McDonough, Monroe, Navarro, Schutz, Shelton, Spinney, and Tamm

ABSENT: None

STAFF PRESENT: Design & Development Director Danny Castro, Hub Manager Tommi Sanchez, Permit Technician Michelle Lopez, Administrative Assistant/Committee Secretary Lori Lorette, Public Safety Manager Martha Mendez, Code Compliance Supervisor Kevin Meredith, and Community Resources Director Chris Escobedo

PLEDGE OF ALLEGIANCE

Committee Secretary Lori Lorette led the committee in the Pledge of Allegiance

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Committee Secretary Lorette announced that WRITTEN PUBLIC COMMENTS were provided by Jeff and Val Smith, Linda Williams, Maria Puente, Barb Montavon, and Suzanna Banana all in opposition of Short-Term Vacation Rentals, which were distributed to the Committee, and incorporated into the agenda packet and public record of the meeting.

CONFIRMATION OF AGENDA - Confirmed

CONSENT CALENDAR

1. APPROVAL OF MINUTES DATED JUNE 4, 2020

MOTION – A motion was made and seconded by Committee Members Church/Best to approve the Consent Calendar as submitted. Motion passed unanimously.

COMMITTEE ITEMS

1. CHAIRPERSON SCHUTZ TO REVIEW COMMITTEE PLAN AND FUTURE MEETING TOPIC SCHEDULE

Chairperson Schutz presented the Committee with a presentation which included a Committee plan overview, Committee guidelines to follow, and proposed meeting topics for the duration of the Committee.

Chairperson Schutz encouraged Committee Members to use the chat feature for questions throughout the meeting to eliminate interruptions.

2. CITY STAFF TO PROVIDE SHORT-TERM VACATION RENTAL PROGRAM AND CODE ENFORCEMENT INFORMATION

Staff gave a detailed presentation that provided the following information:

- STVR objective;
- Current number of active, registered STVR's is 1,320, which is 5.3% of the total 25,022 dwelling units;
- STVR unit density on maps throughout the City;
- Overview of Staff involved with STVR Program;
- STVR Program available services online;
- STVR revenue from fiscal year 2015/16 to current;
- STVR Program enhancements, including added Permit Technician position, website updates, 24/7 hotline, community outreach, and online services;
- 2018 STVR City Ordinance update;
- Code Compliance role with STVR's which includes managing hotline calls, conducting inspections, responding to and inspecting STVR complaints, issuing citations, and forming sub-committees.

Committee Members used the chat feature during the presentation to pose clarifying questions regarding the information presented; Chairperson Schutz

read the compiled questions relating to STVR density maps, enforcement issues, City revenue, and STVR workshops and Staff members responded to each of the questions.

3. TOPICS TO COVER AT NEXT MEETING - COMMUNITY PERCEPTION, GUEST BEHAVIOR, AND GUEST EXPECTATIONS

Staff suggested a Sub-Committee be formed with a focus on STVR compliance enforcement – to review the current enforcement process and formulate recommendations, report back to the Committee, and then provide those recommendations to City Council. The Committee reached a consensus to appoint Committee Members Caldwell, Monroe, Chairperson Schutz, and Vice-Chair McDonough to serve on the Enforcement Sub-Committee.

Topics for the next meeting were amended due to the formation of the Enforcement Sub-Committee. At the next Committee meeting, the Committee will discuss enforcement issues and review the Enforcement Sub-Committee recommendations.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:35 p.m.

