



AGENDA

CITY COUNCIL REGULAR MEETING

TUESDAY, APRIL 28, 2026, 6:00 PM

KENT HALL COUNCIL CHAMBERS - CITY HALL CAMPUS - 111 W SANTA ANA ST, OJAI, CA

OJAI CITY COUNCIL

ANDY GILMAN, MAYOR

DISTRICT 1 - LESLIE RULE
DISTRICT 2 - RACHEL LANG

DISTRICT 3 - ANDREW WHITMAN
DISTRICT 4 - KIM MANG

BEN HARVEY
CITY MANAGER

BETHANY BURGESS
CITY ATTORNEY

WESTON MONTGOMERY
CHIEF DEPUTY CITY CLERK

VIEWING & ACCESS

Public participation is encouraged! The Ojai City Council meets regularly on the second and fourth Tuesdays of the month at 6:00 p.m. The meetings are conducted in a hybrid model, providing both in-person attendance and virtual public comment via the Zoom link below. Virtual attendance via Zoom is the only way to remotely provide public comment. Pre-registration is not required for public comment via Zoom. Instead, Zoom participants will utilize the “hand-raise” function to indicate their desire to speak on an item. The meeting is also livestreamed on the City's website at ojai.ca.gov/525/2968/Public-Meetings, on YouTube at youtube.com/@ojaicity, and on Spectrum Channel 10. See “Public Comment Options” below for further instruction.

AGENDA PACKET - This link is to the complete Agenda Packet in PDF.

ZOOM LINK - April 28, 2026 - Regular Meeting

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PRESENTATIONS

- 1. Interface 211 Ventura County**
[PowerPoint Presentation - Interface 211 Ventura County](#)

COMMISSION REPORTS

CITY MANAGER'S REPORT

PUBLIC COMMUNICATIONS

Public Communications is the time set aside during the meeting for members of the public to address the City Council on items of City business other than scheduled agenda items. Matters raised at this time may be briefly discussed by the Council, and will generally be referred to staff and/or placed on a subsequent agenda. Under State law, other than for emergency items, no action can be taken.

CONSENT CALENDAR

All matters listed on the Consent Calendar are to be considered routine and will be enacted by one motion in the form listed. There will be no discussion of these items unless, before the vote on the motion to adopt, specific items are removed from the Consent Calendar for separate motions.

2. **City of Ojai Warrants for March 30, 2026 - April 12, 2026**
RECOMMENDATION: Receive and file.
[Administrative Report - Warrant Report](#)
[Attachment A - Warrant Register Report](#)
[Attachment B - Disbursement by Category](#)
[Warrant Cover Letter](#)

3. **Treasurer's Monthly Report of Cash and Investments for the City of Ojai as of March 31, 2026**
RECOMMENDATION: Receive and file.
[Administrative Report - Treasurers Report March 2026](#)
[Attachment A - Treasurer's Monthly Report March 2026](#)
[Exhibit A - Cash & Investment Summary March 2026](#)

4. **Minutes - City Council**
RECOMMENDATION: Approve.
[04-07-26 Minutes Special Meeting](#)
[04-14-2026 Minutes Regular Meeting](#)
[04-16-2026 Special Meeting Minutes](#)

5. **Minutes - Planning Commission**
RECOMMENDATION: Receive and file.
[Minutes - 03-18-26 PC Regular Meeting](#)

6. **Authorize the County of Ventura to Collect a Special Library Tax for the Fiscal Year 2026-27**
RECOMMENDATION: Adopt a resolution authorizing the County of Ventura to collect on behalf of the City the Special Library Tax according to Ordinance 713 with Tax Revenues to be used for Supplemental Library Services for Fiscal Year 2026-27
[Administrative Report - Annual Special Library Tax](#)
[Attachment A - Resolution No. 2026-10](#)

7. **Thirtieth Amendment to the Agreement for Additional Library Services Purchased with Library Parcel Tax Money**
RECOMMENDATION: Approve the Thirtieth Amendment to the Agreement for the

County of Ventura to provide additional library services to the City of Ojai for the period commencing July 1, 2026, and ending June 30, 2027, and authorize the Mayor to execute this agreement on behalf of the City.

[Administrative Report - Library Services 30th Amendment](#)
[Attachment A - Resolution No. 2026-11](#)

PUBLIC HEARING

8. **Appeal of Decision Granting Permit for Facility Use to Ojai Valley Pickleball, Inc. (*Legal Requirement*)**

RECOMMENDATION:

1. Consider information presented by the City Attorney and City staff, the appellant, and the applicant.
2. Either: (a) grant the appeal and deny the facility use permit or (b) deny the appeal and grant the facility use permit. If the permit is granted, City Council may approve the permit as issued or impose additional conditions on the approval of the permit.
3. Provide alternate direction to City staff.

[Administrative Report - Pickleball Tournament Appeal](#)

[Attachment A - Pickleball Tournament Permit Application](#)

[Attachment B - Pickleball Tournament Application for Appeal](#)

[Attachment C - Written Explanation and Evidence Submitted by Appellant](#)

[Attachment D - Written Explanation and Evidence Submitted by Applicant](#)

DISCUSSION

9. **Consideration of the City's Ability to Shift to At-Large Voting (*City Council Direction*)**

RECOMMENDATION:

1. Consider information regarding the ability to shift from electing City Council Members "by-district" to an "at-large" method of selection.
2. Direct the City Attorney's Office to retain a consultant to conduct a demographic evaluation to be completed prior to the May 12, 2026, City Council meeting.
3. Provide direction to the City Attorney's Office as to whether to return to City Council with an ordinance repealing Ordinance No. 889 or an ordinance submitting a ballot question to the voters seeking voter approval to return to at-large elections.
4. Provide alternate direction to the City Attorney.

[Administrative Report - At-Large Voting](#)

[Attachment A - 2018 Staff Report](#)

10. **Consider Change in Council Protocols from Quarterly Rotation to Annual Rotation for Representation by Council Members at City Commission Meetings (*City Council Direction*)**

RECOMMENDATION: Provide assignments or direction, including amendment in Council Protocols, from quarterly rotation to annual rotation for representation by Council Members at City Commission Meetings.

[Administrative Report - Council Representation on Commission Annual Rotation](#)

[Attachment A - Resolution - Council Protocols - Commission Liaisons](#)

[Exhibit A - Council Protocols, Page 16 Amendment](#)

[Attachment B - Example Council Liaison Schedule](#)

11. Quarterly Update on City Council Goals & Tactics (City Council Direction)

RECOMMENDATION: Receive and file.

[Administrative Report - 1st Quarter Goals and Tactics Update](#)

[Attachment A - Goals and Tactics](#)

COUNCIL MEMBER'S REPORTS

FUTURE AGENDA ITEMS

ADJOURNMENT

Posted April 24, 2026, at 5:00 p.m.

Weston Montgomery, Chief Deputy City Clerk

WRITTEN PUBLIC COMMENTS

Written public comments will be published here for public access. Please see PUBLIC COMMENT OPTIONS below for instructions on how to submit.

ACCOMMODATIONS

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call (805) 646-5581. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

If you feel that a language interpreter is necessary for you to participate in this meeting, notification 48 hours prior to the meeting will enable the City to make reasonable arrangements for an interpreter to assure your participation/understanding of this meeting.

Si considera que un intérprete de idiomas es necesario para participar en esta reunión, la notificación 48 horas antes de la reunión le permitirá a la Ciudad hacer arreglos razonables para que un intérprete asegure su participación/comprensión de esta reunión del Concejo Municipal.

Para Español por favor llame al (805) 646-5581 ext. 100 o por correo electronico a cityclerk@ojai.ca.gov.

PUBLIC PARTICIPATION

Agenda reports and other disclosable public records related to agenda items are available on the City's website at ojai.ca.gov/525/2968/Public-Meetings and at City Hall located at 401 S. Ventura St., Ojai, Ca., during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m.

PUBLIC COMMENT OPTIONS

Written Comments: In order for staff to provide the City Council with written public comments timely, written/emailed public comments must be submitted no later than

3:00 p.m. on the day before the meeting.

You may always submit written comments to the City Clerk via mail, in person at City Hall, or via email to cityclerk@ojai.ca.gov. If your written comment is received by 3:00 p.m. on the day before the meeting date, the City Clerk will distribute copies of your comments to all Council Members and recorded on the City website. Written comments received after 3:00 p.m. may not be distributed to the Council Members and recorded on the City website until after the meeting.

Verbal Comments: Verbal Comments will be received on any item on the agenda at the time the agenda item is heard. Comments may be made in person at the meeting or through Zoom, via the link at the top of the Agenda. Pre-registration is not required for public comment via Zoom. Instead, Zoom participants will utilize the hand-raise function to indicate their desire to speak on an item.

IMPORTANT NOTES:

All materials related to an item on this agenda, including written public comments, will be available for public inspection in the City Clerk's Office at City Hall, and following the meeting, will be accessible on the City of Ojai's website at ojai.ca.gov.

As a government agency, the City of Ojai is subject to the California Public Records Act (Government Code § 6250 et seq.). Please be advised that all communications submitted to City officials and staff are subject to public disclosure under the California Public Records Act. There are limited exceptions that allow the City to redact personal information under the California Public Records Act. If you have concerns regarding privacy, please do not include your personal identifying information, such as your name, e-mail, phone number, and home address in your correspondence to the City, including, but not limited to, public comment.

If you challenge the actions of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the public notices, or in written correspondence delivered to the City Council at, or prior to, the public hearing (California Government Code Section 65009).

Any legal action by an applicant seeking to obtain a judicial review of the City Council's decision on a Hearing listed on this Agenda may be subject to the 90-day filing period of and governed by Code of Civil Procedure Section 1094.6.

LEVINE ACT WARNING

Applicants and their agents before the City Council are subject to the campaign disclosure provisions detailed in Government Code Section 84308. No City Council Member may accept, solicit, or direct a contribution of more than \$500 from any party or agent for 12 months subsequent to the date a final decision is rendered by the City. This prohibition commences when your application has been filed, or the proceeding is otherwise initiated.

A party to a City proceeding - which includes both applicants and agents - shall disclose on the record of the proceeding any contribution of more than \$500 made to any Council Member by the applicant or agent, during the preceding 12 months. No party to a City proceeding, or agent, shall make a contribution to a Council Member during the proceeding and for 12 months following the date a final decision is rendered by the City.

Prior to rendering a decision on a City proceeding, any Council Member who received a contribution of more than \$500 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding and shall be disqualified from participating in the proceeding. However, if any Council Member receives a contribution that otherwise would require disqualification and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, the Council Member shall be permitted to participate in the proceeding.

If you believe that these provisions apply to you or a Council Member, please inform the City Clerk at the earliest possible opportunity. Failure to do so may affect the City's ability to process your application.

211 Ventura County

Gerardo Gonzalez,
Community Information Associate Director,
Interface 211 Ventura County



211 Ventura County

211 Ventura County, a program of Interface Children & Family Services, is a comprehensive information and referral service for Ventura County. We connect community members with information on over 2,000 health and human service resources.

In 2025, over 18,000 calls and texts were made to 211 Ventura County. Our website had more than 25,000 website visitors.

In 2026, Interface 211 celebrates over 20 years of 211 services, making over 500,000 connections in Ventura County alone.



Interface Program Areas

30 Programs Across Six Departments



211 Information & Assistance

Domestic Violence & Child Abuse Prevention

Human Trafficking Prevention & Intervention

Justice Services

Mental Health & Trauma Treatment

Youth Crisis & Homeless Services



What is 211?

211 Ventura County is the most comprehensive information and referral service for local residents.

Call 211 | Text your zip code to 898-211 | Visit 211Ventura.org



Crisis Services



Education



Food



Disability Services



Health Care



Housing



Income Assistance



Legal Assistance



Mental Health



Reentry Services



Rent/Utilities



Shelters



Substance Abuse



Transportation



Contact 211

Three ways to reach 211
Community Information
Navigators and services:



Call 211



Text Your Zip Code to 898-211



Visit 211Ventura.org



Our Impact

In 2025, Interface 211 Ventura County took **282** calls from **Ojai** residents



** These numbers reflect total call volume – not unique count of individuals – we collect demographic information from every call to track community needs/trends. 65% of Ojai callers called us multiple times in 2025.

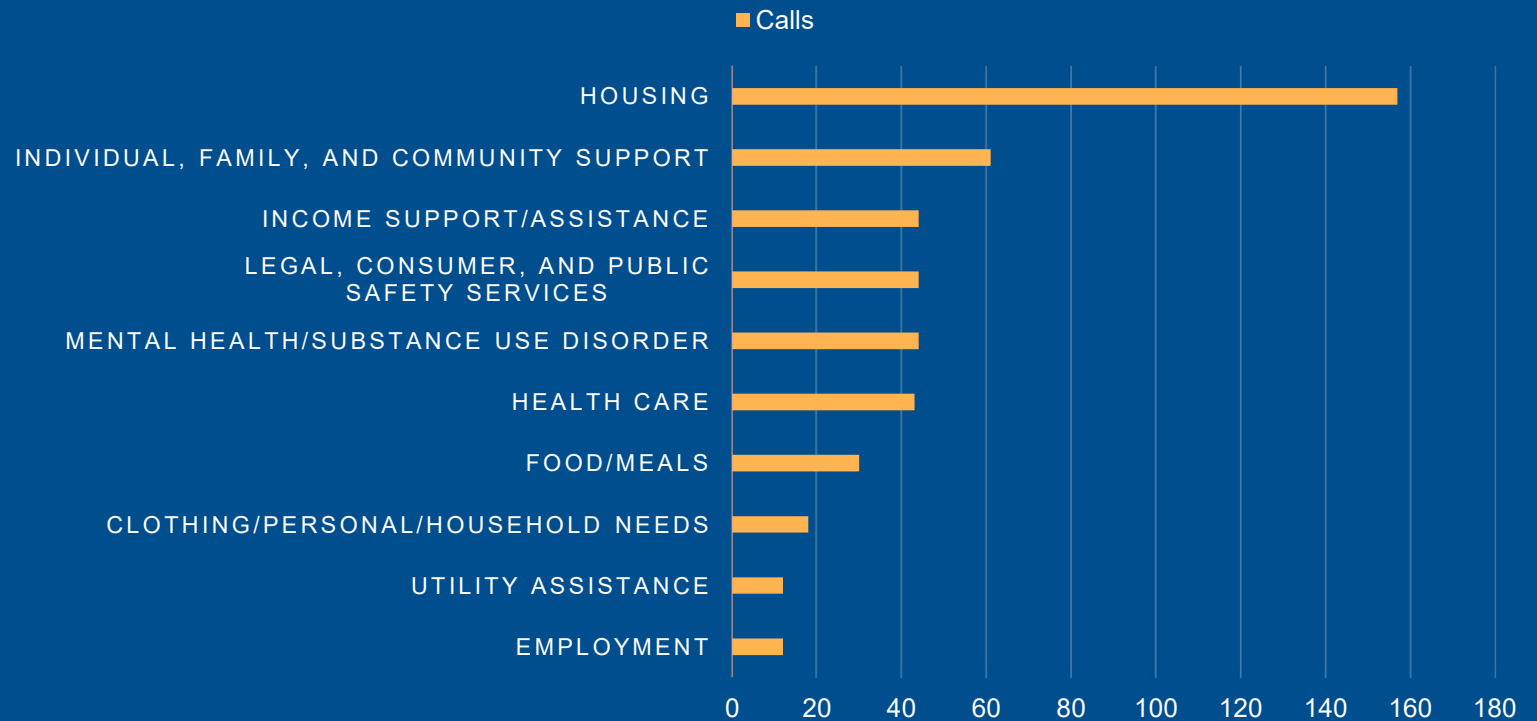
City population: **7,563**



Our Impact

2025

CATEGORIES OF NEEDS



Ojai (pop. 7,563)

Top 3 needs:
Housing
Individual, Family & Community Support
Income Support

538 calls

Fillmore (pop. 16,419)

Top 3 needs:
Housing
Income Support
Legal, Consumer & Public Safety Services

395 calls

Oxnard (pop. 202,736)

Top 3 needs:
Housing
Income Support
Individual, Family & Community Support

5,295 calls

Santa Paula (pop. 30,657)

Top 3 needs:
Housing
Income Support
Individual, Family & Community Support

680 calls

Camarillo (pop. 70,741)

Top 3 needs:
Housing
Individual, Family & Community Support
Mental Health/Substance Use Services

1,509 calls

Ventura (pop. 110,763)

Top 3 needs:
Housing
Food/Meals
Mental Health/Substance Use Services

4,083 calls

Simi Valley (pop. 126,356)

Top 3 needs:
Housing
Income Support
Individual, Family & Community Support

2,026 calls

Moorpark (pop. 36,284)

Top 3 needs:
Housing
Legal, Consumer, and Public Safety Services
Individual, Family & Community Support

440 calls

Thousand Oaks (pop. 126,966)

Top 3 needs:
• Housing
• Mental Health/Substance Use Services
• Individual, Family & Community Support

1,723 calls

Special Projects



In addition to taking calls and texts from community members in need of social services, 211VC provides direct, specialized services.



VITA

Volunteer Income Tax Assistance



PSPS

Public Safety Power Shutoff Care Coordination



Ventura vs Hate

Report Hate In Ventura County



ECM

Comprehensive Case Management through Interface ECM Team for GCHP Recipients



Questions?



Call 211 | Click www.211ventura.org | Text 898-211

General 211 requests (i.e., outreach material, updates)
211ventura@icfs.org

Erik Sternad, Executive Director
esternad@icfs.org

Kelly Brown, Community Information Officer
kbrown@icfs.org

Lohanna Almanza, 211 Director
lalmanza@icfs.org

Gerardo Gonzalez, 211 Associate Director
ggonzalez@icfs.org





Administrative Report

TO: Honorable City Council
FROM: Ben Harvey, City Manager
Brenda Cho, Finance Director
MEETING DATE: April 28, 2026
SUBJECT: City of Ojai Warrants for March 30, 2026 – April 12, 2026

RECOMMENDATION

Receive and file.

DISCUSSION

Disbursement Warrant Check Numbers: 80463-80528
Payroll Warrant Check Numbers: 38385-38387 (38382-38384 Voided Due to Misprint)
Number of Direct Deposits: 58

City of Ojai Disbursement Warrants for General Fund and Special Revenue Funds	\$ 292,892.84
Payroll – April 02, 2026	<u>125,524.82</u>
Total	\$ 418,417.66

CITY COUNCIL GOALS ALIGNMENT

Goal No. 8 - Financial Stability

OPTIONS

1. Take no action.
2. Provide alternative direction to staff.

FISCAL IMPACT

There is no fiscal impact associated with this action. The list of warrants is presented for informational purposes only and reflects payments previously authorized and budgeted.

