

April 13, 2021

City Council Meeting

Public Comments

General Public Comment

Jennifer Connally

From: Allied Brokers <
Sent: Monday, April 12, 2021 8:32 PM
To: City Council Public Comment
Subject: Public comment, non- agenda item

Hello,

My name is Henry Ataei and the resident of city of Orange since 2003. Me and my family including two kids moved to our new neighborhood on North Wheeler street.

Since we moved in , we have seen ORange police department in our street many times because of criminal activity caused by people in the foster home located 159 Wheeler street. Due to these activities, we are afraid to let our kids go out and play outside.

My wife is afraid to walk outside with the kids. These residents, trashing our street by leaving beer cans, and dumping trash.

We, were hoping to live a quiet neighborhood like any family but it seems to this will not happen if city allows the owner of this house to have a foster home with no supervision.

Please, Shut down this home and bring peace and safety to our street.

Thank you

Ataei Family

[Sent from Yahoo Mail for iPhone](#)

Jennifer Connally

From:
Sent: Tuesday, April 13, 2021 2:45 PM
To: City Council Public Comment
Subject: Public Comment non-agenda item

To the Orange City Council,

I would like to address the Olive Crest boy's home at Wheeler St.

I am a neighbor who has lived near this house for almost 14 years.

As a woman and as a mother, I am legitimately and genuinely scared to live near this property. I have had MANY negative experiences personally. I have also witnessed and heard about so many more from my neighbors, the news, etc. . The details can be provided by the PD...as we know, there have been hundreds of calls to this property per year.

I have reached out to city council, PD, the County, etc. many times over the years, and it has never resulted in any substantial action by Olive Crest or by the city. I have submitted a google drive link in 2020 to 2 council members and the city attorney, which contains both a lengthy running log of my personal incidents as well as video footage of the things that go on there. We as neighbors have seen/heard of drug deals, physical violence, arson, verbal threats to neighbors, burglary, etc. Sleepless nights and anxiety after these incidents is common for the kids who live on this street. Our children on this street love to play outside, but they are no longer allowed to go near that house. These boys in the home are mentally and emotionally disturbed and need full time security and care in a place other than a residential neighborhood. I don't want to look back and say that more should have been done, with regret.

I beg you, please do something before any more people get hurt. This home makes promises about cleaning up its act, but they are always short lived. It should not be allowed to operate in this city at all. It needs to be shut down by whatever means are necessary.

I will be happy to provide any more information at your request.

Sincerely,

Lauren Cisneros

Item 3.4

Agreement w/ Nieves
Landscape for
Riverbend Bioswales,
Sycamore Crossing &
Water Division
Facilities

Jennifer Connally

From: Bonnie Robinson
Sent: Friday, April 9, 2021 5:53 PM
To: City Council Public Comment
Subject: Public Comment Item #3.4 and 7.1

Dear Mayor Murphy, Mayor pro tem Nichols, Councilmember Barrios, Councilmember Gutierrez, Councilmember Dumitru, and Councilmember Monaco,

With regards to the agreements with Nieves Landscape Items # 3.4 and 7.1 (April 13, 2021 City Council Agenda), conditions should be included on both of these agreements and all City of Orange Landscape Agreements from this point on, that require zero use of toxic herbicides and pesticides, limit the use of leaf blowers according to the city ordinance, (if used at all, should be electric), and the planting of locally native plants where appropriate. Let these two agreements be the beginning of a healthier and more sustainable City of Orange.

Thank you!
Bonnie Robinson

Orange 92869

Item 3.31
Designation of
April 30 as Arbor Day

From: Janice Brownfield
Sent: Saturday, April 10, 2021 6:40 PM
To: City Council Public Comment
Subject: Public Comment Item # 3.31

Arbor Day Foundation's website proclaims, "**Trees Help Fight Climate Change.**" Agenda Item 3.31 is for a resolution designating April 30 as Arbor Day in the City of Orange in order to remain a Tree City USA. More importantly, planting trees helps fight climate change to save the planet and life on Earth. Arbor Day Foundation's website notes, "As trees grow, they help stop climate change by removing carbon dioxide from the air, storing carbon in the trees and soil, and releasing oxygen into the atmosphere."

Planting trees is one way to help Restore Our Earth, which is this year's theme of Earth Day on April 22. Since the first Earth Day in 1970, millions of people around the world have worked to help protect our environment.

Climate change and environmental destruction are impending disasters that you, as a city government, can help prevent. The City has documented compliance with State mandates enacted to help reduce greenhouse gas emissions, a primary source of global warming and climate change. To further help your constituents and provide us with a better quality of life and the hope of a sustainable future, you as a City Council can take more actions.

You can provide us with the flexibility to obtain cleaner and renewable energy at competitive pricing and lower cost electricity. Five months ago the Cities of Buena Park, Fullerton, Huntington Beach and Irvine formed Orange County Power Authority to provide those benefits to their residents and businesses. Any city in Orange County can join OCPA. The next deadline for joining is December 31, and we would begin to enjoy the advantages two years later. Even though more than 200 cities in California are providing such energy to more than 11 million customers, if the City of Orange is not a joiner, you can establish the City's own energy savings program to benefit us all.

Item 7.1

Agreement w/ Nieves
Landscape for
Santiago Hills
Landscape
Maintenance
Assessment District

Jennifer Connally

From: Bonnie Robinson
Sent: Friday, April 9, 2021 5:53 PM
To: City Council Public Comment
Subject: Public Comment Item #3.4 and 7.1

Dear Mayor Murphy, Mayor pro tem Nichols, Councilmember Barrios, Councilmember Gutierrez, Councilmember Dumitru, and Councilmember Monaco,

With regards to the agreements with Nieves Landscape Items # 3.4 and 7.1 (April 13, 2021 City Council Agenda), conditions should be included on both of these agreements and all City of Orange Landscape Agreements from this point on, that require zero use of toxic herbicides and pesticides, limit the use of leaf blowers according to the city ordinance, (if used at all, should be electric), and the planting of locally native plants where appropriate. Let these two agreements be the beginning of a healthier and more sustainable City of Orange.

Thank you!
Bonnie Robinson

Orange 92869

Jennifer Connally

From: Kimberly Walker
Sent: Monday, April 12, 2021 10:27 PM
To: City Council Public Comment
Subject: public comment agenda item 7.1

Hello City council,

I am writing in regards to the proposed continuation of the use of harmful chemicals such as RoundUp, speedzone and rodenticide in the Santiago Hills landscaping district. I disagree with the continued use of these chemicals for several reasons.

As you all know, RoundUp has been found to be a known carcinogen and Bayer (Monsanto) is being sued by literally thousands of people who developed cancer after exposure to RoundUp.

<https://www.reuters.com/article/bayer-lawsuit/bayer-settles-thousands-of-u-s-roundup-cases-with-trial-attorneys-idUSL1N2GC163>

<https://www.nytimes.com/2020/06/24/business/roundup-settlement-lawsuits.html>

Bayer has settled thousands of cases out of court, paying 11 BILLION Dollars to its victims. Other cases have gone to a jury and Bayer was found guilty of negligence and ordered to pay out millions of dollars. New York State recently passed a law banning the use of RoundUp on state property. Studies have also found that RoundUp kills insects such as honey bees at an alarming rate. In fact after spraying in Santiago Canyon College an entire hive was lost at Coast Keepers Garden. My own son was exposed to RoundUp and Speedzone at Santiago Hills Park where he played daily from the age of 6 months. He developed severe gut issues after cumulative exposure which his pediatrician attributes to herbicide exposure which we are still working to heal over 3 years later. The City is aware of this exposure to my son and other children in our neighborhood. Yet the city of Orange continues to spray this dangerous chemical in our neighborhoods and parks. This is just a small sampling of the information available or reputable news sites and indexed research articles listed on PubMed on the dangers of Glyphosate, the active ingredient in RoundUP. SpeedZone is a close cousin of agent orange which speaks for itself. The Rodenticides are very dangerous, but especially so in Santiago Hills, as we are so close to wilderness. While the Rodenticides kill rats, they also kill and sicken animals higher up in the food chain, including household pets, birds of prey, and Mountain Lions. Just last week on Nextdoor one of our neighbors in Orange wrote of the death of her cat due to rat poison, she of course was heartbroken.

Noted in our city's STRATEGIC PLAN GOALS: Goal 3: Enhance and promote quality of life in the community

a: Refurbish, maintain, develop and/or expand public use places and spaces. The continued use of these synthetic chemicals is contrary to this goal. Our life is NOT improved by exposure to these chemicals. Shouldn't the city also care about the workers that are applying these chemicals day in and day out. think about their exposure and what it is doing to their health?

I was very upset by the letter sent to our community regarding this proposal. I would advise the city council to read this letter, as it is obviously biased toward maintaining the current IPM. Why would anyone vote for increased fees to have a neighborhood filled with rodents, insects and weeds? There was NO mention of the success of Santiago Hills Park which has been maintained without the use of these chemicals for almost 2 years, with no increased cost to the city by the same company who is winning this bid. Why then can this not be done in Santiago Hills as a whole? If this is impossible, why can there not be a hybrid approach where chemicals are not sprayed near homes or greenways ?

The fact is these chemicals are going to be phased out in California eventually, maybe even this legislative season as there are bills in the works at the state level. The city of Orange could be ahead of it and follow the

lead of our neighboring cities of Irvine and Tustin and phase out the use of the chemicals city wide, or the The City could continue to promote the use of these carcinogens in our neighborhoods and parks where our children play and are being constantly exposed. Please I urge you to consider a city wide ban on these chemicals that are merely used for cosmetic purposes. Is the health of the children of Orange not as valuable as those growing up and playing in the parks of Irvine and Tustin?

Thank you for your time,
Kimberly DeLehman

Jennifer Connally

From: Jess Barber ·
Sent: Tuesday, April 13, 2021 12:17 PM
To: City Council Public Comment
Subject: Public Comment Item #7.1

Dear City Council,

I am concerned with city staff's control over the Santiago Hills landscaping district. Recently they asked for homeowner input on the continued spraying of known carcinogenic and endocrine-disrupting pesticides in our district.

