

Don, I appreciate you passing this along to board members.

Dear Board Members:

Your letter to residents dated August 26th (which I did not receive. I got a copy from another resident) requested resident input regarding beach rentals, beach management, beach erosion, and road utility poles. The following are my thoughts/suggestions.

The debate concerning short-term rentals has existed as long as I have owned my property, some 15 years, and probably longer than that. It always seems to come down to a question of property rights, more specifically, protecting the rights of those who choose to short-term rent their property. So it is refreshing to see the board talk about the rights of the great majority us who do not short-term rent.

However my concern is the comments in the letter seem to reduce the problem to non reimbursed costs incurred by the district. It is much more than that. It is about a greatly diminished quality of life for full time residents, particularly those forced to live in close proximity to a rental property.

Still, I understand the city has chosen to put that aside, opting to legalize what has been, for good reason, an illegal activity, charging a fee to those who wish to rent their property. And I'm fairly certain the Coastal Commission will agree to this if they haven't already. With that the case all that's left is the question of what the district will do.

You talk of assessing short-term rental property owners the true cost associated with them renting their properties. Fine, but if you do make sure you identify and assess **ALL** the costs.

This is about much more than an extra day of trash collection. Traffic related matters are a major problem as are such things as illegal beach fires, trash overflow put in whatever trash containers short-term renters choose, theft, threats made against those who complain, fights, excessive noise, and illegal parking.

As is, we do nothing to attempt to control any of this. We have a gated community and still the reaction to crime is to recommend we increase our security lighting at our expense, lock our vehicles, and close our garage doors. That's far from being good enough and not at all acceptable.

Let me elaborate on just one of these. Speeding on the road.

When, not if, the day comes when someone, property owner or visitor, are hit, or worse, killed by a vehicle exceeding the speed limit, who do you think will be held liable? In addition to whomever is driving, it will be the property owner associated with that vehicle, and certainly the district.

Any reasonably competent attorney representing an injured person could easily document that we knew we had a problem and did very little to address it. You want to consider costs, think about what that will be when some 4 year old little girl visiting from Utah gets run over on Beach Road.

When, not if.

Your letter asks for suggestions on many subjects and one I think is way past due is for the district to invest in a comprehensive HD camera system linked to and monitored at the gate, covering the entire road. One authorized to issue speeding tickets. This not only will affect speeding it will also provide a record of anyone committing a crime from the road as well as minor hit and run property damage.

I also would like to see Securitas become much more active engaging with short-term renters on a personal basis, making sure they understand and adhere to the rules of both the road and the beach. And this would include active monitoring of them at their rental residence. I've mentioned this before and was told there is no time to do that when attempting to admit short-term renters onto the road. That may be given current levels of staffing, but is the alternative to simply say we can't police our own rules? No it's not.

The answer is to incur additional cost to do what is needed, passing that to short-term property owners, and, in the case of the camera system, allocating to all owners their portion of the expense to protect us all (short-term renters are far from the only ones disregarding the speed limit.)

I've heard of the road's desire for a casual "live and let live" beach lifestyle, one at odds with security cameras watching for theft and speeders. I'm sure that was Beach Road at some point a long time ago, but no more. Long ago the road began to change, in my opinion, for the worse, and it's only accelerating in the wrong direction since the decision to allow commercial hotel activities on the road was approved.

Now we will either acknowledge and react to these changes in a meaningful way or allow things to continue to deteriorate. But if the decision is to leave things as they are, don't think for a moment that the district will not be subject to the liability associated with not having done what should have been done a long time ago. That day is coming.

I have no comment or suggestions regarding the location of the manager's office, other than to say I thought that had been resolved to the satisfaction of all. I do have some comments on beach erosion. I find the paragraph discussing this somewhat confusing.

Erosion is a huge problem, however most of the paragraph seems to link that to the passage of SB-861. I only know what I read about the new law and as I understand things it only applies to blocking public access to the beach. The following comes from [an article in the LA Times dated June 30, 2014](#):

"The commission's new authority is limited to public-access violations, which occur in about one-third of the agency's more than 2,000 unresolved enforcement cases.

The new law does not allow the agency to impose fines for other offenses, such as unpermitted development or the destruction of coastal habitat along the 1,100 miles of coastline the agency regulates under the 1976 Coastal Act. For violators who refuse to settle those cases, the agency will still have to seek enforcement through the courts."

That tells me I may be subject to a fine should I refuse public access to the beach through my property (even though I live in the middle of the road, far from either public beach), but would have to be taken to court should I do anything on the beach side of my home in an attempt to prevent wave damage to my property and/or to reduce further erosion. I don't like either one of these scenarios but do see a distinction between them.

My confusion over the paragraph notwithstanding, the real issue is this: we need proactive legal representation experienced in matters pertaining to the Coastal Commission. I see news video of residents of other beaches bulldozing sand to protect their property, and hear of efforts to replenish sand on any number of beaches, except our beach.

Who's looking out for us? As near as I can tell no one, and yet we must adhere to whatever decisions the Coastal Commission chooses to impose upon us. We need representation but it would be a mistake to attempt to deal with them on our own.

Underground utilities . . . absolutely, the sooner the better.

Thank you for asking for input.

Regards,

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