

KATHY WARD

From: Vacation Concierge <vconciierge1@gmail.com>
Sent: Sunday, April 13, 2014 12:14 PM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG; KATHY WARD; DOUG CHOTKEVYS; pmunoz@rutan.com
Subject: Short Term Rental Deadline Extension for Niguel Beach Terrace

Dear City Council Members,

Good afternoon. I'm sorry that I cannot be there in person to show my support for the upcoming city council meeting. Please print and submit this email as representation for my support for the agenda item regarding extending the deadline for approval of short term rentals at Niguel Beach Terrace.

This email is sent on behalf of 3 vacation rental home owners in Niguel Beach Terrace.

The Niguel Beach Terrace Community is working diligently to amend the CC&Rs in order to comply with the City of Dana Point's Short Term Rental ordinance. The May 1st deadline for compliance is logistically unrealistic due to the number of units and owners requiring proper notification. The process involved to notify and reach owners of our 368-unit complex will require additional time. We are asking the council to extend the deadline to October 1, 2014, so that the entire community can be properly notified and partake in this important decision process.

Thank you for your consideration,

Jeffrey F. Perry

Owner & Founder

O: 800.791.8366

W: VacationConciergeInc.com

Office Hrs: M-F 9a-5p PST

Vacation Concierge, Inc.

Proudly representing vacation rentals in South Orange County.

Optimizing income for vacation rental owners.

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KATHY WARD

From: Colaco, Jason <jcolaco@microstrategy.com>
Sent: Sunday, April 13, 2014 10:38 AM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG
Cc: DOUG CHOTKEVYS; KATHY WARD; pmunoz@rutan.com; nbtvacationrentalfeedback@gmail.com
Subject: FW: Important- 4/15/14 City Council Meeting To Discuss Niguel Beach Terrace ...
Attachments: 19-1.NiguelBeachTerraceCompliance.pdf

Dear Mayor and City Council,

I am a homeowner in Niguel Beach Terrace in Dana Point and would like to have the opportunity to vote on a change to our CCR's, amending them to allow short term rentals here in NBT. We only learned that we had an issue in January and amending our CC&Rs is a complex problem as 70% of our community does not live onsite and we require a 75% affirmative vote in order to amend. We have been working very hard on neighbor outreach, but we have had many wrong addresses and phone numbers to contend with.

I understand that this process may take up to 90 days once the CCR's amendment draft has been finalized, and the voting ballots prepared and mailed. We just hired a lawyer to help with the CC&R amendment, she is currently reviewing our CC&Rs and Policies and Procedures.

I encourage you to please extend your May 1 deadline until December 31st, 2014t to allow our community the proper time to notify all owners and take a vote on this very important issue.

Thank you,

Jason Colaco
45 Saint Michael,
Dana Point, CA 92629

Agenda Item No. 19

4/15/14

KATHY WARD

From: Todd Hunter <todd@hunterhome.com>
Sent: Sunday, April 13, 2014 10:13 AM
To: KATHY WARD
Subject: Niguel Beach Terrace extension

Kathy,

My wife Janette and I are homeowners in Niguel Beach Terrace in Dana Point. As you know, the owners are working to formalize a vote to amend our CC&Rs for short-term rentals. Since this community has openly allowed rentals for many years, the recent interpretation requires a vote to formalize and clarify the CC&Rs for all homeowners.

I appreciate the Council's earlier allowance of additional time for this vote to take place. Many leaders within our community have been working diligently each week to take the proper steps. They are carefully considering additional dues or fees that would help our community maintain a quality amenity for both citizens and visitors of Dana Point. Unfortunately the complex process for a such a vote is longer than anticipated.

I request the Council allow another extension so these steps can be taken thoughtfully and not throw our homeowners into a panic situation to sell their properties. We believe an additional 5-7 months will be adequate to follow the procedures and ensure all voices on the issue are heard. Since short term rentals have been a standard in our community for over a decade, I recommend the addition of a few months will help all parties work together on the best solution.

I appreciate your contributions to the City of Dana point and your time to carefully decide on this important matter.

Best regards,

Todd & Janette Hunter

Agenda Item No. 19
4/15/14

KATHY WARD

From: chilcotes@aol.com
Sent: Sunday, April 13, 2014 8:02 AM
To: SCOTT SCHOEFFEL
Cc: KATHY WARD; DOUG CHOTKEVYS; pmunoz@rutan.com; nbtvacationrentalfeedback@gmail.com
Subject: Niguel Beach Terrace

Dear Mr. Schoeffel,

I am a homeowner in Niguel Beach Terrace in Dana Point and have been informed by other owners of a recent mandate that the City has placed on short term vacation rentals. I currently live out of state and would not have known about this decision since I never received a letter personally. I would like to have the opportunity to vote on a change to our CCR's, amending them to allow short term rentals here in Niguel Beach Terrace.

I understand that this process may take up to 90 days once the CCR's amendment draft has been finalized, and the voting ballots prepared and mailed.

I encourage you to please extend your May 1 deadline until October 1, 2014 at the earliest to allow our community the proper time to notify all owners and take a vote on this very important issue.