However, the letter was overtly biased toward synthetics and included NONE of the health reasons why many of us are concerned about the continued spraying of RoundUp (as the generic RangerPro) and Speedzone in our neighborhood. The letter also did not call out the chemicals the city currently sprays - Ranger Pro (which is the generic of RoundUp) and Speedzone, which contains the same active ingredient as Agent Orange (2,4-D). Although these are EPA approved, glyphosate, the main ingredient in Ranger Pro/RoundUp is on California's Proposition 65 list.

The city denied my public records request asking for further details about the bids for organic landscaping, which they claim would garner a 45% increase in our landscaping district assessment fees. They were concerned I would share the bids with vendors, when I'm just doing my due diligence as a mom (to protect my son's health) and as a homeowner (to learn about our landscape options). In reviewing the staff report for this meeting today, it appears the proposed increase is actually "only" for one of our two assessment fees we pay - LMD-51. It also appears they only truly considered one proposal and it's with the current landscaper, Nieves, so it doesn't seem to me like they did their due diligence at all.

We haven't had a community town hall since 2019. Despite COVID challenges, I believe virtual meetings could have been easily organized. City staff dismiss our concerns about signage being incomplete, illegible, or taken down too soon after spraying. It's become a part-time job of mine to review Nieves' sub-par work - why are city staff not on top of this and doing their job to maintain the health and safety of residents? Also, much of the district's spraying happens DIRECTLY behind homeowner homes and unless residents happen to see the signs posted in the mornings of spraying, they could inadvertently expose themselves to these chemicals when they sit in their backyards or have their windows open.

Why is it an all or nothing approach? Why can't city staff consider a small test area for organic maintenance? Or better yet, use organics on the highly trafficked areas by children and pets and use the synthetics in meridians where people do not walk? The State of New York recently banned glyphosate-based products in state parks. Similar bills are being proposed through the California legislature to ban these synthetic toxic chemicals too, so why can the City of Orange not be proactive with their landscaping approach and stop spraying chemicals we know cause cancer and other health issues?

Kind regards,
Jess Barber

Item 7.3
Development
Agreement w/ Shelter
Providers

Jennifer Connally

From: Bonnie Robinson
Sent: Friday, April 9, 2021 6:14 PM
To: City Council Public Comment
Subject: Public Comment Item #7.3

Dear Mayor Murphy, Mayor pro tem Nichols, Councilmember Barrios, Councilmember Gutierrez, Councilmember Dumitru, and Councilmember Monaco,

In regards to April 13, 2021 City Council Item #7.3, I commend and support approval of the proposed agreement between the City of Orange and Shelter Providers of Orange County to provide six units of affordable housing with an ADU on each of the three properties. By including the City of Orange historic preservation design standards in the agreement, the development will provide much needed affordable housing, in addition to fitting in nicely with the area. This agreement and the development could be a great model and demonstration of how well additional much needed affordable housing can be incorporated into our city.

Sincerely,
Bonnie Robinson

Orange 92869

Item 9.1

City Council Vacancy

Jennifer Connally

From: Karen O'Keefe
Sent: Friday, April 9, 2021 12:09 PM
To: Council Info; City Council Public Comment
Subject: Recommendation for the vacant City Council Seat

Hello Mayor Murphy and Orange City Council,

I am writing to voice my support of Alison Martin for the appointment to the Orange City Council.

Sincerely,

Karen O'Keefe

Orange, CA 92867

Mayor and Orange City Council
City of Orange
300 E Chapman Ave
Orange CA 92866

Dear Mayor and Council Members,

I am writing to express my support for Alison Martin for an appointment to represent our great Orange City Council, District 3. Alison has the knowledge, team skills, and commitment to the future of Orange that will allow her to serve as an integral part of the city council.

It has been my good fortune to serve with Alison through the Orange Blossoms. As an Orange Blossom, she has supported our community through various service projects that she has organized and facilitated with ease. I have seen her dedicated work with the youth of our community and her service has been an incredible asset. I had the pleasure of serving under Alison on our Governing Body as Chairman-Elect while she was acting Chairman. She was a strong and effective Chairman and was able to manage our programming needs and successfully pivoted them with the challenges of Covid-19 with ease.

I have gotten a chance to know Alison well over the past several years and have heard the wonderful ways she has served other local politicians and feel confident that she could do the same here in our city as a council member.

I encourage you to appoint Alison Martin to fill the vacancy. I enthusiastically support Alison Martin for the position on the Orange City Council.

Best Regards,
Michelle Malloy
Orange Blossoms Chairman

Orange, California 92866

Jennifer Connally

From: Bonnie Robinson
Sent: Friday, April 9, 2021 6:33 PM
To: City Council Public Comment
Subject: Public Comment Item #9.1 correction to Item #9.1 sent previously

Dear Mayor Murphy, Mayor pro tem Nichols, Councilmember Barrios, Councilmember Gutierrez, Councilmember Dumitru, and Councilmember Monaco,

In regards to the vacant District 3 City Council Position, it is unfortunate that our city attorney did not seek further counsel, other than that of the client, in determining whether Mike Alvarez was eligible to run in the District 3 election, even after being alerted to the issue by several residents. In any other race or competition, if a candidate is disqualified, the candidate placing second would be determined the winner. If that is not possible, then under no circumstances should anyone else be appointed by the current City Council. It would be highly unfair to the other candidates who spent an immense amount of time and resources and who were vetted appropriately in last November's election. It would also be highly unfair to the residents of District 3 if they are not allowed to choose their own representative. If the second place finisher cannot be appointed to the position, then a special election must be held.

Sincerely,
Bonnie Robinson

Orange 92869

April 10, 2021

The City Council of Orange, California; the City Manager of Orange, California; The City Attorney of Orange, California
300 E. Chapman Avenue
Orange California 92866

Subject: On the matter of filling the vacant District 3 City Council seat

Dear Sirs/Madams:

It's important to note that the vacancy under discussion was caused by Superior Court Judge Nathan Scott's February 24, 2021 findings on the cases of Macisaac v. Alvarez and Russo v. Alvarez in which Judge Scott found that "(t)he November 3, 2020 election for the Third City Council District in the City of Orange is annulled and set aside, and the Third District Council seat is therefore vacant." The judge did not declare an elected seat holder. **The judge decided that there was no election.**

By state law, the judge's findings are effective immediately unless contested by an appeal which must happen within ten (10) days. That date is March 6, 2021. No appeal was filed.

On Tuesday March 9, 2021, Mr. Alvarez resigned his position saying that "Out of respect for the rule of law, the City of Orange and its residents, I have chosen not to appeal." Of course, the date to appeal had passed and Mr. Alvarez had been disposed of his seat on the previous February 24th. It follows that any votes cast by Mr. Alvarez during his period on the city council after December 1, 2021, the expiration of Mr. Alvarez's second term, are null and void.

The decision facing the City Council at this time is the manner in which to proceed to fill the vacant Third District seat.

1. Hold a ~~special~~ delayed election

The expression "special election" is a non sequitur. There is nothing "special" about this. It's a "delayed" election. It is the November 2020 election as prescribed by City of Orange Municipal Code 2.02.030 (A)¹ and affirmed by Judge Scott in his finding.

This is the only option available. Everything else is a violation of the City's municipal code.

If our city attorney denies this, remember that it was he who caused this embarrassing situation by allowing Mr. Alvarez to run for a District 3 seat, when Alvarez was clearly ineligible. It's obvious to the most casual reader of state election law that initiatives can be overturned only by the voters – not by a public servant.

¹ "Councilmembers shall be elected in Council Districts 1, 2, 3, and 5 beginning at the General Municipal Election in November 2020, and every four years thereafter, ..."

2. American Heritage

The Declaration of Independence contains 27 grievances against the Crown – the oppressive tyrants suppressing American liberties. Among those is the Crown's interference in America's legislative activities, including American elections^{2,3}.

In the United States of America, decision makers are elected. They are not appointed.

Appointments to seats that hold final authority is the opposite of the American experience – it is representative of the worst of tyrannical or monarchical governments. Americans want to vote; they have the right to vote and any other decision is not worthy of consideration.

One can argue that an election is expensive. Americans of the opposite ideal will argue that elections are mandatory and the monies required are what taxpayers pay for.

One can also argue that if the City Attorney had paid more attention to the obvious constructs of initiative law and less attention to Mr. Alvarez's attorney and had disqualified Mr. Alvarez from running for the Third District seat, there would be no delayed election needed.

3. Appoint the second place finisher in the November 2021 election to the seat

The second-place finisher in the November 3, 2020 election was the aforementioned Mr. Russo, who won Judge Scott's favor in the judge's February findings.

Mr. Russo garnered half of Mr. Alvarez's vote total and beat the third-place finisher by a narrow margin.

Had Mr. Alvarez not run, no one knows who might have run against Mr. Russo and Ms. Abbott-Wicker, the third-place finisher. Mr. Russo may have won; he may have lost. The people's will would have decided. It didn't.

In America, final decision makers are not decided by probabilistic analysis.

4. Appoint someone to fill the seat.

If someone were to be appointed, it should be Mr. Russo. He has come to the closest to appearing in an election and finished second. This opinion fails to overcome the people's will to vote for their representatives.

A decision favoring this approach is consistent with the city council's decision to fill an earlier vacant seat. That decision resulted in a lawsuit that resulted in the city's current districting approach. Deciding to appoint someone to any open seat is seen as a violation of the spirit of the agreement that was reached – and – is an invitation to another costly litigation.

² "(The Crown) has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only."

³ "(The Crown) has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining, in the mean Time, exposed to all the Dangers of Invasion from without, and Convulsions within."

Also, appointing someone to the Third District seat leaves the Third District, the Fourth District and the Sixth District without elected representation. That is one-half of the elected city council. This outrage will last for the better part of the next two years and is completely unacceptable.

