



CITY COUNCIL STAFF REPORT

DATE: OCTOBER 26, 2016 STUDY SESSION

SUBJECT: DISCUSSION OF VACATION RENTAL GOALS AND OBJECTIVES, REGULATIONS, FEES AND PENALTIES, AND PALM SPRINGS MUNICIPAL CODE CHAPTER 5.25 PERTAINING TO THE REGULATION OF SHORT TERM RENTALS

FROM: David H. Ready, City Manager

BY: Chief of Staff/City Clerk

SUMMARY

The City Council will discuss preliminary concepts received by the community and stakeholders, for the enhanced regulation of vacation rentals, accept public comment, and direct the Vacation Rental Subcommittee and Staff as appropriate.

RECOMMENDATION:

1) City Council discussion on Vacation Rental regulatory conceptual regulations; 2) Receive public testimony; 3) City Council Discussion; and 4) Direct the Vacation Rental Subcommittee and Staff as appropriate.

STAFF ANALYSIS:

The Vacation Rental Subcommittee (Councilmember Kors and Councilmember Roberts) have conducted six noticed public meetings to discuss enhancements to the current vacation rental regulations. The public meetings have been well attended, and the Subcommittee has received public testimony covering a wide spectrum for further regulations (Exhibit 1 ONEPS, Exhibit 2 Protect our Neighborhoods, Exhibit 3 Vacation Rental Managers Association). The Subcommittee also reviewed how other cities have addressed the issue of vacation rentals and reviewed suggestions they received by email.

The Subcommittee previously provided a recommendation pertaining to the conversion of apartments to vacation rentals, which was adopted by the City Council.

The purpose of this study session is to present information received by the Subcommittee, receive public testimony and provide direction to the Subcommittee and City Staff.

The Subcommittee will conduct one or more additional public meetings based on the Council direction, further refine the concepts, and direct Staff which Items to include in a draft ordinance. The goal of the Subcommittee is for a draft ordinance to be prepared for the City Council special meeting for short term rentals scheduled for Wednesday, November 30, 2016.

The City Council Subcommittee has discussed proposed goals and objectives to consider while examining short term rentals and the governing ordinance. The proposed goals and objectives are as follows:

- Short-term rentals are a privilege not a right.
- Short-term rentals are an ancillary use of residences for full and part-time residents.
- Short-term rentals are not a business for the benefit of investors or for real estate speculation.
- Priority goal is preserving our neighborhoods for full and part-time residents.
- It is a priority to maintain and protect a variety of housing stock that is affordable.
- Preserve and maintain long-term rental stock for workers, families and those who cannot afford a down payment to buy a home.
- Heightened enforcement of short-term rental goals include eliminating repeat offenders, multiple permits and unregistered and unrepresented short-term rental operators.
- Allow some level of short-term rentals as an alternative to other forms of lodging and so full and part-time residents have the option to rent out their homes.
- Level the playing field between small hotels and vacation rentals and ensure the health and safety of residents and tourists.

While the City has always allowed short term rentals, in 2008 the City Council adopted comprehensive regulations for vacation rentals including a requirement to register a vacation rental with the City. In 2014, the City Council, comprehensively reviewed the program and rules, and adopted further regulations, City response, and enhanced enforcement mechanisms.

With the rapid expansion of permitted vacation rentals in the City, 100% from 2009 to present (see Exhibit 4), and an increase in reported noise/nuisance complaints to the hotline and the Police Department (see Exhibit 5), the current regulations need further review and potential modification to ensure consistency with the stated goals.

The Vacation Rental Subcommittee presents the following potential regulatory changes received by the community and stakeholders for discussion by the City Council and further direction to the Subcommittee:

- Phase out all short term vacation rentals.
- Prohibit permits in the R-1 zone.
- Limit the total number of permits.
- Limit the number of permits by neighborhood.
- Limit new permits within certain distance from existing permitted properties.
- Limit permits to full or part-time residents who reside in the property a certain number of days.
- Limit the total number of days that a home can be rented short term.
- Limit the length of short term rentals.
- Limit the number of allowed short term contracts per month or per year.
- Limit permits so that one per person (or the trust of a natural person) may have a financial interest in one vacation rental and permit.
- Limit a use of a vacation rental permit to every other year.
- Prohibit permits by business entities.
- Establish a separate category and fee structure for "traditional" house sharing where only one room of the property is used for short term rentals and the owner is present during the rental and full time resident at the property.
- Require neighborhood notification of the submission of a vacation rental permit application.
- Require an inspection prior to the issuance of a permit and/or an annual inspection for life/safety measures and compliance with the code. May include

smoke/carbon monoxide detectors, pool and pool light GFI, fire extinguisher, signage, etc.

The Vacation Rental Subcommittee presents the following potential enforcement modifications received by the community and stakeholders, for discussion by the City Council and further direction to the Subcommittee.

- Calls to hotline go to City code enforcement personnel, not the vacation rental managers or owners.
- Increase in code enforcement personnel and dedicated Police Officers.
- Require Owner/Agent to report to the property if requested to do so by City code enforcement personnel within 30 minutes.
- Require Owner/Agent to have a text enabled telephone that is available 24 hours per day and seven days per week for notification by the City.
- Require emergency access to the property behind a locked gate or within a gated community shall provide gate code or a "Knox Box" with key for exclusive use of fire and law enforcement personnel.
- Three violations in any rolling 12 month period results in immediate revocation of the permit.
- Illegal rentals will result in the immediate revocation of a permit.
- Reduction in the maximum occupancy overnight and during the day.
- Establish the maximum number of vehicles allowed at the property, or further limit the maximum occupancy based on the number of off-street parking spaces at the property.
- Further establish the maximum occupancy by lot size.
- Use of decibel meters for noise.
- Require the installation of some type noise alert system at the property (see Exhibit 6)
- Zero tolerance for unpermitted vacation rental, pay a significant fine, and lose the privilege of obtaining any vacation rental permit.
- Significant increases in fines for violations.

- Require the rental agreement to be sent to the City prior to the rental.
- Require the rental agreement to be on-site during the term of the rental and presented to City enforcement staff upon request.
- Require rental contracts to be signed by all occupants.
- Require rental contracts to contain a right to evict and notice.
- Require front yard signage be place at the property and/or the publication of vacation rental addresses on the City's website.
- Require interior and/or backyard signage providing notice of noise, etc.
- Reduce maximum level of noise at night and/or prohibit the use of outdoor accommodations such as pools, spas, BBQs at night.
- Strengthen language requirements for rental contracts, advertising, websites, rental property.
- Require all guests be met in person at the rental prior to occupancy and rules be signed by all occupants.
- Prohibit clustering of adjacent properties and connecting gates/access.
- Require any property with HOA restrictions to provide a letter from the HOA to be submitted with the permit application.
- If rented without a permit the owner shall cause the renter and all occupants of a non-registered unit to vacate and immediately be relocated and provide an alternative rental location at the owners expense.
- Consider Joint and Several liability to both guest and owner for certain violations.

As noted above, the Vacation Rental Subcommittee is seeking Council discussion and direction on all these conceptual ideas, for further discussion and consideration by the Subcommittee.



JAMES THOMPSON
Chief of Staff/City Clerk



DAVID H. READY
City Manager

Attachments:

1. ONEPS Recommendations
2. Protect our Neighborhood Recommendations
3. Vacation Rental Managers' Association Recommendation
4. Vacation Rental Growth Statistics
5. Hotline/PD Calls Fiscal Year 2015-16
6. Noise Monitoring Example
7. Public Testimony

Attachment 1

ONEPS Recommendations

**Organized Neighborhoods of Palm Springs (ONE-PS)
Vacation Rental Work Group**

March 22, 2016

Dr. David Ready
City Manager
City of Palm Springs
3200 Tahquitz Canyon Way
Palm Springs, California 92262

Dear Dr. Ready,

The following recommendations of the ONE-PS Vacation Rental Work Group were reviewed and approved by the ONE-PS Code Enforcement & Public Works Committee on February 3rd. The recommendations received a 1st Reading and Discussion by ONE-PS on February 11, 2016. They received 2nd Reading and were overwhelming approved by ONE-PS on March 10, 2016.

Background Information:

The ONE-PS Vacation Rental Work Group met six times from September 2015 to January 2016 and reviewed at length over 30 separate proposed modifications to the City's present ordinance and enforcement procedures. We conferred with city officials and we reviewed voluminous reports of vacation rental activity.

The Work Group included Sheila Cobrin, Larry Huston, John McCoy, Michael McLean, Lisa Middleton, Ron Siegel, Robert Thorson and Curt Watts. Laura Miller who had previously been on the Work Group also participated in a meeting. City staff assistance was provided during the meetings by Jay Thompson, Lee Bonno, Cindy Gosselin and Amanda McWilliams. Our final meeting was held on January 25, 2016. Ron Siegel was absent at that meeting and did not participate in our final discussions.

Recommendations:

Part One (General):

1. The City of Palm Springs should employ a full time management level employee with responsibility for the administration and enforcement of the vacation rental and event house programs and ordinances. This management level employee should have no other programmatic responsibilities. Enforcement staff as needed should be added. This program manager should report to the City Manager or the designee of the City Manager.

**Organized Neighborhoods of Palm Springs (ONE-PS)
Vacation Rental Work Group**

2. The Vacation Rental Hotline and contracted security service should respond to all noise complaints involving a registered vacation rental property. If upon receipt of a noise complaint the Hotline is notified by the registered local contact that the owner is in residence, the security service will be requested to follow up by visiting and assessing the reported noise disturbance. If upon arrival a violation of the noise ordinance is observed the security service will make contact with the occupants. No contact with the occupants will be made, except when the security service observes what is believed to be a violation of the noise ordinance. Security will have the authority to issue a noise citation. The security service will also ask the occupants "is the owner in residence?".
3. The plus 2 standard for overnight occupancy should be eliminated. Overnight occupancy should be limited to the # of bedrooms, as confirmed by the City, x 2.
4. The Hotline and the Security Service providing follow up to Hotline calls should be integrated into a single contract.
5. ONE-PS supports a limit of the number of vacation rental properties an individual may own in Palm Springs. ONE-PS does not support requiring any individual to sacrifice or give up an existing permit on a Condominium, Town Home or Single Family Residence. ONE-PS struggled to reach consensus on the number of properties anyone individual may own — some thought one property sufficient, others five and others somewhere in between. The city would be responsible in issuing new registration permits to business partnerships to insure that the individual principals in the partnerships are limited going forward to the ultimately approved maximum number of registered vacation rental properties.
 - *Please note: A separate poll was conducted with regard to this recommendation. In that poll 19 neighborhoods supported this recommendation, 9 opposed it, 6 abstained and four did not respond.*
6. A vacation rental permit may not be issued for an apartment unit(s). Only single-family homes, townhomes or condominiums are eligible to be used as a vacation rental.

Part Two (Watch List):

The following recommendations apply only to homes on the Watch List and only for the duration of time they are on the Watch List):

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Vacation Rental Work Group**

7. The City should identify a Watch List, the purpose of which is to provide counseling, enhanced enforcement and a rehabilitation opportunity or when appropriate permit suspension and/or revocation for those residences that provide the greatest number of frequent and recurring disturbances to their neighbors. The following additional requirements will apply to properties on the Watch List:
- a. The Homeowner or their Representative will meet with the City to review the record of the property that has led to its being placed on the Watch List.
 - b. Homes on the Watch List may not be rented for less than nine consecutive nights per rental.
 - c. A “drop-box” rental will not be permitted. All rentals must include a face-to-face meeting between the homeowner, or their representative, and the responsible renting party.
 - d. For homes on the Watch List, the city shall have the discretion as deemed appropriate to increase the minimum age for rental.
 - e. A list of all homes on the Watch List will be provided to enforcement personnel.
 - f. Enforcement personnel will not have the discretion to issue a warning, as opposed to a citation, for an observed violation at a home on the Watch List.
 - g. Fines applicable to the owner, but not to the renter, of a home on the Watch List will be double.
 - h. Four citations shall require the City to initiate the suspension process.
 - i. Citations and Suspensions are subject to due process appeals by a procedure to be defined by the City. Neighbors within 300 feet of a home appealing a citation or suspension notice shall be notified of the Hearing. Neighbors shall have an opportunity to provide either sworn testimony or a written affidavit. These are legal Hearings and testimony given is subject to perjury if untruthful.
 - j. The ONE-PS Representative for each Neighborhood Organization shall be notified by the City when a home within their neighborhood boundaries is:

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Vacation Rental Work Group**

- i. Placed on the Watch List**
 - ii. Suspension and/or revocation is initiated**
 - iii. Removed from either the Watch List or Suspension**
- If the home is not within the boundaries of an existing Neighborhood Organization, such notifications shall be to the Chair of ONE-PS.**

We welcome the opportunity to work with you and the City Council as this important issue in our community is discussed and debated.

Sincerely

**Lisa Middleton
Chair,
Organized Neighborhoods of Palm Springs (ONE-PS)**

CC: Mayor and City Council



Jay Thompson

From: Lisa Middleton <lisamiddletonps@icloud.com>
Sent: Wednesday, March 23, 2016 10:21 AM
To: Lisa Middleton
Subject: Vacation Rental Recommendations
Attachments: Vacation Rental Work Group Recommendations revised 160322.pdf

To ONE-PS Representatives & Alternates:

At our March meeting we approved the Vacation Rental Task Force's recommendations. One recommendation, #5 — regarding the question of should there be a limit on the number of homes an individual may own was the subject of much discussion and considerable debate. We therefore conducted a poll of every neighborhood regarding this recommendation. The questions were:

1. Should there be a limit on the number of Vacation Rental Properties in Palm Springs owned by an individual? (Yes, No or Abstain)
2. If yes, what should that maximum number be? (A number from one to infinity)

The response from our neighborhood poll is as follows:

- Should there be a limit on the number of Vacation Rental Properties in Palm Springs owned by an individual? (Yes, No or Abstain)
 - Yes 19
 - No 9
 - Abstain 6
 - No Response 4
- If yes, what should that maximum number be? (A number from one to infinity)
 - 1 home 1
 - 2 homes 1
 - 3 homes 6
 - 5 homes 7
 - 1 - 3 homes 1
 - 1 - 5 homes 2
 - 1 - 10 homes 1

While this recommendation does barely receive two-thirds support, it is clear that there are very mixed opinions on this recommendation and that it has less support than our other recommendations. I have placed a note in the final version of our recommendations that states our voting on this issue. I have heard from many thoughtful and reasoned arguments on both sides of the question. I am very thankful for our ability within ONE-PS to discuss and debate tough issues thoughtfully.

We will now forward to City Council and the City Manager the following recommendations approved at our March meeting.