Prepared by: Scott Avila

ATTACHMENT(S)

- A. Check Register
- B. Disbursement by Category

Check Register

Check Summary By Check Number



Check No	Vendor Name	Check Date	Check Amount
80463	Agromin Organic Compost for City Parks	04/02/2026	978.93
80464	Alta Planning & Design February 2026 Bicycle & Pedestrian Safety Project	04/02/2026	486.40
80465	CalAct Transportation Operator Annual Membership	04/02/2026	880.00
80466	California Consulting, Inc. January 2026 Grant Writing Services	04/02/2026	487.50
80467	Canon Financial Services, Inc. March 2026 Copy Machine Lease	04/02/2026	996.42
80468	Delta Liquid Energy March 2026 Trolley Fuel	04/02/2026	2,116.22
80469	Emmanuel A Mendez March 2026 City Transit Wash	04/02/2026	1,250.00
80470	Engineering News-Record CDD Digital Subscription	04/02/2026	99.99
80471	Fence Factory Rentals January-February 2026 City Unhoused Temporary Fence Rental	04/02/2026	873.46
80472	Help of Ojai Inc. March 2026 ADA Program	04/02/2026	4,500.00
80473	Jordan Kear March 2026 Ventura Watershed Litigation Support	04/02/2026	1,785.00
80474	Municipal Resource Group, LLC February 2026 HR Services	04/02/2026	520.00
80475	Ojai Valley News March 2026 Display Ads	04/02/2026	242.00
80476	Phoenix Group Info Systems February 2026 Parking Citations	04/02/2026	160.05
80477	Puretec Industrial Water January 2026 & March 2026 Industrial Water for Trolley and Tank Rental	04/02/2026	571.00

Check Register

Check Summary By Check Number



Check No	Vendor Name	Check Date	Check Amount
80478	Rachel Lang Reimbursement for CA League of Cities	04/02/2026	1,092.88
80479	Ready Refresh by Nestle March 2026 Drinking Water for City Departments	04/02/2026	396.74
80480	Secural Security Corporation March 2026 City Unhoused Security	04/02/2026	7,118.08
80481	StoreRite June 2025-March 2026 Monthly Storage & Shred Events	04/02/2026	1,919.10
80482	Timothy Kresge Debra Kresge March 2026 Recreation Center Stage Furnish & Install	04/02/2026	10,300.96
80483	Total Restoration March 2026 OTT Tent Cleanout	04/02/2026	1,566.00
80484	County of Ventura July 2025-October 2025 Trolley Repairs	04/02/2026	34,168.92
80485	Ventura County Auditor-Controller February 2026 Parking Citation County Fees	04/02/2026	117.50
80486	Ventura County Sheriff's Dept October- December 2025 Crisis Intervention Team Program	04/02/2026	45.50
80487	Ventura Regional Sanitation District September-October 2025 Storm Drain Cleaning & Inspection	04/02/2026	1,350.50
80488	Westridge Market Inc March 2026 Supplies for City Department Meeting	04/02/2026	35.25
80489	Kathleen Abasi Recreation Class - Weight Room	04/09/2026	214.50
80490	California State Disbursement Unit April 2026 Payroll Expense	04/09/2026	82.15
80491	Capital Industrial Medical Supply Co Medical Supplies for City Hall	04/09/2026	370.83
80492	Carlos Ceron Employee Reimbursement	04/09/2026	298.70

Check Register

Check Summary By Check Number



Check No	Vendor Name	Check Date	Check Amount
80493	Christian Cubacub Employee Reimbursement	04/09/2026	67.54
80494	CoStar Realty Information Inc March 2026 CDD Software Program	04/09/2026	1,032.00
80495	Custom Printing Winter 2025 & Spring 2026 Newsletters	04/09/2026	4,431.64
80496	DATCO Drug Test for Trolley Drivers	04/09/2026	285.00
80497	Max Dickenson Recreation Class - Weight Room	04/09/2026	1,339.00
80498	EideBailly LLP March 2026 Purchase Order Implementation	04/09/2026	678.00
80499	Emmanuel A Mendez April 2026 City Transit Wash	04/09/2026	1,250.00
80500	Fillmore Area Transit Corporation March 2026 Trolley Driver Services	04/09/2026	3,159.00
80501	Franchise Tax Board April 2026 Payroll Expense	04/09/2026	100.00
80502	Geoffrey T Black Summer 2026 Activity Guide	04/09/2026	1,492.68
80503	Gold Coast Transit January-March 2026 Bus Ticket Sales	04/09/2026	506.00
80504	Darrell Gooden Recreation Class - Kung Fu	04/09/2026	780.00
80505	GovInvest Inc Pension & OPEB Annual Subscription Services	04/09/2026	15,720.26
80506	Greg Rents March 2026 Equipment Rental	04/09/2026	187.69
80507	Jumping Joe's Recreation Spring Break Camp Bounce House	04/09/2026	315.00

Check Register

Check Summary By Check Number



Check No	Vendor Name	Check Date	Check Amount
80508	Jordan Kear April 2026 Ventura Watershed Litigation Support	04/09/2026	3,570.00
80509	Gregory Kiley March 2026 Government Relations Services	04/09/2026	3,000.00
80510	Kristy Rivera Employee Reimbursement	04/09/2026	388.80
80511	Meiners Oaks Hardware Supplies for Citywide Maintenance	04/09/2026	273.41
80512	Ojai Auto Supply March 2026 Supplies for Trolley & General Maintenance	04/09/2026	794.25
80513	Ojai Valley News March 2026 Display Ads & Survey	04/09/2026	761.00
80514	Ojai Valley Sanitary District April 2026 Sewer Services	04/09/2026	1,635.62
80515	Stacy Pergson Employee Reimbursement	04/09/2026	298.70
80516	Pitney Bowes Global Financial Services LLC Postage Machine Lease Tax	04/09/2026	20.13
80517	Prudential Overall Supply Public Works Cleaning Supplies & Clothing Allowance	04/09/2026	131.48
80518	So Cal Gas March 2026 Gas	04/09/2026	459.07
80519	Sunbelt Rentals Equipment Rental for Libbey Bowl	04/09/2026	1,879.96
80520	The Cruz Crew Reimbursement for Business License Overpayment	04/09/2026	6.00
80521	Therapy Dogs of Santa Barbara Recreation Spring Break Camp Therapy Dog	04/09/2026	250.00
80522	Trail Rides of Ojai DBA Infinite Horsemanship Recreation Class - Western Horsemanship	04/09/2026	798.00

Check Register

Check Summary By Check Number



Check No	Vendor Name	Check Date	Check Amount
80523	Trails By Potter, LLC Recreation Class - Pickleball	04/09/2026	321.75
80524	United Site Services Inc March 2026 Porta Potty Rental	04/09/2026	952.28
80525	VC Fusion Soccer Recreation Class - Soccer	04/09/2026	1,665.99
80526	County of Ventura July 2025 - February 2026 Public Works Truck Repairs	04/09/2026	22,463.44
80527	Western NRG Inc April 2026 Email Security	04/09/2026	49.83
80528	Susan Yuen Recreation Class - Japanese Drum Workshop	04/09/2026	1,014.00
ACH	Ameriflex: Claims ACH April 2026 Payroll Expense	03/30/2026	514.83
ACH	Christopher Reno March 2026 Trolley Repair	04/01/2026	1,775.00
ACH	Amazon.com/Sales, Inc March 2026 Miscellaneous Supplies	04/01/2026	7,880.01
ACH	Mission Square 457 ACH April 2026 Payroll Expense	04/01/2026	9,557.66
ACH	Phoenix Civil Engineering, Inc. February 2026 Projects	04/01/2026	12,205.00
	City Paving Project		5,339.00
	Gym Structural Design		6,866.00
ACH	Willdan Engineering January 2026 Code Enforcement	04/01/2026	11,900.00
ACH	IRS ACH April 2026 Payroll Expense	04/02/2026	47,496.99
ACH	Christopher Reno March 2026 Trolley Repair	04/02/2026	2,850.00

Check Register

Check Summary By Check Number



Check No	Vendor Name	Check Date	Check Amount
ACH	EDD ACH April 2026 Payroll Expense	04/03/2026	7,903.91
ACH	CalPERS Retirement ACH April 2026 Payroll Expense	04/03/2026	26,766.72
ACH	Ameriflex: Claims ACH April 2026 Payroll Expense	04/06/2026	430.00
ACH	IRS ACH April 2026 Payroll Expense	04/08/2026	691.41
ACH	InfoSight Inc Final Payment for IT Security Assessment	04/09/2026	7,898.00
ACH	Charter Communications Holdings, LLC March 2026 Internet	04/09/2026	740.00
ACH	Amazon.com/Sales, Inc April 2026 Miscellaneous Supplies	04/09/2026	2,862.57
ACH	Health and Human Resource Center Inc April 2026 Payroll Expense	04/09/2026	143.64
ACH	Christopher Reno April 2026 Trolley Repair	04/09/2026	4,175.00
ACH	Payroll Pay Period 3/16/2026 - 3/29/2026	04/02/2026	125,524.82
	Wire & Paper Check Total		125,524.82
	Grand Total		\$ 418,417.66

City of Ojai
Disbursement by Category

Category	Amount
Advertisement	1,003.00
Ojai Valley News	1,003.00
Lease and Rentals	4,909.94
Canon Financial Services, Inc.	996.42
Fence Factory Rentals	873.46
Greg Rents	187.69
Pitney Bowes Global Financial Services LLC	20.13
Sunbelt Rentals	1,879.96
United Site Services Inc	952.28
Payroll and Benefits	219,212.13
Ameriflex: Claims ACH	944.83
California State Disbursement Unit	82.15
CalPERS Retirement ACH	26,766.72
EDD ACH	7,903.91
Franchise Tax Board	100.00
Health and Human Resource Center Inc	143.64
IRS ACH	48,188.40
Mission Square 457 ACH	9,557.66
Pay Period 3/16/2026 - 3/29/2026	125,524.82
Professional/Contract Services	148,958.20
Agromin	978.93
Alta Planning & Design	486.40
California Consulting, Inc.	487.50
Christopher Reno	8,800.00
County of Ventura	56,632.36
Custom Printing	4,431.64
DATCO	285.00
EideBailly LLP	678.00
Emmanuel A Mendez	2,500.00
Fillmore Area Transit Corporation	3,159.00
Geoffrey T Black	1,492.68
Gold Coast Transit	506.00
Gregory Kiley	3,000.00
Help of Ojai Inc.	4,500.00
InfoSight Inc	7,898.00
Jordan Kear	5,355.00
Jumping Joe's	315.00
Municipal Resource Group, LLC	520.00
Phoenix Civil Engineering, Inc.	12,205.00
Phoenix Group Info Systems	160.05
Secural Security Corporation	7,118.08
StoreRite	1,919.10
Therapy Dogs of Santa Barbara	250.00
Timothy Kresge Debra Kresge	10,300.96
Total Restoration	1,566.00
Ventura County Auditor-Controller	117.50
Ventura County Sheriff's Dept	45.50
Ventura Regional Sanitation District	1,350.50
Willdan Engineering	11,900.00

City of Ojai
Disbursement by Category

Recreation Classes	6,133.24
Darrell Gooden	780.00
Kathleen Abasi	214.50
Max Dickenson	1,339.00
Susan Yuen	1,014.00
Trail Rides of Ojai DBA Infinite Horsemanship	798.00
Trails By Potter, LLC	321.75
VC Fusion Soccer	1,665.99
Reimbursement and Refunds	2,152.62
Carlos Ceron	298.70
Christian Cubacub	67.54
Kristy Rivera	388.80
Rachel Lang	1,092.88
Stacy Pergson	298.70
The Cruz Crew	6.00
Subscription and Software	17,782.08
CalAct	880.00
CoStar Realty Information Inc	1,032.00
Engineering News-Record	99.99
GovInvest Inc	15,720.26
Western NRG Inc	49.83
Supplies	15,431.76
Amazon.com/Sales, Inc	10,742.58
Capital Industrial Medical Supply Co	370.83
Delta Liquid Energy	2,116.22
Meiners Oaks Hardware	273.41
Ojai Auto Supply	794.25
Prudential Overall Supply	131.48
Puretec Industrial Water	571.00
Ready Refresh by Nestle	396.74
Westridge Market Inc	35.25
Utilities	2,834.69
Charter Communications Holdings, LLC	740.00
Ojai Valley Sanitary District	1,635.62
So Cal Gas	459.07
Grand Total	418,417.66

Warrant Register for the Meeting Date April 28, 2026

Per Section 37208 of the Government Code, I hereby certify that the referenced demands conform to the approved budget except as noted and have been paid. These demands are hereby submitted to the City Council for receipt and file.



Brenda Cho, Finance Director



Administrative Report

TO: Honorable City Council

FROM: Ben Harvey, City Manager
Steve Olsen, City Treasurer
Brenda Cho, Finance Director

MEETING DATE: April 28, 2026

SUBJECT: Treasurer’s Monthly Report of Cash and Investments for the City of Ojai as of March 31, 2026

RECOMMENDATION

Receive and file.

DISCUSSION

The City Treasurer has evaluated the City’s investments and has formalized an investment plan working with the investments authorized by the Statement of Investment Policy, which was adopted by City Council in June 2025. The investment plan was developed with the intent of lengthening the duration and yield of the portfolio, while providing comparative benchmarks and protecting the City’s funds. The focus of our investment strategy is Safety, Liquidity, and Yield.

The following is a summary of key information on the City’s cash and investments. Please see Exhibit A for more detailed information and discussion.

Cash & Investments	Amounts	Yield %	Interest-to-Date 3/31/2026
Cash in Bank			
Banc of California	\$ -		
MBS Cash	\$ 14,253	0.00%	
Wells Fargo Sweep	\$ 2,122,690	3.54%	\$ 65,132
Wells Fargo Section 125	\$ 36,576	0.00%	
Investment Accounts			
LAIF	\$ 24,917,668	3.83%	\$ 434,720
MBS Certificate of Deposits	\$ 11,871,821	3.21%	\$ 327,636
Total Cash & Investments	\$ 38,963,008	3.63%	\$ 827,488

The attached Treasurer's report for the month of March 2026 provides details of the investment plan and the City's cash and investment portfolio.

CITY COUNCIL GOALS ALIGNMENT

Goal No. 8 - Financial Stability

OPTIONS

1. Take no action.
2. Provide alternate direction to staff.

FISCAL IMPACT

There is no fiscal impact associated with this report.

Prepared by: Brenda Cho

ATTACHMENT(S)

- Attachment A – Treasurer's Report
- Exhibit A – Cash & Investment Summary

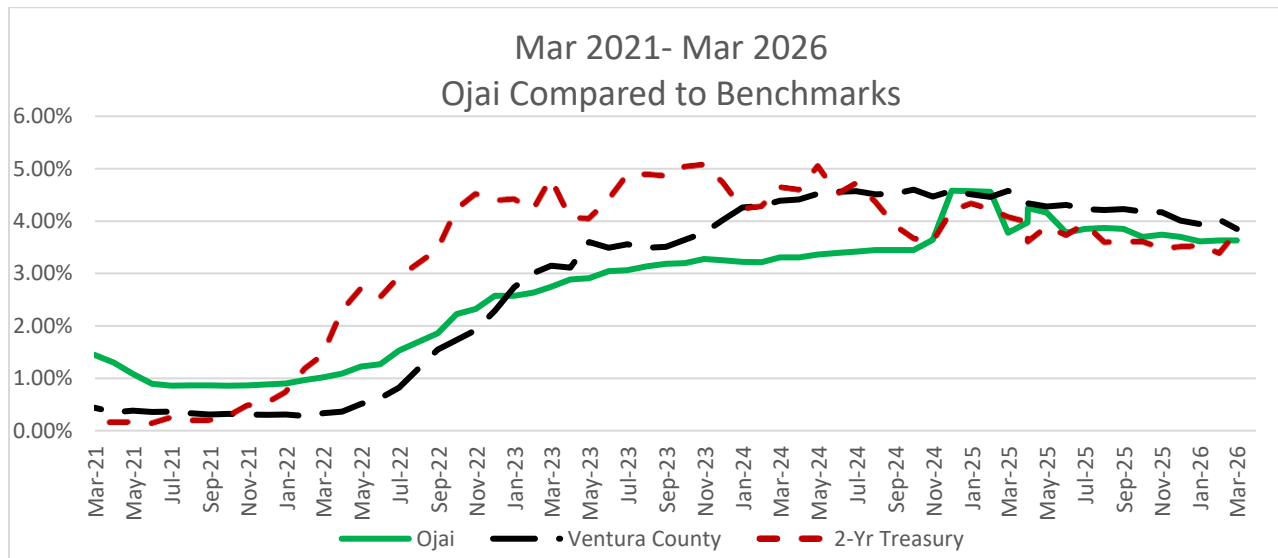
City of Ojai Treasurer’s Report for the Month of March 2026

The City Treasurer has evaluated the City’s investments and has formalized an investment plan, which includes investments authorized by the Statement of Investment Policy, which was adopted by City Council in June 2025. The investment plan was developed within the framework of the three basic requirements for our investments:

1. Safety- Secure the City’s principal that is invested,
2. Liquidity- provide sufficient cash flow for ongoing operations, and
3. Yield – obtain a reasonable rate of return on the City’s investments.

Benchmarks

Benchmarks are used to measure how the City’s portfolio is performing compared to other measures. Staff have chosen to compare the portfolio to two benchmarks: The County of Ventura Investment Pool and the US Government 2-yr Treasuries. Benchmarks may be changed if it is determined that a different benchmark would be more appropriate for the City’s use. Historical information for the City’s portfolio and the chosen benchmarks for the past five years is illustrated in the chart to the right. Historical information for the City’s portfolio and the chosen benchmarks for the past five years is illustrated in the chart below.



The weighted average yield to maturity and the weighted average DTM for the City’s investments portfolio on March 31, 2026, were 3.63% and 313 days. By comparison, the weighted average yield to maturity and the weighted average DTM for the County of Ventura portfolio were 3.85% and 305 days, and 2-yr Treasury were 3.79% and 720 days.

Impact of Market Changes on Investment Earnings and Values

Investments are purchased at par value and market interest rates may vary from the investment’s actual current yield. Changes in the market value of investments result in “**unrealized gains or losses**” on the investment. Increasing market interest rate environments generally result in an

unrealized loss while decreasing market interest rates generally result in an unrealized gain. Unrealized gains and losses are temporary adjustments to the carrying value of the investment and do not become permanent unless the investment is sold prior to maturity. Governmental Accounting Standards Board Statement No. 31 (GASB 31) requires the City to adjust the value of investments to the market value in the annual financial statements. Because CDs are purchased with a fixed rate of interest until maturity and the temporary adjustments cumulatively net to zero by the time that the CDs mature, the GASB 31 adjustment can create significant distortions in revenues throughout the life of the CD.

Planned Investment Instruments

- **Certificates of deposit (CDs)** are purchased at par value and earn a constant rate of return throughout the life of the investment, regardless of the current market value of the investment. The CDs are fully insured by the federal government. The CDs may be sold prior to maturity at the current market value, which could result in a realized gain or loss on the sale; however, as the CDs move closer to maturity, the fixed interest rate will generally be higher than comparable investments with the same remaining term. Additionally, the interest earned over the life of the CD will generally offset any potential loss on the sale, thus protecting the City's principal. CDs are primarily subject to interest rate and reinvestment risk (see below).
- **The Local Agency Investment Pool (LAIF)** is a Local Government Investment Pool (LGIP) containing investments allowed by the California Government Code and administered by the California State Treasurer for local agencies to invest idle cash. LAIF funds may be accessed on the day that a withdrawal is requested and earn interest based upon the monthly yield of the pool. Interest is accrued monthly but is paid quarterly. These assets are primarily subject to credit risk (see below).

Credit, Interest Rate, and Reinvestment Risk

- **Credit risk** is the possibility that the deterioration in the underlying creditworthiness of an issuer will adversely affect the value of its outstanding bonds or that a bond issuer will fail to make timely payments of interest or principal on its outstanding bonds (default). A decline in a bond issuer's credit rating, or creditworthiness, may cause prices for its outstanding bonds to decline. Typically, the higher the credit risk, the higher the interest rate on the investment.
- **Interest rate risk** is the possibility that a fixed-rate investment will decline in value because of a rise in interest rates. Whenever investors buy securities that offer a fixed rate of return (such as CDs), they are exposing themselves to interest rate risk. In general, investment prices vary inversely with market interest rates. The change in the price of an investment depends on several factors, including its maturity date. In general, investments with longer maturities are more sensitive to changes in interest rates than investments with shorter maturities.
- **Reinvestment Risk** is the risk that falling interest rates will lead to a decline in cash flow from an investment when its principal and interest payments are reinvested at lower rates. In a declining interest rate environment, investors who have investments maturing face the difficult task of

investing the proceeds in instruments with equal or greater interest rates than the matured investment. As a result, they are often forced to purchase securities that do not provide the same level of income, unless they take on more credit or market risk and buy investments with lower credit ratings.

Changes to the Pooled Cash and Investment Portfolio

Action: Transaction date, Amount, Description, Maturity Date, Percent Yield

n/a

Cash and Investment Balances

See Exhibit A for details on the cash and investment balances.

This report is presented pursuant to the City of Ojai’s Investment Policy Resolution 25-25 adopted by the City Council on June 24, 2025. Staff estimate that there are sufficient funds available to meet the next 6 months’ obligations.