Thank you,

Kirsten Chilcote

Agenda Item No. 19
4/15/14

KATHY WARD

From: DanaCondo@aol.com
Sent: Sunday, April 13, 2014 2:02 PM
To: nbtvacationrentalfeedback@gmail.com; KATHY WARD
Cc: STEVEN WEINBERG; DOUG CHOTKEVYS
Subject: Requesting an Extension from Owners in Niguel Beach Terrace. Thank you.

Hello:
Niguel Beach Terrace has been transformed to a very beautiful complex through the years. Many families want to bring their entire family to the ocean and beach each year. They delight that our condo complex is so close to the beach. They request reservations each year, especially in the summer in NBT. We receive requests from all over the world.

The City Council has told us if we amend our 32 year CC&Rs, we then can apply for a permit to continue vacation rentals; this is our goal.

We have 100 vacation rental owners in the Niguel Beach Terrace now. In order to amend our CC&Rs, we need more time to totally accomplish this job to be successful. We respectfully request an extension after May 1, 2014, our deadline.

After May 1, 2014, we still have much more work to do. We have no idea how much longer, but could be very show especially if we have to go to court. We hope we only will need this one extension. If you give us enough time to be successful, we would certainly appreciate that.

We have been working very hard to accomplish this. We have already put in many hours. We do feel we are making excellent progress. Each week we have a special meeting to plan ahead. We have recently hired an HOA attorney as well.

Having 368 condos in the complex, which consists of 80% rentals, makes this task very time consuming. It is difficult to reach many of these owners who have been away for years. If we do not get an extension past the May 1 deadline, this puts the vacation rentals owners in a embarrassing situation.

In 2006 there was a Rule change that clarified the CC&Rs "Ruling for "Transient and Hotel purposes" we thought. This requirement came as a surprise for all the vacation rental owners and more or less threw us off schedule. Each summer we always have many repeat guests returning. Once they come here they want to return.

Due to the new City Ordinance and our own governing documents, we do believe by amending our CC&Rs to allow vacation rentals, will be a welcome addition to the majority of Niguel Beach Terrace owners.

We respectfully request more time for this amendment so that we may continue moving forward. We appreciate the City Council considering our needs. Thank you.

Sincerely,
Betha Lea Everett

Agenda Item No. 19
4/15/14

KATHY WARD

From: Susan Peterson <sbpeterson@cox.net>
Sent: Monday, April 14, 2014 7:22 PM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG; KATHY WARD; DOUG CHOTKEVYS; pmunoz@rutan.com
Subject: Niguel Beach Terrace Vacation Rentals

Dear Dana Point City Council Members,

I am a homeowner in Niguel Beach Terrace in Dana Point and would like to have the opportunity to vote on a change to our CCR's, amending them to allow short term rentals here in NBT.

I understand that this process may take up to 90 days once the CCR's amendment draft has been finalized, and the voting ballots prepared and mailed.

I encourage you to please extend your May 1 deadline until October 1, 2014 at the earliest to allow our community the proper time to notify all owners and take a vote on this very important issue.

Thank you,

Susan Peterson

34116 Selva Road, #310

Dana Point, CA 92629

949-374-4762

Agenda Item No. 19
4/15/14

KATHY WARD

From: Scott Peterson <scottspeterson@hotmail.com>
Sent: Monday, April 14, 2014 7:36 PM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG; KATHY WARD; DOUG CHOTKEVYS; <mailto:pmunoz@rutan.com>
Subject: Extension of Niguel Beach Terrace May 1, 2014 Deadline
Attachments: NBT Extension Letter.pdf

April 14, 2014

Re: Extension of the May 1, 2014 Niguel Beach Terrace Short-Term Rental Deadline

Dear Dana Point City Council Members,

I am Scott Peterson and I am part of a large (and growing) group of Niguel Beach Terrace homeowners who are diligently working to amend our CC&Rs so that they satisfy the City's Vacation Rental requirements. ***I want to express my strong support for the extension of the current May 1st deadline.*** Allowing us additional time is proper for very good reasons.

First, the current May 1st deadline is unreasonably short because it does not give our community enough time to amend our CCRs. Although I believe our CCRs and Rules and Regulations already allow for short term rentals, I understand the City currently does not agree. Therefore, I am respectfully requesting the City give our community ample opportunity to amend the current CC&Rs.

Second, by not extending the deadline beyond May 1st, the City will unwittingly be causing significant personal and financial disruption for hundreds of people. Niguel Beach Terrace has a very long, open and successful history of operating vacation rentals. Due to the immense popularity of vacation rentals within our community, the majority of families book their summer vacation well in advance.

Consequently, our guests, which come from all over the nation and the world, have had their travel plans in place for several months and have already expended thousands of dollars on airline tickets. These innocent families are in jeopardy of having their long established plans to visit Dana Point crushed. This is likely to cause huge personal and financial disruption. It is simply unjust to enforce a May 1st deadline that will retroactively impact rental contracts that were in place well before the deadline was issued.

Extending the deadline to the end of the year is clearly the least disruptive and most sensible action the City Council can take so our community can finish the amendment process the City has demanded.