In conclusion,

- a) The only choice that is available to you that is consistent with City of Orange Municipal Code, Judge Scott's rulings and American heritage is to hold a delayed November 2020 election. Any other choice is tyrannical.
- b) If the strongest argument in favor of appointing a Third District council member is the cost of an election to select the person for the seat, be advised that this decision will result in a recall and a VERY special election to advocate the recall;
- c) If the decision is to appoint a Third District council member, be advised that the probability of another litigation is high;
- d) This considered, an empty seat for a few months is worth the cost of an election in November 2021. This is America. The people of the Third District must decide who represents them – not six (6) people on the City Council, none of whom live in and represent the Third District. Any other approach is tyrannical, voter suppression, violates the City of Orange Municipal Code, violates the Voters Rights Act and American heritage, and common sense.

Yours very truly,

(submitted by electronic mail)

Peter Jacklin

Orange, California 92869

Jennifer Connally

From: Steph Facer
Sent: Sunday, April 11, 2021 9:46 PM
To: Council Info; City Council Public Comment
Subject: Alison Martin for City Council

Hello Mayor Murphy and Orange City Council,

I am writing to voice my support of appointing Alison Martin to the Orange City Council, District 3, instead of the time and expense of a Special Election in November 2021. The citizens of District 3, as well as the entire City, should not be without representation for the next eight months. Our city has a unique opportunity to appoint a "millennial voice" to the council; someone with an unparalleled perspective and a keen eye for future generations of Orange residents. Alison is committed to the community, she is someone who has the qualifications, time, experience, background, as well as the tenacity to stand up for what is in the best interest of the community.

Sincerely,
Stephanie Facer

Villa Park, CA 92861

Jennifer Connally

From: Steffanie Balsells
Sent: Monday, April 12, 2021 8:46 AM
To: Council Info; City Council Public Comment
Subject: Support Appointing Alison Martin

Hello Mayor Murphy and Orange City Council,

I am writing to voice my support of appointing Alison Martin to the Orange City Council, District 3, instead of the time and expense of a Special Election in November 2021. The citizens of District 3, as well as the entire City, should not be without representation for the next eight months. Our city has a unique opportunity to appoint a "millennial voice" to the council; someone with an unparalleled perspective and a keen eye for future generations of Orange residents. Alison is committed to the community, she is someone who has the qualifications, time, experience, background, as well as the tenacity to stand up for what is in the best interest of the community.

Sincerely,

Steffanie Balsells

Orange, CA 92867

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"Whether you think you can or whether you think you can't, either way, you're right."

Henry Ford

Jennifer Connally

From: Doug Davert
Sent: Monday, April 12, 2021 9:39 AM
To: Council Info; City Council Public Comment
Subject: Vacancy in City Council District 3

Honorable Mayor and Members of the City Council:

I am writing you today to humbly offer my thoughts on the vacancy in Council District 3. As you may be aware, I am elected to represent a large portion of the City of Orange as President of the East Orange County Water District, and I also represent all of the City as the Chairman of Orange County LAFCO.

While it is hard to put a price on democracy, it is equally difficult to justify the expense of a special election to fill the open District 3 seat until the next regular election. While I appreciate your dilemma, I am hopeful that you will make an appointment to that seat to provide immediate representation to the people of District 3 and then place that seat on the ballot in the next General Election.

While I know you have received applications from several who are willing to serve, I humbly but strongly suggest and request that you appoint ALISON MARTIN to the vacancy at this time. Having served as a Mayor and Councilmember in neighboring Tustin for 8 years, I am aware of the qualities and commitment necessary to be an effective leader and public servant. Alison possesses all of these qualities and would be an excellent addition to Team Orange. Alison is a lifelong resident of Orange, a proven community volunteer, and has purchased her first home in the heart of District 3. I have had the pleasure of knowing Alison in the professional world, and I have witnessed her work ethic, common sense, and ethical values firsthand.

Thank you for your consideration. If you have any questions, I am available at your convenience. Please feel free to call me at

DOUG DAVERT
Sent from my iPhone

Jennifer Connally

From:
Sent: Tuesday, April 13, 2021 10:16 AM
To: City Council Public Comment
Subject: Supporting Alison Martin for appointment to the Orange City Council

Dear Mayor Murphy and the Orange City Council,

I support Alison Martin for the appointment to the Orange City Council. Alison is young and innovative. It is time that the next generation becomes involved in the decisions of the city. Alison's previous experience will be an asset to the Orange City Council.

Sincerely,
Barbara Walsh

Jennifer Connally

From: noreply@granicusideas.com
Sent: Tuesday, April 13, 2021 12:44 PM
To: Pamela Coleman; Jennifer Connally
Subject: New eComment for City Council



New eComment for City Council

Steven Iversen submitted a new eComment.

Meeting: City Council

Item: 9.1. Discussion and action regarding City Council vacancy.

eComment: I support a special election. Without a special election you are taking away our right to vote for the people who make decisions for our town.

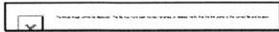
[View and Analyze eComments](#)

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Jennifer Connally

From: noreply@granicusideas.com
Sent: Tuesday, April 13, 2021 2:20 PM
To: Pamela Coleman; Jennifer Connally
Subject: New eComment for City Council



New eComment for City Council

Michelle Malloy submitted a new eComment.

Meeting: City Council

Item: 9.1. Discussion and action regarding City Council vacancy.

eComment: Please appoint a candidate and save the taxpayer money

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April 13, 2021

Agenda Item 9.1

Good evening, Mayor Murphy and Councilmembers,

I'm Laura Thomas, an Orange voting resident for 40 years and real estate agent by profession.

The Council should allow District 3 voting constituents to have the opportunity to choose their own council representative.

This City Council was elected to represent Orange Citizens fairly.

Choosing to appoint someone to District 3 council seat deprives District 3 constituents their democratic right to vote for the representative of their choice.

The cost of a special election should not outweigh the decision to give District 3 voting constituents their democratic right to vote for the representative of their choice.

I urge the City Council to do the right thing for Orange Citizens.

Please adopt Resolutions 11321, 11322, and 11323 in the best interest of Orange.

Thank you,
Laura Thomas

Jennifer Connally

From: noreply@granicusideas.com
Sent: Tuesday, April 13, 2021 3:26 PM
To: Pamela Coleman; Jennifer Connally
Subject: New eComment for City Council



New eComment for City Council

Valerie Nolan submitted a new eComment.

Meeting: City Council

Item: 9.1. Discussion and action regarding City Council vacancy.

eComment: John Russo legally ran for the City Council seat in District 3. He ran legally, and was runner-up to Mike Alvarez. For the cost of a special election, I think the City Council should do the right thing, and acknowledge John Russo as the City Council member of Orange for District 3! The cost of a special election would serve our community well in other areas.

[View and Analyze eComments](#)

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Jennifer Connally

From: Branin Johnson <branin@braninjohnson.com>
Sent: Tuesday, April 13, 2021 4:48 PM
To: City Council Public Comment; kimn003@aol.com; councilman@markamurphy.com; chip4orange@gmail.com; Arianna Barrios; Ana Gutierrez; Jon Dumitru
Subject: District 3 City Counsel Seat

My name is Branin Johnson and I own a home in district 3. I am urging you to decide upon election to fill this position. Please do not appoint anyone that the community has not voted to fill this position. That is the only right and acceptable course of action on this matter.

Thank you,
Branin

Jennifer Connally

From: noreply@granicusideas.com
Sent: Tuesday, April 13, 2021 5:07 PM
To: Pamela Coleman; Jennifer Connally
Subject: New eComment for City Council



New eComment for City Council

Christopher Roach submitted a new eComment.

Meeting: City Council

Item: 9.1. Discussion and action regarding City Council vacancy.

eComment: This vacancy should be filled by Special Election. The residents of District 3 deserve to have their voice represented by an individual of their own choosing. Do not let them go without selecting their councilmember for another 2-4 years. Do not appoint someone who did not earn the trust of their district.

[View and Analyze eComments](#)

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Item 10.1

Expansion of Ronald McDonald House



March 19, 2021

Orange City Council
300 E. Chapman Ave.
Orange, CA 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

I write to share that CHOC supports the proposed expansion presented by the Ronald McDonald House Orange County (RMHOC). We see their services as an extension of the exceptional care we provide. Families with seriously ill children are provided vital support services that are critical in keeping families close and actively involved in the treatment process. As CHOC's number of beds have increased over the years, so has the demand for the RMHOC and their services.

CHOC is committed to providing the highest quality of pediatric care to children and find RHMOC to be a key partner in providing excellent care to families in most need of support.

The RHMOC provides a safe and secure environment that is especially designed for families caring for the most fragile of children. Therefore, we ask the Orange City Council to approve the Ronald McDonald House Orange County's expansion design as presented.

Sincerely,

Kimberly Chavalas Cripe
President and Chief Executive Officer

LONG LIVE CHILDHOOD



Sisters of
St. Joseph
OF ORANGE

March 12, 2021

The City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Dear Orange City Council,

The Sisters of St. Joseph of Orange fully support the proposed expansion presented by the Ronald McDonald House Orange County. We have been neighbors for over 31 years and have a wonderful relationship with this charity as evidenced by joint collaborative efforts including sharing resources to serve the entire person; spirit, mind, and body.

We realize that the expansion is driven by increased demand of their service and support their efforts in providing comfort, care, and support to more families battling the challenges of caring for a seriously ill child.

The Ronald McDonald House provides a safe and secure environment that is especially designed for families caring for the most fragile of children. Keeping families together during a child's care in a local hospital is imperative to the well-being of the entire family. Since the Ronald McDonald House Orange County opened in 1989, they have been "Dear Neighbors" to our community. We therefore ask the City Council to approve the Ronald McDonald House Orange County's expansion design as presented.

