

**WRITTEN
PUBLIC
COMMENT**

**CITY COUNCIL
MEETING**

DECEMBER 1, 2020

From: Marcia Cutchin [REDACTED]
Sent: Saturday, November 28, 2020 4:16 PM
To: Monika Radeva; City Clerk Mail
Subject: Re: Written Comments Council Mtg. 12/01/2020
Attachments: NewCityCouncilLtr.docx

EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

Dear Monica,

Please include my attached letter in the written public comments for the 12/01/2020 City Council meeting.

- | | |
|----------------------------------|--|
| 1) Full Name Marcia Cutchin | 4) Public Comment or Agenda Item Number - ??? |
| 2) City of Residence - La Quinta | 5) Subject - STVRs |
| 3) Phone Number - [REDACTED] | 6) Written or Verbal Comments - Written Comments |

Thank you,

Marcia L Cutchin

CITY COUNCIL MEETING – DECEMBER 1, 2020 - PUBLIC COMMENTS BY RESIDENT MARCIA CUTCHIN
PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA - IN OPPOSITION TO STVR

Dear City Council Members,

In the last report the finance department presented to the council, we heard STVR revenue mentioned a number of times and a slide showing the words “STVR Revenue” was displayed for over ten minutes throughout the report.

What we did not see were the expenses associated with the program. The code enforcement office is a huge expense at close to half a million and growing and they appear to be spending most of their time dedicated to STVR issues. We now have contracts with Deckard, Host Compliance, and LodgingRevs as well as large expenses incurred because of the program with Police and Sheriff departments. A great deal more expense appears to be buried in “general expenses”.

I respectfully ask that an entire audit of the cost of running the STVR program is established. We have already established that STVRs in our residential zones are often not welcomed by residents.

When the cost/benefit analysis is performed please consider that in the Economic Policy Report attached to this document their findings show that - at most - a transient occupant may provide a 2 to 4 % increase in revenue to a city.

This does not factor the cost of the displaced resident.

Please consider in your financial analysis:

An average homeowner in La Quinta would likely have an average of 2.4 cars in a household (<https://datausa.io/profile/geo/riverside-county-ca#housing>) . Two cars might be a Nissan and a Lexus.

Purchased at a cut rate and two years old, both might have cost about \$50,000 for the pair. (<https://www.lendingtree.com/auto/how-much-does-a-car-cost/>).

Our 1300 STVRs – do not house people that buy cars here.

1300 residences without 2.4 cars is a loss of \$78 million dollars in sales to La Quinta car dealerships and **a loss of TAX revenue to the city of La Quinta in the amount of \$6,250,000.**

If we lift the moratorium and double the STVR numbers, we can then double or quadruple those losses over ten years as cars need to be serviced, repaired, and replaced.

Please consider in your financial analysis:

The expendable income in a resident household: I'll use mine as an example.

My housemate and I are a teacher and a journalist. Middle class – definitely not on the higher side of it – we average a conservative 20 thousand per year each in expendable income. That is 40k per year per household. Those 1300 STVRs that displaced 1300 families cost La Quinta businesses \$52,000,000 in revenue and **cost the city \$4,550,000 in lost sales TAX revenue PER YEAR.**

Airline tickets, laptops, cell phones and plans for a family of four, gifts to family and friends, amazon package orders, work and school wardrobes, bikes, insurance, accounting, physicians, dentists and orthodontists, gym memberships, barbers, hairstylists, vehicle service, tires, etc. La Quinta gets NONE of the tax revenue we would have from these purchases were a middle-class couple or family to live in those residences.

Without a detailed cost analysis, we appear to be chasing 3 million in TOT that costs us 2.5 million to collect. The code enforcement crew alone is half a million. How much is Host Compliance? How much is the call center? How much is Deckard? How much is LodgingRevs? How much are the Sherriff and police? How much is the administration and finance department?

Claims that STVRs are a benefit because they support local contractors and servicemen are ridiculous. What would the displaced resident be doing? Calling Colorado for service people? Claims that STVR transients are necessary to support our restaurants are nonsense. Those are the same transients that need to save money to pile up in a house with kitchen facilities, so they don't HAVE to pay to eat out.

We need a cost benefit analysis done by someone other than Host Compliance or Granicus. Those contractors can't offer you honest numbers. They would literally be out of business and have to shut down if they were to show you numbers that proved STVRs were actually costing the city revenue that could be realized from the residents those operations replaced.

Besides tearing neighborhoods up and turning residents into cost free policing agents,

STVRs are costing sales to local businesses and costing the city of La Quinta sales tax revenue and community service participants.

License holders who live in La Quinta are here for us to call them. They care about their image in the community. Likely the substantial revenue they generate from their STVRs is spent here.

Owners that live outside this community take that money and spend it elsewhere. The residents here are left with policing, orchestrating oversight and living next door to ghost hotels and a never-ending cycle of transients.

We have the loss of revenue from a displaced resident, the loss of the STVR income being electronically sent somewhere else in the world, less jobs with benefits for our service workers, and competition with the hotels that pay TOT without incident.

That is bad deal for us.

Please block the operation of any future full-time business entities in the Cove Residential neighborhood.

If the attrition rate ever gets low enough to allow more licenses to be issued – and someone wants a license to help pay for their vacation home – please stipulate that if you want a vacation home here – prove it by using it. 120 days a year should be enough assistance to you to pay for your second home. If not, please visit one of our very eager real estate agents and buy one you can afford. We are full up on transients in our residential neighborhoods.

<https://www.epi.org/publication/the-economic-costs-and-benefits-of-airbnb-no-reason-for-local-policymakers-to-let-airbnb-bypass-tax-or-regulatory-obligations/>

We can gauge the employment effect with a hypothetical scenario that assumes that the Guttentag 2016 and Morgan Stanley Research 2017 analyses are correct and that only 2 to 4 percent of the spending supported by Airbnb represents net new spending to a locality. In this case, if even half of the overall spending “supported” by Airbnb is a pure expenditure shift away from traditional hotels, and if traditional hotels are even 5 to 10 percent more labor-intensive than Airbnb units, then introducing Airbnb would actually have a *negative* effect on employment.⁸

Finally, given that the overwhelming share of jobs “supported” by Airbnb are jobs that would have been supported by guests in some alternative accommodation, it seems likely that even if there is a slight increase in *spending* associated with a slight (about 2 percent) increase in visitors to a city due to Airbnb, there may well be a decline in *jobs*. We have noted previously that it is quite possible that traditional hotels are a more labor-intensive source of accommodation than are Airbnb listings. If, for example, Airbnb operators employ fewer people to provide cleaning and concierge and security services, then each dollar spent on Airbnb accommodations is likely to support less employment than each dollar spent on traditional hotel accommodations.

travelers find Airbnb lodgings. The precise question is, "Thinking about your most recent Airbnb stay—If Airbnb and other similar person-to-person paid accommodations services (e.g., VRBO) did not exist, what type of accommodation would you have most likely used?" Only 2 percent of Airbnb users responded to this question with the assertion that they would not have taken the trip. The remaining 98 percent identified other lodging possibilities that they would have used. In a similar survey that included some business travelers, Morgan Stanley Research 2017 reports near-identical findings, with between 2 and 4 percent of respondents saying that they would not have undertaken a trip but for the presence of Airbnb.⁷ In both the Morgan Stanley Research survey and the Guttentag survey, roughly three-fourths of the respondents indicated that Airbnb was substituting for a traditional hotel.