[see attached file: Vacation Rental Work Group Recommendations revised 160322.pdf]

Lisa Middleton

760-330-7023

lisamiddletonps@icloud.com

Attachment 2

Protect our Neighborhood Recommendations



RECEIVED
CITY OF PALM SPRINGS

2016 MAR 17 PH 3: 30

JAMES THOMPSON
CITY CLERK

Protect Our Neighborhoods P.O. Box 4533 Palm Springs CA 92663

PON recommendations to City Hall concerning issues related to short-term vacation rentals in Palm Springs

17 March 2016

Introduction and background

At the "Mayor and City Council Candidate Forum" last October, Palm Springs residents made it clear to the candidates that they have two major concerns. One involves "government ethics." The other, the subject of these recommendations, is issues related to "vacation rentals", specifically rentals of less than 30 days (short-term rentals or STRs).

Loud rowdy behavior by tourists, often accompanied by prohibited outdoor music, usually is the first topic that comes up when discussing STR problems. This is why residents call the hotline. While this is a significant issue, it is important to remember that STRs harm the community in three additional ways that are serious but less apparent because they occur slowly over time.

- When an owner-occupied property is replaced by a STR, friends and neighbors with a vested interest in the neighborhood are replaced by a constant flow of strangers with zero ties to the neighborhood. The quality of neighborhood life inevitably declines, as is evident in some Palm Springs neighborhoods where one in six homes (sometimes more) is a STR.
- Second, there is growing evidence that smaller hotels, inns and B&Bs, which employ large numbers of local workers, are especially vulnerable to competition from STRs. Diverting visitors to de facto hotels masquerading as residential properties allows them to avoid the many strict regulations which regular hotels must comply with, such as conformity with ADA regulations and a variety of safety regulations. The ones who get hurt are the owners and employees of these small businesses, whose livelihood depends on hosting visitors to Palm Springs. Big name hotels, with their business customers (expense accounts and reward points) are much less affected.
- Third, as more residential properties turn into STRs the supply of medium and longer-term rentals declines, driving up rents for local residents. This was illustrated in a January 2016 *Desert Sun* front page article headlined "Millennials priced out of Palm Springs rent." (1.9.2016)

Immediate need

The most pressing and immediate need is for the city to promptly begin exercising definitive control over the rapidly increasing number of registered STRs in Palm Springs. There are currently 1,700. Three years ago there were less than 1,300. If the rate of increase we saw in 2015 continues for five years, there will be 3,000 in 2020.

Not once, since STR issues began to surface in our community more than eight years ago, have the Mayor and the City Council stopped and asked “**How many STRs is too many?**” The heart of this question is what kind of city do we want to be – and in particular, what is the role of residential neighborhoods in our future? Any development that threatens residential neighborhoods will have a fundamental impact on what life is like in our city five, ten, fifteen years from now.

It is time to stop, ask and debate the answer to that question – and time to launch that community-wide process with a temporary moratorium on the issuance of licenses for new STRs (more on this below). This would give the City time to come up with solutions that balance the needs of all the affected parties. Cities that have utilized moratoriums include Indian Wells, Anaheim, Laguna Beach and Austin.

We must not let the City reach a “tipping point” where the number of STRs grows to a level that causes large numbers of residential property owners to give up and flee the City. This would make Palm Springs a 100% tourist destination competing head on with “The Strip” in Las Vegas.

Two groups are causing most of the problems

If the activities of two groups could be brought under control, many of the issues related to STRs in Palm Springs could be easily resolved:

- Repeat offender properties. Data show that a relatively small number of STRs – between 5% and 10% – account for a large share of the calls to the City’s vacation rental hotline. If these properties could be brought into line or shut down, some of the most crucial issues would be resolved.
- Investors with multiple STR properties. The growing number of individuals, investors and business entities who own multiple short-term rental properties are “commercializing” our residential neighborhoods by establishing de facto hotels in areas zoned residential. ***The fiction that owning and operating a STR is not a commercial activity is impossible to maintain as soon as an individual owns more than one STR.*** Moreover, owners of multiple STR properties nearly always turn the operation of those properties over to property management firms. Judging from the number of calls each month to the City’s hotline these firms’ record on screening prospective tenants is mixed at best.

What about enforcement?

Substantially improved enforcement of the rules and regulations for STRs is key both to dealing with repeat offender properties and, more generally, to making a success of the City's STR program. We offer (see below) a series of recommendations designed to achieve that goal.

At the same time PON believes that an exclusive focus on "improved enforcement" is a disguised effort by groups with a financial stake in maintaining the *status quo* to distract attention from the need for fundamental changes in the way Palm Springs regulates STRs. They are saying "The existing rules and regulations are fine and do not need changing, just enforcing."

That viewpoint ignores both the many serious STR-related problems that continue to plague our community, and the repeated failure of the rules and regulations the City has experimented with since 2008.

Learning from others

There is no need to reinvent the wheel. Many other cities, some with economies just as dependent on tourism as the Palm Springs economy, have successfully dealt with the same STR issues currently confronting Palm Springs. These include Carmel, Huntington Beach, Laguna Beach, Manhattan Beach, Santa Monica, Santa Barbara, Ojai, Napa, Sausalito, Maui, Santa Fe and Austin.

Studying and learning from the experiences of these cities is the way forward. Several of our recommendations for improving Palm Springs' regulations are taken from, or inspired by, STR rules and regulations that have been introduced recently in these and other cities.

SEVEN RECOMMENDATIONS FOR REVISING AND ADDING TO EXISTING RULES AND REGULATIONS

(1) Remove rental agencies and owners from the list of first responders to hotline calls.

Under current procedures, the hotline operator first calls the property management company or the owner or the owner's representative and asks them to investigate and deal with the problem. These first responders have a vested interest in either denying the existence of a problem, or minimizing whatever problem they find. If Desert Security and/or the police also show-up, by the time they arrive the situation has nearly always quieted down, and they too report finding no disturbance.

With these procedures in place, it's no wonder that so many repeat offender properties continue to operate. It also explains why the misbehaving tenants – the original source of the problem – are almost NEVER given a citation.

The best way to have unbiased, impartial and effective enforcement of STR rules and regulations, including those for issuing citations, is to give exclusive responsibility for enforcement to some combination of Desert Security, the police, and Code Enforcement. Property management companies and owners should be limited to follow-up actions with the tenants. Among other things, this would permit an impartial verification of claims that the owner "is on the property" (in which case it is not a STR situation).

An added benefit of implementing this recommendation is that it would give property managers an additional incentive to more carefully screen prospective tenants because they could no longer control the resolution of hotline calls.

(2) Allow only one STR permit per "natural person" (as opposed to business entities). Similarly, trusts would be limited to operating one STR.

This is the only way to deal with what we earlier identified as one of the two groups whose activities are at the heart of Palm Springs' STR problems – namely individuals who own multiple STR properties. They have become the principal force behind the progressive commercialization of our residential neighborhoods. The "one permit per person" rule would be enforced both when the initial permit is issued and at renewal. Owners of multiple STRs could be given a period of time to convert their additional properties to longer-term leases.

(3) Temporarily cap the number of registered STRs at 1,700 until such time as the City can collectively answer the question "How many is too many?"

Given the problems that inevitably accompany an increase in STRs, combined with the rapid growth in the number of STRs in Palm Springs (year-over-year increases of 10%) it would be a mistake to let the uncontrolled growth continue while residents and City Hall work to answer "How many is too many?"

The online vacation rental industry is aggressively expanding and innovating, as is evident from a series of headlines in the *The New York Times* last November:

- "AirBnb and Uber Mobilize Vast User Base to Sway Policy" (11/5/15)
- "Expedia Expands Into AirBnb's Market With HomeAway Deal" (11/5/15)
- Video Feature: Home-rental Apps as Alternatives to AirBnb" (11/12/15)

It is not unreasonable to assume that the current spread of STRs will pick-up speed as the year progresses. A temporary moratorium on the issuance of new permits would provide a breathing space for an informed and thorough debate about the role of STRs in Palm Springs' future.

(4) Find a solution to the problem of "density" or the "clustering" of STRs.

It has long been recognized that the deterioration of the neighborhood is even greater when there is a high density or cluster of STRs but – so far – nothing has been done to deal with this issue.

A good starting point would be to study solutions to density problems introduced by other cities (such as limiting the number per block or enforcing minimum distances between STRs). Even something as simple as a large map of Palm Springs posted on a wall in a public area of City Hall, with push pins marking the location of each of the 1,700 STRs and updated monthly, would make a contribution.

Allowed to do so, residents could also play an active role. STR permit procedures, for both new permits and renewals, could require that (a) neighbors living within a certain distance of the property in question be notified (perhaps by requiring that the applicant property post a yard sign calling attention to the application, as is done in Maui), and (b) there be a public hearing open to all interested parties where neighbors could raise the issue of the "clustering" of STRs in their neighborhood.

Finding an early solution to managing the density problem is key to determining "How many is too many?"

(5) Eliminate the "+2" rule and cap the number of overnight guests at 10.

A future STR in a Palm Springs residential neighborhood is currently being modified to have 10 bedrooms, which under current rules could host 22 overnight guests, more than some of our smaller hotels and B&Bs.

How many more STRs like this one already exist or are being planned? Is it a harbinger of things to come?

(6) Require stays of seven days or longer and that the "responsible person" occupying the STR be at least 30 years of age.

Both of these actions would contribute to solving the problem of STR tenants who come to Palm Springs for rowdy weekend parties. An exception could be made for "home sharing" – such as renting out part of a home – provided the owner is present throughout the stay.

Examples of cities that have taken one or both of these actions include Rancho Mirage, Cambria, Napa and Solano Beach.

(7) Require that new STRs pass safety inspections and, depending on size, adhere to the same health and safety regulations as any hotel or commercial B&B of equivalent size (number of bedrooms).

There are valid reasons why public policy requires that facilities that receive paying guests – hotels, inns, B&Bs – meet a range of safety and health regulations. Why should STRs, some of which have as many or more paying guests as some of our smaller hotels, inns and B&Bs be exempt from these safety-related regulations?

WHAT THE CRITICS HAVE SAID

We know from experience that not everyone in the Palm Springs community is ready to embrace the kinds of recommendations we put forth in this paper.

The usual criticisms include:

(A) Limiting STRs is bad for the local economy because they generate TOT revenue for the City and the tourists spend money in local shops, restaurants and bars.

This assumes that tourists who rent STRs would not come to Palm Springs if there were limits on the number of STRs, which of course is not correct. Some might go elsewhere, but others would simply stay in one of the many STRs that would continue to exist, or in one of our many fine hotels, inns or B&Bs (if they happened to stay in one of the big hotels, they would pay a higher TOT than they would in a STR — 13 ½ % vs. 11½ %). As for restaurants and bars, one of the principal attractions of a STR is that you have your own kitchen and bar — you are free to “stay in” as often as you like — an option not available to tourists staying in hotels and inns. Spending *less* on a vacation is often the principal reason for renting a STR.

(B) Tighter restrictions on STRs will only drive them underground, into the illegal rental market.

This is not an argument against tighter regulations, but rather an argument for (i) devoting considerably more resources to uncovering unregistered (illegal) STRs, including ones already operating under the current tax regulations, and (ii) substantially increasing the penalties for getting caught — say \$2,500 plus \$2,500 in back TOT taxes, and being prohibited from applying for a STR permit for two years.

(C) Implementing these changes would cost too much.

Budgetary considerations are NOT a reason for failing to implement any of the recommendations in this paper. TOT revenue from all sources is currently running around \$25 million a year — clearly more than enough to cover the cost of ensuring the proper supervision and functioning of the activities which generate that revenue.

Supporting documentation, including references detailing the experiences of other cities confronted with STR-related problems, hotline call experience for the most recent 12 months, testimonials from Palm Springs residents, and similar material can be found on the Protect Our Neighborhoods website <http://www.protectourneighborhoods.net>.

Attachment 3

Vacation Rental Managers' Association Recommendations



Supporting Our Economy and
Protecting Our Neighborhoods

Immediate Recommendations

- 1) City of Palm Springs to Hire Vacation Rental Compliance Officer to not only enforce current ordinance but to follow up with the non-compliant/non registered property owners
- 2) Create a task force that would meet monthly to discuss outstanding issues, mainly concerning repeat "address" complaints. This task force could include:
 - a. New VR Compliance Officer
 - b. Vacation Rental Code enforcement or Cindy Gosseling
 - c. Code Enforcement Agent (Desert Security)
 - d. 2 Vacation Rental Managers or Operators
 - e. 1 Real Estate Board Member
 - f. 2 (One PS) Representative
 - g. Police Officer Representative
- 3) Create a unique identifier for duplicate calls so that task force has the ability to determine whether calls are from one specific neighbor or multiple neighbors. This would still maintain the privacy of the neighbor but allow for call tracking. This information will be useful for VRTA and the Task force to help facilitate communication between both parties in an effort to prevent future issues.

Goals of Task Force:

- The Task Force will examine the previous month hotline to look at the properties with consistent complaints.
 - The Task force will bring in the addresses with complaints to try and work with neighbor, owner, management company and "task force" to determine what can be done to create harmony
 - Task force can also look at properties that are "not registered as vacation rental" and help compliance officer determine how to proceed.
 - Establish a set of guidelines as to what constitutes a legitimate complaint or violation. For instance, calls during the day for children splashing in the pool or trash should not incur a violation or loss of permit. Furthermore, police should not be responding to complaint calls during the day for children playing in the pool. This is similar to the stance that other desert cities take with regards to daytime complaint calls.
- 4) Require Hotline to provide data to city in sortable format either CSV or other reasonable format. The call log should be able to be exported in excel and sent to the City for faster reporting purposes so that task force can work monthly on data.

Recommended Ordinance Updates

- 1) Require continuing education for new permits and existing permit renewals.
 - a. Owners or operators would be required to pass a test on the basic and most important facts of the ordinance based on Agency Declaration of Compliance.
- 2) Fine for operating without a business license/vacation rental permit minimum \$5000 fee on second offense.
- 3) Create a Real Estate disclosure form with information on the Vacation Rental Ordinance in Palm Springs so that real estate professionals are required to provide to buyer or seller of a vacation rental property the ordinance information.

Recommended Educational Updates & On Going City Involvement

- 1) Mandate the city analyze the hotline data and provide an accurate statistical summary of calls v. duplicate calls v. non-ordinance related.