Sincerely,

Sister Jayne Helmlinger, CSJ

Sister Jayne Helmlinger, CSJ
General Superior
Sisters of St. Joseph of Orange



March 5, 2021

Marissa Moshier
Ronald McDonald House Expansion
The City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Re: Ronald McDonald House Expansion – City Council Meeting April 13th

Dear Members of the City Council,

As a long standing property owner of the Sycamore plaza located directly south of the Orange County Ronald McDonald House, I fully support the proposed expansion. While we recently sold the property we have been neighbors for over 15 years and have never had any problems. They reached out to us early on in the planning and have kept us informed and updated on the project. We understand that the growth is directly linked to the increased demand of families caring for their seriously ill child. During these unprecedented times, our community needs to come together now more than ever to lend a hand to those in need. I therefore ask the Planning Commission to approve the Ronald McDonald House Orange County's expansion design as presented.

Sincerely,

Chet Harrison Principal

Trico Realty, Inc. Homes for Business

o: 714-751-4420

c: 949-933-1307

www.tricorealty.com

3100-A Pullman St.
Costa Mesa, CA 92626

O: 714.751.4420
F: 714.540.4579

TricoRealty.com

BROKERAGE
DEVELOPMENT
MANAGEMENT

Noel Burcelis

From: ALISHA COHEN
Sent: Tuesday, April 6, 2021 10:09 AM
To: Noel Burcelis
Subject: Re: Letter of Support requested Ronald McDonald House Orange County

The City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As a resident of Orange for 13 years and the landlord of 7 additional homes in Orange, I write this letter to express my support for the expansion of the Orange County Ronald McDonald House as proposed. Our family loves the home away from home that the Ronald McDonald House provides to our community! We are donors, volunteers, and true believers in the mission of the house. I have been a volunteer at CHOC for 9 years and see firsthand the dire need to serve more children and their families. We hope to support their continued growth, allowing more friends and families to benefit from what the RMH has to offer. We believe the Ronald McDonald House is a true blessing to Orange and we ask that you vote to approve this project!

Sincerely,

Alisha & JP Cohen

Orange, CA 92869

04/06/2021

Noel Burcelis

From: Kat Roncancio
Sent: Tuesday, April 6, 2021 12:13 AM
To: Noel Burcelis
Subject: Re: Letter of Support requested Ronald McDonald House Orange County

The City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As a resident of Orange for 20 years, I write to express my support for the expansion of the Orange County Ronald McDonald House as proposed.

I ask that you vote to approve this project.

Sincerely,

Katherine Roncancio

4/06/21

April 5, 2021

The City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As a resident of Orange for nearly nine years, I write to express my support for the expansion of the Orange County Ronald McDonald House as proposed.

My daughter was a patient of CHOC for several years. We were at the ribbon-cutting ceremony when they broke ground for the current house. Being able to stay at the Ronald McDonald house helped our family more than I could ever express. I know personally just how important this project is to the families who will stay there.

I ask that you vote to approve this project.

Sincerely,

Kimberly Findlay

Orange, CA 92866

The City of Orange

300 E. Chapman Ave.

Orange, CA 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As a resident of Orange for 22 years, I write to express my support for the expansion of the Orange County Ronald McDonald House as proposed.

I ask that you vote to approve this project.

Sincerely,

Guillermina Zambrano

April 5, 2021

Noel Burcelis

From: JOYCE ANDERSON
Sent: Monday, April 5, 2021 6:49 PM
To: Noel Burcelis
Subject: Expansion letter support

April 5, 2021

The City of Orange
300 East Chapman Avenue
Orange, Ca 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As a resident of Orange for 25 years, I write to express my support for the expansion of the Orange County Ronald McDonald House as proposed. In addition to being a resident of Orange, I also volunteer at the Ronald McDonald Family Room on the 6th floor of the ICU at CHOC. I have listened to many parents expressing their appreciation of being able to stay at the Ronald McDonald House on Batavia, as well as parents expressing disappointment that there was not a room available for them to stay in. This expansion is greatly needed.

I ask that you vote to approve this project.

Sincerely,
Joyce M. Anderson

The City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As residents of Orange for 37 years, we write to express our support for the expansion of the Orange County Ronald McDonald House as proposed.

We ask that you vote to approve this project.

Sincerely,
Richard and Melinda Hasenohrl

04/05/2021

The City of Orange
100 E. Chapman Ave.
Orange, CA 92666

Dear Honorable Mayor Murphy and Members of the Orange City Council.

As a resident of Orange for 58 years, I write to express my support for the expansion of the Orange County Ronald McDonald House as proposed.

I ask that you vote to approve this project.

Sincerely,

Name

Mark Winn

Address

Orange, CA 92856

Date

4/5/21

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As residents of Orange for 37 years, we write to express our support for the expansion of the Orange County Ronald McDonald House as proposed.

I ask that you vote to approve this project.

Sincerely,

Jeff and Robin Lyall

Orange, CA 92869

The City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As a resident of Orange for 6 years, I write to express my support for the expansion of the Orange County Ronald McDonald House as proposed.

I ask that you vote to approve this project.

Sincerely,
Claudia Ramirez

April 6, 2021

The City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As a resident of Orange for 45 years, I write to express my support for the expansion of the Orange County Ronald McDonald House as proposed.

I ask that you vote to approve this project.

Sincerely,
Linda Mazzara

April 6, 2021

April 6, 2021

The City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As a resident of Orange for 25 years, I write to express my support for the expansion of the Orange County Ronald McDonald House as proposed.

I ask that you vote to approve this project.

Sincerely,

A handwritten signature in cursive script that reads "Virginia Schacher". The signature is written in black ink and is positioned above the printed name.

Virginia Schacher

Orange, CA 92866

An Orange resident for 4 years.
Dean Gyoerkoe

Orange, CA 92866
4/6/2021

I support the expansion of the Ronald McDonald House in Orange, CA.

square **1**

Dean Gyoerkoe

Jennifer Connally

From: Paula Acken
Sent: Saturday, April 10, 2021 10:54 AM
To: City Council Public Comment
Subject: Public comment for agenda #4977-19 Ronald McDonald expansion

>>>>> Let me start out by reiterating again we are not opposed to what the RMH organization does, but to the massive, obtrusive building they proposed in Old Town Orange residential area.

>>>>> I was saddened as we listened to the planning committee comments:

>>>>> ...they met with the applicant but not the residents who would be affected by this project and live in the city of Orange.

>>>>> ...we are on the southwest end of old Town which is the outskirts of the border; so are concerns for our Old Town Orange are of less value?

>>>>> ...the over all good of RMH project is greater than the local need; really so long time residents don't matter?

>>>>> ...they compared apples to oranges the two story medical complex and the mother house of the nuns to the RMH project. The medical complex does not back up to residents and has more land as does the mother house. They did not try to put a massive obtrusive building in residential area. The large medical complex on Batavia was built by Trico, Mike Harris' company and guess what he built the original RMH.

>>>>> Residents 30+ years ago fought the original building, we backed off when it was to be only two stories, when it was being built and it was three stories some of the residents went back to city hall and were told they had a meeting with applicant and it was changed, again residents were not involved.

>>>>> We have had privacy issues with RMH in the past and only 1 time did they comply, if you care to listen to residents in the outskirts of Old Town Orange we could discuss.

>>>>> It also saddens us that we residents are given only 2 minutes but applicant has unlimited time.

>>>>> Why does the Culver house have to be zone institutional when it is supposed to be for office space? This does not make sense.

>>>>> What about the residents of Orange and the property value decrease this building will create?

>>>>> Can you promise the dust, construction and noise will not have a effect on the residents? If it does what recourse do the residents have?

>>>>> If they plant trees that are approved on the fence line who will be responsible for cleaning the debris on the neighbors walkway, lawn, gutters, etc? This is an issue with the Culver house. We have asked to have the trees trimmed so we do not have to keep cleaning up their mess and only one time have they had it trimmed. This is unacceptable.

>>>>> Ronald McDonald says they want to work with the residents but they do not communicate with us regarding anything. In October we requested to see plans and have not heard a word from them to this day.

>>>>> OTP and Design Committee came to our area and saw what this building looks like from the back and how massive and how it invades the neighbors privacy.

>>>>> Please do not approve and take the time to listen to the residents who voted for you to protect our rights as citizens of Orange.

>>>>> Thank you for your time in reading our concerns.

>>>>>

April 12, 2021

Dear Honorable Mayor Murphy and Members of the Orange City Council:

I have been a resident of Orange for 3years, and I am writing to express my full support for the expansion of the Orange County Ronald McDonald House as proposed. I have volunteered at RMH for many years and I understand how much help The House is to families who travel from all over the world to have access to CHOC for treatment of their sick children. The House is an amazing facility and offers a positive and loving environment to visitors to this area who need this specialized help and support.

I ask that you vote to approve this project.

Cordially,

Emma Jean Bream

April 12, 2020

Dear Honorable Mayor Murphy and Members of the Orange City Council:

I was born and raised and continue being a resident of Orange for 38 years, and I am writing to express my full support for the expansion of the Orange County Ronald McDonald House as proposed.

I ask that you vote to approve this project.

Cordially,

Gina Arreguin

Orange, CA 92865

Dear Honorable Mayor Murphy and Members of the Orange City Council:

We have been a resident of Orange for over 21 years, and we are writing to express our full support for the expansion of the Orange County Ronald McDonald House as proposed.

We ask that you vote to approve this project.

Cordially,

Qingwen Dong & Tong Qian

Orange, CA 92869

April 12, 2021

April 10,2021

Dear Honorable Mayor Murphy and Members of the Orange City Council:

I have been a resident of Orange for 54 years, and I am writing to express my full support for the expansion of the Orange County Ronald McDonald House as proposed.

I ask that you vote to approve this project.