From: PAMELA GLASIER [REDACTED]
Sent: Sunday, November 29, 2020 1:50 PM
To: City Clerk Mail
Subject: WRITTEN COMMENTS... STVR

EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

Pamela Glasier
La Quinta, CA
[REDACTED]
Public Comment
Subject STVR
Written Comments

I have a 28 year Interior Design career and most recently received a Real Estate license in California. I first came to the Palm Springs area in the early 2000s to redesign 2nd and 3rd homes purchased by my wealthy Seattle clients. I was contracted to work on homes in Palm Desert, as well as homes in *Tradition* La Quinta.

While spending time in this community for weeks at a time, working on these projects, I fell in love with the quaintness and wholesome, friendly atmosphere of La Quinta. It was a beautiful community. My clients purchase homes here to enjoy the lovely weather, desert landscape, the Restaurants, the boutiques, casinos and the golf courses. Those clients and their extended families love to come to La Quinta and spare no expense enjoying the community. These clients are NOT investors. They enjoy the community, for what it is, as much as possible, at least part-time, pay Real Estate Taxes, pay HOA fees to maintain the golf courses etc. They enjoy their homes, like full-time residents, not persons wanting to “Party like a Rock Star” and not have to clean up the mess. They have relationships with their neighbors and an interest in retaining the wonderfulness of La Quinta.

I knew from my experiences, that “I could live here” In December 2017, I realized that dream and relocated to California, and began looking for a home in La Quinta, the quiet community, I had grown to love. March 2018, I purchased a lovely home in La Quinta. Little did I know (this was not disclosed) that next door to me, was a STVR that houses up to 16 people and there were several more “like businesses” down the street.

I was immediately subjected to being kept up at night, loud music, yelling, persons hanging out all over the front lawn (including mine) garbage strewn into my yard, people having sex on the

other side of the wall dividing my property from theirs, in the area by the pool, 6-8 cars on the street encroaching on my property and cars coming and going. This certainly robbed me of the peace and enjoyment that I was looking forward to with my new home purchase. I made numerous calls to the property management co managing the property.

While the noise is currently being monitored more closely, due to so many complaints, I have had to pick up rib bones thrown over the wall onto my patio, tolerated unfamiliar cars encroaching onto my property lines, have wet towels thrown onto the wall to dry, that end up in my yard, and have been subjected to over-hearing conversations going on outdoors between persons in a near domestic violence situation ... it is not fair to permanent residents to have our neighborhoods diluted with strangers, and have to police what is going on in these homes. Permanent residents typically do not treat their neighbors with such disrespect. If my resident neighbor was to have friends by the pool and even if there was a lot of noise, I would understand that this is not a “typical event” that is going to go on again, every few days.

We are in a pandemic and there are people coming and going with certainly not enough time in between guests to properly sanitize and protect our community. It is a *cash cow*, so there is no emotional connection to these homes by their owners. Many owners do not live here and certainly do not consider the people who purchased in La Quinta because it was a lovely community. They proceed because **they are allowed to by the city**. These STVRs are certainly a negative and it will definitely impact the value of our homes, to have these “businesses” throughout our communities.

I do NOT enjoy there being different people every few days, and unfamiliar cars on the street every week. It is constant policing that I did not sign up for. At one time, I had considered doing exactly what the La Quinta residents are complaining about, and host a Vacation Rental. It did not take long, as a neighbor to one of these homes, to see very clearly the other side of this situation and realize that permanent residents should not have to be encumbered with this kind of inconvenience and stress. Whether it is mandated or not, I also feel that a Real Estate Agent should disclose to a potential Buyer that a STVR is in close proximity, if they have that knowledge. As an agent myself, I would do that, in spite of that possibly killing a deal. It is the right thing to do.

Revenues that these homes are generating for the city, are the issue and long term, these “businesses” located in the middle of our neighborhoods will ruin what we have and devalue our properties. The city of La Quinta has a responsibility to represent and protect the community needs and respect a permanent residents’ “Right to Quiet Enjoyment” the right of a property owner to enjoy his/her property in peace, without interference. **STVRs should not be allowed. Period.** This is what resorts and hotels are for.

Sincerely
Pamela Glasier

From: R McGuire [REDACTED]
Sent: Tuesday, December 01, 2020 11:47 AM
To: City Clerk Mail
Cc: Jon McMillen; Kathleen Fitzpatrick
Subject: STVR's - Comments for Council meeting
Attachments: 12012020 Council.docx

EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

-i Monika,
Please find this attachment for today's council meeting.
Thank you,

Rod McGuire
La Quinta Cove
[REDACTED]

December 01, 2020

RE: Public written Comments on restrictions for STVRs – Not removing moratorium or allowing outdoor music.

Greetings Honorable Mayor and Council,

I am writing to address the STVR issue, AdHoc recommendations coming to the council and COVID .

- 1.) My concern with STVR's is they have not been well regulated and some areas in La Quinta are saturated with them as nobody was checking on the number of licenses being issued to any one area, examples being The Cove and North La Quinta (these are only two of many) with ongoing issues. Before any action is taken, the council needs to hold open meetings for the residents to make comments and have their voices heard. I don't see any of this happening at the time.
- 2.) The AdHoc committee seems to be a strong arm of the STVR Property Management Companies, Real Estate Companies/Brokers and STVR owners. I have seen little interest in what they are working on for the resident's concerns, are they even talking to residents? I have given up with them as no one appears to be listening.
- 3.) I again will stress the need for restrictions on the numbers of STVR's in some neighborhoods. The cove is saturated now and does not need any more, I'm not sure why a business (hotels) are operating in residential areas to begin with.
- 4.) I stress the need for transparency, the mayor and council owe the residents of the city some input before changes are made, including lifting the current moratorium, in fact if this are open issues, the moratorium should be extended until issues are resolved with input from the residents of the city. Most live here around and the invasion of the neighborhoods must be addressed. Residents need to have their voices heard, why hasn't the city sent out surveys to the residents registered to vote and get more information before you put this on the residents disrupting our private lives and neighborhood experience. Outdoor music is another issue that needs addressed, it has been an issue with all renters and should have a no tolerance like Palm Springs has in place.
- 5.) COVID is on the rise, with the surge to hitting all around us and due to Thanksgiving travel is expected to get worse. I am not sure why there are not restrictions on them now as people are coming to the area from all parts of the country, not all are owners. Why wait for the county to act? Be proactive and protect the residents and workers in the city.
- 6.) The city needs to contact residents surrounding any new licenses for public input before a license is issued. A report on TOT collected and money spent for the STVR program needs to be addressed and made available to the public. Enough of the secrecy on this, we notice that all this is coming out after the election. Some may have been in danger of losing had this been known before.