Supporting Our Economy and
Protecting Our Neighborhoods

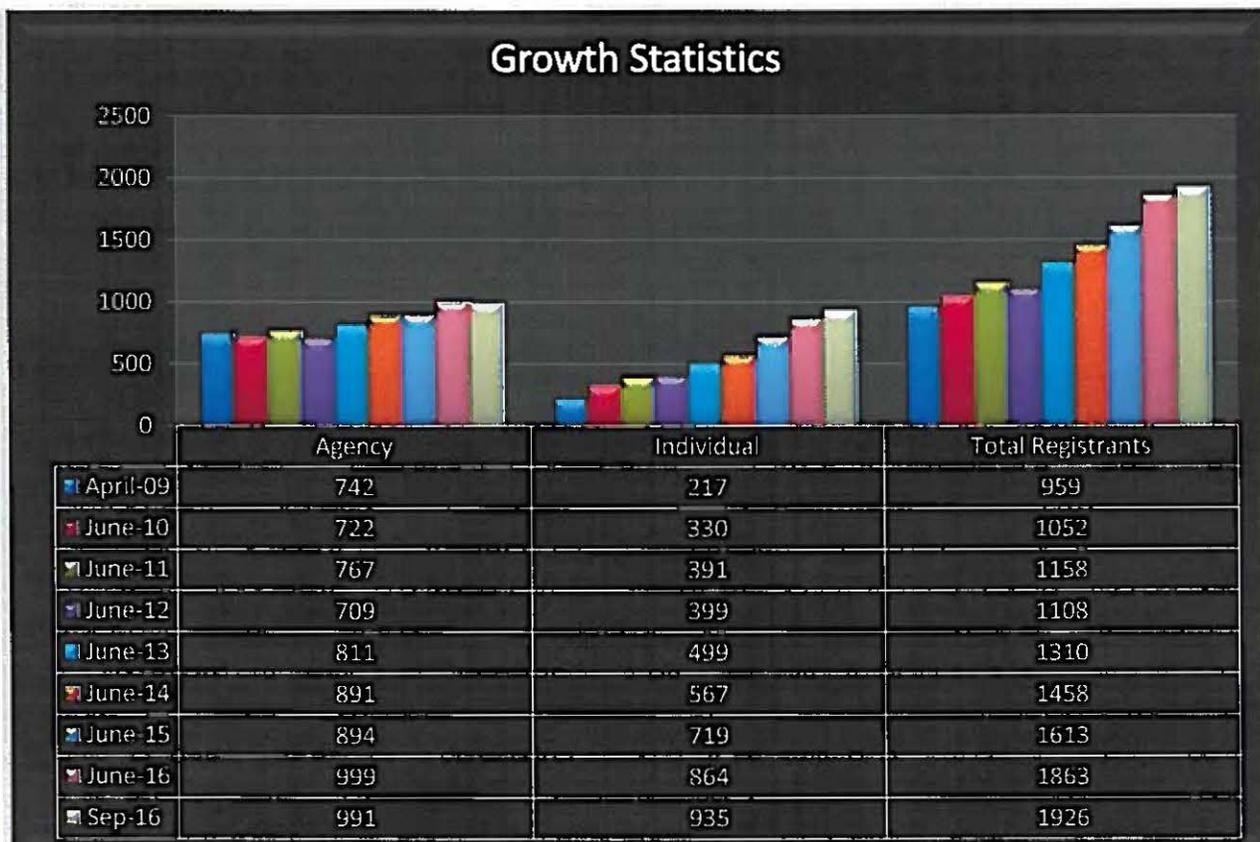
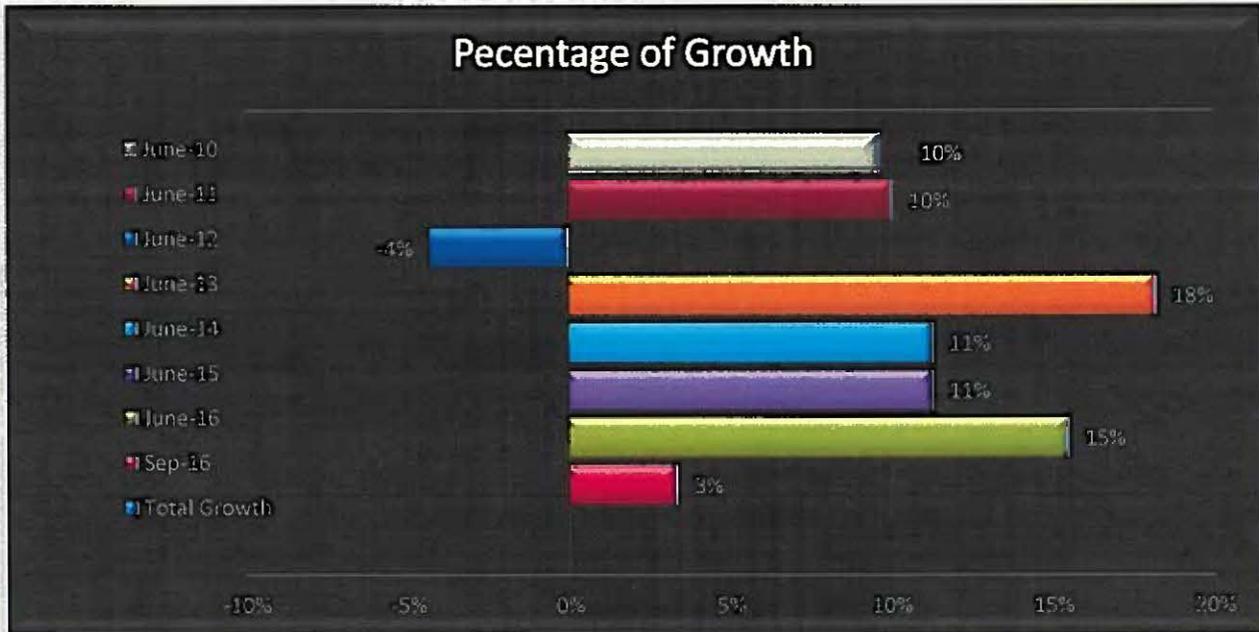
- 2) Request the city publicly distribute a yearly update to all residents with current data about vacation rentals. Include the updated ordinance changes as well as hotline information.
- 3) Vacation Rental Compliance officer should attend ONE-PS meetings and other community events to educate the neighborhoods on the ordinance, specifically when to call the hotline. Educate the neighborhood during One-PS meetings with Vacation Rental Compliance officer on what is deemed a noise violation.
- 4) Develop a training guide and an exam that all code-enforcement people have to pass that work with Vacation Rental properties. Code enforcement should be polite but firm with out of town visitors and know exactly when to issue a citation and when to issue a warning.
- 5) Scheduled Quarterly meeting with City of Palm Springs Vacation Rental Subcommittee and VRTA membership.

Attachment 4

Vacation Rental Growth Statistics

CITY OF PALM SPRINGS

Vacation Rental Growth from April 2009 to September 2016



Attachment 5

Hotline/Police Department Calls Fiscal Year 2015-16

MONTH	TOTAL HOUSES REPORTED	TOTAL CALLS REPORTED	HOTLINE	POLICE	VR VIOLATION CALLS	NON-ORDINANCE CALLS	TOTAL CITATIONS	FINES	TOTAL VACATION RENTAL HOMES	VACATION RENTAL TOT REVENUE
JULY	100	152	121	31	117	4	27	\$ 6,750.00	1622	\$ 402,963.00
AUGUST	68	111	95	16	87	8	22	\$ 6,500.00	1635	\$ 356,762.00
SEPTEMBER	77	126	116	10	107	9	10	\$ 2,850.00	1624	\$ 308,108.00
AVERAGE QTR	82	129.67	110.67	19.00	103.67	7.00	19.67	\$ 5,366.67	1627.00	\$ 355,944.33
OCTOBER	66	100	87	13	78	9	6	\$ 1,500.00	1661	\$ 334,036.00
NOVEMBER	47	58	52	6	36	16	8	\$ 2,250.00	1697	\$ 466,340.00
DECEMBER	13	16	16	0	11	5	1	\$ 500.00	1689	\$ 412,202.00
AVERAGE QTR	42	58.00	51.67	6.33	41.67	10.00	5.00	\$ 1,416.67	1682.33	\$ 404,192.67
JANUARY	39	47	41	6	38	3	8	\$ 2,750.00	1694	\$ 447,651.00
FEBRUARY	47	67	58	9	55	3	6	\$ 1,750.00	1727	\$ 537,911.00
MARCH	86	136	119	17	109	10	28	\$ 9,000.00	1788	\$ 883,092.00
AVERAGE QTR	57	83.33	72.67	10.67	67.33	5.33	14.00	\$ 4,500.00	1736.33	\$ 622,884.67
APRIL	100	151	126	25	118	8	24	\$ 6,000.00	1823	\$ 1,038,025.00
MAY	59	158	141	17	134	7	29	\$ 8,500.00	1819	\$ 569,001.00
JUNE	92	149	118	31	113	5	21	\$ 5,750.00	1843	\$ 362,513.00
AVERAGE QTR	84	152.67	128.33	24.33	121.67	6.67	24.67	\$ 6,750.00	1828	\$ 656,513.00
TOTAL	794	1271	1090	181	1003	87	190	\$ 54,100.00		\$ 6,118,604.00
AVERAGE YTD	66.17	105.9167	90.83	15.08	83.58	7.25	15.83	\$4,508.33		\$ 509,883.67

Attachment 6

Noise Monitoring Example

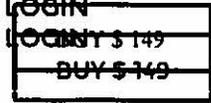


FAQ
FAQ

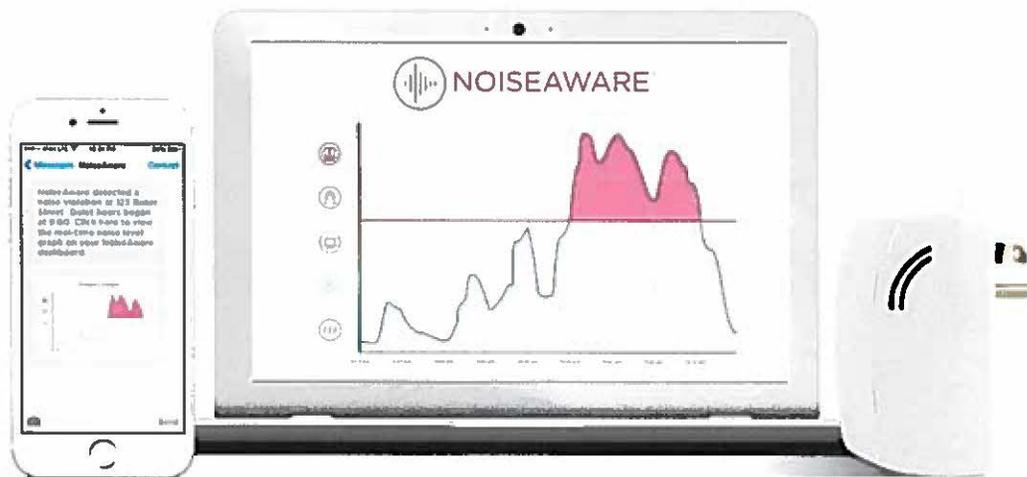
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NEWS

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Noise Protection for Short Term and Vacation Rentals



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WHY NOISEAWARE?

You have heard it before: failure to prepare is preparing to fail.

Vacation Rental Managers and Airbnb hosts are responsible for their guests' behavior. NoiseAware is the first noise monitoring service designed to prevent noise complaints. Simply set your quiet hours and noise sensitivity threshold and relax. If the noise levels at your rental exceed your customized settings, NoiseAware instantly sends you a noise violation alert. Because your neighbors shouldn't have to be your noise monitor, you can now relax knowing that your quiet hours are, indeed, quiet.

Prevent noise complaints through real-time awareness.

**World's first
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 Our Noise Monitoring Service provides early detection for your property to eliminate neighbor complaints, expensive fines, and property damage.

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Are you fearful of finding out about your loud guests from your neighbors or the police?

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FEATURES



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Our dashboard helps you manage all of your properties in one place. Whether you have one property or multiple properties we make it easy to monitor the noise level at each property no matter where you are.



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You customize the settings and NoiseAware monitors your property so you don't have to.



Access to Historical Data

With NoiseAware, hindsight is 20/20. Access your properties' historical noise level data through the dashboard at anytime, anywhere.



Instant Alerts

Since you are on a need-to-know basis, if noise levels exceed your set threshold, we'll notify you via SMS or email immediately.



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Quantity

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NOISEAWARE NEWS

Attachment 7

Public Testimony

Terri Milton

From: Colleen Clark <colleen.clark@rogers.com>
Sent: Wednesday, October 19, 2016 6:46 PM
To: Robert Moon; Ginny Foat; Chris Mills; JR Roberts; jr66@mac.com; GKors@NCLRights.org; Jay Thompson; David Ready; Robert Moon; ginny.goat@palmspringsca.gov; Eric Chiel
Subject: Discussion regarding rental opportunitites in Palm Springs

October 19, 2016

RE: Vacation Rentals Discussion For Council members of Palm Springs Oct 26, 2016

Dear Palm Springs City Council members:

We purchased our home in the Twin Palms Estate in 2014, after we fell in love with the area, mountains and uniqueness of Palm Springs. We were not quite ready to retire, and therefore are only coming down for 2-3 months per year until we retire full-time. In the interim we have been fully engaged with the Twin Palms Neighbourhood Association, and have attended all meetings, when we are available. We consider ourselves home-owners with an appreciation of the area, and will always have this area as our long-term destination. After buying the home, we have invested another \$150,000 in updating the kitchen, bathrooms, pool, landscape, solar panels, etc. to our home so that when we retire we can enjoy our home with less expenses. We would not have been able to buy this home without the ability to have some rental income to help us afford the house, and update it.

When we are unavailable to be at our home we have rented the home with Vacation Palm Springs, who we feel have been a very responsible and caring manager and caretaker of our home. In 2 years we had only one complaint from a neighbour that the children aged 10, 12 playing in our pool were laughing too loudly. In hearing their children laughing in their pool is something we enjoy. Otherwise we have enjoyed bringing multiple family and friends to visit, shop, golf and fall in love with the area as well. The families that have rented our home – enjoy it for a minimum of 3 nights, and as being a mid-century modern home, it is our pleasure to share this historic uniqueness of palm springs with visitors to the area, which they would not get in a hotel experience. We have had extremely positive feedback that people would love to come back to Palm Springs because they had the availability to stay in a historic mid-century modern Krisel home. This is a unique and extraordinary experience that can only be provided in a historic home such as ours. If this opportunity is excluded due to your proposals this will be a lost adventure for those people longing for this experience.

I do not see our home being rented in the future for long term rentals. The current proposals limiting rentals to 2 per month would severely restrict our ability to keep the home. The other restrictions of limiting vacation rental permits to one person, phasing out investor owned vacation rentals, and limiting total permits to a certain percentage per neighbourhood would

not restrict us in any way. One guest citation from code enforcement is excessively punitive if potentially unsubstantiated, and should never be grounds for having a permit revoked. An appeal process must be in place.

We support a well regulated vacation rental industry in Palm Springs. The current ordinance has yet to be fully enforced. Some of these new proposals go too far and punish homeowners and management companies that abide by the law.

In summary, we are caring home-owners in a prestigious neighbourhood of Palm Springs, and we are fully engaged and supportive of the community that we live in, and welcome constructive and defined definition of rental constraints that do not punish single home-owners who have demonstrated a commitment to the community. We consider ourselves valued members of the community and will always endeavour to always be a part of that.