Respectfully submitted,

LORI LORETT, Committee Secretary
City of La Quinta, California



EXECUTIVE ORDER NO. 9

La Quinta
— CALIFORNIA —

OFFICE OF THE CITY MANAGER
TEL (760) 777-7100

**ORDER GOVERNING USE AND OCCUPATION OF
SHORT-TERM VACATION RENTAL UNITS
IN THE CITY OF LA QUINTA
EFFECTIVE 12:00 P.M. July 15, 2020**

Date of Executive Order: July 14, 2020

Pursuant to Chapter 2.20 of the La Quinta Municipal Code and City Council Resolution No. EM 2020-001, the City Manager for the City of La Quinta hereby ORDERS the following:

1. This order applies to any “short-term vacation rental unit,” as defined in La Quinta Municipal Code Section 3.25.030, which is defined as follows: “a privately owned residential dwelling, such as, but not limited to, a single-family detached or multiple-family attached unit, apartment house, condominium, cooperative apartment, duplex, or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days.” All short-term vacation rental units must comply with all applicable provisions of the La Quinta Municipal Code (LQMC), including but not limited to Chapters 3.24, 3.25, and the permitting and operations requirements therein.
2. Commencing on the effective date, and for the duration of the effectiveness of this order, all short-term vacation rental units in the City of La Quinta shall be subject to the following:
 - (a) Two-Strikes Policy. Notwithstanding provisions in LQMC Section 3.25.090, Subsection (D), to the contrary, two (2) violations of any provision of Chapter 3.25 or the LQMC within one year by any applicant, occupant, responsible person, local contact person, owner, or owner’s authorized agent or representative (as those

terms are defined in LQMC Section 3.25.030), with respect to any one residential dwelling will result in an immediate, minimum 30-day suspension of the short-term vacation rental permit. Ability to have a hearing before the city to request a lifting of the suspension shall be governed by this order notwithstanding any administrative appeals process available in the LQMC.

- (b) Immediate 90-Day Suspension for Non-Responsiveness. Failure of the owner, the owner's authorized agent or representative and/or the owner's designated local contact person (as those terms are defined in LQMC Section 3.25.030) to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term vacation rental unit within forty-five minutes, as required by LQMC Section 3.25.070, Subsection (G), shall be subject to an immediate 90-day suspension of the short-term vacation rental permit. Ability to have a hearing before the city to request a lifting of the suspension shall be governed by this order notwithstanding any administrative appeals process available in the LQMC.
- (c) No Sound Amplification Allowed At Any Time. Notwithstanding provisions in LQMC Section 3.25.070, Subsection (E), to the contrary, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound may be used outside or be audible from the outside of any short-term vacation rental unit at any time.
- (d) Noise Limit. No person at a short-term vacation rental unit (whether inside or outside the unit) shall willfully make any unreasonably loud noise to the extent that it disturbs the peace and quiet of any neighborhood or imposes upon the privacy and rights of others nearby the short-term vacation rental unit. "Unreasonably loud noise" shall be determined by a city official visiting the short-term vacation rental unit and using the standards set forth in LQMC Section 11.08.040. The noise limits in this paragraph are in addition to any other noise requirements set forth in the LQMC, including LQMC Section 3.25.070, Subsection (E), as modified by this order.

- (e) Fines for Violations. To the maximum extent allowed by state law, any administrative citation may impose a fine up to double the amount set forth in LQMC Section 3.25.090, Subsection (E), for one or more violations as identified in that subsection.
 - (f) Administrative Appeals Process for Immediate Permit Suspensions. Upon issuance of a Notice of Violation for an immediate suspension of a short-term vacation rental permit issued pursuant to this order, the suspension shall take effect after the occupant using the unit at the time of the violation vacates the short-term vacation rental unit, unless a suspension must take effect prior to the occupant's vacating the unit to protect the public health or welfare (which includes the protection of persons or property from death, injury, harm, or damage). A person aggrieved by the Notice of Violation may appeal the decision to the City Manager pursuant to LQMC Section 2.08.190. Any appeal shall be noticed and heard pursuant to LQMC Section 2.08.210, and a failure to appeal shall be subject to LQMC Section 2.08.220. Notwithstanding any provisions in Section 2.08.230 or otherwise in the LQMC, the decision by the City Manager of an appeal shall be the final decision by the City of La Quinta for any suspension of a short-term vacation rental permit issued under this order.
 - (g) Administrative Appeals for Citations Imposing Fines. Any administrative citation imposing a fine pursuant to this order shall be issued and subject to an administrative appeal pursuant to LQMC Chapter 1.09.
3. This order applies to any and all short-term vacation rental units in the City of La Quinta, regardless of whether they are occupied by persons paying rent or not.
 4. All short-term vacation rental units in the City of La Quinta shall operate, be used, and occupied as authorized by, and consistent with, California Governor Executive Order N-60-20 and the requirements of the California Department of Public Health (DPH) set forth and available at the following (and any other applicable) Web sites, as may be updated from time to time:
<https://covid19.ca.gov/industry-guidance/>;
<https://covid19.ca.gov/roadmap/>;