CITY OF OJAI
TREASURER'S REPORT - CASH & INVESTMENT SUMMARY
March 31, 2026

<u>POOLED DESIGNATED AND OPERATING CASH & INVESTMENTS:</u>	<u>PAR VALUE</u>	<u>BOOK/MARKET VALUE</u>	<u>PERCENT OF CITY CASH</u>	<u>MATURITY</u>	<u>AVERAGE DAYS TO MATURITY</u>	<u>YIELD 365 DAYS EQUIVALENT</u>
Operating Cash						
Checking Accounts						
Banc of California	-	-	0.00%		1	0.00%
Wells Fargo	36,576	36,576	0.09%		1	0.00%
Total	36,576	36,576	0.09%			
Money Market						
Wells Fargo (Sweep)	2,122,690	2,122,690	5.45%		397	3.54%
MBS (Cash)	14,253	14,253	0.04%			
Total Operating Cash	2,136,943	2,136,943	5.48%			
Invested Cash						
Local Government Pools and Certificates of Deposit						
Local Agency Investment Funds	24,917,668	24,917,668	63.95%		220	3.83%
Certificates of Deposit:						
Sunwest Bk Irvine	249,000.00	248,340	0.64%	4/30/2026	30	0.74%
Connectone Bk Englewood Cliffs	249,000.00	247,730	0.64%	5/28/2026	58	0.75%
Ally Bk Sandy Utah Ctf Dep	246,000.00	245,621	0.63%	6/2/2026	63	3.18%
Exchange Bank	249,000.00	247,235	0.64%	6/17/2026	78	0.59%
UBS Bank Usa	249,000.00	247,150	0.63%	6/30/2026	91	0.96%
Medallion Bank	249,000.00	247,090	0.63%	6/30/2026	91	0.85%
Toyota Financial Savings Bank	248,000.00	245,748	0.63%	7/22/2026	113	1.01%
FIRST TECHNOLOGY FED	245,000.00	245,184	0.63%	9/25/2026	178	4.05%
QUORUM	249,000.00	249,316	0.64%	9/30/2026	183	4.15%
NUMERICA CR UN	249,000.00	249,563	0.64%	9/30/2026	183	4.35%
B1BANK BATON ROUGE	245,000.00	244,708	0.63%	9/30/2026	183	3.65%
FIRST NATL BK MIDDLE	245,000.00	244,694	0.63%	9/30/2026	183	3.70%
WINGS FINL CR UN	245,000.00	245,123	0.63%	10/21/2026	204	4.00%
AMERICAS CR UN	248,000.00	247,973	0.64%	10/23/2026	206	3.85%
Synchrony Bk	248,000.00	243,985	0.63%	11/5/2026	219	1.18%
Merrick Bk	249,000.00	244,565	0.63%	11/30/2026	244	1.24%
Pentagon Federal Cr Un	249,000.00	244,334	0.63%	12/23/2026	267	1.34%
State Bk India New York N Y	247,000.00	242,670	0.62%	1/21/2027	296	1.76%
Dogwood St Bk	249,000.00	243,838	0.63%	1/28/2027	303	1.40%
First Carolina Bk	249,000.00	243,838	0.63%	1/28/2027	303	1.40%
Amerant Bk Natl Assn Coral Gables Fl Ctf Dep	248,000.00	243,194	0.62%	2/16/2027	322	1.71%
Cfbank Fairlawn Ohio Ctf Dep	249,000.00	243,681	0.63%	2/17/2027	323	1.51%
Capital One Bk	246,000.00	242,974	0.62%	4/6/2027	371	2.77%
Capital One Natl Assn	246,000.00	243,439	0.63%	4/27/2027	392	3.01%
Lafayette Federal Credit Union	245,000.00	243,234	0.62%	5/25/2027	420	3.35%
Discover Bk Greenwood Del Ctf Dep	246,000.00	244,042	0.63%	6/1/2027	427	3.30%
First National Bk of America	249,000.00	251,258	0.65%	7/26/2027	482	4.57%
MORGAN STANLEY BANK	245,000.00	243,895	0.63%	8/4/2027	491	3.63%
Cobalt Credit Union	245,000.00	244,003	0.63%	9/15/2027	533	3.68%
DECORAH BANK & TRUST CO.	249,000.00	246,219	0.63%	9/23/2027	541	3.83%
FIRST FOUNDATION BANK	244,000.00	246,989	0.63%	11/4/2027	583	4.65%
TRUE SKY FED CR UN OKLA CITY OK SH CTF	249,000.00	249,812	0.64%	11/8/2027	587	4.10%
Peoples Bk Co Coldwater Ohio	249,000.00	249,005	0.64%	1/12/2028	652	3.95%
SAN FRANCISCO FED CR UN	249,000.00	250,987	0.64%	2/3/2028	674	4.34%
LIBERTY FIRST CR UN LINCOLN	249,000.00	251,012	0.64%	2/3/2028	674	4.35%
Alaska Usa Fed Cr Union	248,000.00	252,464	0.65%	3/22/2028	722	4.76%
Neighbors FCU	248,000.00	253,954	0.65%	7/26/2028	848	4.87%
TTCU Fed Credit Union	248,000.00	253,954	0.65%	7/26/2028	848	4.87%
CUSTOMERS BK	245,000.00	244,892	0.63%	8/15/2028	868	3.90%
Leaders Credit Union	248,000.00	254,220	0.65%	8/30/2028	883	4.86%
EMPOWER FED CR UNION SYRACUSE	248,000.00	254,924	0.65%	9/29/2028	913	4.94%
NICOLET NATL BK GREENBAY WIS CTF DEP	249,000.00	248,223	0.64%	11/1/2028	946	3.80%
BAXTER CR UN VERNON HILLS ILL SH CTF	249,000.00	250,063	0.64%	11/22/2028	967	4.10%
City Fed Cr Un Amarillo Texas	249,000.00	249,095	0.64%	1/12/2029	1,018	4.00%
Mauch Chunk Trust Company	248,000.00	250,780	0.64%	2/28/2029	1,065	4.33%
BEAL BK USA LAS VEGAS NEV	244,000.00	249,407	0.64%	6/6/2029	1,163	4.61%
BALBOA THRIFT & LN	249,000.00	250,853	0.64%	7/23/2029	1,210	4.21%
SALLIE MAE BK SALT	244,000.00	246,542	0.63%	7/24/2029	1,211	4.29%
Total Certificates of Deposit	11,881,000	11,871,821	30.47%			
Total	38,972,187	38,963,008	94.42%		313	(A) 0.0362594
Total Pooled Operating Cash & Investments	38,972,187	38,963,008	100.00%			
Total Pooled Cash & Investments	\$ 38,972,187	\$ 38,963,008	100.00%			

Rate includes 0.12% interest rate + 0.35% earnings credit

(B) Weighted Average days to maturity and yield for the invested cash



AGENDA

CITY COUNCIL SPECIAL MEETING

TUESDAY, APRIL 7, 2026, 5:00 PM

**KENT HALL COUNCIL CHAMBERS - CITY HALL CAMPUS - 111 W SANTA ANA
ST, OJAI, CALIFORNIA**

**ADDITIONAL MEETING LOCATION - MESA REFUGE, 11 LOS REYES DRIVE,
POINT REYES STATION, CALIFORNIA 94956 TO ACCOMMODATE COUNCIL MEMBER LANG
WHO IS ATTENDING THE MEETING VIA TELECONFERENCE**

Mayor Gilman called the meeting to order at 5:00 p.m.

ROLL CALL

The following members were present in Kent Hall Chambers: Mayor Gilman and Council Members Rule and Whitman. Council Member Lang was present remotely. Mayor Pro Tem Mang was absent.

Also present: City Manager Harvey, City Attorney Burgess, Community Development Director Seibert, and Chief Deputy City Clerk Montgomery.

PLEDGE OF ALLEGIANCE

Chief Deputy City Clerk Montgomery led the Pledge of Allegiance.

APPROVAL OF AGENDA

The Council approved the agenda with a roll call to accommodate the remote participation. The motion carried, with Mayor Pro Tem Mang absent.

CLOSED SESSION

The City Council recessed into Closed Session to discuss the following matter:

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code § 54956.9(d)(2) and (e)(2))
Significant exposure to litigation in one matter, based on the following
existing facts and circumstances known to a potential plaintiff: approval of
Zoning Clearance No. 2CL 24-107 for a project located at 242 E. Ojai Avenue**
- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code § 54956.9(d)(4))
Initiation of litigation in one matter.**

CITY ATTORNEY'S REPORT OUT OF CLOSED

City Attorney Burgess reported out of Closed Session that the City Council provided no direction and took no action related to noticed Item 1. City Attorney Burgess continued reporting that for noticed Item 2, City Council provided direction to work with legal counsel for the plaintiffs in Vasquez Perdomo v. Noem to find opportunities to participate in the pending litigation including potentially filing an amicus curiae brief, where possible, and submitting declarations in support of the municipal intervenors.

SESSION WORKSHOP

3. Community Workshop on Expansion of the Tree Ordinance (*City Council Direction*)

RECOMMENDATION: Gather public input for potential updates and expansion of the Tree Ordinance.

[Administrative Report - Tree Ordinance Workshop](#)

[Attachment A - Redline of Tree Ordinance](#)

[Attachment B - Resolution No. 13-48](#)

Mayor Gilman conducted the workshop and Staff gathered input.

ADJOURNMENT

Mayor Gilman adjourned the meeting at 9:00 p.m.

WRITTEN PUBLIC COMMENTS

Written public comments will be published here for public access. Please see PUBLIC COMMENT OPTIONS below for detailed instructions on how to submit.

Written Comments

[Written Public Comments - 04 07 26 Special Meeting](#)

Weston Montgomery, Chief Deputy City Clerk
Approved:



MINUTES

CITY COUNCIL REGULAR MEETING TUESDAY, APRIL 14, 2026, 6:00 PM KENT HALL - CITY HALL CAMPUS - 111 W SANTA ANA ST, OJAI, CA

Mayor Gilman called the meeting to order at 6:01 p.m.

ROLL CALL

The following members were present: Mayor Gilman, Mayor Pro Tem Mang, and Council Members Rule, Lang, and Whitman.

Also present: City Manager Harvey, City Attorney Burgess, Assistant to the City Manager Cervantes, Community Development Director Seibert, Public Works Admin Rojas, Finance Director Cho, Human Resources Manager Holman, and Chief Deputy City Clerk Montgomery.

PLEDGE OF ALLEGIANCE

Chief Deputy City Clerk Montgomery led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION: It was moved by Council Member Lang, seconded by Mayor Gilman, to approve the agenda.

The motion carried unanimously.

PRESENTATIONS

- 1. Quarterly Progress Update on Findings of the City of Ojai's Targeted Forensic Review**
- 2. Green Valley Project and C.R.E.W. – Tree Planting Presentation**

COMMISSION REPORTS - None

CITY MANAGER'S REPORT - None

PUBLIC COMMUNICATIONS

The Council received comments from the public.

CONSENT CALENDAR

3. Minutes - City Council meetings held March 24, 2026

RECOMMENDATION: Approve minutes.

4. City of Ojai Warrants for March 9, 2026 - March 29, 2026

RECOMMENDATION: Receive and file.

5. Fiscal Year 2026/27 List of Road Maintenance and Rehabilitation Projects Required by State Senate Bill 1 (SB1)

RECOMMENDATION: Adopt Resolution No. 2026-8 to provide the list of road maintenance and rehabilitation projects to the California Transportation Commission (CTC) as required by California State Senate Bill 1 (SB1) to secure access to State grant funds for road rehabilitation projects in Fiscal Year 2026/27.

6. Appointment to Fill Mid-Term Vacancy on the Parks and Recreation Commission

RECOMMENDATION: Confirm nomination of applicant Jim Bailey as Parks and Recreation Commissioner to fill a mid-term vacancy (term ending May 2029).

Council Member Rule pulled Item 4 for discussion.

MOTION: It was moved by Council Member Lang, seconded by Mayor Gilman, to approve Items 3, 5, and 6.

The motion carried unanimously.

MOTION: It was moved by Council Member Lang, seconded by Mayor Gilman, to approve Item 4.

The motion carried 4-0-1 (Council Member Rule abstaining).

DISCUSSION

7. Ojai Permanent Supportive Housing Project/DignityMoves Project Bid Affirmation (City Council Direction)

MOTION: It was moved by Council Member Lang, seconded by Mayor Gilman, to approve only Option 2 of the recommendation.

No Council action taken.

MOTION: It was moved by Council Member Whitman, seconded by Council Member Mang, to authorize the City Attorney to communicate with HCD regarding a second property option.

No Council action taken.

MOTION: It was moved by Mayor Gilman, seconded by Council Member Lang, to: (1) affirm DignityMoves' determination of lowest responsive bidder of Specialty Construction for the Ojai Permanent Supportive Housing Project for a total project cost of \$9.5M including a 4% contingency; waive City project fees; accept the corresponding Development Budget and Schedule; and authorize the City Manager to execute an amendment to the City's DMA to incorporate such documents into the DMA; and decline designating five (5) of the thirty (30) units for TAY and DignityMoves' offer to accept and apply a private donation of \$1M towards the Project; (2) authorize staff and DignityMoves to inquire with private donation donor about the options for a donation; (3) and direct staff to conduct a feasibility study for possibility of additional units at the 503 S Ventura St. property.

The motion carried 3-2 (Council Members Whitman and Mang dissenting).

8. Adopt Revisions to the City Council Protocols to Establish Quasi-Judicial Hearing Procedures (City Council Direction)

MOTION: It was moved by Mayor Gilman, seconded by Council Member Whitman, to adopt Resolution No. 2026-9 approving revisions to the City Council Protocols and adopting a policy for Quasi-Judicial Hearings as an attachment to the Council Protocols.

The motion carried unanimously.

9. Award of Maintenance Agreement for Pest Control Services (Operational Need)

MOTION: It was moved by Mayor Gilman, seconded by Council Member Rule , to:

1. Authorize the City Manager to execute PW Maintenance Agreement No. 2026-05 with Ventura Pest Control, Inc. for pest control services in the amount of \$10,425 through June 30, 2026, and in the amount of \$42,300 beginning July 1, 2026 through June 30, 2027, for a total authorized expenditure of \$52,725; and
2. Authorize the City Manager to execute, in his sole discretion, future amendments to extend the term of the Agreement for up to three (3) additional one-year terms not exceeding four (4) years and three (3) months.

The motion carried unanimously.

10. Approval of a Budget Appropriation for Installation of Air Conditioning Unit at the Libbey Bowl Ticket Booth (Operational Need)

MOTION: It was moved by Mayor Gilman, seconded by Council Member Rule, to approve a budget appropriation of \$21,000 from the Libbey Bowl Maintenance Fund Balance (Fund 011) to fund the purchase and installation of an air conditioning (A/C) unit at the Libbey Bowl ticket booth and authorize the City Manager to execute the task order with Green Globe HVAC for the work.

The motion carried unanimously.

11. Quarterly Update on City Council Goals & Tactics (City Council Direction)

Item 11 was continued to a future meeting.

COUNCIL MEMBER'S REPORTS – None

FUTURE AGENDA ITEMS

Council Member Mang, with Council agreement, requested a City Manager performance evaluation.

Council Member Whitman, Council Member Lang, and Mayor Gilman requested to direct staff to address speed bumps on Cuyama Rd.

ADJOURNMENT

Mayor Gilman adjourned the meeting at 10:31 p.m.

Weston Montgomery, Chief Deputy City Clerk
Approved:



MINUTES

CITY COUNCIL SPECIAL MEETING THURSDAY, APRIL 16, 2026, 1:00 PM KENT HALL - CITY HALL CAMPUS - 111 W SANTA ANA ST, OJAI, CA

Mayor Gilman called the meeting to order at 1:00 p.m.

ROLL CALL

The following members were present: Mayor Gilman, Mayor Pro Tem Mang, and Council Members Rule, Lang, and Whitman.

Also present: City Manager Harvey, City Attorney Burgess, Community Development Director Seibert, and Acting Clerk Garcia.

PLEDGE OF ALLEGIANCE

Mayor Gilman led the Pledge of Allegiance.

APPROVAL OF AGENDA

The Council approved the agenda.

CLOSED SESSION

Council Member Rule recused herself from attendance at the Closed Session. The City Council, excluding Council Member Rule, recessed into Closed Session to discuss the following matter:

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Gov. Code § 54956.9)**

Name of case: Leslie Rule v. City of Ojai, Ventura County Superior Court Case No. 2025CUPT055697

The City Council reconvened from Closed Session.

CITY ATTORNEY'S REPORT OUT OF CLOSED SESSION

City Attorney Burgess reported there was no reportable action taken in Closed Session.

PUBLIC HEARING - Continued from March 24, 2026

- 2. Design Review Permit (DRP 24-007) and Tentative Tract Map (TTM 25-002) | Consider Approving the Proposed Five-Unit Single-Story Deed-Restricted 100% Affordable Housing Project Located at 408-410 North Montgomery Street; Assessor's Parcel Number: 021-0 -092-010; Zoning Classification is Multi-Family Residential (R- 2) – Site No. 23 of the Housing Element; General Plan Land Use Designation is Medium High-Density Residential (MHR) and includes a Special Housing Overlay designation (SPL overlay); Property Owner: City of Ojai; Applicant: Habitat for Humanity of Ventura County; Representative: Linda Blackburn, RRM Design Group (*City Council Direction*)**

Mayor Gilman opened the public hearing, accepted public comments, and closed the public hearing.

MOTION: It was moved by Council Member Rule, seconded by Mayor Gilman, to sell the considered property for \$1.00, approve the item as recommended, and pursue a traffic and land trust analysis.

No Council action taken

MOTION: It was moved by Council Member Whitman, seconded by Council Member Lang, to: (1) delay/continue City Council decision regarding transferring land for two weeks, for feedback from the City Attorney; (2) grant the entitlements and approve the recommended resolution; (3) obtain an appraisal for the land; and (4) return in two weeks or at the May 12 City Council Regular Meeting for discussion.

The motion carried 3-2 (Rule and Gilman dissenting).

ADJOURNMENT

Mayor Gilman adjourned the meeting at 3:00 p.m.

Weston Montgomery, Chief Deputy City Clerk
Approved:



**MINUTES
OJAI PLANNING COMMISSION
March 18, 2026**

Call to Order

Chair Murphy called the *regular* meeting of the Ojai Planning Commission to order on Wednesday, March 18, 2026, at 6:00 p.m. (In-person and via teleconference).

Roll Call

On a call of the roll, the following Planning Commissioners were present in person: Chair Murphy, Vice Chair Chesley and Commissioners Rice Schmidt, and Steward.

Absent: None

Vacancy: One

City staff present:

Attended in person: Maura Macaluso, Principal Planner, Aida Lawrence, Planning and Building Technician.

Attended remotely: Lucas Seibert, Community Development Director, and Bethany Burgess, City Attorney.

Pledge of Allegiance Commissioner Steward

Approval of the Agenda The Commission approved the agenda as submitted.

Public Communication None

Consent Item(s)

1. Minutes of the Regular Meeting of Planning Commission March 4, 2026

Motion: Vice Chair Chesley moved and Commissioner Rice Schmidt seconded the motion to approve March 4, 2026, regular PC meeting minutes as submitted.

The motion passed as follows:

AYES: Chesley, Murphy, Rice Schmidt

NOES: None

ABSTAIN:

ABSENT: None

VACANCY: One

Disclaimer of Site Visits and Ex-parte Contacts

All Commissioners present at the meeting had no site visit site or any ex-parte contacts for Item 2.

Public Hearing Item(s)

2. Design Review Permit (DRP 25-010) and minor Conditional Use Permit (CUP 25-007) | **Denial Resolution** associated with the proposed modifications to the existing outdoor dining area located to the rear of Ojai Mountain Farm restaurant (formerly known as Osteria Monte Grappa) and addressed 242 East Ojai Avenue. Assessor’s Parcel Number 021-0-140-370. General Plan Designation of Downtown Commercial (DC) and Zoning Classification of General Commercial (C-1). The subject site is located in the thoroughfare corridor overlay (T-C-O) district, State of California designated Downtown Ojai Historic District, and within the Arcade Plaza Design Guideline area; Representative: Patrick Housh, Paul Poirier + Associates Architects. Property Owner: Verna Joy Adams; Applicant: Tony Yanow, Ojai Mountain Farm.

Chair Murphy opened the Public Hearing and turned the time over to staff
Staff –Director Seibert virtually presented the staff report and requested the commission adopt the denial resolution.

Questions for staff - None

Chair Murphy invited a motion.

Motion: Commissioner Rice Schmidt moved and Vice Chair Chesley seconded the motion to adopt PC Resolution 26-05 and associated findings confirming denial of the proposed modifications to the outdoor dining area located to the rear of the restaurant space located at 242 East Ojai Avenue.

The motion passed as follows:

AYES: Chesley, Murphy, Rice Schmidt
NOES: None
ABSTAIN: Steward
VACANCY: One

Discussion Item(s)

3. Concept Review (CR 25-002) | Request for concept review of a City Hall Campus Master Plan (Eco Center) for a Landscaping Project on the property of Historic Landmark No. 23 Smith-Hobson House, located at 401 S. Ventura Street, Assessor’s Parcel Number 023-0-010, -020, -030. Property Owner: City of Ojai. Applicants: Ojai Valley Green Coalition. Representative: Kathleen Nolan, Studio Landscape, Landscape Architect.

Chair Murphy opened the Public Hearing and turned the time over to staff
Staff –Planner Macaluso presented the staff report.

Questions for staff - None

Chair Murphy invited the applicants to speak.

Kathleen Nolan, Landscape Architect showed a PowerPoint presentation explaining the project in detail.

Chair Murphy opened for comments
Speakers: Craig Walker.
Chair Murphy closed the comment period

The Commission offered comments and Kathy Nolan responded.

Informational Item(s)

- 4. Future Agenda Items
The Commission received a report from Community Development Director Seibert.

Motion: Commissioner Steward moved and Vice Chair Chesley seconded the motion to cancel the April 1, 2026, regular meeting of the Planning Commission.

The motion passed as follows:

AYES: Chesley, Murphy, Rice Schmidt, Steward
 NOES: None
 VACANCY: One


Director’s Report – Director Seibert reported.

Commission Member Report - None

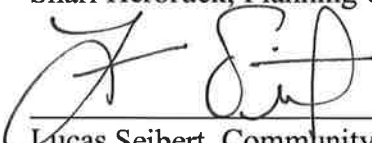
City Council Liaison – None

Adjournment


There being no further business brought before the Commission, Chair Murphy adjourned the meeting 7:35 p.m.

Respectfully submitted by: 

 Shari Herbruck, Planning Commission Secretary

Reviewed by: 

 Lucas Seibert, Community Development Director

Approved by
 the Planning Commission: 

 Judy Murphy, Planning Commission Chair



Administrative Report

TO: Honorable City Council

FROM: Ben Harvey, City Manager
Brenda Cho, Finance Director

MEETING DATE: April 28, 2026

SUBJECT: Approve Resolution Authorizing the County of Ventura to Collect a Special Library Tax for Fiscal Year 2026-27

RECOMMENDATION

Adopt a resolution authorizing the County of Ventura to collect on behalf of the City the Special Library Tax according to Ordinance 713 with Tax Revenues to be used for Supplemental Library Services for Fiscal Year 2026-27.

DISCUSSION

On March 26, 1996, City of Ojai voters approved the imposition of Library Special Tax, under the authority of Section 53717 of the California Government Code, and the City adopted City Ordinance 713. The Special Library Tax revenues were required to be used for supplemental library services, as of the beginning of fiscal year 1996-1997.