Thank you,

Rod McGuire



La Quinta Cove

From: Kathleen [REDACTED]
Sent: Tuesday, December 01, 2020 9:16 AM
To: City Clerk Mail
Subject: Written Comments - Short Term Vacation Rentals

EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

Hi there,

My name is Kathleen Mirabal and I am a new home owner & resident of the La Quinta Cove. I wanted to address the agenda item for short term vacation rentals.

As someone who only learned of the La Quinta Cove by staying here via an Airbnb, I can attest to their importance in the community. I would never have known about this beautiful area were it not for that STVR stay, and I am now proud to call the cove home.

I know STVR's are a hotly contested item, but I think there are definitely a few bad apples that continuously seem to cause issues. Additionally, it seems like there may be quite a few operating illegally. I most recently lived (for 5 years) in Downtown Los Angeles and can tell you that there are always good airbnbs as well as bad airbnbs, just like there good neighbors and bad neighbors.

My backyard now faces two airbnb's and I can tell you, I have absolutely 0 complaints. They have had respectable families stay and the noise has been almost non-existent. They take care of their lawns & landscaping, and make the neighborhood look better. I have more issues with the full-time neighbors that let their dogs bark 24/7 or the neighbor that hasn't done yard maintenance in 2 years.

That being said, I think there needs to be swift and serious action for the STVR repeat-offenders. A 2 hour response time is unacceptable and causes residents to feel hopeless. If there was a faster response time, along with validation of the complaint (i.e. actual noise/partying vs just people talking outside at 5pm), I think it would strengthen the whole program.

I also think that if the fines and legal action are large enough, it will encourage airbnb owners to implement further safety guards (noise control monitors, more in-depth screening,etc). Maybe the first fine can be increased to \$1000?

Additionally, there can be other requirements implemented as well - why not have occupancy rates posted like they do in Big Bear? Why not require extra trash pickup? Maybe more can also be done to seek out and fine illegal rentals, which is where many of the issues come from.

I think that the answer lies in proper enforcement and swift action. I appreciate your time.

Sincerely,
Kathleen Mirabal

From: Noelani Nelson [REDACTED]
Sent: Tuesday, December 1, 2020 1:51 PM
To: City Clerk Mail
Subject: Written Comments Short Term Vacation Rentals

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- 1) Sharla Nelson
- 2) La Quinta
- 3) [REDACTED]
- 4) Public Comments on short-term vacation rentals
- 5) Short-term vacation rentals
- 6) Written

Good afternoon,

I want to start off by saying that the noise ordinance on vacation rentals has made a positive improvement for us as we have suffered previously from unruly, obnoxious renters who have no regard for our neighborhood and the people who work and live here full-time. Prior to the noise-ordinance, we would be woken in the middle of the night to hooting and hollering, loud profanity-laced music and pool-splashing every other night as renters would come and go throughout the week. With the new noise-ordinance, which is more black and white, we have more peaceable living and have not had as many complaints. Please keep the noise ordinance as a bare minimum to alleviate the stresses of full-time residents as one of hopefully many compromises moving forward.

It is so disheartening to have budgeted and saved for many years to buy our first family home only to later find out, after the sale of course, that we are living next to a short-term rental. The original intention of an R1 neighborhood was not to support short-term vacation rental businesses. It was designed to build community. Yes, these zones can be changed, but changing them just to support investors is sneaky and shows a lack of concern for residents and people who not only live here, but who would like to raise their families and perhaps their children's families here. Keep neighborhoods for locals and instead, build a neighborhood of houses that are designed and zoned for short-term rental use where investors will be supported. Please keep them from continuing to take over our neighborhoods.

Thank you,
Sharla

From: SeanyP [REDACTED]
Sent: Tuesday, December 01, 2020 12:44 PM
To: City Clerk Mail
Subject: Written Comments - STVR

EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

Dear Mayor and City Council,

La Quinta started out as a resort. The town is named after the resort! La Quinta is here because of tourism, because of visitors. Short term rentals have allowed the city to grow that business because there are not nearly enough hotel rooms in the area to house visitors to the city. If the STVRs are taken away or severely limited then La Quinta will no longer be the town we all know and love. Imagine what the impact be on our city if we have only the number of visitors each year that can stay at the resort and the few other hotels in the area. It will be a ghost town. I own 3 homes in the Cove. I live in one and rent out the other two. Take away the rentals and I will be forced to sell the rentals and possibly my own home. My rentals have never had a complaint in almost 3 years. I have spent thousands and thousands of dollars in the local community on my rentals. I employ a cleaning service, a pool service, and a landscaper. I buy from locally owned businesses and I promote our locally-owned restaurants. Take away the rentals and see the impact. I agree that there need to be more regulations on STVRs, but I really resent how the good players are being punished for the bad. I urge the city to cite the visitors for the violations and not just owners. We as owners can only do so much with warnings and posting the rules for them to see. The city needs to send a message to our visitors that we welcome them here, but be courteous and kind to our residents. Raise the TOT to 14% to pay for better enforcement and a dedicated 24-hour patrol that does not infringe on our police force. Let the HOAs manage their own areas. What goes on in PGA West with their big houses is not the same that goes out in the Cove. This is not a one size fits all situation. The situation this year is not normal. Nothing about this year is normal. COVID will go away someday. The surge in visitors will subside too. There is so much more the city can do to better manage this situation, but shutting down the STVRs is not the answer.

Sincerely,

Sean Parham
La Quinta
The Cove
[REDACTED]

From: Steven Parker [REDACTED]
Sent: Tuesday, December 1, 2020 1:46 PM
To: City Clerk Mail
Subject: RE: City Council Agenda Item Short Term Vacation Rentals

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Steven Parker
La Quinta, CA
[REDACTED]

To: The Mayor and City Council Members
Subject: Short Term Vacation Rentals

I am writing once again to express my opposition to Short Term Vacation Rental Hotel businesses being allowed to operate in our neighborhood.

As a full time resident at PGA West, I would classify the quality of life here to be approximately a 1 (on a 10-point scale with 1 being extremely poor and 10 being exceptional) as a result of the uncontrolled number of Short Term Hotels operating here. These businesses are primarily controlled by operators from outside the area who are making their living on the backs of full time residents. They couldn't care less about La Quinta other than to use it to pad their pockets with their so-called "investments".

We true residents are the people have to endure the constant parade of strangers who treat our community like garbage with noise, screaming kids, trash, misbehavior and vandalism. A majority of their behavior wouldn't be tolerated by any national hotel chain, yet we are expected to deal with it each and every week of the year. It's much worse now with the influx of COVID carrying people from Los Angeles, Orange and San Diego Counties who are now driving into our communities for their vacation, instead of traveling elsewhere due to the virus. The way it works around here, any jerk with \$100 per night in their pocket and a truckload full of kids can ruin every single weekend or an entire week. We are fed up with it.