<https://covid19.ca.gov/stay-home-except-for-essential-needs/#top>.

5. Any and all advertising for a short-term rental shall not be inconsistent with this order for as long as this order remains in effect. This requirement shall be in addition to any other requirements for advertising a short-term rental set forth in Chapters 3.24, 3.25, or any other provisions in the La Quinta Municipal Code.
6. This order is issued to best protect the public health and welfare and follows the most recent orders and directives from the California Department of Public Health (DPH) as implemented by Riverside County Public Health Office, including the July 13, 2020 state-wide order re-closing certain industries in Riverside County, and the DPH "Stay at Home Q&A" instructing persons to "avoid travelling long distances for vacations or pleasure as much as possible." Any subsequent order from the City Manager shall be based on further direction, if and when issued, from the DPH or the Riverside County Public Health Officer, including any further direction on the Internet Web site for DPH, at: <https://covid19.ca.gov/> and <https://covid19.ca.gov/stay-home-except-for-essential-needs/#top>, and Riverside County Public Health Office at: <https://www.rivcoph.org/coronavirus>, or successor Web sites established by the state department or county public health office.
7. The Assistant to the City Manager is hereby directed to coordinate, deploy, and monitor compliance by short-term vacation rental units subject to this order with notices to the public and any other reasonable means necessary or appropriate.
8. This order shall remain in effect until terminated or amended by subsequent order from the City Manager.

This Executive Order is issued because a Local Emergency, as defined in Section 2.20.020 of the La Quinta Municipal Code, has been proclaimed by the City Council of the City of La Quinta to exist due to the threat of the existence and spread of novel coronavirus disease 2019 (COVID-19) in and throughout the city. All of the findings set forth in the recitals to Resolution No. EM 2020-001 adopted by the City Council are hereby incorporated by reference into this Executive Order.

This Executive Order is issued, pursuant to Sections 3, 5, and 8 of Resolution No. EM 2020-001 and Section 2.20.100, Subsections (A) and (B), of the La Quinta Municipal Code, under which the City Manager has the authority and power to issue executive orders for any matters related to the Local Emergency.

This Executive Order is issued in furtherance of the authority and power to address the Local Emergency as provided in the California Emergency Services Act, Chapter 7 (commencing with Section 8550) of Title 2 of the Government Code, and implemented by Chapter 2.20 of the La Quinta Municipal Code. Any violation of this Executive Order may be determined to be a misdemeanor and punishable by a fine or imprisonment, or both, pursuant to Section 8665 of the Government Code, Section 2.20.140 of the La Quinta Municipal Code, the provisions in this order, and any other state or city law as may be applicable.

EXECUTED BY:

Jon McMillen, City Manager
City of La Quinta, California

City of La Quinta STVR Committee

Subcommittee on Enforcement Final Report

The Subcommittee on Enforcement has been formed to frame issues relating to code enforcement and provide guidance and recommendations for discussion and possible adoption by the parent STVR Committee.

This report represents the *unanimous* conclusions and recommendations of the subcommittee.

The overall issues surrounding enforcement can be divided into three main groups:



Each of these groups contain issues that must be addressed as part of a comprehensive enforcement process.

