



CITY of LAGUNA WOODS

Noel Hatch  
Mayor

November 23, 2016

Shari L. Horne  
Mayor Pro Tem

The Honorable Glenda Sanders  
Presiding Judge of the Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

Cynthia Conners  
Councilmember

Bert Hack  
Councilmember

**SUBJECT: Response to Orange County Grand Jury Report, "Drones: Know Before You Fly"**

Carol Moore  
Councilmember

Christopher Macon  
City Manager

Dear Judge Sanders:

Thank you for the opportunity to provide a response to the Orange County Grand Jury report titled "*Drones: Know Before You Fly.*"

This response from the City of Laguna Woods ("City") addresses the Grand Jury's findings and recommendations as they relate to the City only. The City's response does not extend to, and should not be interpreted as, commenting on any other agency's activities.

**RESPONSE TO FINDINGS**

**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.**

The City partially disagrees with this finding. There is insufficient evidence to substantiate the assertion that unregulated recreational drone use "will pose significant threats to public safety and privacy." The City has consulted with its police and fire service providers, neither of whom have communicated any such "significant threats" or any increase in incidents at the local level. The City agrees with the Grand Jury's own characterization that "Except for a small smattering of inconsequential incidents, there have been no major problems reported" (page 16). Additionally, recreational drone use is regulated by federal law (see Public Law 112-95, Title III, Subtitle B, 49 U.S.C Section 44704, and 14 C.F.R. part 107).

**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.**

The City wholly disagrees with this finding. Recreational drone use is not "self-policed," but rather regulated by federal law (see Public Law 112-95, Title III, Subtitle B, 49 U.S.C Section 44704, and 14 C.F.R. part 107). The City is unable to comment on what recreational drone owners may do within the current regulatory environment, except to say that there has been no local incidence of "significant threats to public safety and privacy."

**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.**

The City agrees with this finding only as it relates to itself. The City is unable to comment on the actions or intentions of other cities or the County of Orange.

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

The City agrees with this finding only as it relates to itself. The City is unable to comment on the actions or intentions of other cities.

**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.**

The City wholly disagrees with this finding only as it relates to itself. The City is not awaiting drone-related legislative action. The City is unable to comment on the actions or intentions of other cities.

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

The City partially disagrees with this finding. While FAA regulations exist and may prove to be a useful enforcement tool, the City has not experienced an incident which required such enforcement and is, therefore, unable to comment on their relative utility.

**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.**

The City partially disagrees with this finding only as it relates to itself. While the City has not established a separate procedure for reporting drone-related incidents, individuals are able to contact the Orange County Sheriff's Department as they would for any other safety or privacy-related concern. Certain types of accidents can also be reported to the FAA. There is no evidence to suggest that existing reporting procedures have resulted in under-reporting. The City is unable to comment on the actions or intentions of other cities.

### **RESPONSE TO RECOMMENDATIONS**

**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 31, 2016. (F.2., F.3., F.5., F.6.)**

This recommendation will not be implemented because it is not warranted. The Orange County Sheriff's Department provides police services within Laguna Woods and retains its

own legal counsel for enforcement activities, separate from the City Attorney.

**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 for Federal regulations. (F.1., F.2., F.3., F.5., F.6.)**

This recommendation will not be implemented because it is not warranted. If the City elects to adopt local regulations to supplement existing federal standards, it will consider a variety of approaches, including the approach taken by the City of Los Angeles.

**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. (F.4., F.6.)**

This recommendation will not be implemented because it is not warranted. The information that the Grand Jury references is already available on the FAA's website ([www.faa.gov/uas](http://www.faa.gov/uas)). The City will refer any inquiring recreational drone operators to the FAA.

**R.4. Each City should establish and publish on its website a point of contact for drone-related citizen complaints by December 31, 2016. (F.7.)**

This recommendation will not be implemented because it is not warranted. Systems already exist to report drone-related citizen complaints. The City's website has a contact form that can be used to report complaints. Incidents are, however, best reported directly to the Orange County Sheriff's Department and FAA, as circumstances dictate. Both agencies have contact information posted on their respective websites.

**R.5. Each City should post FAA drone ownership and operation educational links on city-related websites, newsletters, and flyers by December 31, 2016. (F.4.)**

This recommendation will not be implemented because it is not warranted. The information that the Grand Jury references is already available on the FAA's website ([www.faa.gov/uas](http://www.faa.gov/uas)). The City will refer any inquiring recreational drone owners or operators to the FAA.

**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. (F.1., F.2., F.3., F.7.)**

This recommendation will be partially implemented. Both the FAA and the Orange County Sheriff's Department have systems in place to track recreational drone incidents. Data on those incidents is already available and subject to public disclosure from those agencies. In conjunction with the City's upcoming budget and work plan development process for fiscal years 2017-18 and 2018-19 (4-6/2017), City staff will request information on recreational drone incidents, if any, and report findings to the City Council at a public meeting.

Thank you, again, for the opportunity to provide feedback on this Grand Jury report.

If you have any questions or would like additional information, please do not hesitate to contact me at (949) 639-0525 or [cmacon@cityoflagunawoods.org](mailto:cmacon@cityoflagunawoods.org).

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Macon', written over the word 'Sincerely,'.

Christopher Macon  
City Manager

CC: Laguna Woods City Council