For these reasons, I strongly support the extension of the May 1st deadline, and sincerely thank you for your serious consideration of this matter.

Scott Peterson

34116 Selva Road, Unit 310

Dana Point, Ca 92629

Cell 949-374-4763

April 14, 2014

To the City Council of Dana Point,

We would like our association at Niguel Beach Terrace to be allowed the time it takes to conduct a vote and enable all homeowners to voice their opinion as to permitting short term rentals, which requires a change to our CCR's. With over 170 full time rental units here in NBT, mostly long distance owners, it takes time to contact this almost 50% of our community and give out information on the new 2014 City of Dana Point Short Term Rental Permits and the conflict with the CCR's for our community.

We would like all 368 association members to be able to vote to amend our CCRs, giving each owner the option to apply for a Short Term Rental License, now or in the future.

Thank you.

Mike and Ann Bryant,

Owners and residents at 34136 Selva Rd unit 235

949-493-1469

Agenda Item No. 19

4/15/14

April 13, 2014

Attention Doug Chotkeys, City Manager
& Lisa Bartlet, City Mayor

CITY OF DANA POINT

2014 APR 15 A 11: 10

RECEIVED
CITY CLERK'S DEPARTMENT

Hello:

I am a resident of 17 years in Niguel Beach Terrace.
I have been told there will be a meeting Tuesday night about vacation rentals.

Being a full time owner and living by several vacation rentals, please know they have never caused me any problems. Someday I hope to also have the option to do vacation rentals myself...

Please do not stop them but know they have been overseen by responsible owners who love this community and want it to grow and increase in value.

They need additional time to complete their amendment. Consider this request for owners who live here, who also want the amendment...

Thank you.

Jeri Silva

Jeri Silva
34126 Selva Road
#302
Dana Point, CA 92629

Publish this info on web site.

Agenda Item No. 19

4/15/14

KATHY WARD

From: Corinne Conklin <corinnemconklin@gmail.com>
Sent: Tuesday, April 15, 2014 8:08 AM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG
Cc: KATHY WARD; DOUG CHOTKEVYS; pmunoz@rutan.com; Niguel Beach Terrace
Subject: NIGUEL BEACH TERRACE EXTENSION

Dear City Council Members,

I am an owner at Niguel Beach Terrace in Dana Point. The May 1 deadline for compliance is proving logistically unrealistic due to the number of units and owners requiring proper notification. I have spoken to several other owners who never received your March letter of notification about the May 1 compliance deadline. As you can see, the process involved to notify and reach all owners of our 368-unit complex in order to work toward amending our CC&R's with respect to short term rentals will require additional time.

We encourage the City Council to extend the deadline to December 31, 2014, so that our entire community can be properly notified and have a vote in this important decision process.

Respectfully,
Corinne Conklin

Agenda Item No. 19

4/15/14

KATHY WARD

From: Coastal Cottage <CoastalCottage1@earthlink.net>
Sent: Tuesday, April 15, 2014 9:14 AM
To: KATHY WARD
Subject: NBT- Dana Point

I am a homeowner in Niguel Beach Terrace in Dana Point and would like to have the opportunity to vote on a change to our CCR's, amending them to allow short term rentals here in NBT.

I understand that this process may take up to 90 days once the CCR's amendment draft has been finalized, and the voting ballots prepared and mailed.

I encourage you to please extend your May 1 deadline until October 1, 2014 at the earliest to allow our community the proper time to notify all owners and take a vote on this very important issue.

Thank you,

Teri Morin

Agenda Item No. 19
4/15/14

KATHY WARD

From: Bruce <bruceyen@hotmail.com>
Sent: Monday, April 14, 2014 2:05 PM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG
Cc: KATHY WARD; DOUG CHOTKEVYS; pmunoz@rutan.com; nbtvacationrentalfeedback@gmail.com
Subject: Niguel Beach Terrace Short-term Rental Compliance

Dear City Council Members,

I am a proud homeowner in the Niguel Beach Terrace Community (NBT) of Dana Point and would like to have the opportunity of a proper discussion and vote on a change to our CCR's with an amendment to allow short-term rentals.

I encourage you to please extend your May 1 deadline until October 1, 2014 at the earliest, to allow our community the proper time to notify all owners and take a vote on this very important issue.

I understand that this process may take up to 90 days once the CCR's amendment draft has been finalized, and the voting ballots prepared and mailed. Thank you for your consideration.

Sincerely,
Bruce Yen

Agenda Item No. 19

4/15/14

KATHY WARD

From: Pam <seaclusion.danapoint@gmail.com>
Sent: Monday, April 14, 2014 1:18 PM
To: KATHY WARD
Subject: Council Meeting 4-15

We are owners at Niguel Beach Terrace (NBT) in Dana Point and have recently been informed that the City of Dana Point is issuing Short Term Rental licenses. We have been told that in order for the NBT homeowners to apply for a City license, we must have our CCR's amended to allow for rentals less than a 31-day period.

The process to amend our CCR's has begun, the amendment is being drafted and the HOA board and property management company (Professional Community Management--PCM) have been informed about our request for the entire homeowner community to vote on this amendment.