This document provides a starting point for the Committee in identifying the main enforcement issues. It provides a brief discussion on each issue and outlines recommendations that will provide a solution to that specific issue. In some cases, a single recommendation may provide solutions to several problems (for example, trained and dedicated enforcement personnel). Finally, the document provides a priority matrix for discussion on suggested prioritization of recommendations.

Sourcing for this document comes directly from the original list (“Lori List”) of issues identified by the Committee at its first meeting. Only issues relating directly to enforcement are covered here: other discussion topics not related to enforcement are outside the scope of this subcommittee.

Issues before an enforcement event:

- Communicating with the City / Verifying a Complaint
- STVR Homeowner not Registering with the City
- STVR Owner not aware of the rules
- Renters not aware of the rules
- Neighbors (or community at large) not aware of the rules
- Knowledge level or outsourced services

The enforcement event:

- No contact with Owner / Representative
- Noise / behavior / party events
- Occupancy Limit violations
- Parking
- Trash
- Sensitive neighbors

After the enforcement event:

- Repeat offenders / 3 Strikes

Issues before an enforcement event

Issue: **Communicating with the City / Verifying a complaint**

Discussion: STR Owner/Managers and homeowners have expressed frustration with the City hotline. The hotline is often unmanned in times of most critical need. Even when manned the latency between phoning in and having an issue addressed is often hours (sometimes longer). Frequently, because of this delay, the issue being reported resolves itself before the City responds, but after a homeowner has endured several hours of pain. When it eventually responds, the City may therefore find no evidence of any issues, resulting in a false negative incident report, frustrating homeowners and leading to inaccurate violation statistics.

Anecdotal evidence indicates this tends to be a bigger issue in STVR properties that are managed by non-resident owners (i.e. management companies). Also, if the City calls property management (starting the clock on the 45-minute rule) it simply hands off, and little or no follow up checking is done with the reporting homeowner (or STVR Owner) to confirm the issue is resolved. Also, in the case of STVR owners employing property managers, sometimes the actual owner doesn't even know there has been a complaint.

Effective and timely communications between STVR property owners, renters and neighbors with respect to notification and enforcement represents a critical path in getting the community to work together harmoniously.

Recommendation:

- Staff the hotline with live, (local, trained) personnel who are familiar with La Quinta geography and empowered and equipped to initiate complaint resolution immediately.

**City of La Quinta STVR Committee
Enforcement Subcommittee**

- Increase field enforcement staffing by initially at least two additional full time STVR trained officers available for immediate dispatch during times of need.
- Hotline and enforcement staff should be dynamically managed: more staff when the hotline is heavily used (evenings and weekends) and less staffing at times when complaints tend to be low (weekday mornings and afternoons).

Issue: **STVR Homeowner not Registering with the City**

Discussion: A significant number of homeowners who rent property do not register with the City, thereby avoiding the fees, oversight and TOT. Enforcement of the City mandate requiring STVR owners to register is difficult as the City is often unaware of their business unless a complaint is filed against the property.

Recommendation:

- Publicize the registration requirements regularly on the web site and through social media outlets.
- Include mail inserts to all residents in any surface mailings sent out to residents.
- Where possible, partner with HOA communities and Management Companies to exchange information on STVR rental activities.
- Assess significant monetary penalties for non-compliance. These penalties must be paid before an STVR license can be obtained.

Issue: **STVR Owner not aware of the rules**

Discussion: Some owner/operators do not read the relevant statutes/ordinances governing how properties may be rented even though this is a requirement of registration.

Recommendation:

- Applicants and Management Company representatives who directly manage a property must attend a compulsory workshop prior to the issuance of permits.
- STR Owners and Management Company representatives who are directly responsible for managing a property that have been assessed a violation must retake the compulsory workshop at their own expense.
- This training would also be open to the public so that interested neighbors and others can familiarize themselves with the requirements and responsibilities of STVR ownership.