Sincerely

Colleen Clark and David Ross 987 E Twin Palms Dr., Palm Springs

Terri Milton

From: Michael Amend <mamend@outlook.com>
Sent: Wednesday, October 19, 2016 3:21 PM
To: Robert Moon; Ginny Foat; Chris Mills; JR Roberts; Geoff Kors; GKors@NCLRights.org
Cc: Jay Thompson; David Ready; Jeff Ashley
Subject: Vacation Rental Restrictions

Dear Mayor and City Council members,

We have owned a vacation rental in the Deepwell neighborhood for the past 8 years. We currently live in Seattle. We rent it out as a vacation rental because 1) it helps pay the mortgage and maintenance, and 2) it gives us flexibility to use the house ourselves where a full-time rental would not. We hope to retire in this home in a few years and having renters pay down the mortgage helps us save for that retirement. We bought the house in the depths of recession, providing one small step in the recovery of home prices in Palm Springs.

We are very concerned about the current proposals in the city council to severely limit vacations rentals.

- Like us, most owners of vacation rentals do not want to rent full time because they want to use the house themselves throughout the year.
- Limiting vacation rentals to the point where they are not economical *will* create more affordable full-time rental housing, but only because real estate prices will plummet in Palm Springs. Many owners will put their houses up for sale because they are no longer affordable and move that money elsewhere – “down valley” or Arizona or Florida or stocks. Residential homeowners will also see their home prices fall. We would likely sell the property if we could not rent it.
- The recent economic boom in Palm Springs will stall and likely fail without a robust vacation rental market. Hotels don’t appeal to everyone, especially families who want the convenience and economy of their kitchen, pool, and yard. Having a balanced market of large hotels, small hotels, and vacation rental houses creates a strong and balanced local economy.
- The proposed restrictions will result in fewer rental houses and houses that are empty more often. This will be even more noticeable in the summer. We have rentals almost every weekend in July and August. If this goes away, businesses that already struggle to survive the summer will be even more likely to fail.
- The investment we make in our home is beyond what would be replicated if it were rented on a full-time basis. We spend more on maintenance (pool, yard), furnishings, and other improvements than a renter would. We are constantly refreshing the house – for example, we recently bought new bedroom furniture at Revivals. This is money that keeps the local economy going.

The current ordinance, if enforced, is more than adequate to keep control over the few problems. From the few local residents I know supporting the stricter rules, they are well-off and don’t need the income provided by a rental. They also aren’t happy with the increased development in the city generally -- except they are happy to have all of the great restaurants we now enjoy and all of the newly paved roads paid for in good part by tourists.

Sincerely,

Michael Amend and Jeff Ashley

909 5th Ave Unit 1204

Seattle, WA 98164

Terri Milton

From: Ken Bielenberg <kenbcom@gmail.com>
Sent: Wednesday, October 19, 2016 1:55 PM
To: JR Roberts
Cc: Jay Thompson; David Ready
Subject: Vacation Rentals

Dear Mr Roberts -

I just wanted to write you a quick note in support of allowing Vacation Rentals in Palm Springs and let you know about our participation in that process.

My husband and I have been coming to Palm Springs for many years and see it as a possible destination for us to live full-time when the time is right. After renting numerous vacation rentals (and staying in many hotels as well), we purchased a home in 2013 to get our toe in the market and to have a home base to spend more time there. We greatly improved our property and our neighbors were appreciative of that.

To make a second home purchase feasible, we do rent out the house via Vacation Palm Springs. I'm pretty sure we would not have made that purchase without the rental option. We try to cover as many expenses as possible by renting during the high season and then we use the house ourselves every chance we get. I'm sure that we occupy the house more often than we rent it.

Some of the proposed restrictions such as limiting rentals to 2 reservations per month would really affect our being able to afford to keep the house. Without that rental income, I don't see us keeping the house.

Palm Springs is a vacation destination and I urge you to continue allowing vacation rentals. We enjoyed many rentals before buying our own home in Palm Springs. It's good for the community, in my opinion.

Thanks,

Ken Bielenberg
446 N. Farrell Dr.

Terri Milton

From: Macaluso Christopher - Laguna Niguel <Christopher.Macaluso@Kohler.Com>
Sent: Wednesday, October 19, 2016 11:39 AM
To: Robert Moon; Ginny Foat; Chris Mills; JR Roberts; jr66@mac.com; Geoff Kors; GKors@NCLRights.org
Cc: Jay Thompson; David Ready
Subject: FW: Palm Springs Vacation Rentals

Dear Mayor Moon, City Council Members et al,

I just received shocking information that you are seeking to eliminate investor owned vacation rentals!!

I understand that there are neighborhoods experiencing noise and other possible inconveniences to full time residents. But eliminating this source of income, or tie our hands so extremely, is outrageous!

We bought our first vacation rental in 2010 with the intent to offer vacation rentals, then come and stay when it wasn't rented. Then ultimately move in full time, which we did in 2014. After that we decided we needed a bigger place for family to visit, so we sold and bought in Escena. Taxes were and are being paid. Everyone benefits!

Recently we purchased a condo as an investment in Ocotillo Lodge. We have renovated it at great expense to vacation rent it. This was a big decision as the money used for this purchase was an inheritance from my mother's estate who died 1 year ago. We have a lot (maybe a little for some) tied up in this, and if the Vacation rental laws were changed we would lose almost everything...(if we tried to sell it now, who would buy it without rental options and income??)

We cannot cover our expenses with renting it as a year round property, neither should we be forced to do so!

I can't stress enough what I believe the negative impact on the housing market it will cause to eliminate this investment possibility. Please do not allow this, but rather enforce the restrictions already in place.

I plead with you to crack down on those not following the rules right now. Increase fines, etc. But please don't turn the tide and send good people who are investing and taking care of their properties to protect their investments away from Palm Springs. Certainly you don't want what happened to the wonderful mid-century properties going into dis-repair in the 80s - 90s to happend again. If we have investments here, most will protect their investments by maintaining and caring for their properties.

We own here because Palm Springs is a paradise, is a small and unique community. We just love it!

Our previous rental was managed by McLean Rentals. They always collected the required city tax. I can only assume the city received the payments. Our new Ocotillo property will be managed by me, we have applied for a permit and I understand I must report monthly and pay the required tax. This seems like a benefit to the city.

Please, enforce the existing rules, but don't tie our hands and make us lose our investments!!!!

Thank you for your consideration,

Christopher Macaluso

Resident

1300 Passage Street

Palm Springs, CA 92262

1111 E. Palm Canyon Drive

Palm Springs, CA 922564

Terri Milton

From: D'Amodio, Michael <Michael.D'Amodio@interstatehotels.com>
Sent: Wednesday, October 19, 2016 11:01 AM
To: Robert Moon; Ginny Foat; Chris Mills; JR Roberts; jr66@mac.com; Geoff Kors; GKors@NCLRights.org
Cc: Jay Thompson; David Ready
Subject: Vacation Rental Homes

Dear Mayor and Council Members,

As you study the vacation home rental market in Palm Springs, I would like to urge you to consider any future actions very carefully. As a city that survives on being a tourist destination, the home rental market provides millions of dollars each year occupancy tax and license fees. Myself and my partner purchased a home in Palm Springs. We use for our personal use about twice a month and plan on retiring to that home in about 10 years. If we are not permitted to use it as rental home, we cannot afford to keep it. We have spent a lot of money fixing up this house that has improved the property value of our home and our neighbors.

I understand the need to find a balance here, but I urge you to grandfather in existing rentals as they stand today with no caps on number of days that it is allowed to be rented. Trying to penalize current vacation home owners would only bring the city expensive lawsuits to the city which you cannot afford.

Thank you

Michael D'Amodio, Area General Manager

Embassy Suites Los Angeles International Airport - North

9801 Airport Boulevard, Los Angeles, California 90045

o. +1 310.337.6020 f. +1 310.215.1952

Michael.Damodio@interstatehotels.com

<http://www.laxembassy.com/>

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Terri Milton

From: Brian Harrington <b.j.harrington@gmail.com>
Sent: Tuesday, October 18, 2016 3:45 PM
To: Geoff Kors
Cc: Jay Thompson; David Ready
Subject: Vacation Rental Ordinance Proposal

Good afternoon Council-member Kors.

I find myself writing to you again in regards to the new recommendations being put forth by the Vacation Rental Subcommittee that threaten both my ability to own in Palm Springs and fulfill my long term goal of retiring in the city.

It is just perplexing to me that, at every turn, the City Council and the NIMBY representatives look to take away my rights as a land owner and tax paying citizen in Riverside County.

The 2-year phase out of vacation rental apartment buildings with no grandfathering seems a ridiculous overreach that really hurts those who purchased their building before the new ordinance was put into effect. My neighborhood, Warm Sands, has multiple instances of these types of vacation rentals that have been around for a long time. It is what helped bring Palm Springs back to life.

I get it, there are many new hotels in town that want their piece of visitor spend, and their pockets are much deeper than an ordinary person like me, but I would hope that would not influence the Council to enact draconian restrictions on Vacation Rentals-especially for those owners who play by the rules.

Four years ago, my husband and I bought our property and have fixed it up, spending over \$130,000-year to date- with local vendors to do so. We added new furnishings, completely rehabbed the plumbing, expanded gardens in the front and backyard, added new outdoor lighting, replaced the roof, installed solar, updated the pool and pool equipment and have gardeners and pool service multiple times per week. That is a lot of economic impact from one household to the City. Does the city even recognize this benefit? It feels like the answer is no.

The current proposal to limit reservation to two per month will not allow us to continue to own the house. I'm sure you understand that vacation rentals do not rent year round. Most of our rentals come between March and May. During the other months, we come down 5-6 times to enjoy living in a house instead of the apartment we rent in San Francisco.

It is important to note that we know our neighbors in Palm Springs and get together with them when we are in town. That hardly sounds like a "wicked" vacation rental owner who is ruining the fabric of a Palm Springs neighborhood.

I've seen the suggestion that vacation rentals be turned over to long term rentals. Well that would

stink in our situation because we love coming down to Palm Springs and being with our local friends.

The other concern I have is the proposal to cancel one's permit should there be a single citation. That's like taking someone's car away because the person driving it got a ticket. Punish the driver instead. In this case, the renter.

With all of this commotion and uncertainty, I'm considering putting a \$27,300 window project on hold. Perhaps that isn't a lot of money to the council, but my vendor, Magna Glass, would probably beg to differ.

I urge you to retain the laws we have in place today, perhaps adding restrictions to investors that own multiple properties, and enact those that are on the books rather than create these new hardships on people like myself who love Palm Springs.

On a side note, I welcome you to come visit us at 671 S. Grenfall Road when we are visiting during the holidays from December 10th-Jan 3rd.

Regards,

Brian Harrington (and Matthew Coy)
671 S. Grenfall Road
Palm Springs, CA 92264

M: 415.475.9332

b.i.harrington@gmail.com

Terri Milton

From: perrykenin@gmail.com on behalf of Perry Kenin <pkenin@comcast.net>
Sent: Tuesday, October 18, 2016 11:03 AM
To: Robert Moon; Ginny Foat; Chris Mills; JR Roberts; Geoff Kors; Jay Thompson; David Ready
Subject: Rental Rules for vacation properties meeting Oct 26th 6 PM review
Attachments: Palm Springs rental rule R changes letter 10 17 16 (1).doc

Palm Springs Mayor and city council members

Please read my attached letter to the council for consideration as a tax payer and owner in Palm Springs

Thank you

Perry and Robyn Kenin

10/17/16

TO: City Council, Clerk and Mayor of Palm Springs

RE: Changes to rental housing rules

Dear Palm Springs Government

My wife and I have worked very hard for over 30 years and bought a home in Palm Springs Andreas Hills almost two years ago. Our intent after carefully reviewing the rules was to live in our home and transition from our jobs to a life of snow birds living in our home in the winter away from Portland. In planning a fixed income life transition, part of our plan is to rent our home in the swing and summer seasons to supplement the costs.

My understanding is that there is a meeting at the end of October at which the city council is entertaining changes in the rules we purchased under. I am still not clear on the desired goals of the changes but understand that they include many proposals which place restrictions on renting our home.

Prior to the purchase of our home we have come in the winters to Palm Springs to see if it's a place where we could be part of the community. We all remember times not long ago with many shops empty, tourism way down, jobs hurt, homes repossessed and vacant and a general deterioration of the city. As we saw changes taking place we decided to become winter residents and made a significant investment in our one home.

We value the community. We are active participants in the communities we live in. Our fear is that there are many unintended consequences associated with some of the ideas being floated. The last thing anyone who is part of the Palm Springs community wants to see is a return of stores closing, tourism discouraged, job layoffs and empty homes. My understanding is that the hotel tax and rental license's bring in to the city coffers over 6 million dollars a year.

If the goal of the proposed changes is to limit investor rentals and increase affordable long term rental options, creating an environment where jobs are slashed and businesses are closed does not improve the livability for anyone.

For people like us who invested in a home we live in 4 months per year and followed the rules, it seems inherently unfair to change the rules prohibiting us to provide some supplemental income from vacation rent we planned our future on.

Options:

Proposed conditions on renewal of existing licenses

- Properties must have a 3-7 day minimum rent profile to raise the quality of vacation renters
- Properties that are cited for neighborhood disturbances more than 2 times in any calendar year shall have their license to rent placed on suspension. A third infraction in the same year period would cause the license would be revoked
- A moratorium on new rental licenses' shall be enacted and reviewed annually. As new homes are constructed, the percentage of vacation rentals will naturally fall.

Summary:

A flood of investor owned property going on the market would drive down property values for all property owners.

In addition the loss of rentals available to vacation renters will decrease overall income to shop owners, restaurants, and sales tax revenue to the city not to mention the \$ 6,000,000 in rental license and tax revenue.

Investor owned rentals that have little equity may create neighborhoods with bank owned empty properties. Empty properties increase crime rates.

A city that discourages tourism creates a dying community.

As elected officials, being fair to the tax payers seems like a no brainer. Radical changes in the rules discussed here that create financial hardship on taxpaying families seem unfair. There must be common ground. Clearly there will be some unhappy with any changes. Finding a middle ground in any changes is what I am asking for as a taxpayer, property owner, resident and landlord. We own one home and have played by the rules.

Perry and Robyn Kenin

3135 Goldenrod Lane

Palm Springs

Pkenin@comcast.net

Terri Milton

From: Jacob Stucky <stuckyja@outlook.com>
Sent: Tuesday, October 18, 2016 9:25 AM
To: Robert Moon; Ginny Foat; Chris Mills; JR Roberts; Geoff Kors; Jay Thompson; David Ready
Subject: Vacation Rental Restrictions

Dear Palm Springs City Council and Mayor Moon,

I am writing you today about the restrictions being proposed on vacation rentals in Palm Springs. Since 2010, I have visited Palm Springs at least twice a year and used the vacation rental network to find affordable rentals in the area. This system worked perfectly for me and allowed me to experience the city as though I was a resident and not just a visitor. In 2013, I decided to buy a small condo and have been able to share my condo with others visiting the area and allowing them to receive the same experience I did and enjoyed so much. If I had never had the experience of renting a vacation home, I would never have known everything Palm Springs has to offer.