PCM has informed us that the voting process may take 30-90 days, after the amendment is completed and mailed to all homeowners. More than 70% of the homeowners live out of area and the state. We are asking for an extension of the May 1 enforcement deadline to enable all homeowners at Niguel Beach Terrace to be fully informed and to vote their decision.

We thank you in advance for your consideration.

George & Pam Risher
805-934-1239

Agenda Item No. 19
4/15/14

Dana Point City Council

Re: Niguel Beach Terrace Vacation Rental

To whom it may concern:


I've been an owner at Niguel Beach Terrace (NBT) in Dana Point since March 2006. My business partner and I have recently been informed that the City of Dana Point is issuing Short Term Rental licenses. We have been told that in order for the NBT homeowners to apply for a City license we must have our CCR's amended to allow for rentals less than a 31-day period.

The process to amend our CCR's has begun, the amendment is being drafted and the HOA board and property management company (Professional Community Management--PCM) have been informed about our request for the entire homeowner community to vote on this amendment.

PCM has informed us that the voting process may take 30-90 days, after the amendment is completed and mailed to all homeowners. More than 70% of the homeowners live out of area and the state. We truly need an extension of the May 1 enforcement deadline to enable all homeowners at Niguel Beach Terrace to be fully informed and to vote their decision.

We thank you in advance for your consideration. If you have any further questions, please feel free to contact me at 310 266 9372 or pcornejo@gatewaybp.com

Sincerely,

 4-14-2014

Patrick M. Cornejo

Owner of 34038 Selva Rd. Unit 114.

Agenda Item No. 19

4/15/14

KATHY WARD

From: Shane Christensen <dshanechristensen@gmail.com>
Sent: Monday, April 14, 2014 11:13 AM
To: SCOTT SCHOEFFEL; BILL BROUGH; CARLOS OLVERA; LISA BARTLETT; STEVEN WEINBERG
Cc: KATHY WARD; DOUG CHOTKEVYS; pmunoz@rutan.com
Subject: Request for extension re. NBT enforcement deadline

Dear City Council Members:

I am one of a number of owners at Niguel Beach Terrace (NBT) in Dana Point concerned with ensuring that I and others in the complex properly follow city and community regulations, and also doing all that I can to support efforts to allow short term vacation rentals in the complex in a way that will benefit the city, homeowners, tenants, and visitors to our beautiful community.

We have been told that in order for the NBT homeowners to apply for a city license granting permission for short term rentals, we must have our CCR's amended to expressly allow them. This is perfectly reasonable (I should tell you that when I bought into the complex I received written assurances from my real estate agent that short term rentals were allowed, so you can imagine my surprise upon recently hearing they were not). The process to amend our CCR's has begun, the amendment is being drafted and the HOA board and property management company (Professional Community Management--PCM) have been informed about our request for the entire homeowner community to vote on this amendment.

PCM has informed us that the voting process may take 30-90 days, after the amendment is completed and mailed to all homeowners. I understand that more than 70% of the homeowners live out of area and the state. We are asking for an extension of the May 1 enforcement deadline to enable all homeowners at Niguel Beach Terrace to be fully informed and to vote their decision.

On behalf of all of us, thank you in advance for your consideration. We also very much appreciate your patience as we work to settle this manner in a way that will be a win-win for all.

Best regards,

Shane Christensen

Homeowner

Niguel Beach Terrace

Agenda Item No. 19
4/15/14

Paula Aragone

714.366.6117 cell
DRE # 01364746
Paula@PaulaAragone.com

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California Realty

Dawna Kuch

714.726.9262 cell
DRE # 01445858
DKuchPCR@sbcglobal.net

4/14/14


Dear City Council Members,

I am a homeowner in Niguel Beach Terrace in Dana Point, and have recently been informed that the City of Dana Point is issuing Short Term Rental licenses. We have been told that in order for the NBT homeowners to apply for a City license, we must have our CCR's amended to allow for rentals less than a 31-day period.

The process to amend our CCR's has begun, the amendment is being drafted and the HOA board and property management company (Professional Community Management--PCM) have been informed about our request for the entire homeowner community to vote on this amendment.

PCM has informed us that the voting process may take 30-90 days, after the amendment is completed and mailed to all homeowners. More than 70% of the homeowners live out of area and the state. We are in urgent need of an extension of the May 1 enforcement deadline. Please I urge you to grant us the requested extension so that our entire community can be properly notified and take part in this important decision process by voting accordingly.

We thank you in advance for your consideration.