Cordially,

Christine Huljev

Huntington Beach, CA 92647

Jennifer Connally

From: shari carter
Sent: Tuesday, April 13, 2021 9:18 AM
To: City Council Public Comment
Subject: Fw: 5.2 Ronald McDonald House

----- Forwarded Message -----

From: shari carter
To: ccpubliccomment@cityoforange.com <ccpubliccomment@cityoforange.com>
Sent: Monday, April 12, 2021, 01:32:51 PM PDT
Subject: Fw: 5.2 Ronald McDonald House

----- Forwarded Message -----

From: shari carter
To: "pcpubliccomment@cityoforange.org" <pcpubliccomment@cityoforange.org>
Sent: Monday, February 15, 2021, 12:40:26 PM PST
Subject: 5.2 Ronald McDonald House

First of all, I'd like to thank the DCR for their correct decision to deny the addition to the RM House. Four of five members made a correct and true choice. We over on Culver and Clark thank you for your righteous decision to step up. You saw us as the neighbors we are, speaking out against the invasion of big brother. They break the law, and moral code with impunity. Definition of impunity? Exemption from injurious consequences of an action.

The RM House is an illegal structure. It is 3 stories which is illegal. The set backs are illegal. They built it that way without approval 32 years ago. They told the neighbors that they missed a meeting. That did not happen. The developers simply do what ever they want, then and now. They say that they are grandfathering this new building onto the existing one. It was illegal then and now. Two wrongs don't make a right. And now they disregard old town rules. RM House does not respect old town rules as well as DRC recommendations.

This building is totally inappropriate in old town. It resembles a huge resort style hotel, bursting at the seams. They effort to cover it with trees, plants, screens. You can't hide a monstrosity. Lipstick on a pig.

Taking the house 802 Culver is a travesty. It is on a totally residential street. This is true socialism to come and take this beautiful historical home just because the city of Orange govt wants to. No other RM House has taken a residential home, or built in a neighborhood. We on Clark and Culver are merely collateral damage. Thrown away.

We all support the concept of the RM House, they just put it in the wrong place. They made a mistake and need to correct it. The administration of the RM House are not good neighbors. Also the parking on our streets is already impacted, it will become much more so.

We are literally fighting for our lives here on Clark and Culver. The attitude is the ole "not in my back yard" philosophy. The RM foundation has endless amounts of money, and the backing of the City of Orange Govt machine. We ask you to really look at the facts. The social agenda chooses to break the law in favor of what is prestigious and lucrative for the city. You favor what looks good for the city at the expense of the little people. We are thrown away after 60 years of residency.

I ask the planning commission to take a real look and be fair. We are real people that love our homes and neighborhood.

Shari Carter

Jennifer Connally

From: Leah Langford
Sent: Tuesday, April 13, 2021 10:36 AM
To: City Council Public Comment
Cc: mr.gm84@yahoo.com
Subject: Ronald McDonald House - Action 10.1

Good Morning City Council Members,

My name is Leah Langford and I am a resident of 111 S Clark St, just a mere few houses down from the Ronald McDonald "House" in question. I am also speaking on behalf of Mike & Suzy Lopez at 111 S Clark St (copied). This structure should absolutely not be built in a RESIDENTIAL neighborhood. Key points below:

- Taking into consideration the current layout of this neighborhood, city planners specifically made sure that outpouring traffic from the freeway could NOT go straight into the neighborhood coming down Parker and passing La Veta. This set a precedent of preserving the safe, residential neighborhood where we are currently residing.
- With this structure, more traffic will be brought into the neighborhood, creating an unsafe environment for the many children of our community that play outside of their homes. Specifically due to the fact that Ronald McDonald Charity is created to HELP children, the fact that they will instead invading children's homes and creating a dangerous neighborhood seems inconsistent with their "values"
- Ongoing construction will be a detriment to our neighborhood both noise wise and also parking wise - with more contractors parking in our already overfilled parking, this will put out local residents of the many multi-family units on our street.
- Residential vs. commercial - This is a residential neighborhood. I walk every day with my dog, I talk to my neighbors and engage with my community. This is our home. There is no place for a business here.

In summary, this action goes against the integrity of old town orange and what it represents as far as a community and a safe place for families. This plan should NOT be approved.

Thank you very much for your time and consideration.

Sincerely,
Leah Langford

Mike & Suzv Lopez

April 12, 2021

The City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Dear Honorable Mayor Murphy and Members of the Orange City Council:

As a resident of Orange for 27 years, I write to express my support for the expansion of the Orange County Ronald McDonald House as proposed. I ask that you vote to approve this project.

I would like to add that I have a friend whose family was personally helped tremendously by this organization during the time of her son's cancer treatments. I have walked with them RMH to raise funding on several occasions. There is a great need in our community and beyond for the services they provide. I personally endorse and support this expansion project and hope you and the City Council will also.

Approval of this expansion, is beneficial to the city and the community it serves.

Sincerely,

Diana Caballero

Orange, CA

April 9, 2021

Dear Honorable Mayor Murphy and Members of the Orange City Council:

My name is Vince Ferragamo and my wife, Jodi and I have lived in the city of Orange for 37 years. I am writing to express my full support for the expansion for the Orange County Ronald McDonald House as proposed.

We have been supporters of the Ronald McDonald House and their dedication to sick children and their families for many years.

At a time when the world is in chaos, this safe haven for the families is a God send.

I ask that you vote to approve this project.

Thank you,
Vince and Jodi Ferragamo

Orange, CA 92869

Item 10.2

Regulations for Short Term Rentals

Jennifer Connally

From: Dori Zaki
Sent: Thursday, April 8, 2021 7:26 PM
To: City Council Public Comment
Subject: Public Comment Item # 10.2 - City Council Meeting 04/13

Policy options for enforcement of prohibition on Short Term Rentals and Third Amendment to Master Subscription Agreement with Granicus, LLC for short term rental compliance services. (Continued from February 9, 2021)

Regarding Short term rentals in Orange,

My family have been renting a small house in Orange for over 10 years to students of Chapman University.

As recent changes to Chapman University's rules made student-renters more scarce, we decided to renovate, furnish and rent it through Airbnb. We are very, very strict about to whom who we rent. Our house policies are on the Airbnb website and they are made very clear through my communication with potential renters. We have declined many groups of friends who are partially or mostly unidentified or who just want to "hang out" for the weekend - especially if they have no reviews or just made an Air bnb account.

We only approve to rent to small families, couples, and individuals who have valid reasons for visiting Orange: most of them come to visit family who live here, but some are visiting for work, medical reasons or visiting local schools such as Chapman University, and of course visiting tourist places such as the beach and Disneyland. These visitors we accept must have positive reviews, more than 3 types of identification, and must agree to not smoke, not to bring pets or host gatherings anywhere on the property. If potential renters don't have enough reviews or all the proper identifications on Airbnb, they must update their Air bnb profile as well as provide us a copy of their drivers license and signature acknowledging our house rules.

We have been qualified as "super host" and you can read why - our stellar reviews for the past year reflect on the quiet, historic neighborhood, the cleanliness of the house (by Airbnb Enhanced Cleaning Protocols) and our friendliness and helpfulness toward guests. We live right around the corner from the Airbnb so we can always be there if guests need any assistance. <https://www.airbnb.com/rooms/37091786>

We disclose to all renters and on Airbnb website, that there are 3 outdoor security cameras on the property for their protection and for our protection as well. We do monitor the cameras daily to make sure there are not more than the number of guests on the reservation. We have never had any complaints from the neighbors- in fact one neighbor wanted to rent it for herself and family, as she had a gas leak in her house and expected to be out of hot water and appliances for a day.

We would love to continue to rent our property to families and friends of residents of Orange - as well as qualified tourists who bring business to our city. We will abide and support all city regulations necessary that will protect our business and resident families alike, to help the city of Orange flourish.

Sincerely ,
The Zaki Family

Orange, CA 92866

4/12/2021

Dear Honorable Mayor and City Council Member,

This comment is in reference to the proposed:

- Signature process for the OSTR resolution which states that every guest in the house including minors is required to produce a signature.
- The minor and major infraction fine amounts proposed in the draft resolution.

The short-term rental platforms (i.e., VRBO.com) have a statement on each legal agreement with wording that is characterized as “by accepting this reservation you are accepting the house rules.” The short-term rental (STR) agreement is a legally binding agreement between those able to enter into a legally binding contract the terms and agreement show the acknowledgement, rental, restrictions, house rules with a legal-aged responsible primary guest. There has been no other business that mandated minors (who legally cannot be held responsible) to sign legally binding agreements. It is notable that children are minors and not legally bound to agreements.

Please consider taking into consideration the acceptance of the short-term rental agreement as a legal binding agreement of the primary guest as only responsible person’s esignature required for their party.

The minor and major infraction fine amounts proposed in the draft are high relative to other cities in Orange County that allow STRs. I am advocating that the minor and major infraction amounts for the fines be reduced putting them in-line with other nearby Orange County cities which is approximately half the amount of what is proposed in the draft resolution.

Thank you in advance for consideration to these proposed changes to the draft resolution.

Iris Evinger

Jennifer Connally

From: Orange City STRs
Sent: Sunday, April 11, 2021 9:23 PM
To: City Council Public Comment
Subject: 4/13 Public Comment: Item 10.2 (STR Ordinance)

Honorable Mayor Murphy and Council Members,

On behalf of the Orange Short Term Rental Alliance, we'd like to thank you for the opportunity to move forward with this first reading and call the council's attention to our recommendations on the draft ordinance and resolutions. Details on these suggestions were included in the Staff Report provided to council members.

In summary, our top asks include:

1. **Reasonable response time** for us as first responders for issues with our properties, and flexibility on how we handle any circumstances with our guests (e.g. by phone or in-person)
2. **Allow electronic signatures** from primary or responsible booking guest and remove the requirement to obtain signatures from minors
3. **Align parking and quiet time** with current city code allowances

For the 2 ordinance resolutions, we respectfully ask for:

1. **Total permitting fees** to align with other Orange small businesses, that is, not to exceed \$100
2. **Minor and major offenses and fines** to be reviewed per our recommendations
3. **Cap on STRs allowed during the initial phase to be set at 300**, noting that this number is half of what we requested last November

With regard to the side-car MSA for Granicus' Host Compliance service, we see this is listed as a 3rd reading, however there have not yet been 2 readings, let alone any public council discussion of this contract. We respectfully ask the council and city manager's office not proceed with this additional service agreement.