What happened to the stay-at-home order? Why is La Quinta a willing participant in the spread of the pandemic by allowing these Hotels to operate, when the primary outcome is only to feed the bank accounts of absentee owners?

Please give us our neighborhoods and peace of mind back and require that all rentals in La Quinta be a period of 30 days or longer.

Or just allow more traditional hotels to be built and eliminate Short Term Residential Neighborhood Hotels once and for all.

Thank You.

From: Mark Parnell [REDACTED]
Sent: Tuesday, December 1, 2020 1:59 PM
To: City Clerk Mail
Subject: PGA West STVR Coalition
Attachments: PastedGraphic-1.tiff; Demand for Inspection of Records - Fairways-3.pdf; Demand for Inspection of Records - Res II-2.pdf; Demand for Inspection of Records - Res I.pdf
Importance: High

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My address is [REDACTED] La Quinta

Please add the below written comments to todays city Councils meeting.

Best regards,

Mark Parnell
President
Licensed California Realtor

Resort Home Destinations, Inc
78140 Calle Tampico
Ste 103
La Quinta, CA 92253

Phone: 760-564-2564
Fax: 866-826-7536
Email: Mark@ResortHD.com
www.ResortHD.com

Begin forwarded message:

From: Roman Whittaker [REDACTED]
Subject: PGA West STVR Coalition
Date: December 1, 2020 at 12:07:15 PM MST
To: "levans@laquintaca.gov" <levans@laquintaca.gov>, "jpena@laquintaca.gov" <jpena@laquintaca.gov>, "kfitzpatrick@laquintaca.gov" <kfitzpatrick@laquintaca.gov>, "rradi@laquintaca.gov" <rradi@laquintaca.gov>, "ssanchez@laquintaca.gov" <ssanchez@laquintaca.gov>
Cc: [REDACTED] [REDACTED]

Dear Mayor Evans and La Quinta City Councilmembers – Please see the attached 3 letters sent to the PGA West Fairways, Residential and Residential II Associations on November 19th, which you were supposed to have been copied. I currently represent 50+ homeowners at PGA West who want to protect their property rights, including the right to engage in short term vacation rental (STVR) of their properties. Some of my clients don't rent their homes at all, while many others regularly engage in STVRs in a responsible and professional manner in strict compliance with all of the applicable rules and regulations. In fact, most of my STVR clients implement even stricter rental rules and protocols than the HOA or the City currently require. All of my clients, whether STVR operators or not, value their property rights and are afraid of having their rights trampled by what I refer to as the “vocal minority” of homeowners who put peace and quiet above all other desires and objectives for themselves.

There has been a proliferation of STVRs in the Coachella Valley and across the globe as a result of technological advancements in platforms such as VRBO and Airbnb and, more recently, as a result of new vacation habits being formed in conjunction with COVID-19. COVID-19 has also caused more homeowners to stay at home. I don't think there's ever been a time in recent history that our neighborhoods have been so active due to these circumstances. My clients and I don't see this as a negative situation as do the “vocal minority.” We see this as an opportunity to take part in more vibrant community and an evolving hospitality industry—an industry that is vital to both the City of La Quinta and the entire Coachella Valley. While I do place a high level of importance on peace and quiet in our residential communities, I place a higher level of importance on property rights and individual freedoms. This is part of the reason I have been engaged to represent a continually growing list homeowners at PGA West and why I am contacting you today.

Property rights and individual liberties are under siege right now across America, with both State and local COVID-19 emergency orders and ordinances being adopted to further and further restrict our movements as well as to restrict and outright ban STVRs. Imposing what might seem as reasonable restrictions on our property rights under these circumstances presents a slippery and dangerous slope which may not be later overcome, which is why the City of La Quinta and other cities that have historically valued and protected property rights, and the huge monetary benefits derived through transient occupancy taxes, must remain vigilant and steadfast in the face of the “vocal minority” and COVID-19 hysteria.

It's my impression that many cities and HOAs have struggled to adapt to the proliferation of STVRs by failing to establish best practices within their compliance/enforcement divisions and collaboration with local police. Many cities and HOAs have chosen to avoid dealing with the matter in a constructive way by placing undue restrictions on STVRs or have chosen to take the easy way out of the issue by simply banning STVRs in their communities altogether. A more balanced approach would be to establish and implement rules and protocols focused on punishing those residences and homeowners who continually disrupt the peace, rather than punish the entire lot of STVR owners and operators. I understand the City of La Quinta has formed an ad hoc committee to study the issue and make recommendations as to how you should proceed in this regard; however, I fear the ad hoc committee may be primarily comprised members of the “vocal minority” who oppose STVRs in general and urge you to exercise patience and restraint in order to properly balance property rights with peace and quiet in our neighborhoods.

Roman M. Whittaker
Roman M. Whittaker, Esq., Inc.
80853 Kebon Drive

Indio, CA 92201

iPhone: (760) 851-8820

Email: romanwhittakeresq@gmail.com

www.MyConciergeLawyer.com

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ROMAN M. WHITTAKER, ESQ., INCORPORATED

80853 KEBON DRIVE
INDIO, CA 92201

ROMAN M. WHITTAKER
CELL: (760) 851-8820
EMAIL: ROMANWHITTAKERESQ@GMAIL.COM

November 19, 2020

Letter No. 1

VIA HAND DELIVERY & U.S. MAIL

PGA West Fairways Association
Attn.: Lori Paris
39755 Berkey Drive, Ste. A
Palm Desert, CA 92211

Re: PGA West Fairways Association – Request for Inspection of Records

To Whom It May Concern:

I represent the long and continuously growing list of owners of the properties within the jurisdiction of the PGA West Fairways Association, a California non-profit mutual benefit corporation (the “**Association**”), as referenced on the table below.

As you may know, my clients and many other homeowners throughout the PGA West community are opposed to the proposed amendment of the 2016 Amended and Restated Declaration of Restrictions for PGA West Fairways recorded May 8, 2017 (“**CC&Rs**”) to the extent that such proposed amendment seeks to prohibit short term vacation rentals (the “**Proposed Amendment**”). My clients are also concerned that the Association may have committed certain violations of the Common Interest Development Open Meeting Act (Civil Code §§4900-4955), which parallels the Ralph M. Brown Act (Government Code §§54950-54963) requiring that most meetings of the governing board of a community association be open to attendance by the association’s members. Specifically, we have learned that the current Presidents of each of the PGA West Master Association, Fairways Association, PGA West Residential Association and PGA West II Residential Association met together with City of La Quinta Mayor Linda Evans and may have had one or more meetings or communications with their respective board members to report on said meeting with Mayor Evans. It is our understanding that said Association Presidents pled with Mayor Evans to promote a Citywide ban on short term vacation rentals in order to alleviate the need for their Associations to manage short term rentals within the PGA West community.