PAULA ARAGONE

Agenda Item No. 19

4/15/14

THE ARAGONE TEAM
#1 Agent 2009 - Chairman Diamond Award
www.TheAragoneTeam.com

KATHY WARD

From: DOUG CHOTKEVYS
Sent: Sunday, April 13, 2014 12:55 PM
To: URSULA LUNA-REYNOSA; MIKE KILLEBREW; KATHY WARD
Subject: Fwd: Vacation Rentals In Dana Point - Niguel Beach Terrace

FYI

Sent from my iPhone

Begin forwarded message:

From: <ramichaels@cox.net>
Date: April 13, 2014 at 10:50:27 AM PDT
To: <sschoeffel@danapoint.org>, <colvera@danapoint.org>, <lbartlett@danapoint.org>, <bbrough@danapoint.org>, <sweinberg@danapoint.org>
Cc: <kward@danapoint.org>, <DChotkevys@DanaPoint.org>, <pmunoz@rutan.com>, <nbtvacationrentalfeedback@gmail.com>
Subject: Vacation Rentals In Dana Point - Niguel Beach Terrace

To: Dana Point City Council

We are owners at Niguel Beach Terrace (NBT) in Dana Point and have recently been informed that the City of Dana Point is issuing Short Term Rental licenses. We have been told that in order for the NBT homeowners to apply for a City license, we must have our CCR's amended to allow for rentals less than a 31-day period.

The process to amend our CCR's has begun, the amendment is being drafted and the HOA board and property management company (Professional Community Management--PCM) have been informed about our request for the entire homeowner community to vote on this amendment.

PCM has informed us that the voting process may take 30-90 days, after the amendment is completed and mailed to all homeowners. More than 70% of the homeowners live out of area and the state. We are asking for an extension of the May 1 enforcement deadline to enable all homeowners at Niguel Beach Terrace to be fully informed and to vote their decision.

We thank you in advance for your consideration.

Regards,

Rick Michaels
Property Owner

Agenda Item No. 19
4/15/14

KATHY WARD

From: Munoz, Patrick <pmunoz@rutan.com>
Sent: Sunday, April 13, 2014 2:06 PM
To: DOUG CHOTKEVYS; KATHY WARD; URSULA LUNA-REYNOSA
Subject: FW: Niguel Beach Terrace

A. Patrick Muñoz

Rutan & Tucker, LLP
611 Anton Boulevard, 14th Floor
Costa Mesa, CA 92626
(714) 662-4628 (direct)

pmunoz@rutan.com
www.rutan.com

RUTAN

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From: Bob Baker [<mailto:lagprop@flash.net>]
Sent: Sunday, April 13, 2014 1:51 PM
To: Munoz, Patrick
Subject: Niguel Beach Terrace

We are owners at Niguel Beach Terrace (NBT) and over 30 year residence in Dana Point and have recently been informed that the City of Dana Point is issuing Short Term Rental licenses. We have been told that in order for the NBT homeowners to apply for a City license, we must have our CCR's amended to allow for rentals less than a 31-day period.

The process to amend our CCR's has begun, the amendment is being drafted and the HOA board and property management company (Professional Community Management--PCM) have been informed about our request for the entire homeowner community to vote on this amendment.

PCM has informed us that the voting process may take 30-90 days, after the amendment is completed and mailed to all homeowners. More than 70% of the homeowners live out of area and the state. We are asking for an extension of the May 1 enforcement deadline to enable all homeowners at Niguel Beach Terrace to be fully informed and to vote their decision.

Bob Baker
(949) 240-0144
Lagprop@flash.net
34114 Selva Rd. #317
Dana Pt. Ca 92629

KATHY WARD

From: Paul Z <paulzolfaghari@gmail.com>
Sent: Sunday, April 13, 2014 2:42 PM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG
Cc: KATHY WARD; DOUG CHOTKEVYS; pmunoz@rutan.com; nbtvacationrentalfeedback@gmail.com
Subject: Dana Point City Council Meeting - April 15th - Niguel Beach Terrace Extension Request

Dana Point City Council Members,

We are owners of a condominium at Niguel Beach Terrace (NBT) in Dana Point. We will not be able to attend the upcoming City Council meeting on April 15th where we understand there will be a vote on whether to extend the May 1st date for enforcement of the city's newly enacted short term rental policy.

In lieu of our appearing at the council meeting in person, we wanted to express our strong support for the extension of the current May 1st deadline. We believe that the extension of the deadline is sound policy for three reasons.

First, the current May 1st deadline is unreasonably short as it does not give enough time for our association to have our proposed CCR changes presented for consideration to our members. Although it remains our firm belief that both the current CCRs and the operating record of the HOA already allow for short term rentals, we understand that the city council appears to have come to a different conclusion. Without conceding that the city's interpretation of our current CCRs is correct, at an absolute minimum, the city should give the community ample opportunity to formally address the current regulations. Frankly, it is simply unreasonable to expect that the community has had adequate time prior to May 1st to notify nearly 400 owners about the issues at hand and conduct the confirmation process now required by the city.