Our Host Compliance concerns are threefold:

1. **Privacy:** the California Consumer Privacy Act (CCPA), and its new regulatory body CPRA, prohibit 3rd party internet companies from tracking individuals and from providing personally-identifiable information (PII) on those individuals without their consent. It's better to work with the STR platforms to obtain this information *legally* than to *illegally* monitor STRs.
2. **Direct management vs outsourcing:** we strongly believe the city can manage permitting, monitoring - even de-listing, where needed, through direct relationship with the STR platforms. Last week, we called over to Anaheim, Fullerton and Placentia - all sister cities that permit STRs by

regulation. They stated they don't use Host Compliance and don't plan to since they have a direct relationship w/ STR operators & platforms.

3. **Expenditure:** Host Compliance fees have gone up more than 54% since our last meeting. A Nov 24 2020 quote in the Feb 2021 staff report was \$15,845.24. Now, the fees are \$24,437.99. And, we, the STR operators, are expected to fund this. Please vote **no**.

Lastly, we'd like to make you aware that we have prepared an **intent list** of Orange homeowners willing to participate as soon as the permit program is open to the public. Our group looks forward to kicking off and developing a new working relationship with the city.

Thank you for working with us on amending this ordinance. We believe it achieves the middle ground we were all seeking and respects our neighborhoods, property rights, small business, and it embraces the entrepreneurial and forward-thinking attitude we all need in this moment to build back our local economy.

--

Susan Tillou
Orange Short-Term Rental Alliance (**OSTRA**)



April 13, 2021

Honorable Mayor and Members of the City Council
Orange City Hall
300 E. Chapman Avenue
Orange, California 92866

Dear Mayor Murphy and Honorable Members of the City Council,

On behalf of Airbnb, thank you for the opportunity to provide input as the City of Orange continues to consider short-term rental (STR) regulations. Since 2008, Airbnb has worked closely with hundreds of cities around the world to help communities realize the key benefits of STRs for residents, visitors, and local economies through fair, balanced regulations. Our mission is to create a world where people can belong through healthy travel that is local, authentic, diverse, inclusive and sustainable. Our accommodation marketplace provides access to about 5.6 million active listings in approximately 100,000 cities and more than 220 countries and regions. Hosts and guests directly contribute to local economies through transient occupancy tax, sales tax, and local business activity.

We are encouraged by the City Council's decision on February 23, 2021, to bring back an ordinance that would legalize STRs, regulate their operations to minimize negative impacts, and provide enforcement tools. We believe this is a step in the right direction to address nuisances and bad actors, while preserving the benefits of STRs for the city and its residents. We hope to engage with you in crafting reasonable and enforceable laws that protect what is now a critical source of additional income for residents. Like so many people, many of our hosts have been impacted by the global pandemic, and the extra income from hosting is more important than ever.

We are submitting these comments to address specific components of the proposed ordinance that we believe, with slight revisions, will advance the City's ability to harness the full benefits of STRs for its residents and the community, while addressing concerns around residential neighborhoods and enforcement.

Permit Cap & Density Limits

We understand the City's desire to address concerns around neighborhood character and impacts, but are concerned that the proposed 125 permit cap and density requirements may have unintended consequences. First, limiting the number of all permit types creates a dynamic where

one homeowner who may only rent out their property for a couple weeks during the summer receives a permit, while another homeowner who rents a portion of their house more frequently and is more dependent on the income may be locked out. Second, STRs provide flexible supply that is essential for accommodating demand during seasonal peak periods. In Orange, STRs provide affordable options for visitors, especially families traveling with children. Since the onset of the global pandemic, STRs have enabled travelers to practice social distancing and minimize their exposure to others. In fact, the U.S. Centers for Disease Control and Prevention (CDC) recognized that STRs offer a safer travel experience relative to hotels, without the risk of common spaces like lobbies or dining halls. Third, capping all permit types would decrease potential revenues from the City's transient lodging tax, a funding source that will be essential to the City's post-pandemic economic recovery. Fourth, density limits create an inequitable system of preference based on the timing that an application is submitted, and moreover invite fraud, whereby someone applies for and is granted a permit simply to let the permit lay fallow in order to preclude rentals in the neighborhood.

We urge City Council to consider setting a higher permit cap that reflects the number of registered STRs that have operated within the last 24 months, especially since many have ceased operations during the pandemic or switched to long-term rentals. This would give all recently active hosts an opportunity to come into compliance with the new law. It would also make the City's supply more sustainable over time and preserve the ability of local hosts to maintain an important economic lifeline. Another approach that Council might consider is to establish a cap on STRs as a percentage of the housing stock, typically 1-2%, thereby building greater flexibility into the STR program.

Random inspections

We appreciate the City's intent to ensure safety and compliance via inspections but are deeply concerned about possible violations of host privacy if these inspections are conducted at random, whenever the City "deems necessary or prudent". This would be an unreasonable invasion of privacy of hosts, and potentially guests as well. Other jurisdictions, most recently Washoe County, Nevada, have rejected this proposal as a violation of privacy and property rights. A more common practice is to align inspection requirements with the permit renewal process, which establishes a cadence for permit-holders and helps to ensure compliance. We urge the City Council to heed these precedents. We believe that the City's policy priorities can be met in ways other than with in-person inspections -- but if the City believes otherwise, in order to protect the rights and reasonable expectations of residents and guests, compliance inspections should be scheduled in advance or on a reasonable, regular basis.

Permit fees

We firmly believe that all residents should be able to share their homes without complicated permitting processes or high fees. Moreover, we have seen in community after community that simple registration systems result in high rates of compliance. While the City of Orange's proposed registration is on the right track to work for both administrators and hosts, we are

concerned about the potential for high fees set by Council resolution. High fees could discourage compliance and pose a barrier to entry for some hosts who rely on home sharing as a source of supplemental income. We recommend that the Council set reasonable permit fees that are in line with the City's general business license and long-term rental fees.

Enforcement

Enforcement is an essential component of any ordinance, and we stand ready to support the City in several ways. In compliance with Section 5.94.080 Short Term Rental Platforms, we will require all hosts in the City of Orange to input their business license number before publishing a listing advertisement on our platform and provide aggregate data on STR activity. Furthermore, we stand ready to provide governments the support they need, which is why we have also launched tools like the [Neighborhood Support Line](#) and [Law Enforcement Portal](#), developed policies like our [Global Ban on Party Houses](#) and [Under 25 Initiative](#), and deployed programs like our [Enhanced Cleaning Protocols](#) in the wake of the COVID-19 pandemic.

We commend the city for distinguishing between major and minor offenses in its penalty structure, and support the "three strikes" policy -- or permit revocation after three major offenses within a twelve-month period. These can be effective enforcement tools that have been utilized with significant success across jurisdictions to address chronic bad actors, while allowing the vast majority of hosts who are not causing problems to continue to bring the benefits of tourism to the community. However, we are concerned that the proposed \$1000 fine for the first major offense and \$1500 for the second can quickly become overly burdensome and punitive. We encourage the City Council to consider a more reasonable fine structure that helps encourage overall compliance.

* * *

Thank you for the opportunity to submit comments on the STR agenda item. We look forward to continuing to work with Orange to bring the benefits of healthy and sustainable tourism to the City and its residents.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Patel', written in a cursive style.

Toral Patel

Jennifer Connally

From: noreply@granicusideas.com
Sent: Monday, April 12, 2021 2:51 PM
To: Pamela Coleman; Jennifer Connally
Subject: New eComment for City Council



New eComment for City Council

Don Dawson submitted a new eComment.

Meeting: City Council

Item: 10.2. Public Hearing to consider an ordinance amending the Municipal Code adding regulations for short term rental businesses and adding land use regulations; resolutions establishing policies for permits, fines, and fees and an amendment to the Agreement with Granicus for compliance services.

eComment: My name is Don Dawson and I'm opposed to short term rentals. I've been in the same house since 1974. I have one STR next door and two across the street. Once I had neighbors there, now it is unknown people, different every week. You have heard this all before and still you want to approve their existence. You need to have one next door to you, that will change your mind! A few months ago I submitted a sort of petition with 236 signatures of Orange citizens opposing STR's in Orange. If I had stood out in front of a few stores soliciting signatures it would have been many more. The owners of STR's have a lot to lose if you decide to enforce the current code. Two council meetings ago they paraded a number of people who commented their support for them. Most cited the revenue they bring into the city through shopping and eating at restaurants. I wasn't a math major but having people in homes every day of the month should generate more spending than renters here 10-15 days a month. They also talked about the service jobs they generated. I have 31 houses on my street, best count is three don't have a lawn service. Gardeners are not going to be put out of work, neither are pool cleaners, all the pool owners on the street have a service. The house cleaners might suffer but if your business plan is only STR's only you need to revise your business plan. Councilmembers Barrios and Gutierrez, I live in District 4. If I lived in 1 or 5 I would have voted for you solely on your stated opposition to STR's prior to the election. Either of you would have betrayed my trust, so soon? I guess that's what politicians do! So much for "transparency". Please find a way to enforce the current code. Neighborhoods are at stake here. These owners have been operating illegally and they need to be stopped.

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April 12, 2021

Mayor Murphy and Members of Orange City Council,

On behalf of Expedia Group, a family of brands including vacation rental leader Vrbo, I am writing to thank the Mayor, councilmembers, and staff for their work on this short-term rental ordinance. This is a great first step and Expedia Group looks forward to working with the City of Orange to meet the needs of the community and its travel and tourism economy.

Reasonable Regulations: Although we hope to see additional permits made available as a way to allow homeowners to welcome guests to Orange and create a steady revenue stream for the city, we do applaud this first step to create a permitting structure and reasonable limits on the number of allowable units in the city.

