
File #: 2016-414, Version: 1

City Council

MEETING DATE: 10/12/2016

TITLE:
Vacation Rental Enforcement Services

FROM:
Police Chief George Crum

RECOMMENDATION:

This item is presented for information, discussion and direction only. If Council chooses to provide stepped up enforcement on an interim basis while the task force completes its work staff recommends the City Council authorize a six month contract with US Security Associates to provide 25 hours per weekend of enforcement and documentation of violations.

BACKGROUND:

Currently, the Vacation Rental Program consists of a 24 hr. hotline where residents can report loud disturbances or violations of the municipal code. On September 14, 2016 Council held a study session on the topic of improving enforcement of existing codes related to Vacation Rentals and potential code amendments. Council asked staff to form a task force consisting of Mayor Henry, Councilmember Aguilar, key staff, at least two community residents and owners/managers of vacation rental properties. A call for interested residents to serve on the task force was made on the City website and through social media. Council also asked staff to develop additional alternatives, for consideration by the task force, to the original recommendation to use a private security firm to enforce the code and document violations. The additional alternatives to be reviewed by the task force will include hiring City personnel to perform the work.

DISCUSSION:

The original staff recommendation is outlined below and might still be of interest to Council as an interim measure so that enhanced enforcement can be a reality while the task force is considering more long term options.

ORIGINAL DISCUSSION: U.S. Security Associates ("USA" previously Desert Security Services) provides limited response capabilities to augment the Palm Springs Police Department. Their mission is primarily to respond to loud noise/music at vacation rentals within the city of Palm Springs, but their duties have expanded to assisting police officers on major calls for service in non-hazardous areas.

Additionally, USA provides limited investigative services by identifying unlicensed vacation rentals and providing that information back to the city for enforcement. The City of Palm Springs is reviewing USA's current duties and may expand these to include other code enforcement issues such as parking enforcement in the downtown area.

Currently, USA works to provide narrow focus code compliance duties when code compliance officers are not working. However, they do this at a lower cost. USA currently works Thursday - Sunday and in the evening hours. USA officers are contacted through a Vacation Rental Hotline, and through PSPD dispatch. The officers respond to complaints of loud music or noise, attempt contact of occupants, photograph the address and decibel readings taken and video record all contacts. At the completion of the call for service, USA officers will complete a written report with photographs taken and provide this to the city/department. USA officers will issue loud noise citations and testify if necessary. To date, USA officers have not had to testify at any proceeding. Company officials attribute this to the quality and depth of the evidence collected and reports completed.

USA is contracted to the City of Palm Springs at \$28.00 per hour. The officer maintains presence within the city limits during their scheduled hours and can typically respond within 20 minutes. Company representatives are compiling basic call statistics, but report during peak times their officers have responded to as many as 20 or more calls per shift. This represents a significant time savings for sworn police officers.

According to USA, the City of Palm Springs is looking to eliminate the Vacation Rental Hotline and focus all calls to the police department. This will provide more resources to the program through fines, and eliminate issues with property managers failing to address issues with renters.

USA maintains \$3 million in liability insurance, and has an MOU with the city for additional issues. No issues were reported with the police department, or with the Police Officers Association.

A six month interim contract with US Security Associates to provide 25 hours per weekend of coverage would allow stepped up enforcement to occur while the task force is performing their work. The interim contract would cost \$18,200 and the costs could be recovered through an increase in the vacation rental permit fee to approximately \$250 per year. Council may act tonight to award the interim contract and a resolution increasing the fee to cover the increased costs could then come to Council for approval on October 26.

Future Steps:

If Council so directs, the fee schedule will be brought back to Council at a future meeting to recover the costs associated with the interim contract if that option is selected or to cover existing costs not being recovered at the present rate.

The task force will be convened in the next week or so to begin the process of evaluating enforcement options, costs, fee implications and related considerations.

The task force will also spend time on items such as recommended code amendments, requirements

to distribute rules to renters, sanctions to be placed on repeat offenders and other operational considerations. The intent is to schedule sufficient meeting dates to allow the task force to make their recommendations to Council in January or February of 2017.

An ordinance reconciling some issues that have been identified with the noise ordinance will be prepared for Council consideration at a future meeting as soon as possible.

FISCAL IMPACT:

Staff is recommending increasing the cost of a Short Term Vacation Rental Permit fee from the current \$60 per year to approximately \$250 per year. In addition, staff is recommending council authorize an interim contract with USA in an amount not to exceed \$18,200 for six months. There will be a sufficient increase in revenues collected to support this budget amendment by the increase in vacation rental permit fees.

ATTACHMENTS:

USA Information and Proposal