Second, by not extending the deadline beyond May 1st, the city council will cause significant personal and financial disruption for hundreds of people. The nature of vacation rentals in NBT is well established. Families that choose to come to Dana Point for vacation in the summer book accommodations many months (if not a full year) in advance of their proposed trip. In the particular case of our condo, we have been fully booked for this upcoming summer season since

before last Christmas. We have formal agreements in place with a dozen separate families who for months have been planning to spend their summer vacation at our condo in NBT. Our prospective renters are planning to come to Dana Point from all over the US, and as far away as Europe. These renters have had their travel plans set for months, with most of them incurring thousands of dollars in airline flight costs. In addition, all of them have arranged their summer schedule around the days they have committed to rent our condo. Enforcing a May 1st deadline for the new short term rental ordinance would literally impact more than a dozen separate families in just our unit alone. When you consider the number of current short term rentals in NBT, this would be a massive and serious disruption for hundreds of families. These families (who have done nothing wrong) will have their long established plans to visit Dana Point shattered, likely causing huge personal and financial consequences. It is simply not fair to enforce a May 1st deadline that will retroactively impact a set of rental contracts that were finalized before the City Council ever even considered the NBT issue.

Third, the proposed extension causes no harm to any party. With the new ordinance, short term rentals are clearly permitted within Dana Point. Short term rentals have been historically occurring within NBT. Therefore, it is the least disruptive action for the city council to allow for a reasonable extension of time for the community to fully consider the matter. The opposite is however not the case. Enforcing the May 1st deadline would be in direct contravention of the ordinance expressly permitting short term rentals, and it would be enforcing a reversal in practice that has been occurring at NBT for years. Allowing that practice to continue on a little longer until this matter is fully settled is by far the most practical decision the city council could make.

For these reasons, we strongly support the extension of the May 1st deadline, and we thank you in advance for your consideration.

Paul and Beverly Zolfaghari

Owner Unit #238 Niguel Beach Terrace, 34136 Selva Road, Dana Point, California 92629

KATHY WARD

From: DOUG CHOTKEVYS
Sent: Monday, April 14, 2014 4:24 AM
To: URSULA LUNA-REYNOSA; MIKE KILLEBREW
Cc: KATHY WARD; Patrick Munoz
Subject: FW: Niguel Beach Terrace

fyi

From: Robert Colacion <rcolacion@msn.com>
Sent: Sunday, April 13, 2014 5:30 PM
To: DOUG CHOTKEVYS
Subject: Niguel Beach Terrace

I am an owner of 2 condos at Niguel Beach Terrace in Dana Point and would like to have the opportunity to vote on a change to our CCR's, amending them to allow short term rentals here in NBT.

I understand that this process may take up to 90 days once the CCR's amendment draft has been finalized, and the voting ballots prepared and mailed.

I encourage you to please extend your May 1 deadline until October 1, 2014 at the earliest to allow our community the proper time to notify all owners and take a vote on this very important issue.

Thank you,

Best Regards,

Robert Colacion

310.722.0079 Cell
310.734.2338 Office
310.436.6978 eFax
rcolacion@msn.com

Agenda Item No. 19
4/15/14

KATHY WARD

From: DOUG CHOTKEVYS
Sent: Monday, April 14, 2014 4:23 AM
To: URSULA LUNA-REYNOSA; MIKE KILLEBREW
Cc: KATHY WARD; Patrick Munoz
Subject: FW: Niguel Beach Terrace

fyi

From: timothy Reardon <martbrianna@sbcglobal.net>
Sent: Sunday, April 13, 2014 7:38 PM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG
Cc: nbtvacationrentalfeedback@gmail.com; KATHY WARD; DOUG CHOTKEVYS; pmunoz@rutan.com
Subject: Niguel Beach Terrace

Dear City Council Members,

I am a homeowner in Niguel Beach Terrace in Dana Point and would like to have the opportunity to vote on an important change to our CCR's, amending them to allow short term rentals here in NBT.

The Niguel Beach Terrace Community is working diligently to amend the CCR's, and I understand that this process may take up to 90 days once the CCR's amendment draft has been finalized, and the voting ballots prepared and mailed.

I encourage you to please extend your May 1st deadline until October 1, 2014 at the earliest to allow our community the proper time to notify all owners of our 368 unit complex and take a vote on this very important issue.

Thank you,
Timothy Reardon

Agenda Item No. 19
4/15/14

KATHY WARD

From: DOUG CHOTKEVYS
Sent: Monday, April 14, 2014 4:23 AM
To: URSULA LUNA-REYNOSA; MIKE KILLEBREW
Cc: KATHY WARD; Patrick Munoz
Subject: FW: Niguel Beach Terrace Vacation Rentals

fyi

From: Rick and Shirley Johnson <randsindm@mchsi.com>
Sent: Sunday, April 13, 2014 7:46 PM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG
Cc: KATHY WARD; DOUG CHOTKEVYS; pmunoz@rutan.com; nbtvacationrentalfeedback@gmail.com
Subject: Niguel Beach Terrace Vacation Rentals

Dear City Council Members:

We are out of State owners of a Niguel Beach Terrace condo. We were NEVER given notice of the bed tax pending or any issue of the CC&R's at NBT regarding short term rentals until recently. PLEASE take in consideration how difficult this issue has become to the owners at NBT condos. We ALL (city and owners) need to work together on the issues and it will take time. Owners cannot afford to break agreements which have been made previously and also lose income while this is being worked out. PLEASE allow more time!!!!!! THERE IS NOTHING TO GAIN BY MAKING THE SITUATION WORSE WITH THE IMPENDING MAY 1st DEADLINE.