My clients are afforded the right to inspect the Association’s accounting books and records and the minutes of association meetings, and the right to make copies and extracts thereof, for a purpose reasonably related to their interests as a member of the Association pursuant to Civil Code §5230(a) and/or Corporations Code §8330(b), as applicable; and have the right to designate a representative to make such inspection pursuant to Corporations Code §8311. My clients also have the right to request the Association’s membership list, including the name, property address, mailing address and email address of each member of the Association pursuant to Civil Code §5200(a)(9).

Accordingly, PLEASE TAKE NOTICE that my clients hereby request that they be allowed to inspect the following books and records of the Association, all pursuant to Civil Code §5200 et seq.:

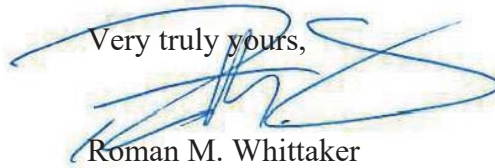
1. Interim unaudited financial statements, periodic or as compiled, containing any of the following: a balance sheet, an income and expense statement, a budget comparison, or a general ledger, for the current year and the prior two fiscal years;
2. Recordings, agendas, minutes and notes of meetings of the members, the board of directors, and any committees appointed by the board of directors which refer to or otherwise relate to the Proposed Amendment or otherwise relate to the issue of short term vacation rentals, including those that relate to any meetings of the board of directors and any committees or subcommittees appointed or otherwise established by the board of directors or the PGA West Master Association with any La Quinta City Councilpersons, excluding, however, agendas, minutes, and other information from executive sessions of the board of directors as described in Civil Code §§4900-4950;
3. Written board approval of vendor or contractor proposals or invoices for the current year and the prior two fiscal years;
4. Reserve account balances and records of payments made from reserve accounts for the current year and the prior two fiscal years;
5. An accounting prepared under Civil Code §5520(b) regarding litigation expenses for the current year and the prior two fiscal years;
6. “Association election materials” as defined in Civil Code §5200(c), including returned ballots, signed voter envelopes, voter lists, and candidate registration lists from January 2016 through the present date; and
7. Membership lists, including name, property address, mailing address and email address of each member of the Association.

The foregoing inspection request is made for the purpose of conducting an investigation of the Proposed Amendment and possible violations of the Common Interest Development Open Meeting Act. The foregoing inspection request, including the Association’s membership list, is further made in order that the members of the Association may be informed and apprised of the Proposed Amendment, as well as to oppose the Proposed Amendment and to promote candidates for election to the Association’s board of directors that share my clients’ and other homeowners’ desire to permit short term vacation rentals. The foregoing request for the Association’s membership list will not be used to solicit money or property (unless the money or property will be used to solicit the vote of members in connection with an election); any purpose that we do not reasonably and in good faith believe will benefit the Association or its members; any commercial purpose; or for sale to any person.

Please make arrangements to make these records available for inspection and copying within the times proscribed under Corporations Code §5210(b) and be sure to make the Association's membership list available within 10 business days in accordance with Corporations Code §8330(a)(2). As an alternative to making these documents available for inspection and copying, arrangements may be made to deliver hard copies or otherwise providing electronic copies of these documents to the undersigned as my clients' designated representative.

Please find enclosed a check made payable to the Association in the sum of \$10.00, which is tendered as the anticipated reasonable charge for providing the requested membership list in accordance with Corporations Code §8330(a)(2).

Very truly yours,



Roman M. Whittaker
of ROMAN M. WHITTAKER, ESQ., INC.

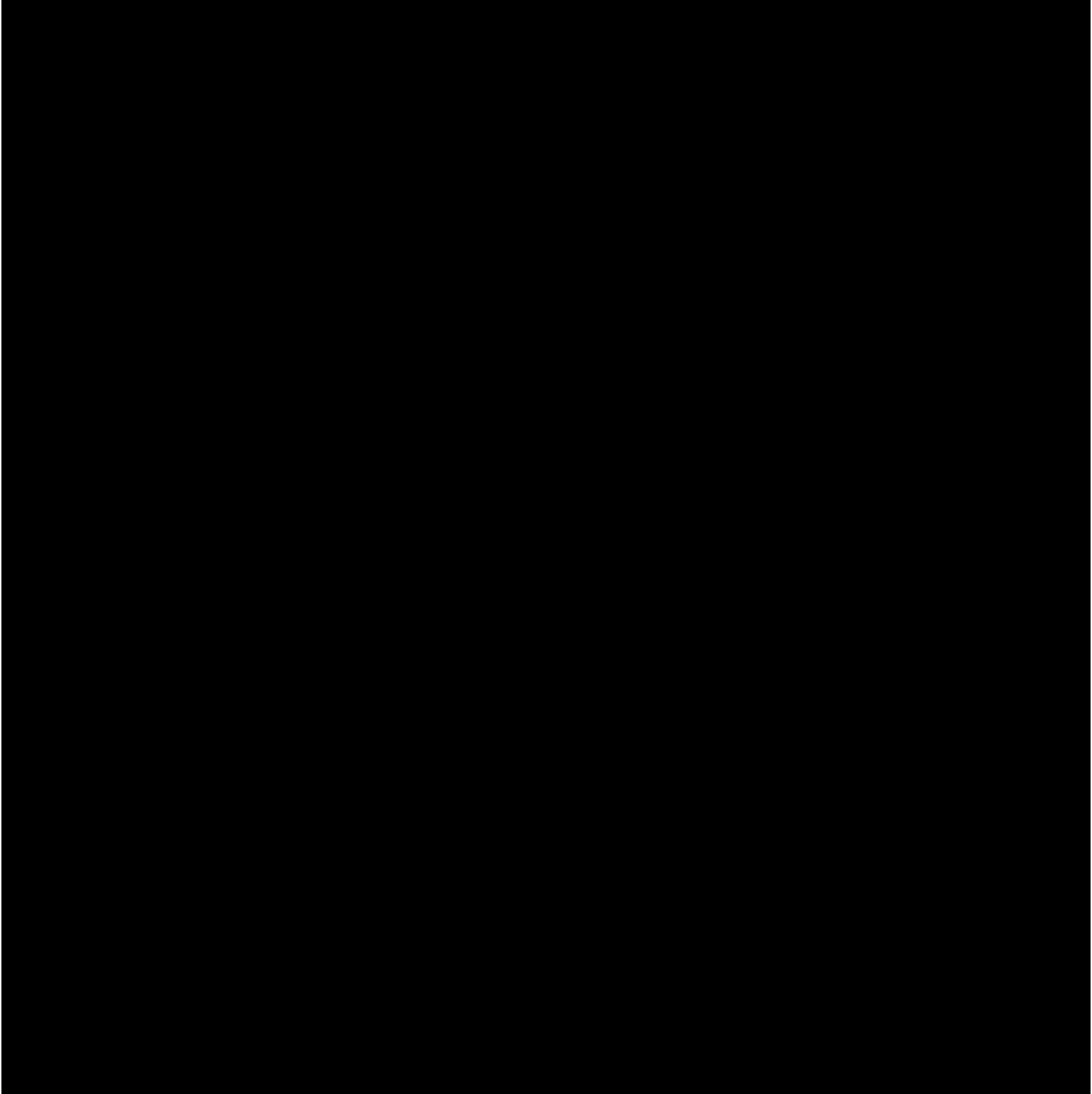
RMW:rw
Enclosure(s)

cc: Linda Evans, Mayor, City of La Quinta (via email)
John Peña, Mayor Pro Tem, City of La Quinta
Kathleen Fitzpatrick, Council Member, City of La Quinta (via Email)
Robert Radi, Council Member, City of La Quinta (via Email)
Steve Sanchez, Council Member, City of La Quinta (via Email)