In 2014, I had a career change, which opened a position for me in Perris, California. Since I owned my property in Palm Springs, I was able to relocate there and commute to work in Perris each day. It was a 50+ mile commute and an hour each way. This was a long commute and cost me in gas and mileage. Being an engineer, there are simply not the types of jobs in Palm Springs, which could support my owning a home as a full time resident. This is true for many owners in the area. Unless you have a very specific career, you can not live in Palm Springs and sustain a job to afford it. Therefore, many owners must be part-time in order to work elsewhere and must rent out their properties to afford them.

I own in Palm Springs because I want to make this my full time home one day. I could not afford this property if I couldn't rent it out short term. By placing restrictions on my ability to rent my property, the market for rentals is pushed out of my hands (middle class) and into the rich who have the money to own a second home. By changing the current policies with vacation rentals, the face of Palm Springs will have to change from a tourist spot to an industrial city which can support people in a variety of careers. I don't want Palm Springs to change; I want it to get better.

Thank you for your time and consideration.

Regards,
Jacob Stucky

Terri Milton

From: David Emery <davidaemery@gmail.com>
Sent: Monday, October 17, 2016 11:09 PM
To: Robert Moon
Cc: Jay Thompson; David Ready; davidaemery@gmail.com
Subject: Against Vacation Rental Restriction

Dear Mr Moon:

I write to you to encourage you to leave the Palm Springs rental regulations as they are.

BOUGHT IN 2009: I am a native Californian, but now live in Canada. I am also a dual US-Canadian citizen. My husband and I bought our 1 bedroom condo at the Ocotillo Lodge in 2009. Many of our Canadian friends from British Columbia and Alberta bought condos in Palm Springs the same year. I know that this Canadian dollar influx helped to keep the city going during this tough time.

RETIREMENT PLAN: My husband and I plan to retire in Palm Springs, but that won't be for 5-7 years. In the mean time, we visit Palm Springs 3 or 4 times a year, for 6 to 8 weeks total.

RENTING: When we aren't using the unit, we are fortunate to be able to rent our unit, to family, friends and strangers. The income we get helps us to maintain the property. After all of our bills, taxes, utilities and HOA fees, we **never make a profit**, but are able to keep the property in good shape with little expense to us. We have been very fortunate with this arrangement.

HOTEL TAX: After we bought our condo in 2009, we immediately registered as a rental property with the City. (Palm Springs Permit number **45990000-20013099**). We renew that license annually and submit the rental form monthly. We also remit our 11.5% hotel tax to the City. I have submitted over **\$3300 USD** in hotel tax to the City since we started renting. That doesn't count the annual rental license or property taxes.

GOOD TENANTS: We screen our clients carefully, and in 7 years of renting out our condo, we have never had a problem with clients. We take a \$300 security deposit, and have never had to retain any of it to cover damage. Also, we have never had complaints about any of our tenants. During the Winter we prefer longer term clients (1-3 months) but in the Spring and Fall we will rent to guests for a week or 10 days. We have been happy to share our little condo with guests to Palm Springs.

SELL: If we were not able to rent our one bedroom suite, when we aren't using it, I'm afraid **we would sell** and buy in another community that would accommodate our short term goals (renting and using the unit for now) and eventual retirement. While we love Palm Springs, there are also other communities that would cater to our short and long term goals also.

THANKFUL: We have been very fortunate with our condo over the past 7 years. Our only regret is that we didn't purchase a larger unit (2 or 3 bedroom condo) in 2009. We have also been fortunate that the investment has done well for us.

I know that most of our Canadian friends, who also own condos in Palm Springs, are in a similar situation to us.

I kindly ask you to leave the rental regulations the way they are.

David Emery
1111 E Palm Canyon Dr, Suite 201
Palm Springs, CA 92264
davidaemery@gmail.com

Terri Milton

From: Richard Cook <richcook.rc@gmail.com>
Sent: Monday, October 17, 2016 10:09 PM
To: Robert Moon; Ginny Foat; Chris Mills; JR Roberts; jr66@mac.com; Geoff Kors; GKors@NCLRights.org
Cc: Jay Thompson; David Ready
Subject: Palm Springs Vacation Rentals

Dear Mayor Moon, City Council Members et al,

I just received shocking information that you are seeking to eliminate investor owned vacation rentals!!

I understand that there are neighborhoods experiencing noise and other possible inconveniences to full time residents. But eliminating this source of income, or tie our hands so extremely, is outrageous!

We bought our first vacation rental in 2010 at Racquet Club Garden Villas with the intent to offer vacation rentals, then come and stay when it wasn't rented. Then ultimately move in full time, which we did in 2014.

After that we decided we needed a bigger place for family to visit, so we sold our Garden Villa and bought in Escena. Taxes were and are being paid. Everyone benefits!

Recently we purchased a condo as an investment in Ocotillo Lodge. We have renovated it at great expense to vacation rent it.

Now this!!!

If you restrict us from vacation renting, which we depend on to cover expenses, we will lose it as I can only guess many others will also. We cannot cover our expenses with renting it as a year round property, neither should we be forced to do so! So, will we see another mini 2008 housing crash!!!!

I can't stress enough what I believe the negative impact on the housing market it will cause to eliminate this investment possibility.

Please do not allow this, but rather enforce the restrictions already in place.

I plead with you to crack down on those not following the rules right now. Increase fines, etc. But please don't turn the tide and send good people who are investing and taking care of their properties to protect their investments away from Palm Springs.

Certainly you don't want what happened to the wonderful mid-century properties going into dis-repair in the 80s - 90s to happen again. If we have investments here, most will protect their investments by maintaining and caring for their properties.

We own here because Palm Springs is a paradise, is a small and unique community. We just love it!

But this recent news that Mayor Moon and City Council are considering this Vacation rental crack down is causing us to think again about staying here as residents and investors.

Somehow this seems like **Authoritarianism**, to not allow people to do with their properties as they wish, as long as they are not inchoaching on the comfort of others.

Our previous rental was managed by McLean Rentals. They always collected the required city tax. I can only assume the city received the payments. Our new Ocotillo property will be managed by me, we have applied for a permit and I understand I must report monthly and pay the required tax. This seems like a benefit to the city.

Please, enforce the existing rules, but don't tie our hands and make us lose our investments!!!!

Thank you for your consideration,

Richard Cook
Resident
1300 Passage Street
Palm Springs, CA 92262

Terri Milton

From: James Meadow <jmmeadow1951@gmail.com>
Sent: Monday, October 17, 2016 6:17 PM
To: Robert Moon; Ginny Foat; Chris Mills; JR Roberts; Geoff Kors; Jay Thompson
Cc: Melissa Meadow; Elissa Meadow
Subject: Vacation Rentals

Lady and Gentlemen:

I urge to reconsider current proposals to curtail vacation rental in their current form.

My sister and I own a home that has been in our family for over 60 years. We regularly use and enjoy it for our own vacations and have a deep bond to it and Palm Springs, which feels like a true second home to us. For better or worse, we rely on some vacation rental income to help defray some of the costs of maintaining a four-bedroom house. We are as far from real estate speculators as can be imagined and I am sure that there are many more like us.

I like to consider myself to be pragmatic and fair. I acknowledge that the shared economy poses challenges for all of us. For example, my other town, Calgary, Alberta, bans Ueber, partly because of the taxi industry but also because of real safety concerns. Therefore, I understand the need to prevent vacation rental on an industrial scale by limiting the activity to just one home per owner. On the other hand, the objective of complete phase-out over time seems extreme to me. I can remember that even as a child in the 1950s, there was a lot of seasonal or even weekend use alongside year-round residents in Palm Springs. The ethos of Palm Springs has alwaysOf course, year-round residents are more politically engaged and play an essential role. Yet vacationers, who help to support restaurants and entertainment, the shops, etc., also play an important role in the overall mix of the local economy. Your limits on the frequency of rental, the number of guests per bedroom and per house, etc. also appear reasonable to me. However, revoking the permit for just one police citation appear quite extreme. If the concern is breach of the "peace and quiet" of the neighborhood with raucous or lewd behavior, I would recommend deterrents aimed at the potential perpetrators. You could require that renters post a refundable bond with the landlord based on potential fines. If an infraction were to occur, the renter would be cited personally. The landlord could be informed immediately and would transfer the bond to the City for payment. If the renter disputes the citation, he or she could attempt to recover the bond from the City. No landlord can guarantee the good behavior of all guests. Would you be prepared to revoke hotel licenses if a hotel guest were to misbehave?

I believe that the limitation on the number of rentals could also be more pinpointed to address the concerns of the hospitality industry. Clearly, the "Air B&B" type of rental for just a few nights competes more directly with hotels (although few family could afford to pay for four or five rooms at a time, still with no kitchen). Why not phase in over a few years a minimum stay of a full week? Not many hotel guests stay for weeks on end.

All in all, while certain proposed measure have some merit, there are still rough edges that need to be smoothed out. An all-out war on vacation rental would force many stable, long-term vacation home owners like myself to sell, flooding supply and depressing home values. Although the hospitality industry is important, a significant decline in home prices will not make for contented voters in the next election. Please seek the path of moderation and good sense.

Very truly yours,

--

James Meadow, CA, CPA (North Carolina), LL.M., MBA

jmmeadow1951@gmail.com

1 403 560 2717

Terri Milton

From: Mike Brown <mike@browntaxlaw.com>
Sent: Monday, October 17, 2016 1:49 PM
To: Robert Moon; Ginny Foat; Chris Mills; JR Roberts; Geoff Kors
Cc: Jay Thompson; David Ready
Subject: Palm Springs Vacation Rentals

Dear Mayor and Council Members:

I understand you are considering new limitations on vacation rentals.

Palm Springs has many homes of historic and architectural interest. Tourists are interested in experiencing them. They are part of Palm Spring's special history and appeal.

In 1976, our family purchased an older home that was part of the original Deep Well Guest Ranch. We enjoyed the home and Deep Well until my father passed away and my mother needed to move nearer to family. If not for the emerging vacation rental market, we would have likely sold the home in the condition it was then. I appreciated the home's unique history and felt that turning it into a vacation rental would allow us to restore it and allow other guests to experience that history, as they had in its guest ranch era.

We invested a significant amount to restore the home, bring it up to short-term rental standards, and to make it more reminiscent of its days as a short term rental as part of the Deep Well Guest Ranch. We paid close attention to the listing company's guidelines for being a good neighbor. We decided to stay away from special event uses. We took out the outside speakers. We made every effort to improve the street side appearance.

A decade ago, I felt that that the Deep Well area had gotten very run down. Now I understand that there are over 50 vacation rentals there. There seems to have been a corresponding improvement and renewal of Deep Well. Certainly, our incentive is to continue to invest in improving the property, since the vacation rental markets seems to provide access to high end renters who are willing to pay to experience high end rentals.

We appreciate being able to gather periodically to stay in our old family home, which would not be possible if we had sold it or it was a long term rental. We would not have been interested in keeping the home as an "affordable long-term rental." We would certainly have little incentive to maintain the property as a long-term rental, compared to the pressure we have to maintain a top notch property for high-end short-term renters.

If vacation rentals are limited to two reservations per month, we will have to sell the home. Presumably, other owners will be in the same boat, precipitating a glut on the market, a reduction in demand, and a collapse of the Palm Springs home market. I assume we would be looking at a repeat of the 2009 and 2010 foreclosure era and the neighborhood deterioration that ensued. I assume the consideration of the new rules is already putting a damper on demand.

Since we only own one home in Palm Springs, a limitation to one vacation rental home would not be catastrophic, but we had been looking at other historic homes in need of renovation. That would not be possible with the new limitation.

Deep Well began as an "investor owned vacation rental", owned by the mayor and the future founder of the historical society. Neither were full time residents, as I understand the history. I understand that is how Palm Springs began and thrived. It think it is why it is thriving again today. I remember a decade ago when downtown was dying and the high-end tourism was abandoning Palm Springs to go to newer communities to the East. Why would you want to kill the engine behind Palm Springs' resurgence as a high end tourist destination?

In my opinion, the high number of vacation rentals in Deep Well has led to a resurgence in the Deep Well area. I remember when Palm Springs "shut down" for the summer, and the locals loved it, because the streets were empty, and they had the city back to themselves. I appreciate that strangers can seem an imposition, but that is Palm Springs' identity.

I believe we try to adhere to a limit of 2 guests per bedroom, but I think the rules should allow an additional 40% to cover families with children.

My understanding is that there is more "high end" demand for homes with more than five bedrooms, like ours. Limiting guests to a maximum of ten would definitely hurt us and our renovation plans. We have a large property on a double lot, with plenty of parking on the property. If our limit was increased to twenty, because of our double lot, then we would be fine with that limit.

A limitations on the number of vehicles parked on the street seems reasonable.

If one guest citation from code enforcement or police could revoke our vacation rental rights, it would seem to be a taking of property without due process of law. Our management company takes extreme measure to avoid complaints. We want to be a good neighbor. As far as I know, we have not had any complaints or citations, would such a rule would add too much risk for us to keep the property.

I hope you will put your efforts into enforcing the current rules and allow vacation rentals to continue to restore Palm Springs as a world-class tourist destination.

Sincerely,

Michael R. Brown, JD, CPA, MBA
MICHAEL R. BROWN, A LAW CORPORATION
23041 Mill Creek Drive
Laguna Hills, CA 92653
(949) 452-0412 x226

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Terri Milton

From: Mark Blatty <mblatty@shedmedia.com>
Sent: Monday, October 17, 2016 1:32 PM
To: Robert Moon; Ginny Foat; Chris Mills; JR Roberts; Geoff Kors; Jay Thompson; David Ready
Cc: Jenny McNicholas
Subject: Vacation Rentals

All,

My wife Jenny and I own a home in Palm Springs and heard about the upcoming meeting regarding further restrictions on rentals in the city. We understand the community's concern but would like you to consider our situation, and many that may be like ours.

We live in Los Angeles and bought our property in Palm Springs in 2012. We currently use it both as a vacation home as we visit the area frequently, and also rent it through Vacation Palm Springs when we are not in town. Vacation Palm Springs strictly adheres to city policies and is a responsible rental company. Most renters of our home have been families and it is evident by the way the renters have treated our property. We have never had problems with parties or over occupancy.

Also, our home is a 1957 Hugh Kaptur designed house. We have gone to great lengths to start the slow but steady restoration of a number of the properties' original design elements and take great pride in our home. Without some additional rental income, restoring and maintaining this home would not be possible for us as a family and we would likely have to sell the house. Our frequent visits to Palm Springs would ultimately be reduced or end as a result along with the restoration efforts. I fear that these additional restrictions would not have the desired effect and ultimately hurt the local economy as owners such as ourselves spend a considerable amount of money on at local businesses and vendors.