Thank You,
Rick and Shirley Johnson
9709 Aurora Ave.
Urbandale, Iowa 50322

Agenda Item No. 19
4/15/14

KATHY WARD

From: DOUG CHOTKEVYS
Sent: Monday, April 14, 2014 4:22 AM
To: URSULA LUNA-REYNOSA; MIKE KILLEBREW
Cc: KATHY WARD; Patrick Munoz
Subject: FW: Important- 4/15/14 City Council Meeting To Discuss Niguel Beach Terrace Condominium Short Term Rental Compliance Issue

fyi

From: MIRA COLACO <colacomira@hotmail.com>
Sent: Sunday, April 13, 2014 8:34 PM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG; KATHY WARD; DOUG CHOTKEVYS; <mailto:pmunoz@rutan.com>
Subject: RE: Important- 4/15/14 City Council Meeting To Discuss Niguel Beach Terrace Condominium Short Term Rental Compliance Issue

Dear City Council Members,

The Niguel Beach Terrace Community is working diligently to amend our CC&Rs in order to comply with the City of Dana Point's Short Term Rental ordinance. The May 1st deadline for compliance is proving logistically unrealistic due to the number of units and owners requiring proper notification. The process involved to notify and reach owners of our 368-unit complex will require additional time. We are asking the council to extend the deadline to October 1, 2014, so that our entire community can be properly notified and partake in this important decision process.

Thank you for your consideration,

Araujo & Mira Colaco
#380

Agenda Item No. 19
4/15/14

KATHY WARD

From: DOUG CHOTKEVYS
Sent: Monday, April 14, 2014 4:22 AM
To: URSULA LUNA-REYNOSA; MIKE KILLEBREW
Cc: KATHY WARD; Patrick Munoz
Subject: FW: Short Term Rental Compliance

fyi

From: Uslugil, Sal <uslugil@microstrategy.com>
Sent: Sunday, April 13, 2014 9:49 PM
To: SCOTT SCHOEFFEL; CARLOS OLVERA; LISA BARTLETT; BILL BROUGH; STEVEN WEINBERG
Cc: KATHY WARD; DOUG CHOTKEVYS; pmunoz@rutan.com
Subject: Short Term Rental Compliance

Dear City Council Members,

I am a homeowner in Niguel Beach Terrace in Dana Point and would like to have the opportunity to vote on a change to our CCR's, amending them to allow short term rentals here in NBT.

I understand that this process may take up to 90 days once the CCR's amendment draft has been finalized, and the voting ballots prepared and mailed.

I encourage you to please extend your May 1st deadline until October 1st, 2014 at the earliest to allow our community the proper time to notify all owners and take a vote on this very important issue.

Thank you,
Salih Uslugil

Salih (Sal) Uslugil | Senior Vice President | MicroStrategy

1850 Towers Crescent Plaza | Vienna, VA 22182

Office: 310.606.6308 | Fax: 310.606.9393

suslugil@microstrategy.com

Assistant: Susie Hardcastle | Phone: 206.774.0217 | shardcastle@microstrategy.com

Agenda Item No. 19

4/15/14

KATHY WARD

From: DOUG CHOTKEVYS
Sent: Monday, April 14, 2014 4:21 AM
To: URSULA LUNA-REYNOSA; MIKE KILLEBREW
Cc: KATHY WARD; Patrick Munoz
Subject: FW: Niguel Beach Terrace

fyi

From: Minesh Mehta <mmmehta@gmail.com>
Sent: Monday, April 14, 2014 1:28 AM
To: SCOTT SCHOEFFEL; BILL BROUGH; STEVEN WEINBERG; DOUG CHOTKEVYS; pmunoz@rutan.com; CARLOS OLVERA; LISA BARTLETT; KATHY WARD
Subject: Niguel Beach Terrace

Dear City Council Members,

As an owner of a condo in Niguel Beach Terrace, I would ask that the council consider extending the deadline for compliance with the Short Term Rental ordinance from May 1st to October 1st, 2014.

It is important that the entire community be properly notified and informed of the implications of amending our CC&Rs to comply with the City's ordinance.

Thank you,

Minesh Mehta

Agenda Item No. 19

4/15/14

KATHY WARD

From: DOUG CHOTKEVYS
Sent: Monday, April 14, 2014 6:59 AM
To: KATHY WARD
Cc: URSULA LUNA-REYNOSA; Patrick Munoz; MIKE KILLEBREW
Subject: FW: Niguel Beach Terrace

Kathy,

FYI and please add to the file for Tuesday night.

Thx

From: Ca Dreaming Vacation rentals <cadreamingvacations@yahoo.com>
Sent: Monday, April 14, 2014 6:53 AM
To: SCOTT SCHOEFFEL; munoz@rutan.com; DOUG CHOTKEVYS; KATHY WARD; STEVEN WEINBERG; BILL BROUGH; LISA BARTLETT; CARLOS OLVERA
Subject: Niguel Beach Terrace

Dear City Council Members,

The Niguel Beach Terrace Community is working diligently to amend our CC&Rs in order to comply with the City of Dana Point's Short Term Rental ordinance. The May 1st deadline for compliance is proving logistically unrealistic due to the number of units and owners requiring proper notification. The process involved to notify and reach owners of our 368-unit complex will require additional time. We are asking the council to extend the deadline to October 1, 2014, so that our entire community can be properly notified and partake in this important decision process.