Issue: **Renters not aware of the rules**

**City of La Quinta STVR Committee
Enforcement Subcommittee**

Discussion: Many renters who occupy STVR units are not aware of the rules for conduct or behavior. While the City ordinance requires STVR owners to provide a copy of the relevant documents, they are often ignored by many renters. When renters first occupy the property, it is often not their priority to stop and read documents. In many cases, the renters only become aware of the rules after they have caused a disruption with neighbors, which is too late.

Recommendation:

- The owner/manager obtains a signature from the renter in advance of occupying the property – i.e. when the rental agreement is signed. Perhaps a signed copy of the ordinance certifying the renter has read and agrees to be bound by the document.
- A condensed copy of the relevant ordinance must be permanently fixed to a prominent location in the property. This document will be generated by the City and outline the relevant rules in plain language.

Issue: **Neighbors not aware of the rules**

Discussion: Neighbors are often ill-informed about the specifics regarding STVR rules and ordinances that affect them. Many have unreasonable expectations regarding ill-defined and amorphous concepts such as “quiet enjoyment” and what exactly constitutes “noise levels of greater than 60dBA”. Daytime and nighttime restriction variations are also not well understood. (Note this issue may also apply to STVR owners and renters). Parking requirements and trash pickup rules are sometimes not clear (and may conflict with HOA rules in managed communities). For example, some communities require parking in the driveway before street parking may be used.

Another example is many neighbors have come to the expectation that any audible noise is cause for complaint. Some are unaware of the 10:00 p.m. curfew on amplified noise, while others believe that any noise after 10:00 p.m. is unacceptable.

Recommendation:

- Neighbors surrounding STVR properties should be notified by the city of an adjacent STVR property and supplied with the same documents the Owner is required to furnish to the renter. (This could be a requirement placed on the STVR owner if the City feels it is appropriate – as long as the neighbor gets the information). This must also include all contact information for complaints to the City as well as contact information for the Property owner and the Property Manager if applicable.

- These documents should be refreshed annually as part of the license renewal process.
- A document should be prepared and provided to the neighbor clarifying definitively the meaning of any technical terms. Where possible real-life examples should be used to illustrate the terms used. This document should be provided to renters as well.

The enforcement event

Issue: **No contact with Owner/Representative**

Discussion: In cases where a complaint is received by the City, one of the first steps is to call the STVR owner or property management representative. This begins a 45-minute clock as required by the City ordinance. In the event the City is unable to contact the responsible party within a 45-minute window, the escalation process is to report the issue to RCS and handoff to them. This process has proven ineffective as the RCS often takes significant time to respond – if at all. In the meantime, the City has no way of verifying the complaint, and the neighbor continues to endure the problem.

The issue seems to predominantly affect STVR properties where there is a non-resident or externally managed property (needs to be verified by City statistics).

While a fine may be issued to the STVR property owner after the 45-minute window has expired, this does not help at all with enforcement of the actual issue being reported. In addition, the fine may be dismissed as simply a “cost of doing business” by the property owner and absorbed by them (or passed on to the offending renter if possible).

Recommendation:

- Implement an escalation process whereby if the first call to the designated contact goes unanswered within a 30-minute window, a call is made to RSO and a mandatory citation is issued according to the current ordinance.
- As described above, increase the number of trained and dedicated enforcement personnel to levels that can actively address the situation with or without the homeowner / property manager.

Issue: **Noise/ Behavior/Party events**

Discussion: Noise and behavior related disturbances represent a significant portion of overall complaints (need to incorporate City data). Also, these complaints tend to be

high profile and very visible in the community, as they interfere directly with neighborhood quality of life.

Often there is a three-way knowledge gap (STVR homeowner, renter and neighbor) about exactly how much noise is too much, and what conduct is acceptable during daylight or nighttime hours. City and county statues/ordinances are definitive and objective in this regard, however they are of little use as they rely on technical specifications such as dB(A) ratings etc., and do not supply enough guidance for measurement. This leads to deeply subjective interpretation of the relevant rules and unrealistic expectations from neighbors about exactly how much noise is acceptable.