Good Neighbor Guidelines: The “good neighbor” policies set forth in this ordinance set clear expectations for operators, guests, and neighbors alike. This helps the entire community by creating a pathway to address problem properties while protecting the rights and livelihoods of responsible owners.

Platform Partnership: Expedia Group believes that platforms like Vrbo can play an important role in the compliance process, easing the work of enforcement staff and making the underlying regulations more successful and sustainable. Requiring platforms to include a license number on every listing will go a long way to ensuring a high rate of compliance with the underlying requirements in the ordinance.

Thank you for working with us on this ordinance and we look forward to continuing this positive relationship with the City of Orange and discussion moving forward. Please don't hesitate to reach out to me directly at astinson@expediagroup.com with any questions you may have as you continue to work on this important issue to the Orange community.

Sincerely,

Alyssa Stinson

Regional Government Affairs Manager
Expedia Group



Jennifer Connally

From:
Sent: Monday, April 12, 2021 10:48 PM
To: City Council Public Comment
Subject: Agenda Item 10.2

Honorable Mayor Murphy and City Council members,

Thank you for progressing to a first reading of the draft ordinance for STR's in Orange. We look forward to working together as responsible homeowners hosting visitors to our city.

It's been a long road to get here but we believe the ordinance in front of us is a good start. With some small tweaks like not requiring minors to sign agreements, allowing electronic consent, and reviewing what is a minor and major infraction, we are pretty much there. The key is to keep it simple and affordable so more people participate with the program and the rules not too cumbersome for reasonable people to understand and follow.

Also, I'm not sure the Host Compliance subscription is necessary if the city will be working directly with STR homeowners and the rental platforms. Seems like an extraneous cost. What is the rationale? What specifically is it that a Host Compliance subscription can provide that cant be handled between the city, platform, and host?

Thank you again for your support and look forward to driving our local economy in a uniquely Orange way!

-Steven

Jennifer Connally

From: Michael Jaimes
Sent: Monday, April 12, 2021 7:10 PM
To: City Council Public Comment
Subject: Council item 10.2 STR

Honorable Mayor and Councilmembers,

My name is Michael Jaimes and I support Short Term Rentals with reasonable regulation in the City of Orange.

- According to the latest Moody's Analytics Report on housing policy (March 2021), STRs are not a major factor contributing to housing affordability housing policy - and Orange is not flagged as a concern. The report also does not mention STRs being a problem.
- STR hosts in Orange and their guests directly and indirectly contribute to the local economy and support businesses
- Very few STR operators are 'bad' actors and the bad ones can effectively be addressed by the proposed permitting structure and enforcement tools
- The platforms offer a multiplicity of options to help The City of Orange address neighborhood nuisances, and can ban STRs from being listed on the platform without a business license.

Thank you for staying the course and progressing this first reading of the STR ordinance. We need to help our economy (responsibly) especially now. Thank you, Michael Jaimes

Jennifer Connally

From: noreply@granicusideas.com
Sent: Monday, April 12, 2021 9:08 PM
To: Pamela Coleman; Jennifer Connally
Subject: New eComment for City Council



New eComment for City Council

Lirio Sanchez submitted a new eComment.

Meeting: City Council

Item: 10.2. Public Hearing to consider an ordinance amending the Municipal Code adding regulations for short term rental businesses and adding land use regulations; resolutions establishing policies for permits, fines, and fees and an amendment to the Agreement with Granicus for compliance services.

eComment: I am requesting strict ordinance, hefty fines and most importantly regular in-person inspections by Code Enforcement Ordinance must entail: -NO STR's street parking including the guest of the guest. -fines for noise ordinance *The STR's are turning garages into game rooms. *zero tolerance on STR party homes. -fines for speeding on streets -fines for not following state guidelines *STR's are not complying with state regulations to provide a 24-hr of no guest in home to properly quarantine property. Instead ONE family leaves the home and by afternoon a NEW family arrives on same day. -fines for guest going over capacity -host living in and/or near the STR to immediately resolve guest discrepancies. *my street has two side-by-side STR's creating more ruckus. 20 min to resolve should be more accurate. -host must be Orange residents. -1 STR per owner. - NO new STR permits **Since Murphy, Barrios, Gutierrez & Nichols are keen to allow such businesses in our residential areas then the distribution of business license must be allocated EVENLY between EACH district. I am very doubtful these council members deal with such disturbing guest on their streets**

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Jennifer Connally

From: Sandra Po
Sent: Monday, April 12, 2021 10:35 PM
To: City Council Public Comment
Subject: Item 10.2 STR Ordinance

Honorable Mayor Murphy & City Council Members,

Subject: Item 10.2 STR Ordinance

We have lived in Orange for 12 years. In 2018, in preparation for retirement, we bought another house in Orange for investment. We turned it into an Airbnb. We will be hypocrites if we say we do not like Airbnb since our children told us about it and we enjoyed using it to be able to visit them when all 3 of them were in college at the same time. They studied in different states and countries. This Airbnb investment was our 401-K. This is our retirement money.

Thank you for giving us a chance to responsibly run our small businesses in the city.

If you can just adjust the response time, lower fees, and review the minor & major offences, we are glad to have a framework that we believe will be good for everyone including the STR homeowners, neighbors & the city.

We appreciate your consideration for all the recommendations made by our Orange Short Term Rental group & in the staff report shared with you last Thursday.

Thank you again,
Sandra Po

Jennifer Connally

From:
Sent: Tuesday, April 13, 2021 7:48 AM
To: City Council Public Comment
Subject: FW: STR Council Item for 4/13

TO: CCpubliccomment@cityoforange.org

SUBJECT: Council Agenda Item 10.2 (STR Ordinance)

Honorable Mayor Murphy and Councilmembers,

Thanks for progressing the Short Term Rental Ordinance first reading this evening. It's nice to see all the hard work the City Manager's office and planning commission put in last year finally being considered.

I'd like to call your attention to a few minor points that will make the ordinance more successful and fair for those in the community who wish to manage an STR:

- Electronic Signatures are a must in a time of COVID and to continue with contactless check-in, which most hotels with loyalty programs do now as well
- The response time should be reasonable and should also consider that many times a home owner (or manager) can address an issue by a phone call or text. If the point is controlling for problems, please let the home owner decide how this is done. Fines and ultimately having a permit pulled are enough of a deterrent.
- The City should make parking the same as the current city ordinance. That is, renters whether they or short or long term should be given an opportunity to park on the street. With the occupancy limits in this draft, I'd be surprised if one family going to Disneyland showed up with 10 cars.

On the resolutions, I suggest keeping the permit + business license fees obtainable as well as the fines. We want more people participating to achieve more compliance (and peace) in the city. Also, I think the cap should be higher, in line with the population of Orange. It doesn't need to be thousands, but hundreds seems more reasonable than 125.

I also don't agree with hiring an internet service to track homeowners in Orange. This seems surreptitious and possibly illegal. Why not just lower the bar to entry for the permitting program and use the TOT to hire another code enforcement to go after the bad actors?

Thank you

Sam

OSTR STR DRAFT ORDINANCE RECOMMENDATIONS

Section 5.94.060.G (Good Neighbor Policy)

- Add response time to this section and define as 60 mins by phone or 90 mins in-person if necessary and with reasonable consideration
- Remove requirement for signatures from all but the primary guest. Our group has concern around signature requirement from minors (14-17 year-old guests)

- Confirm that electronic consent can be used for house rules
- Allow street parking in front of STR properties
- Adjust quiet hours to 10 p.m. to 7 a.m. to align with OMC 8.24 (quiet hours extend to 9 a.m. in the proposed ordinance)
- Replace the phrase “as it deems necessary or prudent” in the inspections language to “with probable cause” to address fourth amendment concerns

Section 5.94.070 (Offenses)

- Remove response time as an infraction [remove 1.a. and 2.a. as response time covered in GNP]
- Add an appeals process as protection from unfounded complaints
- Remove 5.94.070.B1.d and 5.94.070.B2.k (too open ended)
- Make 5.94.070.B.2 b, c, d, and e minor offenses (currently major offenses)

MINOR

- ~~Property manager response more than thirty (30) minutes but less than sixty (60) minutes after a complaint.~~
- Occupancy limit exceeded by more than two persons
- Rental of fewer than two nights
- Failure to abide by Good Neighbor Policy
- More than one complaint ~~of~~ about occupant vehicles parked on the street during any one occupancy [2.e. replace ‘of’ with ‘about’]

MAJOR

- ~~Property manager response sixty (60) or more minutes after a complaint~~
- More than one noise complaint during any one occupancy.
- Failure to pay required Transient Occupancy Tax when due.
- Criminal activity on the short term rental property.
- Two prior minor offenses within any continuous period of twelve
- Failure to renew short term rental permit and/or business license by the due date
- ~~Other violations deemed major by the City Manager or designee.~~

Section 5.94.080 (STR Platforms)

- OSTRA suggests adding a provision for automated collection and remittance of TOT. (Orange City Staff recommends not including this in the ordinance and entering into agreements with the platforms for this provision.)
- OSTRA suggests council review the recently passed CA SB 555 for info on how TOT remittance can be streamlined at the state level: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB555
- Add word “active” to Section A.2.a, so that it reads: “The total number of active Short Term Rentals in the city listed on the platform during the applicable reporting period”.
- Add “qualifying” to Section A.2.b, so that it reads: “The total number of qualifying nights all short term rental units were rented through the platform during the applicable reporting period”.

—

OSTRA RECOMMENDATIONS ON THE 2 PROPOSED RESOLUTIONS:

1st Resolution

Fee: OSTRA propose the permit fee be in line with the general Orange business license and LTR fee. Justification: the lower the barrier to entry, the higher the compliance rate. That is, total Year 1 permitting and licensing costs <\$100.