The Library Special Tax Fund (051) has budgeted the supplemental library service contract expenditures of \$106,000 to Ventura County for many years. The same amount is budgeted for fiscal year 2026-27 plus administration costs. Staff anticipates billing and receiving special assessments totaling approximately \$110,000 in fiscal year 2026-27.

Pursuant to Ordinance 713, the Library Special Tax shall be levied unless the City Council chooses not to do so. The attached resolution assumes the tax will continue and authorizes the County of Ventura to collect the tax on the City's behalf.

CITY COUNCIL GOALS ALIGNMENT

Goal No. 8 - Financial Stability

OPTIONS

1. Take no action;
2. Provide alternative direction to staff.

FISCAL IMPACT

The special tax is necessary to maintain existing library hours of operation, in accordance with the City's agreement with the County Library system. If the tax is assessed for Fiscal Year 2026-27, there will be no fiscal impact to the General Fund.

If the tax is not assessed, the General Fund would be required to cover the cost of library services paid to the County. Revenues in the Library Special Tax Fund are expected to match expenditures, resulting in no net impact to the fund balance if the assessment is approved.

However, if the assessment is not approved, any remaining cash held in the Library Fund will be transferred to the General Fund to offset the cost of maintaining library services.

Prepared by: Brenda Cho, Finance Director

ATTACHMENT(S)

- A. Resolution Authorizing the County of Ventura to Collect on Behalf of the City the Special Library Tax

CITY OF OJAI

RESOLUTION NO. 26-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OJAI AUTHORIZING THE COUNTY OF VENTURA TO COLLECT ON BEHALF OF THE CITY THE SPECIAL LIBRARY TAX ACCORDING TO ORDINANCE 713 WITH THE TAX REVENUES TO BE USED FOR SUPPLEMENTAL LIBRARY SERVICES FOR FISCAL YEAR 2026-2027

WHEREAS, at a special election on March 26, 1996 voters authorized a library special tax to be used for supplemental library services beginning in fiscal year 1996-1997; and

WHEREAS, pursuant to said election, the City Council of the City of Ojai on May 14, 1996 adopted Ordinance 713 imposing a Library Special Tax; and

WHEREAS, the Library Special Tax is used by the City in accordance with Ordinance 713; and

WHEREAS, each year a Resolution of the City Council is required to authorize the County of Ventura to collect said special tax so that the County of Ventura may collect it and distribute it for its stated purpose, provided that the County may deduct its reasonable collection costs incurred per Ordinance 713.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Ojai hereby authorizes the City Clerk to transmit the necessary documents to the County of Ventura to collect said tax for Fiscal Year 2026-27.

BE IT FURTHER RESOLVED, that the City Council directs the Director of Finance to collect, administer and expend the tax proceeds in accordance with said Ordinance for Fiscal Year 2026-27.

PASSED, APPROVED and ADOPTED this 28th day of April 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF OJAI, CALIFORNIA

Andy Gilman, Mayor

ATTEST:

Weston Montgomery, Chief Deputy City Clerk

APPROVED AS TO FORM:

Bethany A. Burgess, City Attorney



Administrative Report

TO: Honorable City Council

FROM: Ben Harvey, City Manager
Brenda Cho, Finance Director

MEETING DATE: April 28, 2026

SUBJECT: Thirtieth Amendment to the Agreement for Additional Library Services Purchased with Library Parcel Tax Money

RECOMMENDATION

Approve the Thirtieth Amendment to the Agreement for the County of Ventura to provide additional library services to the City of Ojai for the period commencing July 1, 2026, and ending June 30, 2027, and authorize the Mayor to execute this agreement on behalf of the City.

DISCUSSION

The City collects an average of \$110,000 annually from a special library tax to administrative expenditures for supplemental library services. Approval of the recommendation authorizes the Mayor to sign the Thirtieth Amendment to the Agreement with the County of Ventura, memorializing the transaction for Fiscal Year 2026-27.

The residents of Ojai have traditionally been ardent users and supporters of the Ojai Library. In fact, the City of Ojai has provided supplemental library services to prolong library hours of operation and other services since 1994.

Initially, this support was provided with dollars from the City's General Fund. However, in 1996, Ojai residents approved a special library parcel tax that was anticipated to generate sufficient revenues to pay the agreed-upon \$106,000 City contribution to the Ventura County Library system. As stated in Ordinance No. 713, "...this tax is levied unless, by resolution, the City Council determines not to impose this special tax."

These special tax funds have been used to maintain the Ojai Library's hours of operation. The County's Library Services Agency also collects about \$35,000 from a parcel tax from the unincorporated area of the Ojai Valley that is dedicated for these library services. That amount, coupled with the \$106,000 from the City of Ojai as well as City overhead indirect costs, has provided most of the costs needed to maintain the 31 hours per week of operation that the Ojai Library would have cut without special library parcel-tax funding.

In 1997, the City Council approved an agreement with the County of Ventura to maintain the hours for library services using the special library parcel tax revenue. This agreement, which effectively outlines terms of the services that the Ventura County Library will provide

to the Ojai Library, is amended annually.

For FY 2026-27, special library parcel tax revenues are projected to generate approximately \$110,000. The City's parcel tax revenues have remained virtually stagnant, since Ojai has little growth, and the ballot measure made no accommodations for inflationary increases in the tax.

The tax and interest income will generate \$106,000 that the City pays to the County. Annually, an analysis of the assessed parcels is performed, and assessments are adjusted if needed. Additionally, a review of the library special-parcel tax rolls is performed and compared to the Ventura County secured property tax rolls to determine whether any parcels have been omitted from the assessment.

Staff anticipate that revenues will approximate expenditures for the FY 2026-27 fiscal year.

CITY COUNCIL GOALS ALIGNMENT

Goal No. 9 - Communication and Relationships

OPTIONS

1. Take no action;
2. Provide alternative direction to staff.

FISCAL IMPACT

There is no fiscal impact to the City's General Fund. The additional library services are fully funded through the Special Library Tax Fund.

Prepared by: Christy Billings, Special Projects Manager

ATTACHMENT(S)

- A. Thirtieth Amendment to the Library Services Agreement with the County of Ventura

CITY OF OJAI

RESOLUTION NO. 26-

**THIRTIETH AMENDMENT TO AGREEMENT FOR
COUNTY OF VENTURA TO PROVIDE ADDITIONAL
LIBRARY SERVICES TO THE CITY OF OJAI**

THIS THIRTIETH AMENDMENT TO AGREEMENT (this "Thirtieth Amendment"), dated as of the 28th day of April 2026 and effective as of July 1, 2026, is made by and between the **COUNTY OF VENTURA, CALIFORNIA** ("County") and the **CITY OF OJAI, CALIFORNIA** ("City") regarding the following:

WITNESSETH:

WHEREAS, County and City entered into that certain Agreement for County of Ventura to Provide Additional Library Services to the City of Ojai, dated August 28, 1996 (the "Agreement"), whereby County agreed to provide certain additional library services to City; and

WHEREAS, the Agreement was previously amended in or about November, 1997 and effective October 1, 1997; on September 28, 1998 and effective as of October 1, 1998; on June 8, 1999 and effective as of July 1, 1999; on August 8, 2000 and effective as of July 1, 2000; on October 9, 2001 and effective July 1, 2001; on May 13, 2002 and effective July 1, 2002; on September 23, 2003 and effective as of July 1, 2003; on June 22, 2004 and effective as of July 1, 2004; on June 28, 2005 and effective July 1, 2005; on June 27, 2006 and effective on July 1, 2006; on July 24, 2007 and effective July 1, 2007; on November 18, 2008 and effective July 1, 2008; on November 10, 2009 and effective July 1, 2009; on July 27, 2010 and effective July 1, 2010; on July 12, 2011 and effective July 1, 2011; on August 14, 2012 and effective as of July 1, 2012; on July 9, 2013 and effective July 1, 2013; on July 22 2014 and effective July 1, 2014; on October 27, 2015 and effective July 1, 2015; on June 14, 2016 and effective July 1, 2016; on June 13, 2017 and effective July 1, 2017; on June 12, 2018; on June 11, 2019; on July 1, 2020 and effective July 1, 2021; on June 14, 2022 and effective July 1, 2022; on June 13, 2023 and effective July 1, 2023; on April 23, 2024 and effective July 1, 2024; and on May 2, 2025 effective July 1, 2025.

WHEREAS, the parties to the Agreement now desire to further amend certain of its terms as set forth hereinafter.

NOW, THEREFORE, in consideration of the covenants and agreements herein contained, the parties hereto agree as follows:

1. Paragraph 5 of the Agreement is hereby amended to read as follows:

"5. City shall pay to County the sum of One Hundred Six Thousand Dollars (\$106,000.00) to perform the Additional Services. City's payment shall be made to the Ventura County Library Services Agency at the address given in Paragraph 9(a) and shall be made in quarterly installments of twenty-six thousand and five hundred dollars (\$26,500.00), beginning July 1, 2026, and continuing the first day of each quarter thereafter during the term of this Agreement"

Paragraph 6 of the Agreement is hereby amended to read as follows:

"6. This Agreement shall become effective upon the date first above written and shall continue in full force and effect until June 30, 2027, unless sooner terminated by either party pursuant to the provisions of Paragraph 7."

2. Except as amended herein, the remaining provisions of the Agreement shall remain in full force and effect.

3. This Thirtieth Amendment may be executed in any number of counterparts, each of which shall be deemed original, but which together shall constitute one and the same agreement, with one (1) counterpart being delivered to each party hereto.

4. This Thirtieth Amendment shall be governed by the laws of the State of California. Any question arising hereunder shall be construed or determined according to such laws.

IN WITNESS WHEREOF, County has, by order of its Board of Supervisors, caused these presents to be subscribed by the Chair of said Board of Supervisors and the seal of said Board to be affixed and attested by the Clerk thereof; and City has, by order of the City Council, caused these presents to be subscribed by the presiding officer of City and the seal of City to be affixed and attested by the Clerk thereof on the day and year first above written.

CITY OF OJAI, CALIFORNIA

By _____

Andy Gilman, Mayor

I ATTEST:

Weston Montgomery, Chief Deputy City Clerk

COUNTY OF VENTURA, CALIFORNIA

By _____
Chair, Board of Supervisors

I ATTEST:

Clerk of the Board of Supervisors
County of Ventura, State of California

By _____
Clerk of the Board



Administrative Report

TO: Honorable City Council

FROM: Ben Harvey, City Manager
Bethany Burgess, City Attorney

MEETING DATE: April 28, 2026

SUBJECT: Appeal of Decision Granting Permit for Facility Use to Ojai Valley Pickleball, Inc. (*Legal Requirement*)

RECOMMENDATION

1. Consider information presented by the City Attorney and City staff, the appellant, and the applicant.
2. Either: (a) grant the appeal and deny the facility use permit or (b) deny the appeal and grant the facility use permit. If the permit is granted, City Council may approve the permit as issued or impose additional conditions on the approval of the permit.
3. Provide alternate direction to City staff.

DISCUSSION

On February 17, 2026, the City of Ojai's Parks and Recreation Department received an Application for Facility Use from Ojai Valley Pickleball, Inc., a non-profit public benefit corporation organized in California, to conduct the Ojai Shangrila Classic Pickleball Tournament (the "Pickleball Tournament") on June 4 through 7, 2026, on the Lower Libbey Tennis Courts (the "Application"). The Application is attached to this Report as Attachment A. The Application was approved by the City's Recreation Manager on March 6, 2026, and application fees totaling \$1,684.00 were paid to the City. The Application identifies a number of conditions for use of City facilities, including, responsibility for any damage or cleanup to the facilities used under the permit. Applicants must also provide insurance and agree to hold the City harmless for any damages associated with use of City facilities.

On April 2, 2026, the Neighbors of Libbey Park, c/o Jamie Roth, submitted an appeal, pursuant to Chapter 1-4 of the Ojai Municipal Code ("OMC"), appealing the administrative decision of the City's Recreation Manager to approve the facility use permit for the Pickleball Tournament. The appeal requested that City Council:

1. Rescind the permit for the Pickleball Tournament at the Lower Libbey tennis courts;
2. Refund all permit fees paid by the Pickleball Tournament organizers; and
3. Adopt a resolution permanently banning pickleball play on all Libbey Park tennis courts.

The Application for Appeal and supporting documentation are attached to this report as Attachment B.

Because the decision being appealed only included the approval of the facility use permit, City Council may not adopt a resolution as part of this appeal banning pickleball play on all Libbey Park tennis courts; however, City Council may provide direction to City staff to return at a future Council meeting with a policy for Council consideration.

Chapter 4-3 of the OMC is instructive in this matter. Section 4-3.301 delegates to the City Manager and his designees “authority for the enforcement of all regulations affecting the facilities designated as parks by the Council,” including the authority to “issue advanced reservations for park facilities,” authority to collect Council-approved fees and charges for the use of park facilities, and authority to issue permits for use of City park facilities.

Ojai Municipal Code Section 4-3.403 establishes the standards for issuance of a permit, and requires the City Manager, or his designee, to issue a permit for use of City parks when they find:

- (a) That the proposed activity or use will not unreasonably interfere with or detract from the public enjoyment of the park;
- (b) That the proposed activity or use will not unreasonably interfere with or detract from the promotion of the public health, welfare, safety, and recreation;
- (c) That all conditions, including where applicable the payment of fees, approval of the Council, indemnification, and insurance coverage are met;
- (d) That the proposed activity or use is not reasonably anticipated to incite violence, crime, or disorderly conduct;
- (e) That the proposed activity or use will not entail unusual, extraordinary, or burdensome expense or security operation by the City and its Park Department; and
- (f) That the facilities desired have not been reserved for other purposes.

In addition to the standards for issuance of permits for park facility use, the City has adopted policies applicable to special events. First, the City’s website for Park and Libbey Bowl rentals provides that Libbey Park may be rented by section by non-profit organizations hosting community facing events. The City of Ojai Special Events Policy states that Libbey Park may be rented by public agencies, non-profit organizations, educational, and service groups for events of less than 150 people, and provides that no new large festivals expecting over 150 people will be allowed at Libbey Park, effective July 2022 (this excludes pre-existing festivals, including the Ojai Tennis Tournament, Art in the Park, the Ojai Music Festival, the Lavendar Festival, and Ojai Day). However, this policy could be interpreted to only pertain to rentals of the Bandstand/Gazebo, the Fountain, and adjacent lawn, and the Oak Tree Grove connecting these areas. It does not clearly address facilities use permits for either the Upper Libbey or Lower Libbey tennis courts.

Chapter 1-4 of the OMC governs appeals of the denial, suspension, or revocation of a permit applied for under the OMC and appeals of “any administrative decision made by any official of the City pursuant to any provision of this Code” except where more specific appeal provisions in the OMC control. Such decisions must be appealed no later than 30 days after the date of the administrative decision. Upon receiving an appeal, the City Clerk

shall set the matter for a hearing before City Council. Decisions of City Council pursuant to Chapter 1-4 are subject to judicial review in accordance with California Code of Civil Procedure Section 1094.6.

In considering this appeal, City Council should review the information provided by City staff, the Appellant, and the Applicant, including written explanation and evidence supporting the respective Appellant and Applicant cases that was submitted prior to the deadline of 12:00 PM on Friday, April 24, 2026 (included with this agenda report as Attachments C and D, respectively). In addition, the City Council must also consider any public comment provided, and with this information comprehensively assessed, then determine whether City staff correctly applied the standards for issuance of a Park facility use permit enumerated in OMC Section 4-3.403 and existing City policies when approving the permit for the Pickleball Tournament. In doing so, City Council shall adopt findings in support of its decision.

CITY COUNCIL GOALS ALIGNMENT

N/A (See Explanation Below)

This matter involves an appeal of an administrative decision pursuant to Chapter 1-4 of the OMC.

OPTIONS

See above.

FISCAL IMPACT

If City Council grants the appeal, the City should refund the facility use fees paid by the permit applicant.

Prepared by: Bethany Burgess, City Attorney

ATTACHMENT(S)

- A. Application for Facility Use Permit
- B. Application for Appeal
- C. Written explanation and evidence submitted by Appellant
- D. Written explanation and evidence submitted by Applicant

* Tennis Court Rental *



CITY OF OJAI

APPLICATION FOR FACILITY USE

Ojai Recreation Department
510 Park Road, Ojai, CA 93023
Phone: (805) 646-5581

APPLICATION INFORMATION

Organization: Ojai Valley Pickleball Inc. Date: 2-17-26

Chief Officer of Organization (Name): Tim Krout - President

Organizations Address: [REDACTED]

Organization Business Phone Number: [REDACTED]

Non-profit organization: yes IRS 501C Tax Number *: [REDACTED]

* A Letter of Determination (LOD) confirming your 501C Tax number must be attached to this application before application will be routed for approval. If LOD is not attached application will be denied.

I/we have read and understand the terms and attached regulations and procedures of this application. I/we agree on behalf of this organization to pay any and all fees required by this permit. INDEMNIFICATION: Applicant covenants and agrees to indemnify and hold harmless the City of Ojai, its officials, officers, and employees from any claim of personal injury, wrongful death, and/or property damage by reason of any act done or permitted to be done by applicant in, upon or about the premises utilized by the applicant, or arising out of. Or connected with the occupation, use, and enjoyment of said premises by applicant.

Chief Officer Signature: Tim Krout Applicant Signature Tim Krout

Applicant (Name): Tim Krout, President Ojai Valley Pickleball Inc.

Applicant Address: [REDACTED]

Business Phone: [REDACTED]

Evening Phone: [REDACTED]

Cell Phone: [REDACTED]

Fax Number: ()

Contact Person on site or available by phone on day of event: Tim Krout

Phone: [REDACTED]

Cell Phone: [REDACTED]

EVENT INFORMATION

Type of event:

Run/Walk/Bike Tour

Park Festival

Gathering/picnic (reunions, etc.)

Parade

Street Festival

Concert or Theatrical Production

Sports event

Other (specify) _____

Facility Requested:

- Sarzotti Park Picnic Area 1, 2 or 3
- Sarzotti Ballfield 1 or 2
- Community Gymnasium
- Boyd Center _____ Room
- Sarzotti Snack Bar
- Upper Lower Libbey Tennis Courts
- Other _____

Event Title: Ojai Shangrila Classic Pickleball Tournament

Event Dates: June 4 - 7, 2026 Number of Spectators: 100
 Number of Participants: 220
 Total attendance: 320

Actual Event Hours: 6:30 am pm to 10:00 am / pm

Will a staging/setup/assembly/construction location be required? Yes No

If yes, Date: June 4, 2026 Starting time: 6:30 AM PM

Dismantling Date: June 7, 2026 Start Time: 8:00 pm Completion time: 10:00 pm

Areas to be set up: all areas in the vicinity of lower Libbey Park including the youth warm-up court

Description of the scope of setup/assembly work: setting up EasyUp shade canopies, tables & 16 temporary pickleball courts & nets

Note: For parades, walks/runs, or any other street use including load in and set up, public transportation stops, or overflow parking for large events, please attach a map/plan. Any of the above will require encroachment permits from the Ojai Public Works Department for City streets or from Caltrans for Ojai Ave or Maricopa Highway. Contact the Public Works Department for information and Encroachment Permit applications.

Rehearsal Scheduled: Dates: N/A Times: N/A

Is special lighting required? If so, who will be responsible for lighting? N/A

Will the event include musical entertainment? Yes No

Number of Stages 0 Number of Bands 0 Type of Music 0

Sound Amplification: Yes No Time Begins _____ Time ending _____

Sound Check Yes No Time begins _____ Time ending _____

Description of sound system: N/A

Estimated decibel level, if known: N/A

Are decorations/signs required for event? Yes No

If yes, please describe banners about the event and about sponsors of the event

Will food be served at the event? Yes No

If, yes what kind? Pot Luck BBQ Vendor Sales Other _____

Has a Food Permit been submitted to the County of Ventura Health Department? N/A. If so, when was the permit submitted N/A

How will food be prepared? N/A Gas ___ Electric ___ BBQ ___ Other (specify) ___

Please describe how food will be served at the event: N/A

Does the event involve the sale or use of alcoholic beverages? ___ Yes No

If yes, I N/A will ensure that alcohol will only be consumed by adults of legal drinking age.

Alcohol Beverage Control approval must be obtained and submitted to the City if alcohol will be sold, before approval can be made on this application. ABC licenses may be checked by law enforcement personnel during your event.

Signature of Applicant: Jim Kraut Date: 2-17-26

Are fees being charged?

Admission Fee	\$ <u>0</u> per person	\$ <u>0</u> Estimated Gross Receipts
Vendor Fees	\$ <u>0</u> per person	\$ <u>0</u> Estimated Expenses
Participant Fees	\$ <u>80</u> per person	\$ <u>17,600</u> Projected Revenues

Staff Comments- The following are required for this event prior to final approval:

<input type="checkbox"/> A complete description of event	<input type="checkbox"/> Maps of event area or route
<input type="checkbox"/> A City or Caltrans Encroachment Permit	<input type="checkbox"/> Certificate of Insurance
<input type="checkbox"/> Environmental Health Dept. approval	<input type="checkbox"/> Alcohol Beverage Control approval
<input type="checkbox"/> Other _____	

SECURITY, POLICE AND EMERGENCY SERVICE

Who will be responsible for security at this event?