Recommendation:

- A document should be prepared and provided to all parties clarifying definitively the meaning of any technical measurements and how these measurements should be interpreted. (See also above).
- Enforcement personnel should be provided with and trained to use relevant noise level meters and other tools that enhance objective measurement of noise. They should also be trained to explain the results of these measurements to neighbors and renters in the event of a complaint.
- Where possible, real-life examples should be used to illustrate the terms used. This document should be provided to renters as well.
- The City should implement tutorial workshops that clarify what the noise and behavior rules are. These workshops should open to all community members and conducted on a regular basis (perhaps once every calendar quarter).
- Quiet hours shall be between the hours of 10:00 pm and 8am. No amplified noise is permitted between the hours of 8pm to 8am.

Issue: Occupancy Limit violations

Discussion: The City places occupancy limits on all occupied dwellings, however enforcement is difficult in most cases because of privacy issues. In the case of STVR properties, the most visible issue results from parties or renters allowing additional occupants overnight on the property.

This problem is also difficult to manage from an STVR owner's perspective as often the renter declares substantially fewer occupants on the lease than actually show up.

Enforcement is difficult when there are no other issues with the rental property, however when a complaint is issued, the City is empowered to ask (and verify) how many occupants are on property. (need to check legality of this).

**City of La Quinta STVR Committee
Enforcement Subcommittee**

This problem is seldom an isolated issue: it usually arises as part of a complaint involving noise, vandalism, trespassing (i.e. people in pools) or some other behavior.

From an STVR rental issue, this problem may not need to be addressed unless it is the cause of some other complaint. However, if such a complaint is filed (particularly in evening or nighttime hours), the City has a responsibility to respond.

Recommendation:

- Empower and require enforcement personnel to ask and verify (subject to legal applicability) the number of occupants at time of a complaint.
- Notify the STVR owner or property manager immediately if a citation will be issued. This will enable recovery of any fines from the occupants before security deposits are refunded, etc.
- Limit overnight parking for STVR properties (see also below). (This is the way some HOA communities manage occupancy issues)

Issue: Parking

Discussion: Excessive vehicle parking in and around the property is disruptive to neighbors and represents safety issues on smaller, narrower streets. Often, mailboxes and fire hydrants are obstructed in violation of city codes.

Recommendation :

- Limit the number of vehicles that may be parked on the street to a maximum of three vehicles during times the property is rented.
- Property Owner / Manager must provide and require the renter to display a sign clearly identifying the vehicle as being associated with the rental address.

Issue: Trash

Discussion: Trash is sometimes left out on the street when renters exit the property, creating an objectionable look and possibly a health hazard. Also, trash policies can vary depending on location within the city. For example, certain HOA communities may have different trash regulations from other non HOA communities.

Recommendation:

- Current regulations are adequate for dealing with this issue, however during the process of getting a license, the STVR applicant should be specifically made aware of the current trash collection policy, including the availability of

larger capacity bins and concierge collection services, as well as the fines associated with non-compliance.

- The STVR owner must inform the renter in writing of the property specific trash policy as part of the rental agreement.

After the enforcement event

Issue: Repeat offenders /3 Strikes

Discussion: There is evidence that while some STVR properties are repeat offenders, a vast majority of properties are not unduly disruptive from an enforcement perspective. This means that many of the enforcement issues discussed here result from a relatively small proportion of STVR properties.

(Note: The issue of STVR Density, the effects on quality of life and community perspectives etc. are outside the scope of this Enforcement Subcommittee and will be addressed by the main group).

Therefore, there should be a heavy focus on enforcement of repeat offenders, as they contribute disproportionately to how the overall program is perceived.