Fines: we propose meaningful but reasonable fines, again encourage overall program compliance:

- First Offense: \$100 (vs \$250) for minor; \$500 (vs \$1000) for major
- Second Offense (w/in 12 mos & same property): \$200 (vs \$500) for minor; \$750 (vs \$1500) for major
- Third Offense (w/in 12 mos & same property): \$500 (vs \$1000) for minor; \$1000 + permit revoked for 12 mo for major

2nd Resolution

of Permits Allowed:

In order to allow space for Orange homeowners who had to revert to LTRs during the pandemic as well encouraging small business entrepreneurs who wish to start their own STRs in Orange, we suggest a higher cap consideration for the trial year, in the range of 250-300.

Jennifer Connally

From: Ziva Oerth
Sent: Tuesday, April 13, 2021 9:08 AM
To: City Council Public Comment
Subject: Public Item Comment 10.2

My name is Ziva Oerth, I own an STR in Orange near the outlets. I'm in favor of adopting an STR ordinance because it will allow regulation of problem "party house" STRs, encourage responsible STR owners, and provide income for the city of Orange through permits, fees, taxes, and visitors who would not otherwise stay in Orange. If we do not approve an STR ordinance and instead ban STRs, it will negatively impact my children the most. I own a single STR, I have a five star perfect rating, and I'm a superhost. I have had zero complaints from neighbors. I am a stay at home mom with a special needs child. Without the income from the STR I will no longer be able to stay home and will need to get a different job. That is why I urge the council to approve this ordinance. Thank you.

From: noreply@granicusideas.com
Sent: Tuesday, April 13, 2021 10:35 AM
To: Pamela Coleman; Jennifer Connally
Subject: New eComment for City Council



New eComment for City Council

Addy Butler submitted a new eComment.

Meeting: City Council

Item: 10.2. Public Hearing to consider an ordinance amending the Municipal Code adding regulations for short term rental businesses and adding land use regulations; resolutions establishing policies for permits, fines, and fees and an amendment to the Agreement with Granicus for compliance services.

eComment: Honorable Mayor and Councilmembers, The STR item has been bounced around for years by the city; from being permitted to De Facto allowing them to now where we have a common sense ordinance that we support to work from. Where we are at currently, there are only 2 issues that I see in the current ordinance that we would like the City to consider: a longer response time and parking similar to other homes. My home in Orange is located next door to a Chapman College Dorm type house. There is between 6-10 students, who each have a personal car, living there at any time and they are allowed to park in the street so to limit the parking at my house to the driveway only seems arbitrary. A compromise could be the driveway and the space adjacent to street the along my property line. The response time of 30 minutes in person feels unnecessarily short because if one of the Chapman students has a friend over and a neighbor sees a new car and calls me I should be allowed to check my cameras and verify and make contact via telephone if necessary. During certain times of the day, it can be next to impossible to travel across Orange in 30 minutes. That is why we believe there should be a 1 hour in person on a as necessary basis, as many issues that arise could be handled over the telephone or via technology such as Ring cameras which as a homeowner, we can view in real-time. So we ask that the response time be 1 hour in person if necessary and for owners to be able to respond over the phone as long as any concern can be addressed in that manner. It has also come to our attention that one of the Anaheim Hotel Unions: Unite Local 11, is trying to insert itself into this issue due to certain reasons not pertaining to the overall good of the city. Please recognize that this is a self-serving play by an Outside Union to get involved in our great city's issues, meanwhile over a hundred Orange-based small businesses signed a petition in support of STRs with common sense regulations. Do not let this outside Union influence take away from what is before you tonight. Bob & Addy Butler

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Jennifer Connally

From: Franks Landing
Sent: Tuesday, April 13, 2021 1:05 PM
To: City Council Public Comment
Subject: Public Comment Item # 10.2 / File # 21-0153

For Ordinance No 05-21 regarding regulating short term rentals, can the tenant of a property apply for a short-term rental permit ?

Or only the property owner can apply for a short-term rental permit?

In other words, does the applicant's name on the permit have to match the name of the property owner in the property tax records?

Jennifer Connally

From: noreply@granicusideas.com
Sent: Tuesday, April 13, 2021 4:03 PM
To: Pamela Coleman; Jennifer Connally
Subject: New eComment for City Council



New eComment for City Council

Adrienne Gladson submitted a new eComment.

Meeting: City Council

Item: 10.2. Public Hearing to consider an ordinance amending the Municipal Code adding regulations for short term rental businesses and adding land use regulations; resolutions establishing policies for permits, fines, and fees and an amendment to the Agreement with Granicus for compliance services.

eComment: The draft Ordinance needs more work before it moves forward. A larger buffer between each STR should shift to 500 feet instead of 300 feet. The Council needs to consider if an over-concentration could happen in certain areas of Orange. A STR limit in certain areas, for example Downtown, should be considered. Council should also consider if further protections are needed to protect neighborhoods when the STR is not owner-occupied. Thank you. Adrienne

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Jennifer Connally

From: Danielle Wilson
Sent: Tuesday, April 13, 2021 4:21 PM
To: City Council Public Comment
Subject: UNITE HERE Local 11 comments on item 10.2
Attachments: Memo Orange STR Rec- 2-9-21.pdf

Hi -

Please find our comments attached to be distributed to the Mayor, City Council, and staff.

Thank you,
Danielle Wilson

--

Danielle Wilson
Research Analyst
UNITE HERE Local 11
464 S Lucas Ave
Los Angeles, CA 90017

April 13, 2021

Honorable Mayor and Councilmembers
City of Orange
300 E Chapman Ave
Orange, CA 92866

2. Re Item 10.2: Policy options for enforcement of prohibition on Short Term Rentals

Orange City Council should prevent the conversion of homes and apartments into party houses and de facto hotels by voting to ban Short-Term Rentals (STRs). STRs turn homes into de facto hotels, exacerbate the regional housing crisis, and erode neighborhood character. Cities like Garden Grove and Irvine already have strict laws banning STRs. **We applaud the Council's dedication to public safety in this matter, and respectfully recommend that the Council continue the ban and include strong enforcement language to ensure that the ban is effective.**

There are a number of other cities that have passed stringent STR ordinances, including but not limited to Santa Monica and San Francisco. The City of Santa Monica has had marked success in enforcement, including fine collection, tax collection, and the return of valuable housing units to the rental market.¹ San Francisco restricts STR hosing to permanent residents, prohibiting STRs in rent-controlled units, and places the burden of enforcement on hosting platforms.²

Municipalities recognize that the biggest challenge to STR regulation is enforcement. The following policy recommendations have been enacted in other cities, and are the most successful enforcement mechanisms:

a. Platform Accountability

While registration and licensing of STRs are essential, associated information disclosure and fees to fund enforcement are key to ensuring compliance. To date, cities have not been able to bring STR units into compliance without requiring platforms themselves to comply with local regulations. Cities that have been successful in removing the majority of illegal units off the market, such as the City of Santa Monica, require platforms to disclose information regarding hosts' activity, in addition to fines for the platform for any listing that is found not to be registered with the City.³ Platform accountability provisions would partially relieve the burden of enforcement from the city staff and place it on the platforms and hosts. Additionally, city ordinances have provided authority for the issuance and service of administrative subpoenas on platforms to ensure that cities have the data necessary for the efficient and effective enforcement of their ordinances.⁴

b. Private right of action

¹ City of Santa Monica, "Short-Term Rental Two-Year Analysis," February 2018.

² Lisa Wise Consulting, Inc. for City of Long Beach, "Development of Short-Term Rental Program and Regulations," July 23, 2018.

³ See Santa Monica Municipal Code § 6.20.050(b).

⁴ City of Santa Monica, "Short-Term Rental Two-Year Analysis," February 2018.

The City of Santa Monica's ordinance includes a private right of action provision, so that affected persons may contribute to the enforcement process by bringing civil suits to address noncompliance, further relieving some of the city's burden of enforcement.⁵

c. Dedicated enforcement staff

Cities with successful STR regulations have dedicated staff to compliance and enforcement. Registration fees are one mechanism for funding the staff necessary to ensure that these kinds of regulations are effective.

Conclusion

The City of Orange has the opportunity to take a strong stand for residents by enacting an STR ban with effective enforcement measures. Other cities in the region have passed similar ordinances that have been effective due to the inclusion of platform accountability, private right of action, and dedicated staff for enforcement. In the first two years of Santa Monica's STR ordinance, the City of Santa Monica was able to remove the majority of illegal STR units from the market through use of these critical provisions.⁶ In Orange, using similar tools will be essential for effective implementation and enforcement.

⁵ City of Santa Monica, "Short-Term Rental Two-Year Analysis," February 2018.

⁶ *Id.*

Jennifer Connally

From: Maria D.
Sent: Tuesday, April 13, 2021 5:47 PM
To: City Council Public Comment
Subject: Item 10.2 STR Ordinance

Honorable Mayor Murphy and City Council members,

Writing offering support for the first reading of the ordinance for STRs and asking for consideration on parking. Street parking should be available for STR guests the same way it is for long term renters and guests of regular home owners. Most homes that are for rent have driveways but some people prefer to park on the street as it doesn't make so much noise if they need to go to work or leave early in the morning.

The rental occupancy limits will take care of the number of cars coming to an STR too. Please be fair with our guests.

Also, I would appreciate if you could consider no need to respond in person. Responsible STR managers can usually handle any issue through the platform app, or a text or a phone call to the guest quicker than we can be on-site.

Thank you for your support and we look forward to working together with the city on this initiative.

Maria D.

The following
correspondence was
received in the City Clerk's
Office after Item 10.2 Public
Hearing was closed.

Jennifer Connally

From: noreply@granicusideas.com
Sent: Tuesday, April 13, 2021 11:41 PM
To: Pamela Coleman; Jennifer Connally
Subject: New eComment for City Council



New eComment for City Council

Mark Harnden submitted a new eComment.

Meeting: City Council

Item: 2. PUBLIC COMMENTS

eComment: I am disgusted by the behavior of Chip Monaco for attacking the Orange STR during his nit picking of the ordinance provisions. None of his assertions were based in fact. He is obviously biased against STRs and has repeatedly attempted to undermine the right of citizens of Orange to exercise their freedom to run a business.

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