The undersigned hereby designate Roman M. Whittaker, Esq., as their attorney-in-fact and authorized representative to make an inspection of the above-requested records pursuant to Corporations Code §8311

ROMAN M. WHITTAKER, ESQ., INCORPORATED
80853 KEBON DRIVE
INDIO, CA 92201

ROMAN M. WHITTAKER
CELL: (760) 851-8820
EMAIL: ROMANWHITTAKERESQ@GMAIL.COM



ROMAN M. WHITTAKER, ESQ., INCORPORATED

80853 KEBON DRIVE
INDIO, CA 92201

ROMAN M. WHITTAKER
CELL: (760) 851-8820
EMAIL: ROMANWHITTAKERESQ@GMAIL.COM

November 19, 2020

Letter No. 2

VIA HAND DELIVERY & U.S. MAIL

PGA West II Residential Association, Inc.
42635 Melanie Place, Ste. 103
Palm Desert CA 92211

Re: PGA West II Residential Association – Request for Inspection of Records

To Whom It May Concern:

I represent the long and continuously growing list of owners of the properties within the jurisdiction of the PGA West II Residential Association, Inc., a California non-profit mutual benefit corporation (the “**Association**”), as referenced on the table below.

As you may know, my clients and many other homeowners throughout the PGA West community are opposed to the proposed amendment of the 2016 Amended and Restated Declaration of Restrictions for PGA West Fairways recorded May 8, 2017 (“**CC&Rs**”) to the extent that such proposed amendment seeks to prohibit short term vacation rentals (the “**Proposed Amendment**”). My clients are also concerned that the Association may have committed certain violations of the Common Interest Development Open Meeting Act (Civil Code §§4900-4955), which parallels the Ralph M. Brown Act (Government Code §§54950-54963) requiring that most meetings of the governing board of a community association be open to attendance by the association’s members. Specifically, we have learned that the current Presidents of each of the PGA West Master Association, Fairways Association, PGA West Residential Association and PGA West II Residential Association met together with City of La Quinta Mayor Linda Evans and may have had one or more meetings or communications with their respective board members to report on said meeting with Mayor Evans. It is our understanding that said Association Presidents pled with Mayor Evans to promote a Citywide ban on short term vacation rentals in order to alleviate the need for their Associations to manage short term rentals within the PGA West community.

My clients are afforded the right to inspect the Association’s accounting books and records and the minutes of association meetings, and the right to make copies and extracts thereof, for a purpose reasonably related to their interests as a member of the Association pursuant to Civil Code §5230(a) and/or Corporations Code §8330(b), as applicable; and have the right to designate a representative to make such inspection pursuant to Corporations Code §8311. My clients also have the right to request the Association’s membership list, including the name, property address, mailing address and email address of each member of the Association pursuant to Civil Code §5200(a)(9).

Accordingly, PLEASE TAKE NOTICE that my clients hereby request that they be allowed to inspect the following books and records of the Association, all pursuant to Civil Code §5200 et seq.:

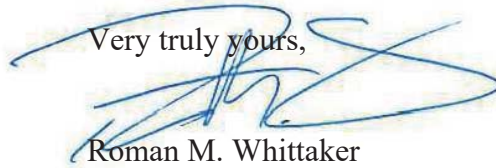
1. Interim unaudited financial statements, periodic or as compiled, containing any of the following: a balance sheet, an income and expense statement, a budget comparison, or a general ledger, for the current year and the prior two fiscal years;
2. Recordings, agendas, minutes and notes of meetings of the members, the board of directors, and any committees appointed by the board of directors which refer to or otherwise relate to the Proposed Amendment or otherwise relate to the issue of short term vacation rentals, including those that relate to any meetings of the board of directors and any committees or subcommittees appointed or otherwise established by the board of directors or the PGA West Master Association with any La Quinta City Councilpersons, excluding, however, agendas, minutes, and other information from executive sessions of the board of directors as described in Civil Code §§4900-4950;
3. Written board approval of vendor or contractor proposals or invoices for the current year and the prior two fiscal years;
4. Reserve account balances and records of payments made from reserve accounts for the current year and the prior two fiscal years;
5. An accounting prepared under Civil Code §5520(b) regarding litigation expenses for the current year and the prior two fiscal years;
6. “Association election materials” as defined in Civil Code §5200(c), including returned ballots, signed voter envelopes, voter lists, and candidate registration lists from January 2016 through the present date; and
7. Membership lists, including name, property address, mailing address and email address of each member of the Association.

The foregoing inspection request is made for the purpose of conducting an investigation of the Proposed Amendment and possible violations of the Common Interest Development Open Meeting Act. The foregoing inspection request, including the Association’s membership list, is further made in order that the members of the Association may be informed and apprised of the Proposed Amendment and to promote candidates for election to the Association’s board of directors that share my clients’ and other homeowners’ desire to permit short term vacation rentals. The foregoing request for the Association’s membership list will not be used to solicit money or property (unless the money or property will be used to solicit the vote of members in connection with an election); any purpose that we do not reasonably and in good faith believe will benefit the Association or its members; any commercial purpose; or for sale to any person.

Please make arrangements to make these records available for inspection and copying within the times proscribed under Corporations Code §5210(b) and be sure to make the Association's membership list available within 10 business days in accordance with Corporations Code §8330(a)(2). As an alternative to making these documents available for inspection and copying, arrangements may be made to deliver hard copies or otherwise providing electronic copies of these documents to the undersigned as my clients' designated representative.

Please find enclosed a check made payable to the Association in the sum of \$10.00, which is tendered as the anticipated reasonable charge for providing the requested membership list in accordance with Corporations Code §8330(a)(2).

Very truly yours,



Roman M. Whittaker
of ROMAN M. WHITTAKER, ESQ., INC.