Sponsoring organization staff/volunteers

Professional Security organization (please list):

Security Company: N/A

Address: _____

Phone: _____

Security Director: _____

Security Responsibilities:

Any searches prior to entering: ___ Yes No

Bottle and Can check for alcohol: ___ Yes No

How many Security Guards at each Entrance: 0

Number of Security Guards inside the Venue: 0

Do security personnel monitor parking? 0

How will Event / Staff Patrons be visibly different from the Public? dressed For Pickleball

POLICE SERVICES REQUESTED

Number of Uniformed Officers: N/A _____ Foot Patrol
Mobile Police Command Post: Yes No Bike Teams Mounted Unit
Primary Duties/ Responsibilities:
Parking lot patrol: Yes No Entrance Security: Yes No
Interior Venue: Yes No Venue perimeter: Yes No

Note: Applicant must obtain a Police Security Agreement from the Ojai Police Dept. for Police Services prior to final approval of this application if Police services are requested or required.

Police Comments:
___ Please file a complete security plan with the Ojai Police Department
Additional security required: ___ Private Security ___ Police Security ___ additional officer/s
___ Police Security Agreement required prior to final approval.
___ Police Security Agreement on file Date _____ Signed _____
Police comments _____
Police Department Event Approval: _____ Date _____

A. RESERVATIONS

1. Renters desirous of a Facility are required to make reservations 2 months in advance of the intended date of use because demand for facilities is high and dates fill quickly.
2. A facility is not considered rented until (1) Renter delivers to the City of Ojai the Facility Use Agreement, IRS 501C Letter of Determination, rental fee, deposit, certificate of insurance, written evidence of permits and licenses, and any other items deemed necessary by the City of Ojai; and (2) the City of Ojai, in its sole discretion, approves such rental in writing.
3. A person who is at least (18) years of age must sign this agreement.
4. Renter shall provide the City of Ojai Manager or his/her designee with a single contact who is to serve as the representative for Renter's activities.
5. Renter shall be responsible for securing all required permits and licenses.
6. The facility shall be used for the purpose stated in this agreement and no other use will be permitted.
7. Renter shall not use the City of Ojai's name to suggest endorsement or sponsorship of the event without prior written approval of the City of Ojai Manager or his/her designee. Renter's publicity of the event shall clearly and accurately identify the name of the sponsoring organization or individual.
8. Renter shall permit any City of Ojai officers, employees, or agents to visit the event described in this agreement.

9. Renter shall be responsible for picking up the keys to the Facility, if any, from the City of Ojai prior to the event. Renter shall return keys immediately following the event to the City of Ojai.
10. Under no circumstances shall Renter sublease or allow any other organization or individual to use the Facility for the period for which Renter has contracted. Renter is an independent contractor and not the agent or employee of the City of Ojai.

Initials: TZK

B. FEES

1. Renter is to pay Facility and deposit fees 1 month prior to event date. Failure to do so will result with event being canceled or placed on hold until fees are paid.
2. Any person or agency holding a reservation for the use of City of Ojai facilities and desiring to cancel such reservation may be subject to the withholding of a portion of or the entire rental fee for the Facility.
3. The City of Ojai may charge an additional amount of double the regular rental rate for any event continuing past the ending time stated in this agreement.
4. Renter is responsible for any lost keys, and any costs that the City of Ojai might incur to replace and/or re-key the Facility.
5. In the event the Facility is left damaged, Renter shall be charged for any and all janitorial and/or repair fees incurred by the City of Ojai as a result of same and these fees shall be billed to Renter.
6. **The Sheriff's Department Fees.** Deputies, which may be requested by the Sheriff's Department and/or the Applicant will be calculated after the event and an invoice, will be mailed to the Applicant for payment.
7. **The Sheriff's Department Reserve Deputy Fees.** The Sheriff's Department may choose to contract with Reserve Deputies for an event, in which case the Applicant is responsible to pay the Reserve Deputies directly. Reserve fees will be calculated and an invoice will be mailed to the Applicant for payment.
8. Renter will pay \$25 a week for items left in any City Facilities after their allotted time.

Initials: TZK

C. INDEMNIFICATION AND INSURANCE

1. Renter shall indemnify, defend, and hold harmless the City of Ojai, its officers, employees, and agents from any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Renter's use of occupancy of the Facility and adjoining property, unless solely caused by the gross negligence or willful misconduct of the City of Ojai, its officers, employees, or agents.
2. Renter shall procure, and maintain general liability insurance against any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Renter's use or occupancy of the City of Ojai's, facilities and adjoining property in the amount of \$1,000,000 (one million dollars) per occurrence. Such insurance shall

name the City of Ojai, it's officers, employees, and agents as additional insured prior to the rental date of the Facility. Renter shall file certificates of such insurance with the City of Ojai, which shall be endorsed to provide thirty- (30) days notice to the City of Ojai of cancellation or any change of coverage or limits. If a copy of the insurance certificate is not on file prior to the event, the City of Ojai may deny access to the Facility.

3. Renter shall report any personal injuries or property damage arising at any time during and/or arising out of or in any way connected with Renter's use or occupancy of the City of Ojai's facilities and adjoining property to the City of Ojai City Manager or his/her designee, in writing and as soon as possible.

4. Renter waives any right of recovery against the City of Ojai; it's officers, employees, and agents for fires, floods, earthquakes, civil disturbances, regulation of any public authority, and other causes beyond their control. Renter shall not charge results of a natural disaster to the City of Ojai; it's officers, employees, or agents.

5. Renter waives any right of recovery against the City of Ojai, it's officers, employees, and agents for indemnification, contribution, or declaratory relief arising out of or in any way connected with Renter's use or occupancy of the Facility and adjoining property, even if the City of Ojai, its officers, employees, or agents seek recovery against Renter.

Initials: TKK

D. SECURITY

1. The City of Ojai, at its sole discretion, may require a certain number of security officers for the event. Renter shall be responsible for procuring and paying for security officers through the City of Ojai or a private security agency.

2. Renter is solely responsible for supervising all individuals at the Facility and adjoining property during the event. The City of Ojai is not responsible for providing this supervision. However, the City of Ojai may evict individuals from the Facility during the event if their conduct is not in the best interest of the public or is deemed to be detrimental in any way.

Initials: TKK

E. SET UP / CLEAN UP / DECORATIONS

1. Renter, caterers, bands, transportation of rental equipment, and related individuals and activities will not be permitted access to the Facility prior to or after the event time period. Renter shall be responsible for arranging access during the time requested for entry and exit of the facility.

2. Renter shall not prepare or decorate the Facility prior to the event start time, unless Renter provides rental fees, deposits, and insurance for the time of the preparation and/or decoration.

3. Renter shall not drive or permit to drive nails, hooks, tacks, screws, poles, stakes or other forms of fasteners into any part of the Facility and shall not make or allow to be made any alterations of any kind therein.

4. Renter shall be responsible for all clean up of the Facility, including adjacent grounds, at the end of the rental. Renter shall pick up, bag, and remove all trash generated by all activity in any way connected with its use of the Facility, leaving the Facility clean and free of all trash and litter. Renter shall also leave all fixtures, if any, in good working condition.

5. Renter shall not store any equipment or materials at the Facility or adjoining property without the prior written approval of the City of Ojai Manager or his/her designee.

6. Renter shall be responsible for any and all damage to the Facility and/or its contents during use. In the event damage occurs or excessive cleaning is necessary, Renter shall be charged for any and all janitorial and/or repair fees incurred by the city of Ojai as a result.

Initials: TZK

F. EQUIPMENT / ACCESSORIES

1. Renter shall not remove, relocate, or take the City of Ojai property outside of the Facility for any reason without the prior written approval of the City of Ojai Manager or his/her designee.
2. Renter shall not use the City of Ojai equipment, tools, or furnishings located in or about the Facility without the prior written approval of the City of Ojai Manager or his/her designee.
3. Renter shall not drive motorized vehicles on field or green space.
4. The City of Ojai does not provide audio / visual system, public address systems, spotlights, floodlights, or projectors. Renter, at its own cost, may bring these systems into the Facility for their use.
5. Renter shall secure the approval of the City of Ojai before using audio / visual systems, public address systems, and live or recorded amplified music. Renter shall not record, televise, or broadcast the event or any portion thereof without prior written approval of the City of Ojai Manager or his/her designee.

Initials: TZK

G. MISCELLANEOUS

1. Renter shall comply with all local, state, and federal laws and regulations related to the use of the Facility.
2. Renter shall not admit a larger number of individuals than can lawfully, safely, and freely move about the Facility.
3. Gambling of any kind is not permitted at the Facility.
4. Smoking is not permitted at the Facility.
5. No animals are permitted at the Facility, with the exception of guide dogs.
6. If Renter violates any part of this agreement or reports false information to the City of Ojai, the City of Ojai may refuse Renter further use of the Facility and Renter shall forfeit a portion of or all of the rental fee and/or the deposit.
7. The City of Ojai may impose additional requirements as deemed necessary to protect the health, safety, and/or welfare of the community.
8. Any person aggrieved by the City of Ojai's decision with respect to this agreement may appeal to the City of Ojai's Manager or his/her designee in writing no later than five (5) days after the City of Ojai's decision has been communicated to the aggrieved party.
9. If any provision of this agreement is held to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.
10. In the event the City declares this Agreement to be in breach, the Renter must immediately cause Facility to be vacated of all persons and property and City will have the right to cause to be removed all persons and property from Facility without service of notice or resort to legal process and without legal liability on its part. Alternatively, upon declaring a breach, City may

require that User rectify the breach. If City requires Facility to be vacated, User shall loose all rights of possession.

11. If any legal action or other proceeding be brought by either party with regard to the provisions of this Agreement the prevailing party shall recover in addition to all other relief, reasonable attorney's fees and costs.

12. This Agreement, along with those documents incorporated herein by reference, constitutes the entire agreement between City and User and can be altered, superseded or otherwise amended only in writing.

Initials: TZK

I am an authorized agent of the organization submitting this agreement. The information provided in this agreement is true and correct. I have read and understand this agreement and agree to all of the aforementioned rules, regulations, and conditions of use.

Print name: Tim Krout

Signature: Tim Krout

Date: 2-17-26

SAFETY, SERVICES AND ACCESSIBILITY:

To be completed by applicant- please check all items, which, will be provided by the event holder.

Portable and/or Permanent Toilet Facilities

of portable toilets: _____ participants in excess of 1,000 require 1 per 250 people

of ADA accessible toilets _____ 10% of all portable toilets to be ADA accessible

First Aid Facilities and Ambulance Locations

First Aid Kit (required) includes bandages, disinfectant, ice pack, eyewash and burn dressing

Tables and Chairs

Fencing Barriers and/or Barricades

Generator locations and/or Source of Electricity

Canopies or Tent locations

Booths, Exhibits, Displays or enclosures

Scaffoldings, bleachers, platforms, stages, grandstands, or Related Structures

Vehicles and/or trailers, which will be parked inside the facility during event

Trash Containers or Dumpsters (in addition to those currently on site)

Food or beverage concession stands

Other related Event Components not covered above (please list) _____

INSURANCE REQUIREMENTS:

For final permit approval, the event organizers must attach a "Certificate of Insurance" of commercial general liability insurance that names the City of Ojai, its officers, employees and agents as an additional insured and any other public entities impacted by this event. Insurance must be maintained for the duration of the event. The cancellation clause on said certificate shall provide for 10-day notice to the City of cancellation of policy, and shall not include the words "will endeavor" in the cancellation notice clause. If sponsoring organization is not insured, please contact the City Public Works Department for information on special event insurance coverage.

Name of Insurance Company: _____

Agent's Name: _____ Business Phone: _____

Policy Number: _____ Policy Type: _____

FACILITY FEE(S)

TO BE FILLED BY RECREATION DEPARTMENT

Some department fees are to be paid prior to issuance of permit unless prior arrangements have been made.

RECREATION DEPARTMENT:

Processing Fee (s): _____	\$	_____
Facility Fees (s): _____	\$	_____
	\$	_____
Administration Fee: _____	\$	_____
Misc. Fees: _____	\$	_____
	\$	_____
Cleaning Deposit: _____	\$	_____
TOTAL FEES:		\$ _____

Sheriff's Department Fees

The Sheriff's Department fees for Deputies (\$98.00 per Deputy/per hour), which may be requested by the Sheriff's Department and/or the Applicant will be calculated after the event and an invoice will be mailed to the Applicant for payment.

The Sheriff's Department may choose to contract with Reserve Deputies for an event in which case the Applicant is responsible to pay the Reserve Deputies directly. Reserve fees will be calculated and an invoice will be mailed to the Applicant for payment.

X _____	X _____
Signature of Approval	Date

Office Use Only Deposit Paid: _____ Date: _____ Initials: _____ Cash/Check # _____

Remaining Balance: _____ Remaining Balance Paid on: _____ Cash/Check # _____

Staff Comments:

Date of this notice: 06-08-2022

Employer Identification Number:
[REDACTED]

Form: SS-4

Number of this notice: CP 575 E

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

OJAI VALLEY PICKLEBALL
& KAREN S WILSON
[REDACTED]

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 88-2712094. This EIN will identify your entity, accounts, tax returns, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

Taxpayers request an EIN for business and tax purposes. Some taxpayers receive CP575 notices when another person has stolen their identity and are operating using their information. If you did not apply for this EIN, please contact us at the phone number or address listed on the top of this notice.

When filing tax documents, making payments, or replying to any related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear-off stub and return it to us.

When you submitted your application for an EIN, you checked the box indicating you are a non-profit organization. Assigning an EIN does not grant tax-exempt status to non-profit organizations. Publication 557, Tax-Exempt Status for Your organization, has details on the application process, as well as information on returns you may need to file. To apply for recognition of tax-exempt status, organizations must complete an application on one of the following forms: Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code; Form 1023-EZ, Streamlined Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code; Form 1024, Application for Recognition Under Section 501(a); or Form 1024-A, Application for Recognition of Exemption Under Section 501(c)(4) of the Internal Revenue Code.

Nearly all organizations claiming tax-exempt status must file a Form 990-series annual information return (Form 990, 990-EZ, or 990-PF) or notice (Form 990-N) beginning with the year they legally form, even if they have not yet applied for or received recognition of tax-exempt status.

If you become tax-exempt, you will lose tax-exempt status if you fail to file a required return or notice for three consecutive years, unless a filing exception applies to you (search www.irs.gov for Annual Exempt Organization Return: Who Must File). We start calculating this three-year period from the tax year we assigned the EIN to you. If that first tax year isn't a full twelve months, you're still responsible for submitting a return for that year. If you didn't legally form in the same tax year in which you obtained your EIN, contact us at the phone number or address listed at the top of this letter. For the most current information on your filing requirements and other important information, visit www.irs.gov/charities.



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

OJAI VALLEY PICKLEBALL INC
C/O KAREN S WILSON
[REDACTED]

Date:
07/27/2022
Employer ID number:
[REDACTED]
Person to contact:
Name: Customer Service
ID number: [REDACTED]
Telephone: (877)829-5500
Accounting period ending:
December 31
Public charity status:
170(b)(1)(A)(vi)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
April 1, 2022
Contribution deductibility:
Yes
Addendum applies:
No
DIN:
[REDACTED]

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

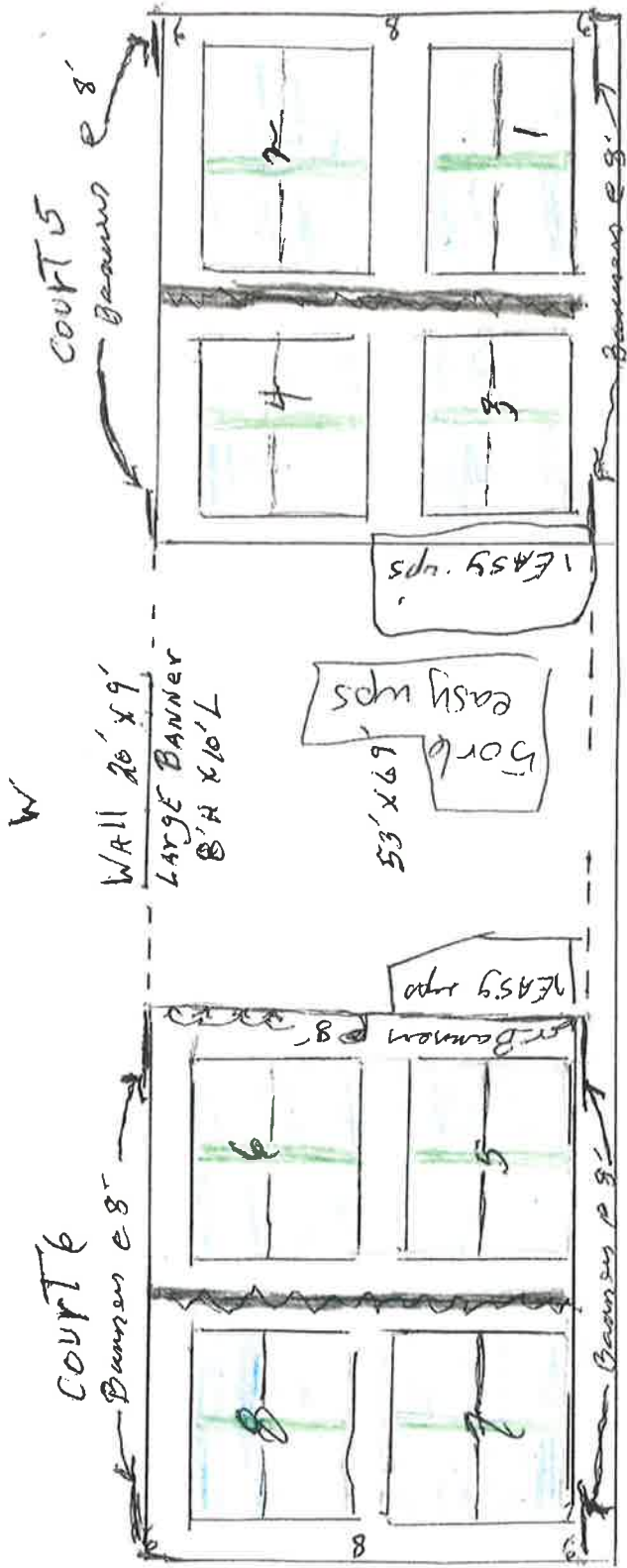
For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

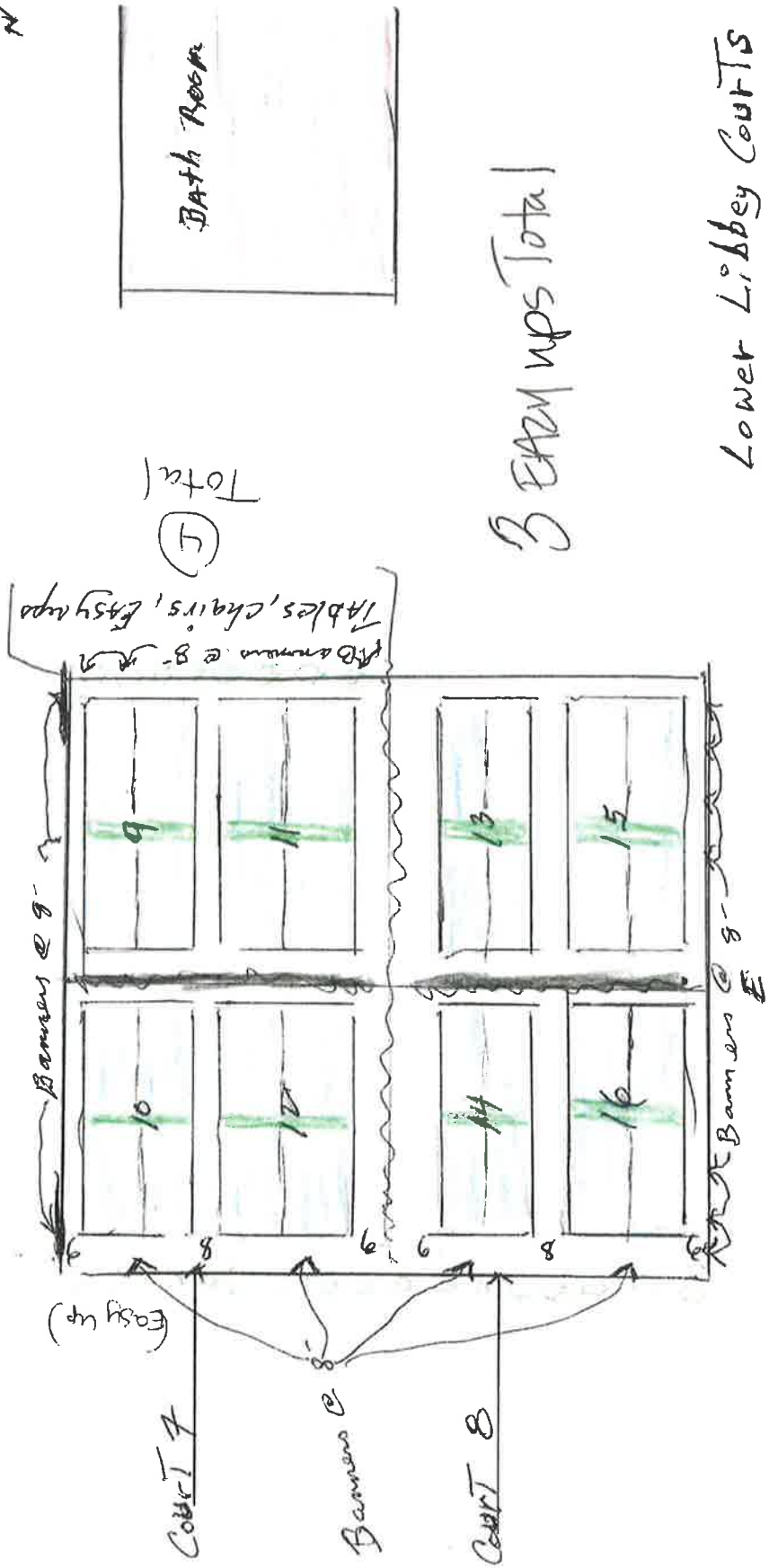
Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

