



# City of Mission Viejo

*"We Value: Public Service, Integrity, Teamwork, Innovation, and Excellence"*

**Frank Ury**  
*Mayor*

**Wendy Bucknum**  
*Mayor Pro Tem*

**Greg Rath**  
*Council Member*

**Edward Sachs**  
*Council Member*

**Cathy Schlicht**  
*Council Member*

August 15, 2016

Honorable Charles Margines  
Presiding Judge of the Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

**Re: Responses to 2015-2016 Orange County Grand Jury Report "Drones: Know Before You Fly"**

Dear Judge Margines,

The Mission Viejo City Council has reviewed the Orange County Grand Jury Report, entitled "Drones: Know Before You Fly", and offers the following responses to Findings F.1 through F.7 and Recommendations R.1 through R.5 and R.9 on behalf of the City of Mission Viejo (the "City").

## **Findings and Responses:**

**F.1. Recreational drones have greatly increased in number since December 2015 and it is probable their unregulated use will pose significant threats to public safety and privacy in Orange County cities and unincorporated areas.**

**Response:** The City partially disagrees with this finding. Although the City acknowledges that recreational drones have greatly increased in number since December 2015, the City is unable to predict the future impact of recreational drones.

**F.2. With the exception of the recent Federal Aviation Administration registration rule, recreational drone owners are largely self-policed, which leads to a wide range of behavior.**

**Response:** The City partially disagrees with this finding. Although the City acknowledges that recreational drone operators may behave differently, the California Penal Code and AB 856 do provide additional regulations for recreational drone owners, as noted in the Grand Jury Report.

**F.3. Most of the cities and unincorporated areas of the County of Orange do not have a drone ordinance, nor do they have any immediate plans to enact an ordinance in the near future.**

**Response:** The City partially disagrees with this finding. The City is unable to fully respond to a finding that includes reference to the plans of other local governments. Currently, the City does not have a specific drone ordinance and needs to research drone policies prior to moving forward with any consideration of an ordinance.

**F.4. Most of the cities provide no educational programs for public awareness of the safety issues connected to recreational drones.**

**Response:** The City partially disagrees with this finding. The City is unable to fully respond to a finding that includes reference to the services of other local governments. However, the City agrees that there is little government-sponsored programs for safety or public awareness related to recreational drones.

**F.5. Some Orange County cities, despite recognizing potential issues with drones, are awaiting drone-related legislative action or other guidance by the State of California of FAA before enacting local ordinances.**

**Response:** The City partially disagrees with this finding. The City is unable to fully respond to a finding that includes reference to the plans and information of other local governments. However, the City does acknowledge that local governments are recognizing potential issues with drones.

**F.6. The FAA-required registration of recreational drones provides a useful tool for local enforcement of drone ordinances.**

**Response:** The City agrees with this finding.

**F.7. Orange County cities have not established a procedure for reporting drone incidents, which results in under-reporting of drone safety and privacy events.**

**Response:** The City partially disagrees with this finding. The City is unable to fully respond to a finding that includes reference to the actions of other local governments. However, the Orange County Sheriff's Department, who provides law enforcement services to the City, has established a division to report and respond to complaints regarding the use of drones.

**Recommendations and Responses:**

**R.1. Each City Council should direct its City Attorney to provide a report to the city's police department and City Council on existing laws that can be applied to the use of recreational drones in the city's jurisdiction by December 30, 2016.**

**Response:** This recommendation will require further analysis in accordance with California Penal Code Section 933.05(b)(3). Additional research is needed to determine the right data to collect, analyze, and report from a practical standpoint. Also, staff will make recommendations



as to the cost in City resources in potentially implementing this recommendation. The City will provide a final response to this recommendation on or before November 27, 2016.

**R.2. Each City should adopt a recreational drone ownership and operation ordinance, with regulations similar to those found in Los Angeles City ordinance #183912, by March 31, 2017, to the extent not preempted or superseded by Federal law or Federal regulations.**

**Response:** This recommendation will require further analysis in accordance with California Penal Code Section 933.05(b)(3). Additional research is needed to determine the right data to collect, analyze, and consider for adoption from a practical standpoint. Also, staff will make recommendations as to the cost in City resources in potentially implementing this recommendation. The City will provide a final response to this recommendation on or before November 27, 2016.

**R.3. Each City should inform its citizens about laws and ordinances that apply to recreational drone operators through print media, city-related web sites, social media sites and/or public forums by March 31, 2017.**

**Response:** This recommendation will require further analysis in accordance with California Penal Code Section 933.05(b)(3). Additional research is needed to determine the right data to collect, analyze, and provide from a practical standpoint. Also, staff will make recommendations as to the cost in City resources in potentially implementing this recommendation. The City will provide a final response to this recommendation on or before November 27, 2016.

**R.4. Each City should establish and publish on its website a point of contact for drone-related citizen complaints by December 30, 2016.**

**Response:** This recommendation will require further analysis in accordance with California Penal Code Section 933.05(b)(3). Additional research is needed to determine the right information to provide from a practical standpoint. Also, staff will make recommendations as to the cost in City resources in potentially implementing this recommendation. The City will provide a final response to this recommendation on or before November 27, 2016.

**R.5. Each City should post FAA drone ownership and operation educational links on city-related websites, newsletters, and flyers by December 30, 2016.**

**Response:** This recommendation will require further analysis in accordance with California Penal Code Section 933.05(b)(3). Additional research is needed to determine the right data to collect, analyze, and provide from a practical standpoint. Also, staff will make recommendations as to the cost in City resources in potentially implementing this recommendation. The City will provide a final response to this recommendation on or before November 27, 2016.

**R.9. The County and each City should formally gather data on recreational drone incidents within their jurisdictions and review these data annually and report the results publicly. The first analysis and publication should occur within 1 year of the publication of this report.**

**Response:** This recommendation will require further analysis in accordance with California Penal Code Section 933.05(b)(3). Additional research is needed to determine the right data to collect, analyze, and report from a practical standpoint. Also, staff will make recommendations as to the cost in City resources in potentially implementing this recommendation. The City will provide a final response to this recommendation on or before November 27, 2016.

Sincerely,

A handwritten signature in blue ink, appearing to read "Frank Ury", written over a horizontal line.

Frank Ury, Mayor  
City of Mission Viejo