In addition, protecting Palm Springs' architectural treasures appears to be high on the cities' list of important issues and I fear that further limiting investor owned rental properties would be bad for the local economy, protecting homes such as ours, and overall bad for Palm Springs as well as for working families such as ourselves. If a home such as ours were sold and not allowed to be used as a vacation home it could be at risk for being torn down or possibly go into disrepair as a long term renting landlord would not see any value in maintaining its charm.

Thank you for the consideration.

- B

Mark Blatty
SVP, Production & Operations

Shed Media, 3800 Barham Boulevard, Suite 410, Los Angeles, CA 90068 / Tel: 323 785 1046 / 323 904 4680 / Fax: 323 904 4681

Terri Milton

From: amatteson@earthlink.net
Sent: Monday, October 17, 2016 1:10 PM
To: Jay Thompson
Subject: Vacation Rentals

Good afternoon,

It has come to my attention that once again my homeownership in Palm Springs is under threat. I would like to ask that you please consider people like me when making any decisions regarding the rental of vacation homes in the city.

Most people who own homes in Palm Springs, probably started out as visitors. I am one of those people. We stayed in friends' homes, stayed at hotels, and rented some beautiful Palm Springs homes, for many many years before realizing our dream and purchasing our own home. We are now able to enjoy all that Palm Springs has to offer, any time we want, (1-3 times a month), and feel invested in the city as we are now happy to be paying property taxes that go towards making Palm Springs a better place. We are not interested in renting our home out long-term, as the primary reason we purchased it was for our own enjoyment.

Unfortunately, we are not wealthy people, and for the time being, we need to rent out our home as a vacation rental part-time until we can pay it down. At that point, we will probably only rent it out a couple of times a year to pay the property taxes, but until we can pay it down, or until we win the lottery, we need to share it with renters. If the ability to rent our house is limited, it could mean that we would no longer be able to afford to keep the house. So far, we have had very good luck with renters. It appears that the people who are renting our home are not the crazy partiers, but families, much like my family. They undoubtedly appreciate the convenience of renting a home with all of the amenities of their own home, such as a kitchen, private pool and multiple bathrooms. This is particularly convenient when small children are part of the equation.

It was always our plan to rent it out part time until we could pay it down. We took this into consideration when purchasing the home. For this to suddenly change could, I believe, be catastrophic for Palm Springs property values. We all remember the years when this place became a run-down ghost town. I would hate to see this city's recent resurgence be quelled by any rash decision regarding vacation rentals.

It appears to come as a surprise to some permanent year-round residents that they live in a world-renowned tourist destination. Were all of them born there? Did any of them rent houses before purchasing their own? I would assume no, and yes, would be the answers to those questions. I completely understand the desire for peace and quiet, and I do believe that properties that constantly rent to loud partiers should be fined accordingly, but there is no reason that the rest of us should have to suffer for this.

Our hope is that existing laws can be enforced rather than taking the dream away from so many homeowners and visitors. Certainly there is a solution that is good for everyone.

Thank you for your time.

Sincerely,

Ann Matteson Saglin
Palm Springs Homeowner



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Terri Milton

From: ALR <pacificpc@ca.rr.com>
Sent: Monday, October 17, 2016 12:46 PM
To: Robert Moon; Ginny Foat; Chris Mills; jr66@mac.com; Geoff Kors; Jay Thompson; David Ready
Subject: unlawful and not reasonable restrictions on vacation rentals

Dear City Council Members,

We have a wonderful luxury home that we bought in Movie Colony East for a vacation rental and also if we wanted to stay there we would have a home in Palm Springs.

This home was in terrible condition and we invested a lot of money and time to make this like new and we are very involved and concerned homeowners who take pride not only in our home, but neighborhood and community of Palm Springs. The improvement in this home not only affects the value of our neighborhood but the community as a whole.

If we were worried about the neighborhood or community then we would not have bought and invested a lot of money into a home in Palm Springs. All of these homeowners like us not only improve their home but maintain it because they want to rent it and this is a huge financial benefit for all.

It is not right of the Council to consider such uncalled unreasonable and illegal restrictions on rentals due to a few who break the law as one can be a full time homeowner and be loud and unruly and not take care of their home as in many cases this is the fact.

There are a lot of guests and tourists who want to come to Palm Springs and spend their money in the city and do not want to stay in a hotel room thus they rent homes and this is a necessity for the continued income and business to this city. Palm Springs is finally improving and growing and if there are further restrictions to vacation rentals this will only hurt everyone in the community of Palm Springs.

We urge you to have the authorities follow the existing laws of making sure that all homeowners follow the laws and that they are abided too for the enjoyment and quality of life for all in the neighborhood and community.

Thank you ,

Amy Raff and Abe Rotchel

Jay Thompson

From: James Hickman <jamespaulincalifornia@gmail.com>
Sent: Thursday, October 20, 2016 12:29 PM
To: Jay Thompson
Subject: I FULLY support my vacation rental neighbors

Dear Mr. Thompson:

The City of Palm Springs needs to stop messing with one of the few great industries in this city: Vacation rentals.

Vacation rentals employ a lot of local people, add to the local economy, keep the housing market robust, and improve neighborhoods. The City Council needs to stop messing with them. Enforcement of existing laws is a good idea - but that's all that needs to be done.

I'm a Palm Springs resident. I have a well-run vacation rental neighbor and I fully support that. I don't have one myself.

Please VOTE DOWN the proposed legislation. Once again.

Thank you,

James Hickman
Palm Springs

Jay Thompson

From: Eversole, Henry <henry.eversole@rbc.com>
Sent: Thursday, October 20, 2016 1:33 PM
To: Robert Moon
Cc: Jay Thompson; David Ready; 'Ricardo Gomez (rgomez.pm@gmail.com)'
Subject: Vacation rentals study session

Dear Mayor Moon,

My family has had the good fortune to have lived and owned property in Palm Springs for over 60 years. As children my sisters and I frolicked at our grandparents house at Smoke Tree.

In 2008, with the idea of providing similar memories to our children and grandchildren, we purchased our house at 960 E. Deepwell Road. The plan was to own a property to enjoy on weekends and holidays, and to rent the house during much of the high season in order to defray the considerable cost of ownership. Speaking of which, I am looking at my property tax bill and see that our obligation this year is in excess of eight thousand dollars.

In recent years, we have been dismayed to witness the escalating clamor of those who wish to compromise the rights of property owners. Large signs started to spring up demanding the elimination of vacation rentals. Infringements on property rights, which in years past would have been unthinkable, are today cavalierly proposed as solutions to what is declared a renter "crisis". Already the city has taken steps in this regard, so that today noise restrictions, occupation guidelines, even regulations as to the number of people a guest can invite to lunch; these things are now in force.

But the thing about those who wish to control the lives of others, to use government to enforce some idea of paradise, is that their totalitarian impulses are seldom satisfied. Now we see that they wish to take all of this further, regulating the number of times we can rent per month, limiting the number of cars on the premises, limiting permits by some percentage formula, demanding that one's permit to rent be revoked in the event of a single complaint...all of this is disconcerting, draconian, and will inevitably pit neighbor against neighbor.

We have been renting our property without incident since 2008. We employ a property manager to keep an eye on things when renters are present. He makes clear to them the extent of existing regulations. And of course, we pay the City of Palm Springs 11.5% of our rental income.

I was delighted to learn that you had been elected mayor because my sense was that you were not an ideologue, rather, that yours would be a pragmatic approach. I hope I was correct in this, because property owners need a mayor who respects individual property rights and understands that tourism is key to the success of our community.

We employ five individuals in the care and upkeep of our house, along with countless local contractors to deal with HVAC, the roof, carpet cleaning, you name it. All of this, along with the taxes we pay, do much to support the community at large.

Which brings us to property values. When we purchased the Deepwell house the market was depressed. Property values have improved over the last 8 years, but assuming Zillow is roughly correct, the appreciation has been steady, but modest. Given the taxes we pay and the cost of upkeep and maintenance, our "investment" would probably break about even were we to sell in today's market.

We do not wish to sell, because we love the house and we thoroughly enjoy Palm Springs. But should the city be so short sighted as to make it impossible to defray the taxes and maintenance expense via responsible renting, then, as a fiduciary for my family, I would be forced to sell. Doubtless we are not alone in this...I suspect many other homeowners would be compelled to take similar action if their one source of revenue were eliminated. I would hate to see what this would do to everybody's property values, let alone observe the effect all of this would have on the unemployment numbers.

Finally, It should be clear that existing regulations are more than adequate, one might argue overly so, but that's for another day. If for some reason they have not been effectively enforced, then I fail to see how adding further regs requiring yet more enforcement will solve anything. Instead, further regulation will inevitably reduce property values, create unemployment, and perhaps worst of all, pit neighbor against neighbor.

The good news is that all of this can be avoided, via sensible enforcement of what's already on the books.

Thank you for taking the time to hear us out.

Sincerely,

Henry O Eversole
First Vice President
Senior Portfolio Manager
626-204-2122
Toll Free: 866-671-4136
Fax: 626-568-0660

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Cindy Berardi

From: Jeff Godtland <jeffgodtland@hotmail.com>
Sent: Monday, October 17, 2016 1:06 PM
To: Robert Moon
Cc: Geoff Kors; JR Roberts; Ginny Foat; David Ready; Chris Mills; CityClerk
Subject: Short-term Vacation Rentals

I am writing to you to try to balance the negative comments about STR's that I have been reading on the "Nextdoor" phone app.

I first tried to express my opinion on the app itself, but was put down there as one who did not understand the problem and one who did not care about my neighbors. This group of posters has some very one-sided opinions over this issue and they unfairly lump ALL short-term rentals into one basket. They make strong statements that exaggerate the problem and alarm other neighbors who have not had similar experiences.

I would consider attending the upcoming meeting myself – but frankly I would be afraid of their reactions to my point of view that is different from theirs. In all honesty I would be afraid for my safety as well as potentially my property if they track me down. They seem to be that extreme. So I am writing here.

It is my opinion that STR's add to both the culture and economy of our city. I consider short term rentals any stay from 3 days to 3 months. We are a tourist town so short-term rentals allow many who would not otherwise be able to afford a vacation here to visit the area. I love it when friends or family can come out here in the dead of winter and enjoy the life that we enjoy all year round. These guests add to the use of the airport, the retail stores, the restaurants, golf clubs, museums, and other tourist sites. And yes snowbirds use STR's unlike what this Nextdoor group says. It is obvious we all benefit from the TOT tax dollars that these units generate. We need them to be part of our communities. Palm Springs would not be the same without them.

This Nextdoor group is now talking about completely banning STR's in Palm Springs – rather than compromising or trying to work within the current laws. I understand problems in some rentals have not been addressed promptly or properly. But it is my opinion that these issues are the ones we should all work to resolve rather than a complete ban. When there is a parking issue, garbage issue, or noise issue – the city should have ways to address this swiftly and satisfactorily to neighbors. Continuous violators would have fines and suspension of their licenses to operate. And yes some control of numbers and density would seem appropriate.....not a BAN.

I also think it is appropriate that you have discontinued to allow STR's in entire apartment buildings. In some cases it might be appropriate for mixed use STR and long-term rentals – that perhaps is something that could be studied by your committee. However the city needs an ample inventory for this type of housing...as not everyone can afford a condo or house.

In conclusion I would ask that you work to improve the enforcement of existing laws and not consider a ban of STRs. Although this group is vocal and loud – they are a small minority of homeowner's. The vast majority have no problems with STR's and benefit greatly by our guests and welcome them to our home here in Palm Springs.

Thanks,
Jeff Godtland
1886 East Sonora Road
815-540-9942

Cindy Berardi

From: Bruce Pederson <bruce@tastecatering.com>
Sent: Monday, October 17, 2016 11:40 AM
To: CityClerk
Subject: Short Term Rentals, Mtg. 10/26

Dear Clerk Thompson,

Unfortunately, I am unable to attend the city council meeting scheduled for the 26th regarding new regulations that would eliminate the use of short term rentals in single family dwellings in Palm Springs. However, I strongly urge you and other council members to reject the proposed ban on short term rentals in the City.

As a home owner in the Deepwell neighborhood who depends, in part, on rental income from the property that my wife and I hope to retire to in the future, I am very concerned about the loss of income and reduction in property values resulting from banning short term rentals. Not only would this be a disaster for us personally, it would have very negative effects on property values, city tax revenue, and local service businesses that thrive on people renting vacation properties in Palms Springs – vacationers who often stay from a week to several months at a time during the High Season.

We have rented our Deepwell home on a short term basis through the OranjPalm Rental Agency for over 10 years and have never had a complaint from neighbors. I believe that the rental policies, diligent screening and local management provided by Oranj Palm have been instrumental in maintaining this great record. I understand that some short term rental properties have not been managed well and may cause disruptions to some neighbors, however, I believe these to be isolated instances that can and should be addressed by better enforcement of existing regulations not the wholesale banning of an industry that has benefited us all.

If you are still not convinced, I strongly urge you to commission an extensive independent study of the financial impact of short term rental bans on the City, the Palm Springs economy and the future of individual home owners.

Please do not be overly influenced by a vocal minority of anti-rental homeowners who have the luxury of living in Palm Springs full-time and who will not be financially affected by a ban on short-term rentals.

Thank You,

Bruce & MeMe Pederson
Owners
1150 S. Sagebrush Rd.
Palm Springs, CA 92264

Cindy Berardi

From: Michael Frick - SPEAKING.com <mike@speaking.com>
Sent: Thursday, October 06, 2016 12:05 PM
To: Geoff Kors; JR Roberts
Cc: Ginny Foat; Douglas C. Holland; David Ready; Robert Moon; Chris Mills; CityClerk
Subject: Thank You for Your Work on STRs! :-)

Dear J.R. and Geoff:

Good morning :-) I watched the City Council meeting online last night (first time ever seeing a council meeting online!). Thank you so much for taking a stand to help protect apartment/apartment buildings from conversion into small hotels.

J.R: I really appreciated your comment about focusing on the long-term perspective for the city of Palm Springs—and that one of the mandates of the City Council is to protect its residents. And clarifying that renting a house as a part-time, short term vacation rental is a privilege, not a right.

Geoff: I agree that phasing out STRs in single family residential neighborhoods should continue to be considered as a viable option.

The STR issue has been quite a journey for all of us... and now it's onto the meat of the matter: single family homes. I've given the STR issue a lot of extra thought during the past week since the last sub-committee meeting... putting myself in your unenviable shoes and trying to find the right balance between STRs and residential neighborhoods.

Along with my partner, Kyle, we are full time residents of Palm Springs. We both run small businesses that have national and international clients... we bring money into Palm Springs and spend it on everything from frequent restaurant visits and various services to the hundreds of thousands of dollars we have recently invested in remodeling our home.

We have put down deep roots here because we love our neighborhood / neighbors, our friends and the great quality of life. If you want to attract and retain more people like us, than the quality of life that Palm Springs provides its residents will be of the utmost importance. Frankly, if we end up getting surrounded by more STRs that destroy our quality of life, we will sadly be driven from Palm Springs—like many people who have already and/or are currently contemplating. Yes, the stakes are high.