Letter 947 (Rev. 2-2020)
Catalog Number 35152P

10 = 10pm
 14x
 91



N



Lower Libbey Courts

Ojai Recreation Department
 510 Park Road
 Ojai, CA 93023
 Phone: (805) 646-5581
 FAX: --
 Email: ojairec@ojai.ca.gov

Receipt #1058328.002
 Mar 9, 2026 10:58 AM



TIM KROUT



Prepared By: Brianna Soliz

Customer ID:

Home phone: (805) 320-1597, Work phone: --

Payment Summary

Check:	\$1,684.00	Check # 1678	Cash:	\$0.00
Credit Card:	\$0.00		Memo:	\$0.00
Account:	\$0.00		Gift Card:	\$0.00
Financial Aid:	\$0.00			
Total Received:	\$1,684.00		Total Payments:	\$1,684.00
			Payment Plan:	\$0.00

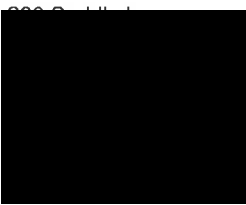
Transactions

Customer	Description	Item	Unit	Qty	Fee	Charge
Tim Krout 	-- Action: Permit Charges Modification Permit #R633					
Tim Krout 	Ojai Shangrila Classic Pickleball Tournament Action: Paid on Account Balance ¹ Location: Tennis Court 5 (Lower) at Libbey Park Permit #R633	Tennis Court Rental	Per Hour			\$104.00
Tim Krout 	Ojai Shangrila Classic Pickleball Tournament Action: Paid on Account Balance ¹ Location: Tennis Court 5 (Lower) at Libbey Park Permit #R633	Tennis Court Rental	Per Hour			\$104.00
Tim Krout 	Ojai Shangrila Classic Pickleball Tournament Action: Paid on Account Balance ¹ Location: Tennis Court 5 (Lower) at Libbey Park Permit #R633	Tennis Court Rental	Per Hour			\$104.00

ojaikrout@yahoo.com

ID: [REDACTED]

Tim Krout



Ojai Shangrila Classic Pickleball Tournament
Action: Paid on Account Balance ¹
Location: Tennis Court 7 (Lower) at Libbey Park
Permit #R633

Tennis Court
Per Hour Rental

\$104.00

Tim Krout

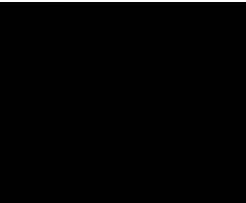


Ojai Shangrila Classic Pickleball Tournament
Action: Paid on Account Balance ¹
Location: Tennis Court 8 (Lower) at Libbey Park
Permit #R633

Tennis Court
Per Hour Rental

\$104.00

Tim Krout

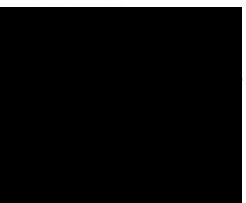


Ojai Shangrila Classic Pickleball Tournament
Action: Paid on Account Balance ¹
Location: Tennis Court 8 (Lower) at Libbey Park
Permit #R633

Tennis Court
Per Hour Rental

\$104.00

Tim Krout

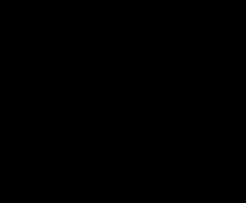


Ojai Shangrila Classic Pickleball Tournament
Action: Paid on Account Balance ¹
Location: Tennis Court 8 (Lower) at Libbey Park
Permit #R633

Tennis Court
Per Hour Rental

\$104.00

Tim Krout

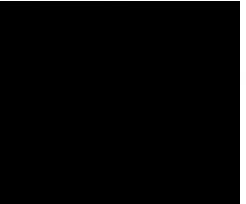


Ojai Shangrila Classic Pickleball Tournament
Action: Paid on Account Balance ¹
Location: Tennis Court 8 (Lower) at Libbey Park
Permit #R633

Tennis Court
Per Hour Rental

\$104.00

Tim Krout



Ojai Shangrila Classic Pickleball Tournament
Action: Paid on Account Balance ¹
Location: Tennis Court 8 (Lower) at Libbey Park
Permit #R633

Processing Fee
Each

\$20.00

Total Charges \$1,684.00
Total Payments \$1,684.00
Balance \$0.00

▼ ¹ **Payment Schedule for Original Balance of \$1,684.00**

Due Date	Amount Due	Amount Paid	Withdrawal	Adjustment	Balance
Jun 4, 2026	\$1,684.00	\$1,684.00		\$0.00	\$0.00
				Current Balance	\$0.00
				Due Now	\$0.00



Permit

Ojai Recreation Department
510 Park Road
Ojai, CA 93023

PHONE:(805) 646-5581

Permit # R633

Status Approved
Date of Issue Feb 25, 2026 10:30 AM

Customer Name	Tim Krout - [REDACTED]	Home Phone Number	[REDACTED]
Customer Type	General Public	Email Address	[REDACTED]
Mailing Address	[REDACTED]		
System User	Brianna Soliz	Payer	Tim Krout

Rental Fee	\$1,684.00
Discounts	\$0.00
Subtotal	\$1,684.00
Deposits	\$0.00
Deposit Discounts	\$0.00
Total Permit Fee	\$1,684.00
Total Payment	\$1,684.00
Refunds	\$0.00
Balance	\$0.00

Ojai Shangrila Classic Pickleball Tournament		4 resource(s)	16 booking(s)	Subtotal: \$1,684.00
Booking Summary				
Tennis Court 5 (Lower) (External Rental)			Center: Libbey Park	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX	
Thu, Jun 4, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	--		
<i>Occurs on selected dates effective 06/04/2026 until 06/07/2026.</i>				
Tennis Court 6 (Lower) (External Rental)			Center: Libbey Park	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX	
Thu, Jun 4, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	--		
<i>Occurs on selected dates effective 06/04/2026 until 06/07/2026.</i>				
Tennis Court 7 (Lower) (External Rental)			Center: Libbey Park	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX	
Thu, Jun 4, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	--		
<i>Occurs on selected dates effective 06/04/2026 until 06/07/2026.</i>				
Tennis Court 8 (Lower) (External Rental)			Center: Libbey Park	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX	
Thu, Jun 4, 2026 6:00 AM	Thu, Jun 4, 2026 10:00 PM	1	\$104.00	

1058328.002	Mar 9, 2026	Tennis Court Rental	Ojai Shangrila Classic Pickleball Tournament	Tennis Court 8 (Lower)	\$416.00
1058328.002	Mar 9, 2026	Processing Fee	Ojai Shangrila Classic Pickleball Tournament	Tennis Court 8 (Lower)	\$20.00

X: _____

X: _____

Date: _____

Date: _____

Ojai Recreation Department
Mailing Address: 510 Park Road, Ojai, CA
93023
Phone Number: (805) 646-5581

Tim Krout
Customer ID: [REDACTED]
Home Phone Number: [REDACTED]
Email Address: [REDACTED]

Form issued on: _____

Received City of Ojai

APR 2 2026

City Clerk

CITY OF OJAI
401 SOUTH VENTURA STREET • OJAI CA 93023
TELEPHONE (805) 646-5581 • FAX (805) 646-1980

Application for Appeal

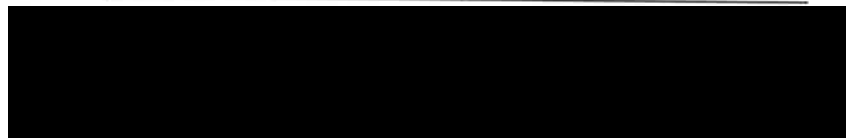
Please answer all questions completely and accurately. Additional sheets may be attached to the application to provide any other information you may feel relevant. Please print or type all information.

Return the original application to the Office of the City Clerk, 401 S. Ventura Street, Ojai, California 93023, along with a fixed fee in the amount of **\$300.00**.

This form must be completed and filed with the City Clerk of the City of Ojai within fourteen (14) days after the receipt of written notice of such action appealed from but in no event later than 30 days after the date of such action. (Ojai Municipal Code, Chapter 1-4).

The City Clerk will schedule a hearing before the City Council at a regular meeting. This appeal will be heard on the date as scheduled, unless it is in the public interest for such matter to be continued to a later date. Testimony will be taken and failure of the appellant or his representative to present testimony may be cause for denial. Notice will be provided to the applicant not less than five (5) days prior to such hearing, unless such notice is waived.

APPELLANT: Name: Neighbors of Libbey Park c/o Jamie Roth



1. This application is for the purpose of appealing the decision made by: Ojai Recreation Department.
2. The decision being appealed was rendered on March 6, 2026.
3. This appeal involves property located at: Lower Libbey Tennis Courts, 205 E. Ojai Ave, Ojai CA 93023

4. The permit or administrative decision considered was as follows:

To approve the use of Lower Libbey Tennis Courts for the Ojai Shangrila Classic Pickleball Tournament on June 5-7, 2026.

5. The decision reached was as follows:

Granted approval and issued permit

6. State the grounds upon which this appeal is based.

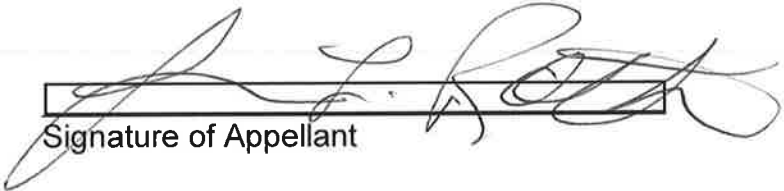
See attached letter dated April 2, 2026 from Neighbors of Libbey Park.

7. The Council / Commission is requested to take the following action:

1. ~~Revoke~~ Revoke the permit for the Pickleball Tournament at Lower Libbey Tennis Courts;
2. Refund all permit fees paid by organizers;
3. Adopt resolution permanently banning pickleball play on all Libbey Park tennis courts.

8. Is the appellant a party in the application? Yes. If not, state the basis for filling an appeal as an "aggrieved person".

DATE: 4-2-26


Signature of Appellant

RECEIVED BY CITY CLERK:

4/2/24
DATE


Acting CITY CLERK SIGNATURE

SET FOR CITY COUNCIL HEARING DATE:

Date: April 2, 2026

City of Ojai

Appeal of Permit Approval

Re: Permit Issued to Ojai Valley Pickleball Inc. for Pickleball Tournament on June 5-7, 2026 at Lower Libbey Tennis Courts

To the City of Ojai:

This letter constitutes a formal appeal of the City's decision to permit the proposed pickleball tournament at the Lower Libbey Tennis Courts on June 5-7, 2026.

In 2023, the City of Ojai commissioned a comprehensive acoustic analysis entitled "Pickleball Sound Study for the City of Ojai, California," prepared by Pickleball Sound Mitigation LLC (February 20, 2023). That study concluded that Soule Park was the only suitable location for pickleball play within city limits without the need for sound mitigation. The study further determined that the Lower Libbey Tennis Courts—due to their proximity (approximately 240 feet) to the nearest residences and the surrounding topography—would require substantial mitigation measures, which would be quite expensive and may ultimately prove ineffective.

Based on these findings, the City previously determined that pickleball would not be permitted at the Lower Libbey courts and posted signage reflecting that decision.

Notwithstanding the City's prior determination and its own commissioned study, a permit has now been issued for a three-day pickleball tournament at the Lower Libbey site. The event proposes to convert four tennis courts into sixteen pickleball courts, with anticipated participation of up to 200 players and scheduled use from 6:30 a.m. to 10:00 p.m., June 5–7, 2026.

This level and duration of activity raises serious concerns regarding compliance with the City's noise ordinance, which prohibits noise that interferes with the reasonable enjoyment of life. The proposed tournament would generate prolonged and repetitive impulse noise—characterized by sharp, high-frequency impacts—over a period of 10 to 13 hours per day for three consecutive days. Such sustained noise exposure is materially different from intermittent or short-duration events and is likely to constitute a nuisance under applicable standards.

In addition, the anticipated noise impacts raise equity and accessibility concerns, particularly for the elderly, disabled, and homebound residents in the Libbey Park area who are unable to leave their homes during the extended hours of play. The intrusion of this level of noise into residential dwellings, even with windows and doors closed, may have disproportionate and adverse effects on vulnerable populations and may implicate protections under the Fair Housing Act.

Further, the issuance of this permit creates inconsistency in City policy and enforcement. Allowing a large-scale pickleball tournament at a location where such activity has been expressly prohibited sends a contradictory message to the public and may encourage unauthorized use of the courts for pickleball in the future.

Received City of Ojai

APR 2 2026

City Clerk

It is also noteworthy that the City has invested over \$600,000 in the development of dedicated pickleball facilities at Soule Park, a site specifically identified as appropriate due to its distance from residential areas (over 1,000 feet), as well as its infrastructure, including parking and restrooms. The use of Lower Libbey courts for pickleball tournaments undermines the purpose of that investment and disregards the siting considerations outlined in the City's own study.

Given the above, the approval of this permit appears inconsistent with the City's prior findings, its adopted policies, and its obligations to protect residents from excessive and disruptive noise.

Accordingly, we respectfully request that the City:

1. Rescind the permit for the pickleball tournament at the Lower Libbey Tennis Courts on June 5-7, 2026;
2. Refund any permit fees paid by the event organizers; and
3. Adopt a resolution permanently banning pickleball play on all Libbey Park Tennis Courts.

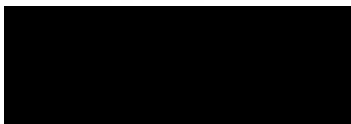
Thank you for your consideration of this appeal.

Sincerely,

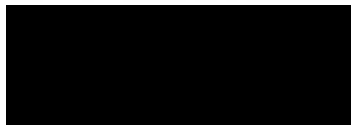
Neighbors of Libbey Park



Jamie L. Roth



Susan Stiffelman and Paul Stanton

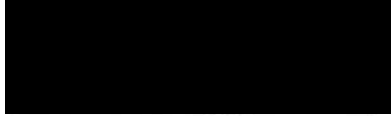


Alex Mooney



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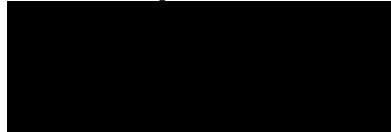
Mary Kennedy



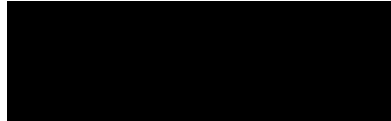
Richard Keit



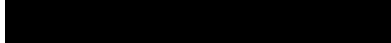
Marcia Doty



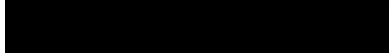
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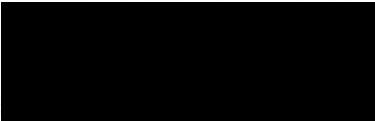
Ivan Matesevac (disabled) Carol Johnson, Caregiver to Ivan and Katarina



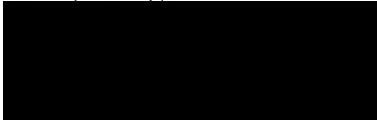
Katarina Matesevac (disabled) Eddie Marley, Caregiver/Cook to Ivan and Katarina



David and Jessica Valencia



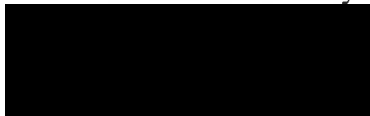
Mary Wargo



Diana Kelly



Lisa Braithwaite and Rudy Chavez



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PSM LLC
Pickleball Sound
Mitigation

**Pickleball Sound Study
for the
City of Ojai, California
by
Pickleball Sound Mitigation LLC**

February 20, 2023

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Pickleball Sound Mitigation LLC

Attachement A

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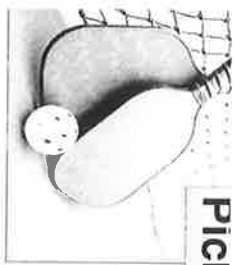
City Clerk

Attachement A

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It's like having a pistol range in your backyard"

Kathleen Romito, M.D. and Daniel Fink, M.D.
 Quiet Communities, Inc., Lincoln, Massachusetts



Pickleball noise is repetitive, impulsive noise. It is an entirely new type of noise exposure for the public in the last 5-7 years. There are hundreds of communities reporting conflicts (1).

- **Impulsive Sound:** Each pop lasts <20 milliseconds with a sharp impulse that echoes and reverberates densely. A 5-12 dB penalty is recommended for impulsive noise, including pickleball (2,3).
- **1200 Hz:** Comparable to backup alarms on vehicles.
- **>90 hrs/week:** Noise often lasts dawn to dusk, 7 days/week.
- **>20,000 pops/day:** The hourly distribution of total daily pops at one park (4 courts) is shown.

- **Human Impact:** Residents report feeling trapped, unable to open windows or escape the noise in their homes. Speaking out can lead to harassment, threats, and gaslighting.
- **Prolonged noise exposure triggers an unconscious physiologic stress response and is linked to serious health problems including:**
 - Heart disease
 - Anxiety and sleep disturbances
 - Increased risk of stroke and memory problems
 - Learning problems in children
 - Problems concentrating (4,5,6,7,8)

To assess self-reported adverse health effects associated with chronic exposure to impulsive pickleball noise.

Objective

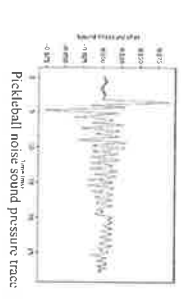
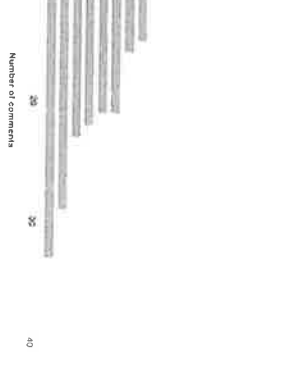
Publicly available comments about pickleball noise from Facebook, Reddit, news reports, legal filings, and public websites were evaluated with a content analysis. The comments were categorized by two health professionals. Inter-rater reliability was excellent (89.4%, (ideal >90%)).

Methods

- 246 unique adverse health effects were reported.
- 75% of comments came from people living within 100 feet of courts.
- An additional 11% of comments came from people living within 300 feet of courts. (where distance information was available)

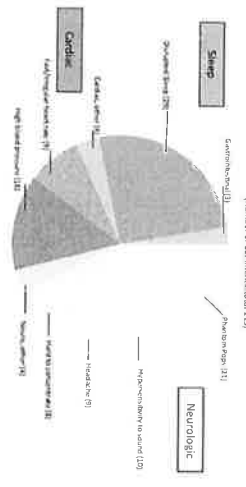
Results

Self-reported health effects from pickleball noise



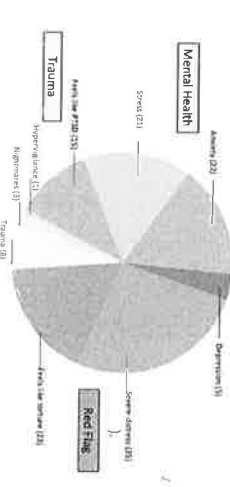
Introduction

Physical Symptoms from Pickleball Noise, Self Reported



Physical symptoms were noted almost as frequently as psychological health effects. Phantom pickleball pops can last up to 6 months after moving away.

Psychological Symptoms for Pickleball Noise, Self Reported



- Psychological health effects represented just over half of all comments.
- The term "torture" was used more than the term "stress".
- PTSD-like symptoms were not uncommon.
- Severe distress. Many commenters reported serious emotional impacts.
- Suicidal thoughts were cited by 2% of comments.
- Medication use to cope with health effects was mentioned repeatedly.
- Having to move due to the noise was commonly noted, but not analyzed in this study.