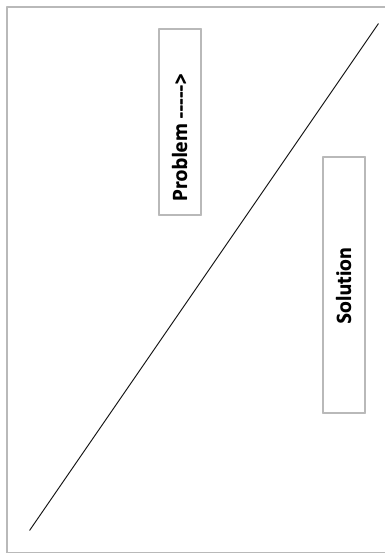
The City already has measures in place that deal with “threepeat” offenders. Anecdotal evidence suggests these measures are not being used. One reason may be because the City does not have adequate dedicated resources to manage the enforcement program, allowing repeat offenders to get away with multiple offenses. It also disrupts the neighborhood, provides negative press and denies the City access to substantial revenues from the program (see above).

Recommendation:

- Staff the hotline with a live, (local) person who is familiar with La Quinta geography and empowered and equipped to initiate complaint resolution immediately. (See previously).
- Increase field enforcement staffing by at least two full time STVR trained officers available for immediate dispatch during times of need.
- Reduce the current 3-strike rule to a 2-strike rule for noise and personal conduct violations.

Priority Matrix

	Communicating with the City / Verifying a Complaint	STVR Homeowner not Registering with the City	STVR Owner not aware of the rules	Renters not aware of the rules	Neighbors not aware of the rules	No contact with Owner / Representative	Noise / behavior / party events	Occupancy Limit Violations	Parking	Trash	Sensitive neighbors	Repeat offenders / 3 Strikes
Staff Live Hotline	X	X	X	X	X	X	X	X	X	X	X	X
Provide dedicated trained enforcement officers	X	X	X	X	X	X	X	X	X	X	X	X
Utilize Social & Other media to publicize STVR program	X	X	X	X	X	X	X	X	X	X	X	X
Partner with HOA's & Neighborhoods	X	X	X	X	X	X	X	X	X	X	X	X
Require Signed copy of rules from every renter	X	X	X	X	X	X	X	X	X	X	X	X
Neighbor education & outreach	X	X	X	X	X	X	X	X	X	X	X	X
Develop & distribute plain language docs	X	X	X	X	X	X	X	X	X	X	X	X
STVR Owner & Neighbor Education, Workshops	X	X	X	X	X	X	X	X	X	X	X	X
Provide Documentation sets to neighbors	X	X	X	X	X	X	X	X	X	X	X	X
Tiered penalties for repeat offenders	X	X	X	X	X	X	X	X	X	X	X	X



STVR Enforcement Subcommittee

Interim Report to City Council

August 4, 2020

The STVR Committee was formed earlier this year to provide recommendations on the evolving STVR program within the City. Committee members represent all stakeholders within the STVR community: we have STVR Owner operators, Property Managers, Service Providers and Neighbors of STVR properties from within and outside of managed communities.

At its July meeting, the Ad Hoc Committee convened a subcommittee to specifically address enforcement issues. Its mandate is to examine all aspects of the enforcement process and provide specific recommendations to the main Committee for action. The Subcommittee has been meeting weekly to fast track enforcement recommendations. This report is a summary of our work to date; however, it is important to note the recommendations from our subcommittee have yet to be discussed by the full Ad Hoc Committee.

The rapid growth of STVR activity within the community from a small group of residents seeking to rent out spare rooms or casitas, has evolved into an explosion of growth that includes businesses owning multiple dwellings managed by non-resident owner operators or property management firms. This explosive growth has outpaced the ability to enforce rules and regulations needed to maintain a quiet, friendly neighborhood community. This raises concerns for the future of affected neighborhoods and corresponding quality of life for all residents.