The decision before you is historic and has enormous implications for the future direction of Palm Springs. Do we want to continue descending into just becoming a tourist/party town or will we become much more than that? Palm Springs has been evolving... we have more full-time residents than ever before and we can attract / grow a more diverse business / economy with technology and sustainability industry jobs.

With the new downtown, possible COD west campus and other initiatives, Palm Springs can continue setting a course to become a real, full-time, viable community with a high quality of life, attracting new citizens who will contribute to the local economy and stable vibrancy of our community. We truly are at a crucial crossroads about the overall vision for the future of our community.

Six months ago, I knew little about STRs. Then, the house behind us was turned into an STR and I was introduced to the specter of living next to a full-time mini hotel.

My initial reaction was that there must be a way to mitigate the direct negative consequences of the STR behind us, i.e. enforcement of existing noise rules, etc. And, I was not in favor of phasing out STRs from our neighborhoods completely because I thought that would be a drastic action for what seemed like a simple, personal issue with the one STR behind us. And, I had no idea about the history of STRs, their skyrocketing growth and how they have been undermining our community.

But, after weighing all the pros & cons of keeping STRs in our residential zones, attending VR sub-committee meetings, doing copious amounts of research and seeing what other cities are doing, it really seems that phasing out STRs in our residential neighborhoods is the only way to truly protect affordable housing, safety and quality of life. Why did I come to this conclusion?

1) Enforcement / Limiting STRs:

It seems that many of the best enforcement options for limiting STRs are, realistically, unenforceable. A good example is the possible regulation of only allowing part or full time residents to own one STR each. Or a limit on the number of STR nights per year. How could such schemes be enforced?

Money is a powerful motivator and a corrupting influence in situations like this... so I'm not hopeful that any penalties / regulations / enforcement could stop the proliferation of STRs and long-term negative effects. But, maybe there is still hope this route could work, time will tell (presuming the Council goes this route).

Can residents simply learn to live with STRs? With almost 30% of STRs receiving complaints in 2015 and the complaints continuing to increase in 2016, it does not seem likely. We have talked with many of our friends and neighbors and most don't know about the STR hotline, they don't know that music is not allowed outdoors, they don't know what the quiet hours or acceptable noise levels are and/or have been told to call the rental company / owner first. So, these complaints are grossly under-reported. Once there is more education and the hotline is the sole way for neighbors to report STR violations, you will see a huge uptick in complaints.

Can STR vacation renter behavior be controlled with more stringent penalties and enforcement? Possibly, but the STR weekend warrior renter comes here to party / hang around the house around the clock and will, by the very nature of the rental, be loud, smoke, create trash, traffic and generally disturb the neighborhood. Yes, there are many good renters, but just a few bad renters a month ruins quality of life. How can we tell people to come to Palm Springs and enjoy their vacation and then fine them when they act like they are on vacation? I just don't see a good balance here.

Side comment about noise, this is a health and safety issue too:

http://www.medscape.com/viewarticle/554566_3

<http://bmb.oxfordjournals.org/content/68/1/243.full>

https://en.wikipedia.org/wiki/Health_effects_from_noise

2) Tourism Economy / Real Estate:

The pro-STR crowd uses tourism as the main reason why STRs should be allowed. Contrary to what some have commonly parroted on this talking point, the tourism industry will not collapse if we restore our R1 zoned residential neighborhoods back to what they have been traditionally: non-commercial zones. We do not need to sell off our neighborhoods to the highest bidders in order to be successful economically.

What we do need to do is look at these numbers more carefully for the big picture. The city should do a study on the opportunity costs for STRs in residential neighborhoods. What does a resident contribute economically

versus an STR customer? I think you'll find that residents contribute far more to the local economy than transient customers of these "single-family-home" hotels. Residents are the true lifeblood of the city... and our presence in single family neighborhoods goes far beyond financial considerations... we are what keeps the city alive and running!

Is the smaller amount of STR TOT from single family homes worth all the costs for enforcement / administration, extra spending on safety, the misery it creates for neighbors, loss of affordable housing and the loss of residents? This is the trade-off, this is the balance.

There are hundreds of new hotel rooms coming online. Small hotels have already told you they are hurting economically because of STRs.

There is a clear and viable answer to creating single family home STR housing stock if that's what one smaller segment of the tourist population wants: Palm Springs still has lots of vacant land and new projects being proposed. Make some of these new projects STR zones from the outset.

The Palm Springs housing market hit it highest point in 2005 / 2006, before the STR market really took off and before the permitting process was even in place. So, what really is the effect of STR investors in our residential family neighborhoods? And, are STR investors creating an artificial bubble now that will collapse the real estate market once saturation hits, or when there is another economic downturn?

Quick look at the major revenue streams and possible effects of removing single family home STRs:

==> Property taxes: no loss here, people will continue paying property taxes, whether an STR or not.

==> Sales and use taxes / Measure J tax: residents and hotel visitors contribute a lot more to this number than the "stay at the STR home" crowd. Why do hotel visitors contribute more? Because they eat out and get out more and don't just hang around their STR house.

==> TOT: yes, this number might go down slightly due to a smaller percentage of current STR customers that will not come to Palm Springs if the whole house rental option is not offered. Again, does the small loss of TOT justify the huge amount of misery and additional economic costs that STRs create for our community?

Palm Springs should not be giving away the farm to the large hotels in the form of TOT rebates. Recapture some of that TOT from new hotel rooms.

As you know, police and safety are one of the highest expenditures in the city. So, much of this TOT money is being eaten up by the increased need for policing.

Small hotels will experience an upswing, so any loss in STR TOT will be partially offset by an increase in small hotel stays.

And, replace some of the lost STR full house stock with STR zoned projects (see above) to increase TOT.

3) Safety:

Palm Springs now has the highest crime rate in the valley... and very high compared to national numbers overall. One of the reasons stated by the police department is because of tourism and the effects it has on the stability of our area and how STRs undermine neighborhood watch efforts.

The issue of visitor safety is also at stake... are the homes they are renting up to code and safe?

4) Hollowing out of our neighborhoods / loss of community / affordable housing:

The city has heard many testimonies from people who have left, or are considering, leaving Palm Springs due to the loss of the essential, traditional neighborhood feeling and because of the nuisance STRs create. Do we want to continue pushing out our residents?

Lack of affordable housing:

<http://www.desertsun.com/story/money/real-estate/2016/01/07/rising-rents-coachella-valley-home-prices/74706340/>

Every house that is converted to an STR takes a longer-term rental off the market... for either residents OR our longer-term snow bird renters.

As you know, many other cities have decided to phase out STRs in their communities because they have weighed the opportunity costs of STRs and came to the conclusion that they were not worth letting continue. If you decide the phasing STRs out in our residential neighborhoods is the clearest way to save our City, then you'll end up taking a lot of heat from the pro-STR crowd. They are loud and scared of losing their cash cow. They have made all sorts of wild claims about the economic Armageddon that will ensue if STRs are phased out. It's simply not true. We have much more to gain by phasing out STRs in the longer term, than the short-term gains they may have offered a minority of property owners. You will be on the right side of history.

The current STR ordinance has done little to limit STRs, eliminate the bad apples or mitigate their negative consequences. If you do decide to try new regulations and enforce STR rules that will actually be effective, the city will need to have a strong resolve and be prepared for a restructuring of the STR industry.

Since 30% of STRs have complaints logged on them over the course of a single year and problem STRs are vastly under-reported, you can expect that at least 30% of current STRs will probably end up needing to have their permits revoked. The city will need to stand strong against the protests it will receive from these owners and the STR agencies.

Thank you both again for all your incredible work on the sub-committee... you are really doing Palm Springs a great service and this is the best example of community action. We are looking forward to hearing your continued deliberation at the next STR sub-committee meeting.

All my best,
Michael Frick and Kyle Hammons

Michael Frick
CEO
SPEAKING.com
Mike@Speaking.com
Office: [760-656-8770](tel:760-656-8770), ext. 101
Fax: [\(888\) 489-9464](tel:888-489-9464)
Leadership, Innovation, Marketing, Motivational Blog:

Cindy Berardi

From: Christopher Vader <cvader@dc.rr.com>
Sent: Thursday, October 13, 2016 11:15 AM
To: Robert Moon; Geoff Kors; JR Roberts; Ginny Foat; David Ready; Chris Mills; CityClerk
Subject: Short Term Rentals

Dear Mr. Mayor and Council Members:

I write regarding the Council's upcoming debate concerning short term rentals. I have lived in Palm Springs since 1999. I moved my law practice to Palm Springs from Indio just this year.

I live in Deepwell and am active in a number of local civic organizations. I moved to Deepwell in 2004 primarily because of the great sense of community and camaraderie in that particular neighborhood. Unfortunately, our neighborhood has been particularly impacted by the proliferation of short term rentals. On my end of Sagebrush Road (from Ocotillo to Mesquite) there are 12 single family homes. Of those 12, we are one of only two full-time households. There are four more residential, seasonal / part-time households, four aggressively marketed transient occupancy houses, one investment house for sale being marketed as a TOT house, and one essentially unoccupied investment property.

When I moved in, there were no commercial properties, four part time households and eight full time households. Of those eight, I am one of two that remain. The other six were victims of the Great Recession, the Grim Reaper and Father Time. It is not in any way the same neighborhood. Every weekend, it is filled with carloads of strangers looking for a good time. By Tuesday, it is eerily quiet and feels a bit like a scene from a film about a post-apocalyptic 1950's future.

Others have written and spoken extensively about all of the completely obvious problems that this entails—noise, garbage, crime, etc. Instead of rehashing those issues, perhaps it would help to look at this from an economic perspective. As a resident who votes, suffice it to say that I get none of the commercial benefit, but am burdened with the all of the externalities created by the commercial use. It seems a bit unfair, if nothing else.

I am not an absolutist on this issue, and there are many economic forces driving the vacation rentals. To the positive, they did put a floor under a collapsing real estate market. However, the market has changed and they no longer serve that purpose. Just as they put a floor under housing prices, the day is coming when the ROI puts a ceiling on prices if our neighborhoods are purely commercial. This is not an opinion, it is Econ. 101. It is time for the us to think very seriously about setting limits on the density and total number of TOT houses in what were once residential neighborhoods in the hopes of maintaining a city that is more than zoning for sale.

I do not know if you are familiar with the City of Commerce in Los Angeles County. It was and to some extent still is run by rentiers as a taxing entity that sold industrial zoning for the benefit a handful of residents and voters, all of whom subsisted on tax revenue and were cronies of the council and administration. The lavishly compensated city administrators provided make work jobs and rich contracts to the same handful of voters who also rotated through the council.

Commerce is hardly without precedent. Southern California has always been unusually susceptible to sliding into all sorts of schemes where the public interest and purse are captured for personal gain. This is something that has particular resonance in our City as the target letters go out and we wait to see what will be unsealed in the Federal District Courts.

The vacation rental industry has the potential to grow into a monster of those proportions if not controlled. Our city could become nothing more than a commercial enterprise selling zoning, devoid of citizens and run by a handful of folks as a "public entity" for their own benefit.

In considering how to proceed, remember that in these parts bad public policy is always the easy choice. Good public policy is difficult, requires a sense of empathy, some self-sacrifice, and at least a touch of principle.

Good luck!

Christopher C. Vader
A Professional Law Corporation
801 E. Tahquitz Canyon Way,
Suite 101
Palm Springs, CA 92262
760.999.8999
Fax 760.318.0582



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Cindy Berardi

From: Jeff Watts <vinyljeff@msn.com>
Sent: Thursday, October 13, 2016 12:04 PM
To: CityClerk
Subject: FROM JEFF WATTS - PALM SPRINGS CITIZEN/PROPERTY OWNER RE: VACATION RENTAL CATASTROPHY

James Thompson,

Somebody must make this Vacation Rental nightmare go away.

I have a home in Palm Springs - right near the high school.

About 4 years ago the house across the street from us started renting itself out to vacationers.

It has been a nightmare for us every since.

Being woke up in the middle of the night - ANY night of the week - not just week-ends - people screaming and yelling and frolicking in the pool. And they will even play loud music at any time night or day.

We have been a wreck ever since. I get woke up in the middle of the night - and cannot go back to sleep. I have had to start taking medications to help me go back to sleep - so the next day I am groggy from the medications.

To make it worse - the only way we have of fighting back is to make calls to the Vacation Rental Hotline. That in itself is an upsetting ordeal. The operators are sullen and uncooperative - as if we were the bad guys. After dealing with them we feel as if we have been assaulted all over again.

This property is managed by a rental management company - who does absolutely nothing to reign their renters in.

We, the neighbors have been unwillingly pulled in to manage this house - the only way we can - by making complaints to the hotline. We have been forced to become the managers of this house against our will - because the rental management company does not do it.

The renters are rude - they have ridiculed me in the street - and called me names.

They throw trash on our lawn and in the street and anywhere they want to.

For the longest time the trash cans would sit out in the street all week - nobody caring for them.

There is increased traffic in our previously peaceful neighborhood - when my guests come they have to park down the street and walk to my house. There is more traffic coming and going - and we cannot keep track of what is going on in our neighborhood - so many strangers coming and going all the time.

One of the rental managers even came over and accosted me in my garage - scolding me because, in his words, "these young people only want to have a good time". A veiled ageist slur to me. And his manner was surely. I had to report it to the police.

We have even considered selling and moving - but we love our house - and we used to love our neighborhood - when it WAS a neighborhood - without a small hotel doing business in the middle of it.

This house is a business - right in the middle of our residential neighborhood. How can that be legal?

A hotel business that is not compelled to adhere to any of the rules that govern other small and large hotels in this city.

These renters are allowed to wreak havoc in our neighborhood without anybody setting down any rules for them. Shouldn't that be the rental management company's job?

There is no longer such a thing as a peaceful week-end in our neighborhood.

We no longer enjoy the legal right to "quiet and peaceful enjoyment of our property".

Please sir, you must make this nightmare go away.
Our city is crumbling at our feet.

Thank you for your attention to this desperate problem.

Jeff Watts
2249 Paseo Roseta
Palm Springs, Ca. 92262
760-318-1955

10059 Boulder Knolls Dr.
Escondido CA 92026

October 7, 2016

City Council of Palm Springs

Re: 937 Sundance Circle N Palm Springs

Dear Council members:

I understand that you are once again discussing the Vacation Rental Ordinance under the pressure of the Protect Our Neighborhoods movement.

It is quite amazing that a modest number of people try to push their thoughts onto the whole Town.

Perhaps these people forget that it wasn't long ago that Palm Springs was not what it was years ago. Without the injection of new money, and people who have come to the Town, Palm Springs would still be only a shadow of it's former self.

Many of the properties that are now in the rental market, were homes that had been allowed to deteriorate and were not a complement to their neighborhood.