Sample of Comments categorized as Severe Distress

"Pickleball noise is worse than dying of cancer" (cancer patient, now deceased)
 "I was told to kill myself or move"
 "Suicidal thoughts"
 "Extreme anxiety"
 "It makes me want to stabber my own brains all over the screaming yelling povers 20 feet from my door"
 "I am suffering and mental anguish is unbearable. Someday the perpetrators of this nightmare will die"
 "This noise is making me feel like I am in a psychiatric hospital"
 "Beyond distressed"
 "This comment is, inaudible noise from a government ran its but course. Now please stop it!"
 "I cannot live a normal life, for now, I feel."
 "You feel as if someone is constantly hitting your head? Here's a huge state seriously studying my mental health!"
 "I am not sure what I can do other than move from my home of 41 yrs because the boys are not being allowed to live this way. It is physically and emotionally debilitating"

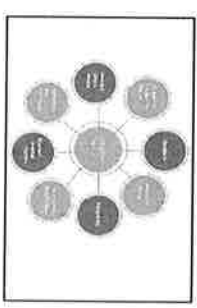
Conclusions

- This study links chronic exposure to pickleball noise to self-reported adverse health effects in nearby residents. The results suggest that the impact of this noise goes far deeper than anyone imagined.
- 30% of the human perception of sound is determined by the sound level (decibels).
- 70% of the human response is due to other factors (9).

- Three components should be considered when assessing the impact of noise:
 - The source of the noise (characteristics of the sound)
 - The path of the noise (distance, barriers)
 - The receiver—the human whose brain processes the noise

Decision makers responsible for the location of pickleball courts must consider all of these factors, not just the decibel readings.

Comprehensive sound studies that include both the acoustic and human factors are strongly recommended prior to court placement.



We suggest the following, based on our findings and expert recommendations from professionals with experience in over 150 pickleball court sound evaluations (10):

- Increased setbacks between courts and homes.
- Courts <100 feet from homes should be moved or enclosed (with rare exceptions).
- Courts <100 feet from homes will likely require multiple forms of noise mitigation (e.g. sound barriers and quiet paddles/balls and enforced regulations).
- Comprehensive sound evaluation of all courts placed within 1000 feet of homes.

Cross-disciplinary research is urgently needed to further study:

- The complex acoustical properties of pickleball noise.
- The effectiveness of various noise mitigation strategies, including sound barriers and quiet paddles/balls.
- The health impacts of prolonged impulsive noise in residential settings.

Acknowledgements

The authors gratefully acknowledge the many generous noise engineers who assisted in the development of the sound barrier study. The authors are indebted to the many individuals who provided us with their personal experiences and insights into the impact of pickleball noise on their lives. The authors also thank the many individuals who provided us with their personal experiences and insights into the impact of pickleball noise on their lives. The authors also thank the many individuals who provided us with their personal experiences and insights into the impact of pickleball noise on their lives.

Contact: Kathleen Romito, M.D. at kromito@quietcomm.com

Quiet Communities at info@quietcommunities.com | **Received City** | New Orleans
 Presented May 22, 2025 at 18th meeting of

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"It's like a pistol range in your backyard"

J. Marshall New York Times (1992)

1992

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City Clerk

April 24, 2026

Neighbors of Libbey Park

**Submission of Evidence and written explanation supporting appeal of decision
granting permit for facility use to Ojai Valley Pickleball, Inc.**

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2. Letter from Mark Happach, President, Ojai Valley Tennis Club in support of “Neighbors of Libbey Park” (Appellant) appeal.
3. Pickleball Sound Study for the City of Ojai, California by Pickleball Sound Mitigation LLC, Feb 20, 2023
4. Parks and Recreation Commission Pickleball Ad Hoc Committee: Final Report: Findings and Recommendations, March 30, 2023
5. National Task Force on Pickleball Noise: Quiet Communities, March 9, 2026: Research and Facts
6. American Public Health Association: “Noise as a Public Health Hazard.”
7. Acoustical Society of America: “Pickleball Noise: The physiological and psychological effects on nearby residents.
8. Acoustical Society of America: “A survey of the community impact of pickleball noise: A pilot study
9. Acoustical Society of America: “Using municipal zoning ordinances to manage pickleball noise near homes
10. Kathleen Romito, M.D. and Daniel Fink, M.D. “Pickleball Noise: Physiologic and psychologic effects of impulse noise on neighbors
11. Kathleen Romito, M.D., Stephanie Knudson, M.D., Charles Leahy, Esq. “Pickleball noise: The role of non-acoustic factors in community annoyance”e

Received City of Ojai

APR 24 2026

City Clerk

Date: April 2, 2026

City of Ojai

Appeal of Permit Approval

Re: Permit Issued to Ojai Valley Pickleball Inc. for Pickleball Tournament on June 5-7, 2026
at Lower Libbey Tennis Courts

To the City of Ojai:

This letter constitutes a formal appeal of the City's decision to permit the proposed pickleball tournament at the Lower Libbey Tennis Courts on June 5-7, 2026.

In 2023, the City of Ojai commissioned a comprehensive acoustic analysis entitled "Pickleball Sound Study for the City of Ojai, California," prepared by Pickleball Sound Mitigation LLC (February 20, 2023). That study concluded that Soule Park was the only suitable location for pickleball play within city limits without the need for sound mitigation. The study further determined that the Lower Libbey Tennis Courts—due to their proximity (approximately 240 feet) to the nearest residences and the surrounding topography—would require substantial mitigation measures, which would be quite expensive and may ultimately prove ineffective.

Based on these findings, the City previously determined that pickleball would not be permitted at the Lower Libbey courts and posted signage reflecting that decision.

Notwithstanding the City's prior determination and its own commissioned study, a permit has now been issued for a three-day pickleball tournament at the Lower Libbey site. The event proposes to convert four tennis courts into sixteen pickleball courts, with anticipated participation of up to 200 players and scheduled use from 6:30 a.m. to 10:00 p.m., June 5–7, 2026.

This level and duration of activity raises serious concerns regarding compliance with the City's noise ordinance, which prohibits noise that interferes with the reasonable enjoyment of life. The proposed tournament would generate prolonged and repetitive impulse noise—characterized by sharp, high-frequency impacts—over a period of 10 to 13 hours per day for three consecutive days. Such sustained noise exposure is materially different from intermittent or short-duration events and is likely to constitute a nuisance under applicable standards.

In addition, the anticipated noise impacts raise equity and accessibility concerns, particularly for the elderly, disabled, and homebound residents in the Libbey Park area who are unable to leave their homes during the extended hours of play. The intrusion of this level of noise into residential dwellings, even with windows and doors closed, may have disproportionate and adverse effects on vulnerable populations and may implicate protections under the Fair Housing Act.

Further, the issuance of this permit creates inconsistency in City policy and enforcement. Allowing a large-scale pickleball tournament at a location where such activity has been expressly prohibited sends a contradictory message to the public and may encourage unauthorized use of the courts for pickleball in the future.

It is also noteworthy that the City has invested over \$600,000 in the development of dedicated pickleball facilities at Soule Park, a site specifically identified as appropriate due to its distance from residential areas (over 1,000 feet), as well as its infrastructure, including parking and restrooms. The use of Lower Libbey courts for pickleball tournaments undermines the purpose of that investment and disregards the siting considerations outlined in the City's own study.

Given the above, the approval of this permit appears inconsistent with the City's prior findings, its adopted policies, and its obligations to protect residents from excessive and disruptive noise.

Accordingly, we respectfully request that the City:

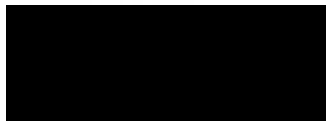
1. Rescind the permit for the pickleball tournament at the Lower Libbey Tennis Courts on June 5-7, 2026;
2. Refund any permit fees paid by the event organizers; and
3. Adopt a resolution permanently banning pickleball play on all Libbey Park Tennis Courts.

Thank you for your consideration of this appeal.

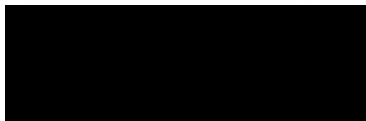
Sincerely,

Neighbors of Libbey Park

Jamie L. Roth



Susan Stiffelman and Paul Stanton



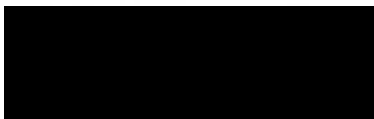
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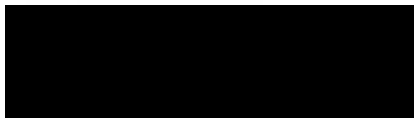
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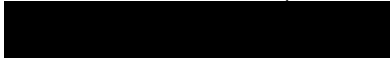
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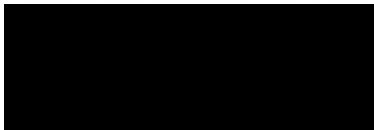
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David and Jessica Valencia



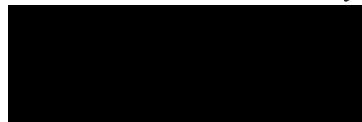
Mary Wargo



Diana Kelly



Lisa Braithwaite and Rudy Chavez



APR 24 2026

City Clerk

Regular City Council Meeting – April 28, 2026

Agenda Item # ____ (Hearing of Appeal of Decision Granting Permit for Facility Use to Ojai Valley Pickleball, Inc.) – Comments from Ojai Valley Tennis Club, Inc. in Support of “Neighbors of Libbey Park” (Appellant)

Mayor and Council Members –

My name is Mark Happach and I am a long-time resident of the City of Ojai. I am the President of the Ojai Valley Tennis Club. I offer these comments in support of Appellant in connection with Appellant’s pending appeal of the grant of a Facility Use Permit to Ojai Valley Pickleball, Inc.

First, I want to state that the City currently has a **clear policy of not permitting pickleball play on the Libbey Park tennis courts.**

History of “No Pickleball at Libbey Park Policy”:

The issue of playing pickleball at the Libbey Park tennis courts goes back to late 2018. Over the last seven years, the **issue of potentially converting or using any of the Libbey Park tennis courts (specifically, the courts at Lower Libbey) for pickleball** has been more thoroughly “litigated” and considered by the Council and Parks and Rec Commission than virtually any other matter brought before the City. In my mind, and I

believe in the minds of most interested parties, this issue was **conclusively resolved** as a result of the 13-month long, intensive study by the Parks and Rec Commission *Ad Hoc* Pickleball Committee, resulting in a 28-page Parks & Rec Commission Ad Hoc Committee **Final Pickleball Report dated March 30, 2023**. The Pickleball Report's recommendation, **unanimously approved by the full Parks and Rec Commission on April 6, 2023**, was that the City "**should not introduce pickleball to the current Libbey Park tennis courts.**"

At a meeting of the City Council on **December 12, 2023**, Council member Whitman indicated his intent to bring a motion for the Council to adopt a resolution *confirming* the complete ban of pickleball at the Libbey Park tennis courts (in essence, implementing one of the principal recommendations contained in the Final Pickleball Report). While the majority of the Council members in attendance appeared willing to adopt such a resolution, Matt Summers, the City Attorney present at the meeting, indicated such a resolution could not be considered because the item was not properly agendaized. However, the City Attorney went on to state "no one on the Council has talked about considering moving the [City Hall pickleball] courts to Lower Libbey. He further stated that "**[City] staff's understanding is that that option is off the table**". In response to Council member Francina's question if there is any need to formalize such policy, he stated "**currently there is no need to formalize it.**" A video of the foregoing meeting discussion is available in the video archives for such December 12, 2023 meeting [note: the video is mis-

labelled on the City website as December 12, 2023
Closed Session].

Indeed, following that meeting, the City confirmed this “no pickleball at Libbey Park” policy by placing “no pickleball” signs at all Libbey Park tennis courts. Thereafter the City undertook to implement another of the Pickleball Report’s recommendations – to develop the current Soule Park pickleball complex, at a City cost of over \$600,000.

Second, the issuance of the Facility Use permit being appealed is in **clear conflict with this established policy**.

It does not seem possible, certainly not reasonable, that the City is now issuing a Use Permit allowing the play of pickleball at Lower Libbey, in contravention of a clear, over 2-year old City policy. How could this be? Where in the City Code or any written City policy or procedure is the Parks & Rec Department, in the course of considering a Use Permit application, allowed to violate or contravene existing City policy regarding the use of City property?

Based on various recent discussions with Parks & Rec representatives, there apparently is now a **“new” Parks & Rec policy** that has been developed in the City that holds pickleball is allowed at Libbey Park so long as it is deemed to be a “special event” and conducted pursuant to a “special event” Use Permit. This clearly **constitutes a “loophole” to the established “no pickleball” policy at Libbey Park**. We have been unable to

ascertain whether this loophole is documented in writing, but have been informed that the Parks & Rec Department believes it has the discretion to issue use permits at Libbey Park for any "special event". When questioned as to what constitutes a "special event", the Parks & Rec staff indicated that they include any event "involving "paddles and balls", including pickleball.

This new loophole does not appear to have been approved by the City Council, or even the Parks & Rec Commission. This is a **very significant deviation from the clearly established "no pickleball at Libbey Park" policy**. There is nothing in the Parks & Rec/Council record suggesting that there should be any exception or loophole to the "no pickleball" policy. Without clear direction from the Parks and Rec Commission or the City Council, we seriously question whether the Parks and Rec staff, or even the City Manager, has the discretion to override the **clear and obvious intent underlying the "no pickleball" policy at Libbey Park**. Especially in light of the years-long public controversy concerning pickleball at Libbey Park.

A "special event" permit should be meant to *allow, at a specified time and on a specified venue, **an otherwise appropriate use, not to authorize a use the City has, over a seven-year period, already studied, rejected, and publicly disallowed.***

Applying a "special event" designation, specifically one that involves "paddles and balls", should not be sufficient justification to override an established City policy regarding the use of Libbey Park. The Parks & Rec staff

should not be allowed, through a single permit decision, to quietly undo a years-long public policy process resulting in a clear public policy – of “no pickleball at Libbey Park”.

We can only conclude that the subject use permit was **issued in error, and should be rescinded**. Ojai Valley Pickleball, Inc. has plenty of time to relocate the proposed pickleball tournament “special event” to other pickleball venues in Ojai. *22 courts they could use*

stop

Third, the issuance of the subject Use Permit completely overlooks and disregards the **significant noise impacts of the proposed pickleball tournament upon the surrounding neighborhood**. The proposed pickleball tournament at Libbey Park would **generate noise well in excess of the maximum acceptable sound levels recommended in the Final Pickleball Report**. During the course of its 13-month study, the Parks & Rec Commission retained Pickleball Sound Mitigation LLC (PSM), a well recognized professional pickleball noise engineering firm, at a cost of over \$13,000. PSM produced a 70-page sound study which is included in the Final Pickleball Report. **These maximum acceptable sound levels were unanimously approved by the Parks & Rec Commission at its April 6, 2023 meeting.**

The scientific data and conclusions from the PSM sound study regarding the **pickleball noise issues at Libbey Park** include the following:

- Based on the PSM's recommended guidelines specific to pickleball noise, and sound testing conducted at Lower Libby, the pickleball **noise from just two pickleball courts on the south end of court #6 exceeds the PSM recommended maximum acceptable noise level at that location.** PSM recommends that to reduce the sound to an acceptable level, a sound barrier would need to be placed up and along the top of the hill to the west of and above courts #6 and #5.
- The effectiveness of this recommended sound barrier is uncertain, given the complexity of the topography in that area. And the potential cost of this barrier, which is not discussed in the Report, is likely to be relatively expensive.
- PSM concluded that putting **any number of pickleball courts on court #5 would not be feasible,** as the pickleball **noise from that court could not ever be made acceptable.**
- By implication, the clear and obvious conclusion would be that **putting 16 pickleball courts on all four Lower Libbey tennis courts could not ever be feasible,** as the noise generated would far exceed the PSM recommended maximum acceptable noise levels.

It is hard to see how the Parks and Rec Commission or the full City Council would disregard these significant noise concerns, as well as the variety of other issues discussed in the Final Pickleball Report, in order to create

this “special event” loophole. Without action by the Parks & Rec Commission or the full Council, we believe that the issuance of the subject Use Permit was **an abuse of discretion**, that such permit was **issued in error**, and that the **permit should be rescinded**. The proposed pickleball tournament should be relocated to other pickleball venues in Ojai.

Thank you.

Report: 20230220
Date: February 20, 2023

Page 1



PSM LLC
Pickleball Sound
Mitigation

Received City of Ojai

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City Clerk

**Pickleball Sound Study
for the
City of Ojai, California
by
Pickleball Sound Mitigation LLC**

February 20, 2023

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Date: February 20, 2023

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Executive Summary

Pickleball Sound Mitigation LLC measured the sound from pickleball play at three Ojai locations - City Hall, Lower Libbey Court, and Soule Park. At each site, pickleball noise levels were measured at multiple distances to understand each site. This information was used together with noise measurements from similar pickleball sites, with lab tests, and with noise modeling software to address the three deliverables in the RFP from the City of Ojai Parks and Recreation Commission (Appendix A).

1. Noise Test Data for Three Sites
2. Recommended Sound Standards for Outdoor Recreation
3. Recommended Sound Mitigation Measures

Pickleball noise from the City Hall courts is in the range of 61 to 66 dB LAFmax at the closest residence which is 100 feet from the court. Pickleball noise from the Lower Libbey Court is in the range of 49 to 53 dB LAFmax at the closest residence which is 240 feet from the court. Noise levels more than 50 dB LAFmax at a home will likely cause annoyance without noise mitigation added in some form. Pickleball noise from Soule Park would not be considered bothersome because the closest home is 1200 feet from the potential court site. At this distance, the noise is sufficiently reduced to a level at or below the ambient background noise. Noise maps for each site were created to provide information on noise exposure to the surrounding area. These can be used to judge the validity of pickleball noise objections and complaints.

The City of Ojai noise ordinance has limits for continuous noise but does not address impulsive noise, which describes the intermittent noise from pickleball play. Applying the limits for continuous noise to impulsive pickleball noise understates the perceived loudness of pickleball impact dB levels. Pickleball noise measured as a continuous noise is below City of Ojai noise limits. However, this noise is reported as a nuisance. Noise codes from California, Florida, and other states also show shortcomings to properly address pickleball noise. A guideline to monitor pickleball noise levels for the City of Ojai was proposed based on LAFmax and on the background sound level. This guideline showed good agreement between noise levels and community response from the City of Ojai as well as from other sites.

Noise mitigation strategies for pickleball play were identified, described, and ranked based on effectiveness. The most effective noise mitigation strategies were applied to the nearest residence at each site. At City Hall, a 30 foot tall four sided lined enclosure would lower sound to 54 dB LAFmax for the nearby resident. This LAFmax value is near the background sound with traffic present. An alternate strategy at City Hall with 15 foot barriers and the best recommend paddle and the best recommended ball produced noise levels at acceptable levels – if recommended gear can be controlled. At Lower Libbey Court, an 8 foot barrier on the crest of the hill and in the sound path between all courts and the closest home would lower sound to 46 LAFmax which is an acceptable level. Because of the large distance to the nearest home at Soule Park, no sound mitigation would be required.

The Game of Pickleball

Pickleball is a game played with two to four players using paddles, a ball, and a net on a court that is approximately one half the length and one half the width of a tennis court. (A pickleball court is 64 feet by 34 feet including areas outside of the playing surface. A tennis court is 120 feet by 65 feet including areas outside of the playing surface.) The paddles are made of wood, plastic, or composite materials, and the ball is made of plastic. Each paddle and ball impact during a game creates a short pulse of sound that varies in intensity, duration, and frequency content. For homeowners near pickleball courts, pickleball sounds can become bothersome and intrusive.

The Sounds of Pickleball

A typical pickleball game will produce a series of random paddle and ball impacts each time the ball is struck. These impacts are described as “popping sounds of varying loudness.” The loudness of each impact varies based on a player’s position on a court, the paddles and balls being used, the skill level of each player, and the force of each impact.

A pickleball impact is an impulsive sound with a duration of 10 to 20 milliseconds. Impulsive sounds are defined as sounds lasting less than one second with an abrupt onset and abrupt decay (1). Figure 1 shows a typical time history of a paddle and ball impact. The highest sound energy occurs in the first 3 to 5 milliseconds and then decays to a lower level. The horizontal line in Figure 1 is the steady state background sound which is much lower than the maximum levels of the impulsive pickleball sound.

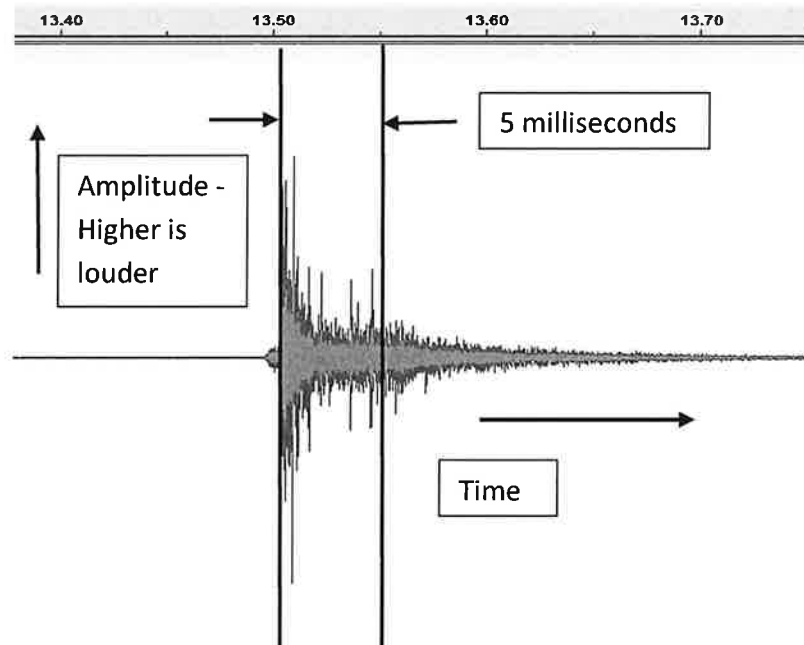


Figure 1 – Time history of pickleball sound

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Figure 1 represents the sound of one pickleball impact. In a game of pickleball, a rally will involve several impacts spaced by intervals of less than a second to more than 2 seconds until the rally is over. A game involves several rallies until a team wins. The result is that pickleball impacts will occur randomly during the duration of a game.