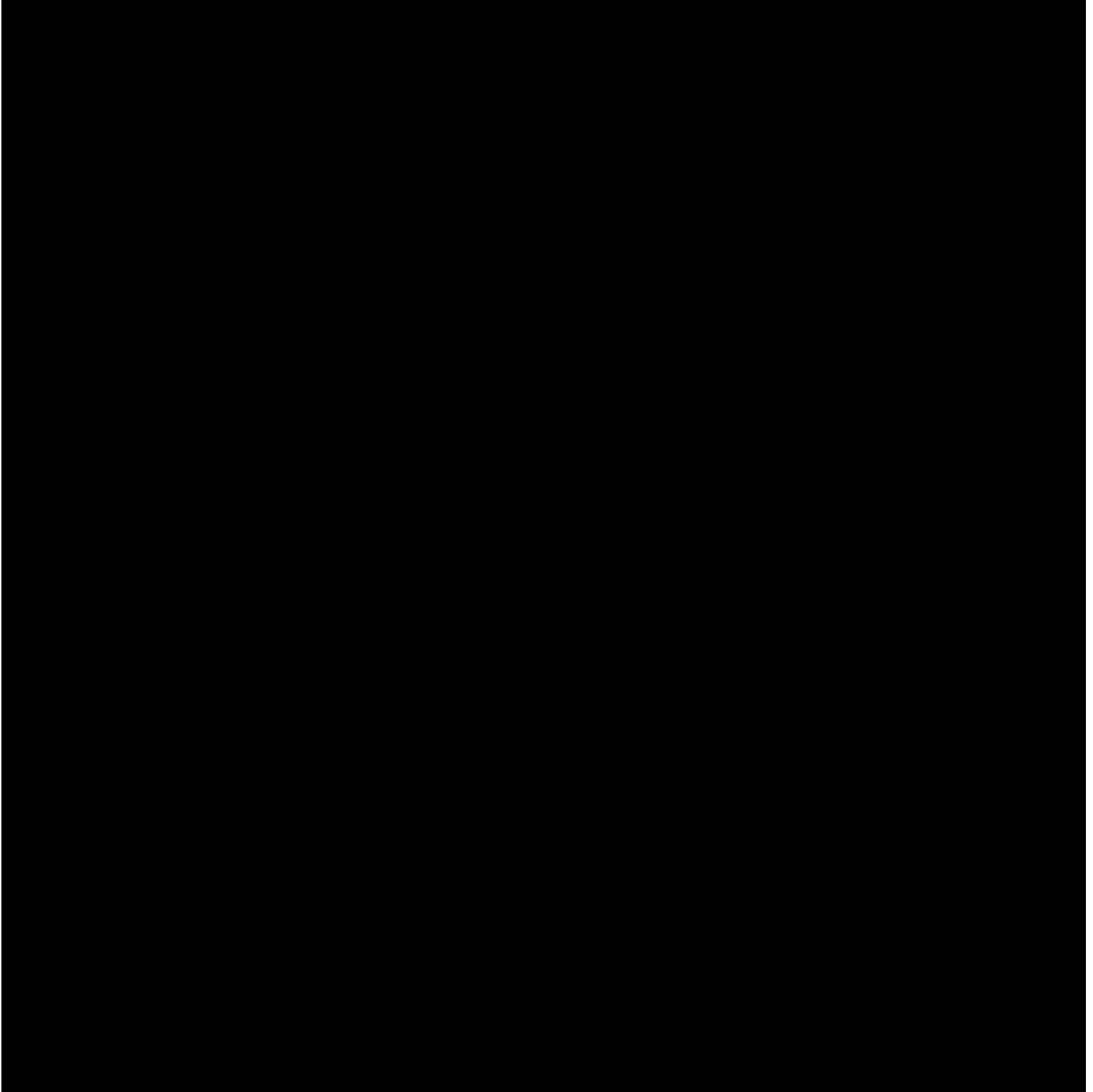
RMW:rw
Enclosure(s)

cc: Linda Evans, Mayor, City of La Quinta (via email)
John Peña, Mayor Pro Tem, City of La Quinta
Kathleen Fitzpatrick, Council Member, City of La Quinta (via Email)
Robert Radi, Council Member, City of La Quinta (via Email)
Steve Sanchez, Council Member, City of La Quinta (via Email)

The undersigned on the following page hereby designate Roman M. Whittaker, Esq., as their attorney-in-fact and authorized representative to make an inspection of the above-requested records pursuant to Corporations Code §8311

ROMAN M. WHITTAKER, ESQ., INCORPORATED
80853 KEBON DRIVE
INDIO, CA 92201

ROMAN M. WHITTAKER
CELL: (760) 851-8820
EMAIL: ROMANWHITTAKERESQ@GMAIL.COM



ROMAN M. WHITTAKER, ESQ., INCORPORATED

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INDIO, CA 92201

ROMAN M. WHITTAKER
CELL: (760) 851-8820
EMAIL: ROMANWHITTAKERESQ@GMAIL.COM

November 19, 2020

Letter No. 3

VIA HAND DELIVERY & U.S. MAIL

PGA West Residential Association, Inc.
Attn.: Michael Walker
[REDACTED]
La Quinta CA 92253

Re: PGA West Residential Association – Request for Inspection of Records

To Whom It May Concern:

I represent the long and continuously growing list of owners of the properties within the jurisdiction of the PGA West Residential Association, Inc., a California non-profit mutual benefit corporation (the “**Association**”), as referenced on the table below.

As you may know, my clients and many other homeowners throughout the PGA West community are opposed to the proposed amendment of the 2016 Amended and Restated Declaration of Restrictions for PGA West Fairways recorded May 8, 2017 (“**CC&Rs**”) to the extent that such proposed amendment seeks to prohibit short term vacation rentals (the “**Proposed Amendment**”). My clients are also concerned that the Association may have committed certain violations of the Common Interest Development Open Meeting Act (Civil Code §§4900-4955), which parallels the Ralph M. Brown Act (Government Code §§54950-54963) requiring that most meetings of the governing board of a community association be open to attendance by the association’s members. Specifically, we have learned that the current Presidents of each of the PGA West Master Association, Fairways Association, PGA West Residential Association and PGA West II Residential Association met together with City of La Quinta Mayor Linda Evans and may have had one or more meetings or communications with their respective board members to report on said meeting with Mayor Evans. It is our understanding that said Association Presidents pled with Mayor Evans to promote a Citywide ban on short term vacation rentals in order to alleviate the need for their Associations to manage short term rentals within the PGA West community.

My clients are afforded the right to inspect the Association’s accounting books and records and the minutes of association meetings, and the right to make copies and extracts thereof, for a purpose reasonably related to their interests as a member of the Association pursuant to Civil Code §5230(a) and/or Corporations Code §8330(b), as applicable; and have the right to designate a representative to make such inspection pursuant to Corporations Code §8311. My clients also have the right to request the Association’s membership list, including the name, property address, mailing address and email address of each member of the Association pursuant to Civil Code §5200(a)(9).

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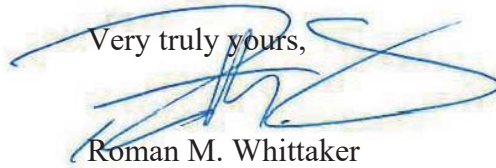
1. Interim unaudited financial statements, periodic or as compiled, containing any of the following: a balance sheet, an income and expense statement, a budget comparison, or a general ledger, for the current year and the prior two fiscal years;
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Very truly yours,



Roman M. Whittaker
of ROMAN M. WHITTAKER, ESQ., INC.