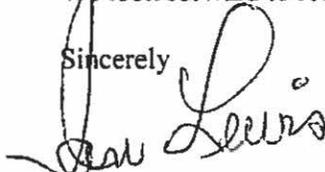
The new people in Palm Springs, whether permanent residents or those who rent their homes on a seasonal basis, have all contributed to the revitalization of the Town. We all spend money on goods and services, and your restaurants have never had it better.

Remember that people on vacation, always spend money and contribute to the upscale feeling of Palm Springs.

Do these Protect Our Neighborhood people spend a lot of money in local restaurants , buy lots of seasonal clothing to take home for their summer, spend money on gifts for friends and family etc etc.

We look forward to retiring in Palm Springs.

Sincerely

A handwritten signature in black ink that reads "Ian Lewis". The signature is written in a cursive style with a large, looped initial "I".

Ian Lewis

Cindy Berardi

From: Les Starks <recipeforhealing@gmail.com>
Sent: Monday, October 10, 2016 11:03 AM
To: Geoff Kors; JR Roberts; Chris Mills; Ginny Foat; Robert Moon; CityClerk
Subject: Palm Springs Vacation Rental support

Dear Vacation Rental Subcommittee and City Council:

For the duration of our vacation rental condo ownership

PS Villas II One Bedroom #M204 (102415) - McLean Company Rentals

we have never had one noise complaint. Our place is always immaculately maintained, with super-clean windows, polished floors, and attention to every detail-- like the finest accommodations, even though it's only 536 square feet. Our condo, like every other condo in the complex is the size of a small, one bedroom hotel room-- just perfect for a vacation rental. We rent our condo (we only have one) whenever we are lucky enough to have paying guests. We rely on the monthly checks we receive from the McLean Company, and the inability to rent our property would create a financial hardship for us.

Our guests spend their money in Palm Springs, frequenting local restaurants and stores, and buying all the food and supplies visitors must buy.

We bought our condo specifically as vacation rental investment, and if there had been any vacation rental restriction we would have never considered purchasing the property. We carefully and completely updated and refurnished it in Palm Springs Modern style, with vintage photos of landscapes in the Palm Springs Indian Canyons and attention to every minor detail.

We only wish our neighbors were so responsible. Some owners, especially those with long term lease tenants, tend to forget about and neglect their properties inside and out, adversely affecting our entire community and leaving us at risk of lower property values and crime. Vacation rentals have always been the most attractive, well maintained residences in our community, serving to improve the overall aesthetic and keep our property values from de-escalating. Vacation rentals are the heart and soul of the neighborhood, and we owners will suffer if they ever disappear, as we desperately need them to protect property values and preserve the integrity of the neighborhood.

Sincerely,

Les Starks and Jerilyn M. Vogelsang

15981 Snow Creek Road
Whitewater, CA 92282
760-327-2722

Cindy Berardi

From: miller.getaways <miller.getaways@verizon.net>
Sent: Monday, October 10, 2016 1:36 PM
To: CityClerk
Subject: Palm Springs vacation rentals..going forward

I hope you will consider letting people who are current vacation landlords remain as such.

We offer a valuable service to the Canadians for their vacations every year. I certainly understand no new vacation rentals that's understandable but people who are 10 years plus vacation rental landlords do offer an important service to the Canadian we have many people that come back year after year .

thank you for listening please pass this on if you can.

Ken and Rhonda Miller

Sent from my Verizon, Samsung Galaxy smartphone

Cindy Berardi

From: Michael <michael@goddart.com>
Sent: Tuesday, October 18, 2016 2:50 PM
To: CityClerk
Subject: Thank you for reading comments re STRs

To James Thompson, City Clerk

Dear Fellow Residents:

From 2001, when I bought a house and moved to Palm Springs, through 2010, a vacation rental house operated next door to me. It finally became a long-term rental, but the period it was a vacation rental was the worst protracted nightmare of my adult life.

The bottom line is that vacation rentals are inimical and antithetical to residential living. Even after the Vacation Rental Ordinance was passed, I continued to suffer from the renters. No words can adequately describe the experience of trying to live your life while strangers arrive just as you're sitting down to dinner or getting into bed or at one-thirty in the morning, and your house explodes with their noise.

I often counted as many as twelve or fifteen or even eighteen people staying at the rental which advertised a maximum occupancy of eight. When the people renting threw a party and invited others, the number exceeded this. My experience was that the vast majority of renters were invasive, their noise interfering with my activities and causing enormous tension. I'm an avid reader, but day and night, I'd have to turn on the television and turn up the volume to try to drown out their noise. At times, I'd give up and actually leave my house. Calling the so-called Vacation Rental Hotline was typically ineffective. Despite the Ordinance, groups would play music outside or loud enough inside the house so that it was really disturbing.

To escape the situation, I reluctantly looked at many condominiums with minimum one-month rental rules, but I did not find one I wanted to live in. I put so much work and love into my home, I preferred to stay here; so I did, despite the frequent experiences that were like having a group of partying stranger inside your home. My life was at the mercy of a business which attracted large numbers of people to party, including families of young children screaming their lungs out for hours at end and/or adults drinking outside into the night shouting, hollering, bellowing and getting louder as they got drunker.

Other residents must also attempt to cope with the *ongoing tension* of not knowing if and when it will be quiet enough to go to bed, or when the noise will start up again if the visitors have gone out on the town.

I wish the Honorable Mayor and Council to note that when the level of noise exceeds what is customary for our neighborhood, residents are deprived of *exercising our property rights*. When the level of noise is invasive, I am prevented from using my property – i.e., I can not read, eat, work, let alone sleep. *This includes the daytime*. More important than property rights, residents are deprived of our inalienable right to “life, liberty, and the pursuit of happiness.” At one point, I estimated that over the years, I *lost* about 1,150 hours of my life! Even when the noise dies down long after a call, later at midnight or two a.m. or whenever, it can explode again.

Are these the conditions we want to have in our residential neighborhoods? Where I come from in the California Bay Area, short-term rentals are against the law—with the result that we have a vibrant downtown commercial district and residents who contribute to the community and buy more than beer. Why is their such a

continued fixation on expanding the Palm Springs brand as a vacation destination? I figure it is pushed by those who profit from it. Why not work to attract tele-commuters and retirees who will actually contribute to the community?

Two houses across the street have now converted to vacation rentals. The contractor who remodeled the house across from me which is now listed at nearly double the purchase price, told me that to meet the high loan needed to purchase it, a buyer would need annual income of at least \$80,000 from its use as a vacation rental.

The only true solution to give Palm Springs back to its residents to only ALLOW RENTALS FOR A MINIMUM OF THIRTY DAYS.

Thank you for your good efforts to resolve this ongoing problem and give our good city back to its residents.

Very truly yours,

Michael Rothschild

Adam Koffman
615 E Ocotillo Ave
Palm Springs, CA 92264

VIA ELECTRONIC DELIVERY

18 October 2016

City Council
Palm Springs City Hall
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: **Vacation Rental Public Study Session**

Dear Councilors,

We appreciate the time you are dedicating to the Vacation Rental Ordinance. We regret we cannot attend your meeting next Wednesday because of work commitments. Nonetheless, we hope this letter will have weight.

Over the past four years we have been asking Mike McLean to update his website to inform customers about the Noise Restrictions. Despite our good will efforts, we have had no response.

Based on talks with friends who run rentals and hotels, we know that **up-front and honest communication with guests** is the best way to promote the Ordinance. Most visitors want to do the right thing, but they don't always know the rules.

Now is the opportunity to update the Vacation Rental Ordinance to **require full disclosure** by owners and their agents. Acme already includes disclosure language on their website. Let's make Vacation Rental promotions fair, consistent **and honest**.

It's not right to attract visitors to our town without full disclosure; it's neither fair to the customers nor our neighbors. And those who do self-regulate may be disadvantaged in the market.

We respectfully ask that you amend the Vacation Rental Ordinance to require owners and their agents to include **full, transparent language** about the Noise Restrictions in **all their promotional materials and booking platforms**.

Sincerely,



Adam Koffman & Jim Campbell

cc: Lisa Middleton, Jay Thompson, Amanda McWilliams, Roger Ortega

Attachments

[Home](#) >

Search Rentals

Arriving: Departing:

Bedrooms: Guests:

Locations:

Categories:

Terms and Conditions

Check In/Check Out:

Check in time is 2:00 PM - 5:00 PM (Pacific Time). Please check in at our office located at 477 S. Palm Canyon Dr. Ste 1, Palm Springs, California. (You will see our office on the right side of the road just before you get to Ramon Road.) Keys and directions are provided upon check-in.

Late Arrivals

If you will be arriving after 5:00 PM, please make sure to call our office during business hours at (877) 777-4606 to inform us and to receive Late Arrival Instructions. Please note: *Occupancy Agreements and Utility Agreements must be signed and sent to our office before keys will be left.* The Late Arrival Box code to pick-up your keys will be issued once full payment and signed agreements are received. Check out time is 10:00am. Keys must be delivered and returned to our office at check out time. Late departures will be charged a half-day rate.

Vacation Rental Checklist

You agree to return the Vacation Rental Checklist that you receive upon check-in within 24 hours of your arrival. This document will be available via electronic email.

Credit Card Required

A major credit card (Visa, MasterCard or Discover Card) is required by MCR to hold a reservation and to pay for incidental charges and other fees during your stay. The name on the credit card must be the name on the reservation, and a picture ID will be required upon check in. If any costs and damages, including without limitation, extra cleaning fees, unauthorized pool heat, are discovered during or within a reasonable time after your stay, your credit card on file will be charged for said amounts. No charges will be processed without prior written notice. Guest must notify management in writing, via e-mail during their occupancy and allow 24 hours to correct the problem if it is within managements control. Absolutely no charge-backs will be allowed after their departure unless approved in writing by both parties. Any credit card fees incurred by their attempting to do so will be their full responsibility.

Security Deposit / Additional Costs

The security deposit will be used by MCR at its sole discretion, to pay for restoration of the property to move-in conditions, other than for normal wear and tear (additional costs). Additional Costs include without limitation, cleaning beyond normal wear and tear, removing excessive garbage, repairing or replacing any part of the premises, its contents, common areas and recreational facilities for damage caused after your move-in. In the event that said deposit is insufficient, you agree to allow MCR to charge your credit card on file to pay the additional costs or may send you an invoice that is payable in full upon receipt. If all terms and conditions of the agreement are fulfilled the deposit will be returned in FULL within 14-21 BUSINESS DAYS AFTER DEPARTURE.

Guest Responsibility

You accept the responsibility to properly maintain the property during occupancy and agrees to replace or repair and pay for any breakage, damage, or loss caused by you or your visitors during occupancy, other than normal wear and tear.

Featured Property



Contemporary Elegance

Traveler Ratings

Property Manager:

Property:

442 Reviews

Stayed with us?

Guest Responsibility

You accept the responsibility to properly maintain the property during occupancy and agrees to replace or repair and pay for any breakage, damage, or loss caused by you or your visitors during occupancy, other than normal wear and tear.

The owners of the vacation properties require that MCR book their homes with individuals that are: (1) families, (2) business owners, their employees, or their representatives, and (3) other responsible groups. Notwithstanding the above, fraternities, sororities, and other associations that are primarily comprised of individuals under 25 years old are not permitted to reserve and stay in MCR represented vacation properties.

When traveling with individuals that are elderly, have a disability or other special needs, you agree to contact our offices so that we may help you find a vacation rental property that is convenient and accessible for all of the members of your party. Please understand that vacation rentals are considered under the law to be private homes and are not subject to the Americans with Disabilities Act. Nevertheless, we understand and care about your special needs individual, and will do our best to attempt to locate an appropriate place in the area for your party.

We cannot guarantee against mechanical failure of heating, air conditioning, appliances, TVs/VCRs/DVD Players, stereo equipment or pools/spas. Please report any inoperative equipment to our office promptly. We will make every reasonable effort to have repairs done quickly and efficiently. NO REFUNDS OR RENT REDUCTIONS WILL BE MADE DUE TO MECHANICAL FAILURES OR MALFUNCTIONS, INTERRUPTIONS OF UTILITIES, MAINTENANCE PROBLEMS OR CONSTRUCTION IN THE AREA.

Cancellations & Refunds

Any canceled reservation held for 120 days or longer will result in a forfeiture of all monies paid. If we are able to re-rent the property for the nights you have cancelled, after the guest checks-in you will receive a refund for the nights re-booked; refund subject to standard \$100 cancellation fee.

Non-Refundable Damage Insurance

Utility Agreement (Month or Longer Reservations)

Private Pools & Spas

No Smoking Policy

Good Neighbor Policy

Property Inspection

Occupancy Limits

No Event/Party Policy

No Move Policy

No Hold Over/Stay Over Policy

Vacation Rental (No Lease)

Liability

If, after this reservation is completed, and correspondence or discussions with the guest disclose a change in circumstances involving the reservation of this property, MCR has a right to refuse a reservation to the guest if the reservation is not conducive to the welfare of the property. Such circumstances include but are not limited to an event or party planned during the guests occupancy of the property, violations of the occupancy limits, rules regarding pets, age limitations or the purpose of the rental. This is not intended to be an all inclusive list of circumstances which may cause a cancellation of reservation. If the reservation is cancelled pursuant to this section, MCR will return all monies deposited to the guest.

Any and all legal matters arising out of this agreement shall be adjudicated in the City of Palm Springs, County of Riverside. Should any provision contained in any agreement between MCR and you be held to be invalid, illegal or enforceable by a court or other judicial tribunal of competent jurisdiction, the remainder of the agreement will be in full force and effect. You and MCR agree that any such invalid, illegal or unenforceable provision will be replaced with a valid, legal and enforceable provision that most closely accomplishes the former provision's economic effect. If a dispute arises regarding any agreement between you and MCR, the prevailing party shall be awarded reasonable attorneys fees and costs. You and MCR agree that facsimile signatures shall have the same authority as original signatures.

} No further information available



FREQUENTLY ASKED QUESTIONS

- Are pets allowed?
- Can I add extra days to my reservation?
- Can I arrange to have a shipment sent to the rental home prior to my arrival?
- Can we have a party?

Smaller, more intimate gatherings are fine, but please adhere to the maximum overnight occupancy rules described in the rental agreement. Our homes are located in residential communities and most of the neighboring homes are owner occupied. In order to maintain peace and happiness in the neighborhood we do not allow large parties, loud gatherings, or events. Any use of the rental property for a purpose other than residential use for a family vacation is strictly prohibited. There are special rules for vacation rentals. Occupant agrees to all noise ordinances, rules, and regulations set forth by the City of Palm Springs. A complete list of all ordinances within Palm Springs is listed on their website: <http://www.palmsprings-ca.gov/?page=367> under "Rules for Vacation Rentals" and is displayed in the property's house manual within the home. If you have any questions, please feel free to contact reservations for more details.

- Do all homes have phone service?
- Do all homes include high-speed internet?