Because of this growth, enforcement of the existing ordinances has become critical in maintaining a peaceful neighborhood environment and managing community reaction to the minority of bad actors who are unable or unwilling to manage properties effectively.

In addition, the City may be leaving substantial revenues on the table because of an inability to enforce registration requirements and monitor rental activity effectively.

This enforcement limitation has three primary effects:

- It effectively penalizes the law abiding STVR property owners for obeying the rules,
- It generates a substantial community backlash against all STVR rental owners because of the actions of a few players,
- It changes the public's perception of the City as a peaceful, neighborly focused resort destination.

To efficiently address all aspects of enforcement, we have broken the issues down into three parts:

- Resources
- Stakeholder education
- Preservation of the community environment

Resources:

Timely response times are critical, as a delay often results in the issue being reported resolving itself before the City responds, but after a homeowner has endured several hours of pain. When it eventually responds, the City may therefore find no evidence of any issues, resulting in a false negative incident report, frustrating homeowners, and leading to inaccurate violation statistics.

Our subcommittee will be recommending:

- Deployment of at least two additional dedicated and trained field enforcement personnel who are available during times of peak enforcement activity.
- Significant enhancements to the City complaint hotline, which continues to be a major source of frustration for all. We believe the hotline should be staffed with individuals who are trained in the relevant ordinances, are familiar with La Quinta geography and empowered and equipped to initiate complaint resolution immediately.
- Hotline and enforcement staff must be dynamically managed: more staff when the hotline is heavily used (evenings and weekends and during major local events), and less staffing at times when complaints tend to be low (weekday mornings and afternoons).

Stakeholder Education:

We believe everyone in the community is a stakeholder, owner, renters, guests, and neighbors. Therefore, all should be aware of their rights, duties, and responsibilities. Because renters and (increasingly) absentee owners and property managers may not reside in the community, special accommodations must be made to ensure they are aware of the ordinance requirements. Therefore, we will be recommending:

- The City implement a mandatory training class for all STVR licensees, Property Managers, and applicants as a prerequisite for being granted an STVR license. In the event an owner is cited for any reason, they should be required to retake the class before a license can be renewed. This training would also be open to the public so that interested neighbors and others can familiarize themselves with the requirements and responsibilities of STVR ownership. These tutorials should be videotaped and publicly available on the City's website.
- Neighbors surrounding STVR properties should be notified by the City of an adjacent STVR property and supplied with the same documents the Owner is required to furnish to the renter.

Preservation of the Community Environment:

Our Committee is only focused on the issues relating to enforcement. To that extent, we will recommend:

- Changing the noise criteria such that **Quiet Hours** shall be between the hours of 10:00 p.m. and 8 a.m., with no amplified noise permitted between the hours of 8 p.m. to 8 a.m.
- Reducing the current requirement for response times from 45 minutes to 30 minutes.
- Reduce the current 3-strike rule to a 2-strike rule for noise and personal conduct violations.
- The City prepare and distribute a tutorial document clarifying what the noise and behavior rules are. Real-life examples should be used to illustrate any terms used. This document should be incorporated into the STVR training class mentioned above and provided to renters.
- Limit on-street parking to a maximum of three vehicles during times the property is rented.
- Parking: Require the Owner/Property Manager to provide a sign identifying the property address and vehicle as an STVR renter. Require the renter to display the sign at all times.
- Trash: Include trash collection options such as larger collection bins and availability of concierge collection services as part of the mandatory training for Owners/Property Managers. Also require the Owner/Property Manager to provide a written trash policy document as part of the rental agreement.

Finally, because STVR growth has reached a rate that is becoming difficult to manage and enforce, we will be recommending a moratorium be placed on issuance of new permits until this subcommittee and its parent complete their work and submit their full recommendations to Council.

We would also like to take this opportunity to complement the City Staff working with us on their exemplary professionalism and responsiveness. They are providing a master class in transparency, teamwork, and knowledge of the issues.

Thank you

STVR Sub Committee