RMW:rw
Enclosure(s)

cc: Linda Evans, Mayor, City of La Quinta (via email)
John Peña, Mayor Pro Tem, City of La Quinta
Kathleen Fitzpatrick, Council Member, City of La Quinta (via Email)
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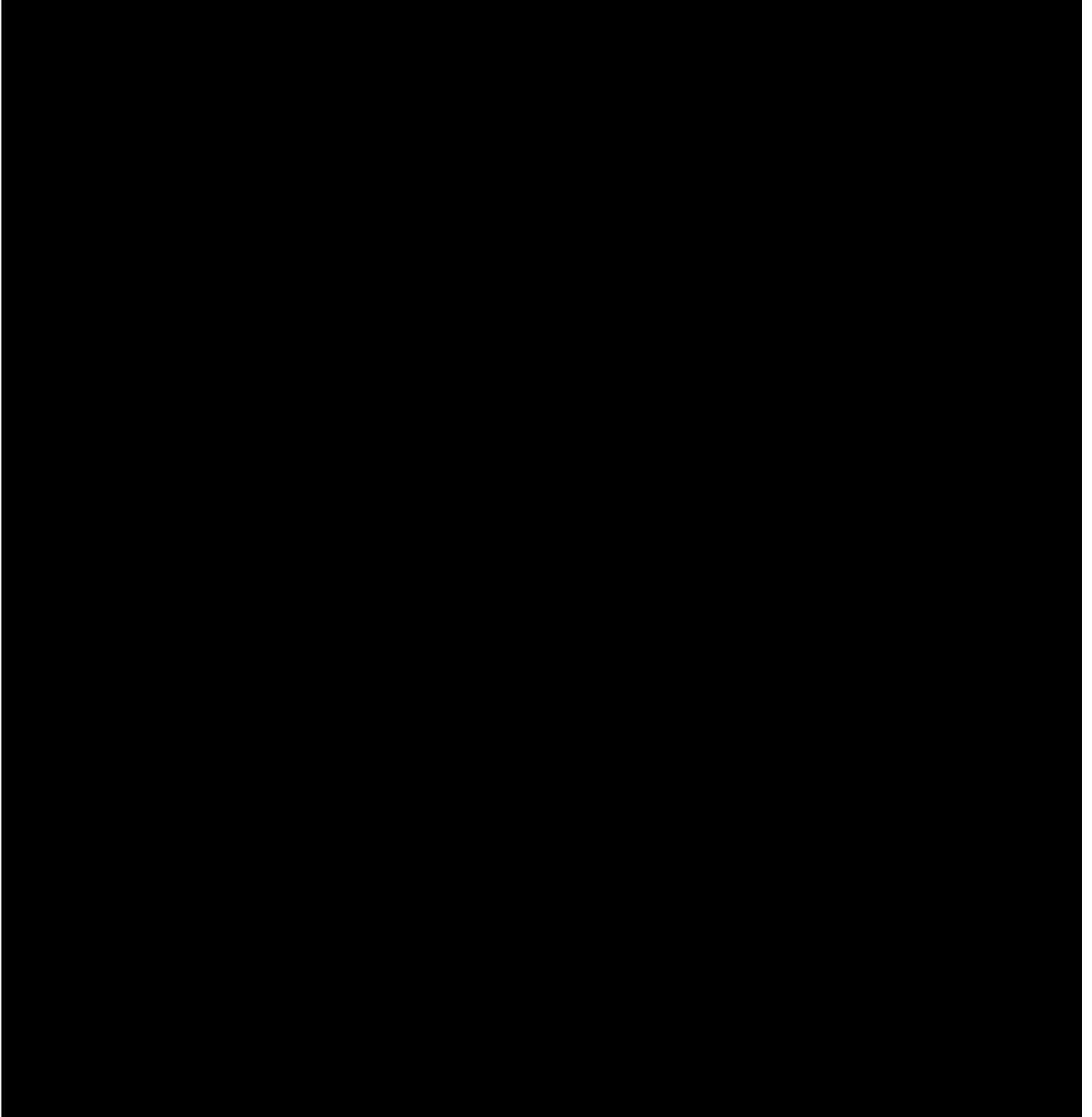
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ROMAN M. WHITTAKER, ESQ., INCORPORATED

80853 KEBON DRIVE
INDIO, CA 92201

ROMAN M. WHITTAKER
CELL: (760) 851-8820

EMAIL: ROMANWHITTAKERESQ@GMAIL.COM



From: Craig Thompson [REDACTED] >
Sent: Sunday, November 29, 2020 6:56 PM
To: City Clerk Mail; Jon McMillen
Subject: Written Comment: STVR

EXTERNAL: This message originated outside of the City of La Quinta. Please use proper judgement and caution when opening attachments, clicking links or responding to requests for information.

Dear Mayor, City Manager and City Council,

The short term rental situation has been a point of discussion and I have to say from personal experience a real detraction for the way that the La Quinta Cove has developed over the last ten years. A quick view of Google maps can show the simple fact that the Cove is reaching capacity for any new construction. I think we can all agree at some level that this is largely due to the fact that this is a beautiful place to live. The Cove has survived through a number of economic highs and lows and old timers will tell us that we have been on an upswing.

Rental properties have existed since the very early days. The idea of short term rentals can trace their roots to the beach house model capitalizing on the easy access to the variety of golf courses and growth of the Casinos in our valley. Our beautiful walking/hiking trails and the unique Old Town offerings have made the Cove a special destination. PGA tournaments, Coachella and Stagecoach have enticed even full time residents rent their homes for special events.

Regular Short Term Rentals in the Cove have clearly become a business that often require hotel level support. The STR across the street has turned over three different back to back rental groups between Monday and Sunday of this Thanksgiving with only a few hours between renters in this time of COVID. Of the three, only one came in with a boisterous party attitude playing loud outside music that echoed down the street until after 10:00pm. If we hadn't called the STVR Hotline twice I can imagine it would have gone on longer. In general, the Cove is a quiet, respectful neighborhood. If the city believes that it is in our best interest to encourage STVR's then I hope that we can have some consideration for the full time residents by maintaining reasonable noise regulations, strict maintenance and parking rules as well as cleanliness and health regulations that are monitored and inspected to maintain good public health.

The recent COVID related rules have been an improvement and should be instituted as standard regulations. If the city is going to continue to promote STR's to operate as mini-hotel businesses that offer daily scheduling, then we should make sure that they are held to the same State and Local regulations. CAL- OSHA has a number of regulations for Lodging establishments that clearly include STR's. We should make sure that STR owners and their operating partners and employees clearly understand and are committed to these regulations and required inspections.

We should also set regulations for limiting licensing density so that we don't end up with hotel blocks. No one wants to see our neighborhood de-evolve into transient business locations with pop-up drug drops and short term sex shops. I think if we are prepared the City can provide clear guidance and set realistic regulations for all residents and homeowners.

Sincerely,

Craig R. Thompson P.E.

La Quinta Homeowner
[REDACTED]