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November 16, 2016

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

Subject: City of Aliso Viejo Responses to Orange County Grand Jury Report, "Drones: Know Before You Fly"

Dear Judge Margines:

On May 27, 2016, the Orange County Grand Jury issued a report entitled "Drones: Know Before You Fly". The City of Aliso Viejo is required to respond to Findings F.1 through F.7 and Recommendations R.1 through R.5 and R.9. The City of Aliso Viejo's responses are provided herein:

Finding 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.

City Response: The City agrees with the finding that recreational drones have increased in number since December 2015. However, the City is uncertain as to the use of drones posing a significant threat to public safety. The Orange County Sheriff's Department provides law enforcement services for the City of Aliso Viejo and has received very few calls related to drones.

Finding 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.

City Response: The City generally agrees with this finding.

Finding 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.

City Response: Based on the information presented in this report, the City agrees that most Orange County cities do not have a drone ordinance. However, the City is uncertain as to the future plans of other agencies regarding adoption of a drone ordinance.

Finding F.4

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

City Response: The City agrees with this finding.

Finding 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 or FAA before enacting local ordinances.

City Response: The City disagrees with this finding. The City is not aware of other cities waiting for legislative action or guidance from the State or FAA before determining how to proceed.

Finding F.6

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

City Response: The City agrees with this finding.

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.

City Response: The City disagrees with this finding. The Orange County Sheriff's Department provides law enforcement services for the City of Aliso Viejo and has standard procedures available to receive and respond to drone related incidents.

Recommendation 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. (F.2, F.3, F.5, F.6)

City Response: The City will not implement this recommendation. The Orange County Sheriff's Department (OCSD) provides law enforcement services for the City of Aliso Viejo and is cognizant of existing laws relating to recreational drones. Additionally, County Counsel, rather than the City Attorney, should advise OCSD on these matters.

Recommendation 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. (F.1, F.2, F.3, F.5, F.6)

City Response: The City will not implement this recommendation. Regulation of drones should be left to aviation experts. The Orange County Sheriff's Department provides law enforcement services for the City of Aliso Viejo and already enforces existing laws related to the recreational use of drones.

Recommendation R.3

Each City should inform citizens about laws and ordinances that apply to recreational drone operators through print media, city related websites, social media and/or public forums by March 31, 2017. (F.4, F.6)

City Response: The City will implement this recommendation by March 31, 2017.

Recommendation R.4

Each City should establish and publish on its website a point of contact for drone related citizen complaints by December 30, 2016. (F.7)

City Response: The City will implement this recommendation by December 30, 2016.

Recommendation R.5

Each City should post FAA drone ownership and operation education links on City related websites, newsletters and flyers by December 30, 2016. (F.4)

City Response: The City will implement this recommendation by December 30, 2016.

Recommendation R.9

The County and each City should formally gather data on recreational drone incidents within their jurisdiction and review these data annually and report the results publicly. The first analysis and publication should occur within one-year of the publication of this report. (F.1, F.2, F.3, F.7)

City Response: The City will not implement this recommendation. The Orange County Sheriff's Department provides law enforcement services for the City of Aliso Viejo and is best qualified to review and analyze drone related incidents. With regard to public reporting, no other citizen complaints or inquiries are publicly reported. It would be inconsistent to single out drone incidents for public reporting purposes.

City of Aliso Viejo Response to Orange County Grand Jury Report, "Drones: Know Before You Fly"
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If you have any questions or would like further information, please do not hesitate to contact the undersigned at (949) 425-2513 or ddoyle@cityofaliso Viejo.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'David A. Doyle', with a large, stylized initial 'D'.

David A. Doyle
City Manager

Cc: Orange County Grand Jury