Thank you for your consideration,

119 Selva Managers

Agenda Item No. 19

4/15/14

KATHY WARD

From: DOUG CHOTKEVYS
Sent: Monday, April 14, 2014 4:51 AM
To: KATHY WARD
Cc: Patrick Munoz; MIKE KILLEBREW; URSULA LUNA-REYNOSA
Subject: FW: Vacation Rentals

FYI and distribution as appropriate.

Thx

From: Fred Mayo
Sent: Sunday, April 6, 2014 2:55:15 PM (UTC-08:00) Pacific Time (US & Canada)
To: STEVEN WEINBERG
Subject: Vacation Rentals

Dear Council Members

It has come to my attention that there may be a vote to give extensions to the May 1 deadline for vacation rental permits.

Vacation rental owners have been aware of this deadline and the requirements for permits for many months. Niguel Beach Terrace's CCR's prohibit vacation (transient) rentals. There has not been an organized vote yet to amend our CCR'S.

Any attempt by vacation rental owners in Niguel Beach Terrace to get an extension would be a ruse to insure that they could book additional nights, weekends, and weeks for prime time summer rentals.

As an owner, I would not look forward to the cacophony of vacation rentals this summer. Weeks of nightly and weekly roller boards, skate boards, large families, partying young adults are a serious impact on our quality of life in our compact community.

Respectfully

Fred Mayo
34006 Selva Rd Unit 388
Dana Point CA 92629

Agenda Item No. 19
4/15/14

KATHY WARD

From: DOUG CHOTKEVYS
Sent: Monday, April 14, 2014 9:31 AM
To: KATHY WARD
Cc: URSULA LUNA-REYNOSA; MIKE KILLEBREW; Patrick Munoz
Subject: Fwd: Niguel Beach Terrace Vacation Rentals

FYI and distribution.

Sent from my iPhone

Begin forwarded message:

From: <janetvaldivia@cox.net>
Date: April 14, 2014 at 9:18:09 AM PDT
To: <DChotkevys@DanaPoint.org>
Subject: Niguel Beach Terrace Vacation Rentals

Dear City Council Member:

The vacation rental owners at Niguel Beach Terrace are fully committed in following the laws and rules and regulations of not only the city of Dana Point, but also the CC&Rs that govern our development.

At this moment, we're in the process of resolving issues regarding the continuation of short-term rentals at Niguel Beach Terrace. We have received a letter from you gentlepersons indicating that these issues must be resolved by May 1, 2014 or all short term renting activities must cease.

Unfortunately, this situation has come up at an inopportune time, because when we received the mandate from the city we already had more than one hundred families from around the world who had secured our units to spend their vacations. These families have already made monetary expenditures such as buying plane tickets, organizing their times, arranging other expenses that go along with their trips and paid the deposits for the housing.

While we are wholeheartedly trying to resolve our issues, we find ourselves in a terrible bind because of the unrealistically short time we have been given to resolve our issues. Having to cancel the bookings for all of these families wanting to visit our beautiful city from all over the world amounts to an utterly difficult and sincerely unfair act that would benefit no one in good conscience and would leave a disappointingly and perhaps angry feelings about our city that is becoming increasingly favored by visitors from around the globe.

Consequently, we are appealing to your fairness to grant us a more realistic amount of time so that we can bring about fair, effective and legally binding solutions to benefit all involved and avoid rushed, desperate and inappropriate solutions that may hurt people unnecessarily. We are respectfully requesting that you consider giving us no less than six months time to bring about the appropriate solution to our issues.

Respectfully

Agenda Item No. 19
4/15/14

Lino Valdivia

KATHY WARD

From: Don Young <donyoung@youngautomotive.us>
Sent: Tuesday, April 15, 2014 2:59 PM
To: KATHY WARD
Subject: FW: NIGUEL BEACH TERRACE SHORT TERM COMPLIANCE

We are owners at Niguel Beach Terrace(NBT) in Dana Point and have recently been informed that the City of Dana Point is issuing Short Term Rental Licenses. We have been told that in order for the NBT Homeowners to apply for a City license, we must first have our CC&R'S amended to allow for rentals less than a 31 day period. The process to amend our CC&R's has begun , the amendment is being drafted and the HOA Board and property management company (Professional Community Management-PCM) has been informed about our request for the entire homeowners community to vote on this amendment. PCM has informed us that the voting process may take 30-90 days, after the amendment is completed and mailed to all homeowners. More than 70% of the homeowners live out of the area and the state.

We are asking for the May 1,2014 enforcement deadline to be extended to October 1, 2014 so that we have more time for all owners to be fully informed prior to the vote.

I am sure once this has been voted on and approved, the additional tax generated will benefit the City of Dana Point. Your help in this important matter will be greatly appreciated.

Best regards,

Don Young

Agenda Item No. 19
4/15/14