When pickleball play involves 2 or more courts, the sound from 2 or more games does not increase the overall sound level. This is because each pickleball impact is a discrete event. The number of impacts per hour will increase from pickleball on multiple courts but the overall sound levels will not increase.

Measurement of Pickleball Sound

Sound is measured with a sound level meter shown in Figure 2. The units of sound measurement are decibels, abbreviated as dB. Higher dB levels represent louder sounds.



Figure 2 - Sound Level Meter

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Reference dB levels for common sounds follow.

- 30 dB – library, a whisper
- 40 dB – refrigerators, quiet offices, quiet residential area
- 50 dB – moderate rainfall, large offices
- 60 dB – normal conversation, electric toothbrushes
- 70 dB – washing machines, hairdryers, highway noise, city streets
- 80 dB – truck traffic, alarm clocks, garbage disposals
- 90 dB – lawnmowers, blenders, power tools
- 100 dB – factory machinery
- 110 dB - car horns
- 120 dB – ambulance sirens, jet planes at takeoff

The human ear does not hear all sounds equally. It has more sensitivity in a mid-frequency range of 1000 to 4000 Hz and has diminished sensitivity at frequencies above and below this range. A frequency weighting can be applied to any sound measurement to match the hearing sensitivity of the human ear. This is called the A-weighting and is shown in Figure 3. Decibel measurements with the A-weighting are listed as dBA.

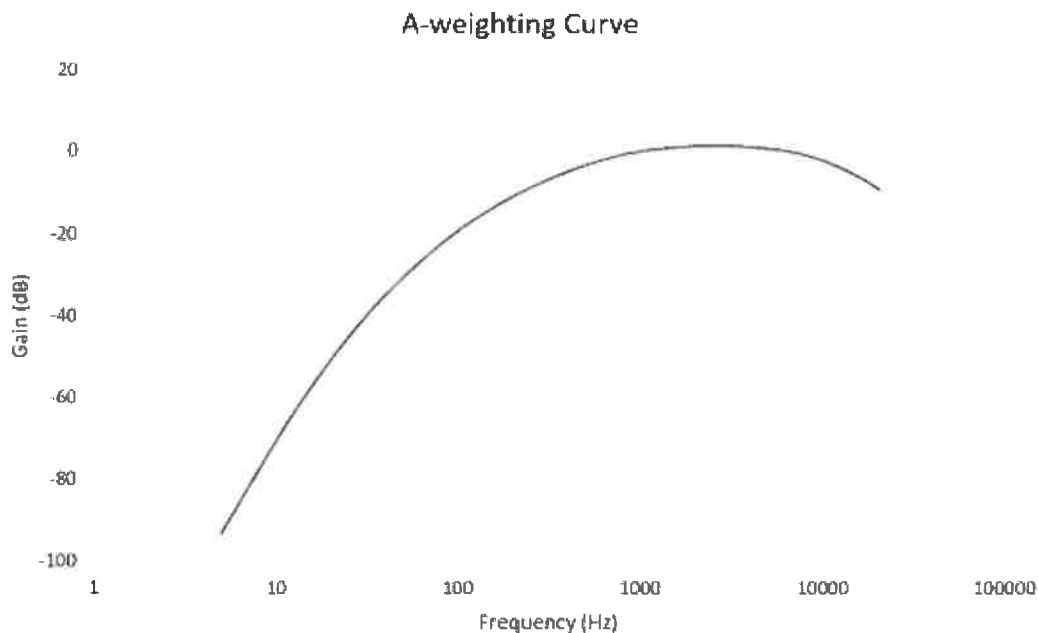


Figure 3 - A-weighting frequency corresponding to human hearing sensitivity

Because sound is not constant and varies with time, the sound level meter has several measurement settings to average these sound fluctuations over the measurement period (1). These settings report the

sound level for the measurement period selected. The meter setting must be properly selected to capture both the sound level and the duration of the sound. Common meter settings include the following metrics.

- Slow (LAS) – This is a 1 second average of the high and low sound fluctuations over 1 second. This measurement is commonly used for a continuous sound that are steady in nature.
- Fast (LAF) - This is a 125 millisecond average of the high and low sound fluctuations over 125 milliseconds or 0.125 seconds. This measurement is commonly used for sounds that fluctuate quickly in level.
- LAFmax – This is the highest LAF measurement over the sampling time.
- Impulse – This is a 35 millisecond average of a short pulse of sound This measurement is commonly used for high energy sounds like gunshots or hammering.
- Peak – This is the peak value for sound with averaging over 40 microseconds. This measurement is commonly used for extremely high energy sounds like explosions.
- Leq – This is the long term average of sound fluctuations so that Leq represents a steady sound level with the same energy as the fluctuating noise. This measurement is commonly used for environmental noise studies and for background sound.
- LAeq – This is the same as Leq but with an A-weighting. This measurement is commonly used for environmental noise studies and for background sound.
- Ln – This is the sound level in dB that is exceeded n% of the time. This measurement is commonly used for environmental studies or for 8 hour and 24 hour studies of sound fluctuation.

What measurement is best for pickleball play? The best measurement is the value that correlates with human annoyance and that can be easily measured. “Easily measured” means that a person trained in noise measurement such as a consultant, a city official, or a police officer can make on site measurements using a sound level meter and can interpret the results quickly without needing to perform detailed analysis in a lab or with sophisticated noise analysis software.

Because the sounds from a pickleball impact between the paddle and ball last only 10 to 20 milliseconds, a long measuring period understates the maximum sound level from pickleball. With a long measuring period, the short duration pickleball “pops” are averaged with much longer periods of quiet background sound. For pickleball impacts, the average level measured with long time interval is much lower than the average measured with a short time interval. An impulse setting has a shorter averaging time and is used primarily for sounds from explosions or gunshot. Because this setting has a slow decay, it is not commonly used. A peak setting captures a peak sound level but does not measure the duration and the ringing of the sound. Neither an impulse setting nor a peak setting has an A-weighting to match the response of the human ear so both measurements will report a higher sound than the ear hears. Leq is typically used to measure fluctuations over extended periods of time up to 24 hours. Ln values are used in statistical studies of noise sites with widely fluctuating noise levels over long periods during the day or night.

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Table 1 shows a comparison of noise levels from the same pickleball play measured with different meter settings. The different meter settings will yield different measurement values for the same sound. A peak setting will always be the highest, but it does not represent the annoyance associated with the ringing or duration of the pulse. Impulse and Peak columns in Table 1 do not have the adjustments for A-weighting so will not represent how the ear perceives these sounds. The results show that different metrics can produce different measurements of the same sound.

Table 1 – Pickleball sound measurements at 60 feet with different meter settings

Measurement	LAS	LAF	Impulse	Peak
Pickleball at 60 feet	60+ dBA	70+ dBA	80+ dB	96 dB

Again, what measurement is best for pickleball sound? Sounds with short durations, like pickleball sound, are best measured with a fast averaging time plus a maximum hold setting. The maximum hold setting “listens” for the maximum sound level in the fast time averaging interval. In this manner, the maximum level of these rapid fluctuations can be captured over the averaging interval. The fast setting will always measure a higher value than a slow setting for a pickleball impact. The peak setting will measure an even higher level than a fast setting, but it neglects the ringing or duration critical to human annoyance and does not have an A-weighting.

A peak level measurement from pickleball play above 90 dB as shown in Table 1 should not be confused with the 90 dBA limit used in the workplace for noise exposure to prevent hearing loss. Noise limits for work exposure have been set by OSHA (2) at 90 dBA to avoid hearing loss. The limit for impulsive noise is 140 dB, independent of the duration of the noise. The limit for continuous noise exposure is 90 dBA for 8 hours of continuous exposure. These different limits by OSHA for different noise types mean that the proper metric or meter setting must be selected for noise measurement based on the noise properties.

Exposure to pickleball noise will not cause hearing loss for players on the court or for residents living nearby. Maximum peak levels on the court will not exceed 140 dB peak. Levels at 140 dB peak or above are typically associated with gunfire where hearing protection is used.

When the A-weighting setting on a sound level meter is selected, dB measurements are described as dBA. If the sound level (L) is measured with an A-weighting (A) and a fast (F) setting, it is described as LAF. When the maximum level is captured in the measurement interval, this is called LAFmax. Unless otherwise noted, pickleball sounds in this report will be described in units of LAFmax.

Any other meter averaging such as LAS, Leq, and Ln will understate the short duration pickleball impact heard by the human ear. This is because the maximum sound level from a short duration pickleball impact is averaged with many lower levels of background sound to produce lower average sound levels.

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Sound Propagation

Sound travels away from its source with a reduction of 6 dB for each doubling of distance away from the source. Figure 4 shows sound propagating away from a point source over level ground using a noise modeling tool (3). This figure shows the horizontal plane of sound propagation. Each colored ring represents a 5 dB decrease of sounds as indicated by the legend. Sound decreases in level as a listener moves away from a sound source or as the sound source is moved farther away from a stationary listener. (Distances in noise plots can only be shown in meters because the software used is a European software which only displays meters. One meter = 3.3 feet) The 6 dB reduction for every doubling of distance is evident in the increasing diameter of each ring outward from the center.

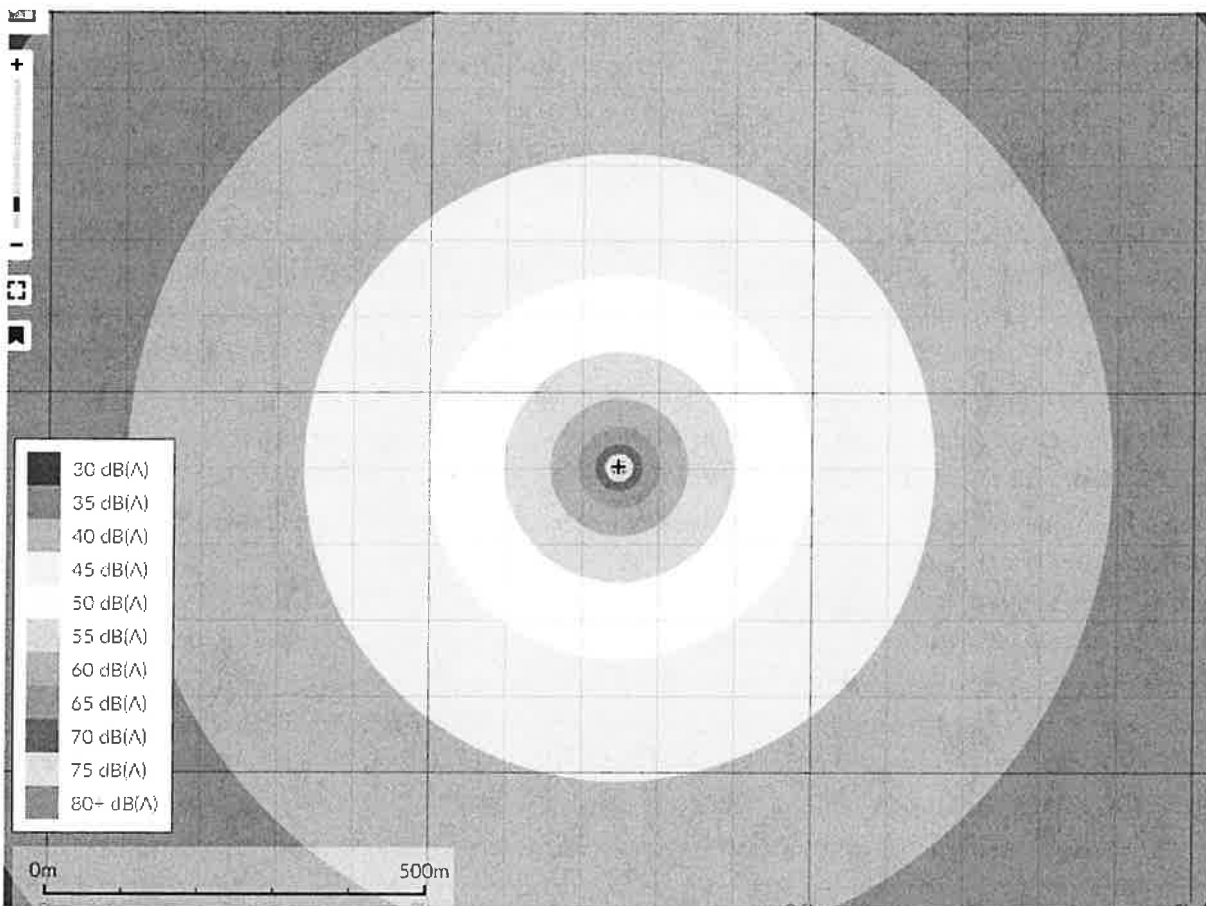


Figure 4 – Sound propagating away from a point source in a horizontal plane (1 meter= 3.3 feet)

Sound also propagates away from a source in the vertical direction. Figure 5a shows the vertical plane of sound propagation. Figure 5b shows a three dimensional view of the vertical plane of sound propagation together with the horizontal plane. (The noise mapping software does not display distances in three

dimensional plots.) The three dimensional behavior of sound becomes important to estimate the sound traveling up a hill side, to a second story window, or to an apartment balcony.

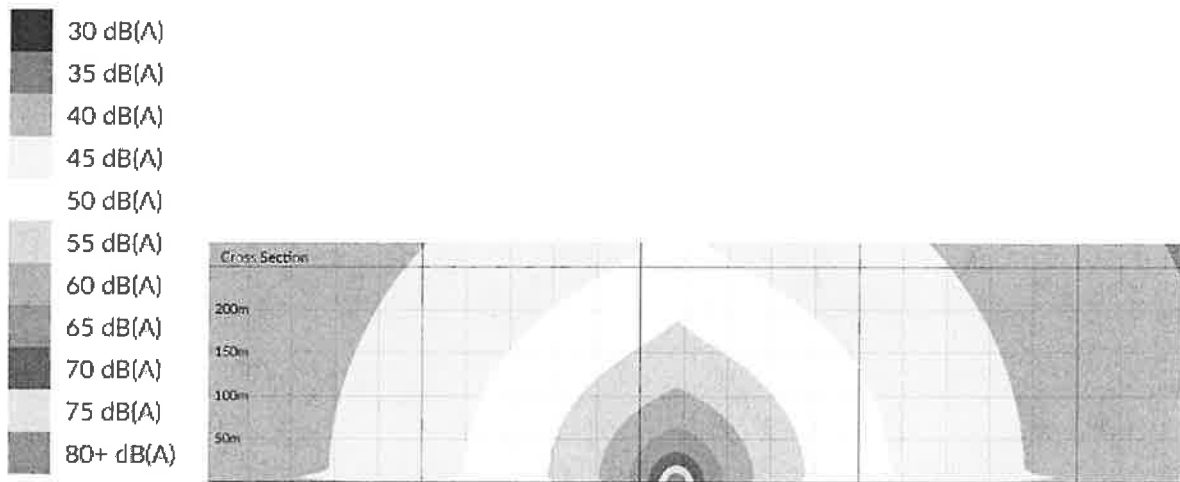


Figure 5a – Sound propagating away from a point source in a vertical plane (1 meter = 3.3 feet)

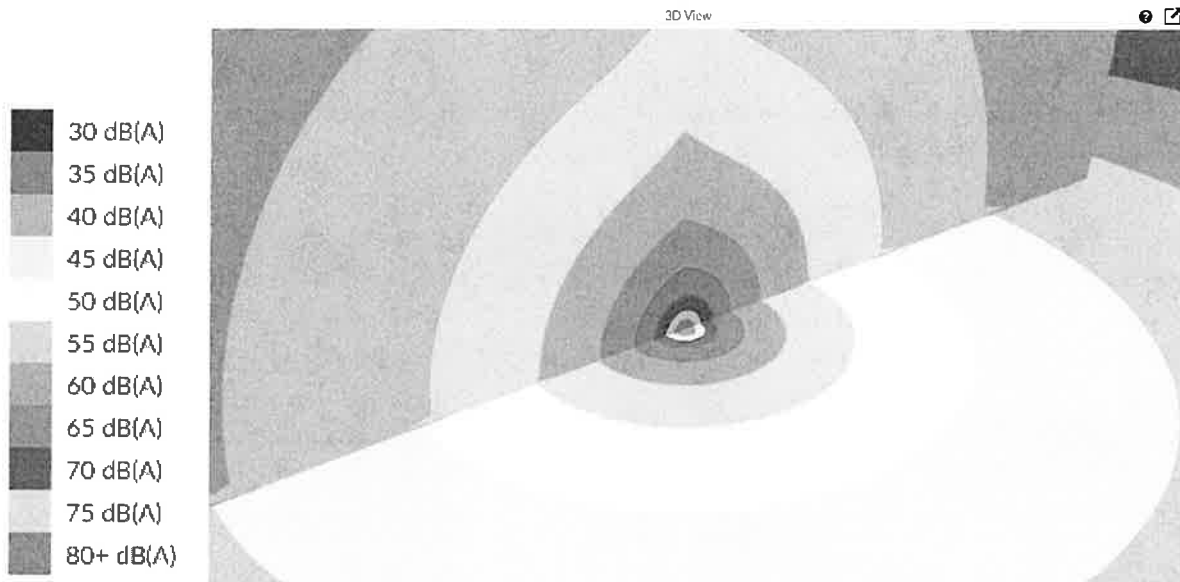


Figure 5b – Sound propagating away from a point source in a horizontal and vertical plane

Human Hearing and Annoyance

The human ear is sensitive to a sound’s level, its frequency content, its duration, and its frequency of occurrence. All of these contribute to annoyance. The higher the sound level, the greater the annoyance becomes. The human ear is only sensitive enough to detect a change in sound level of 3 dB. Each 10 dB

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increase in sound level is perceived as a doubling in the sound level. In the same manner, each decrease of 10 dB is perceived as one half the loudness. A 20 dB increase is perceived as 4 times as loud. Similarly, a 20 dB decrease is perceived as 1/4 as loud.

Hearing is more sensitive to high frequency sounds than to low frequency sounds. Sound measurements made with an A weighting scale match the frequency sensitivity of the human ear. These are described as dBA.

The ear is also sensitive to the duration of a noise. A pulse of sound lasting 10 milliseconds is not perceived as loud as a continuous tone at the same level. This is because a short, 10 millisecond pulse occurs faster than the ear can respond. So, a peak sound level measurement over .04 milliseconds (the averaging time for a peak measurement) occurs much faster than the ear can respond and overstates the perceived loudness.

Another factor in annoyance is the interval or space between sounds. Intermittent sounds are considered more annoying than a steady state sound of the same dB level. All these elements contribute to annoyance and will be considered in the section on noise ordinances.

City of Ojai Pickleball

Like many communities in California and throughout the country, Ojai is faced with the challenge of providing pickleball courts for the growing number of avid pickleball players. The noise from pickleball must be responsibly managed for residents living near these courts.

A common solution for adding courts in many communities is to use existing tennis courts and create dual purpose courts or to convert tennis courts to pickleball courts. If the existing tennis net is to be also used for pickleball as a dual purpose court facility, then a second set of lines can be added to the tennis court. If portable pickleball nets are to be used with the existing tennis net in place, then two pickleball courts can be provided – one on each side of the tennis net. If a tennis court is to be permanently converted to pickleball courts, then up to four pickleball courts can be added by creating new court outlines and installing new pickleball nets.

Noise Maps

Noise maps were created using the dBmap.net Noise Mapping Tool, which is a commercial software (3). The topography of the surrounding area was applied to the noise map before the positions of a noise source and receiver were selected. Elevations at street level and at surrounding locations were selected from Google Earth and from topography maps of the US Geological Survey. Google Earth was used to finalize the topography of each site as it provided more accurate elevation details. In addition, buildings and homes were added in the vicinity of the pickleball courts. The size of each building together with the roof height and roof slope were selected from Google Earth and applied to the model for each site. The

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pickleball noise source was then placed at the court location and receiver locations were selected. Because this is a European software, all distances, site elevations, building sizes, and barrier heights must be added to the model in meters. The resulting noise maps with distance scales can only be shown in meters. (One meter = 3.3 feet)

The level of the noise source was selected from field measurements of pickleball play to predict the highest levels of pickleball sounds. Pickleball noise has a statistical behavior that mirrors the normal bell curve. To be effective, a noise study must consider the highest noise levels rather than an average noise level. An average level means that noise levels will be below the average 50% of the time and above the average 50% of the time. If noise mitigation is applied to a location with the highest level of pickleball noise, then any nearby locations at lower noise levels will experience even lower noise.

The noise mapping software assumes a point source that radiates equally in all directions as shown in Figures 4 and 5. Pickleball measurements have shown that the maximum sound from a pickleball impact comes from the front face of the paddle. The sound from the back of the paddle is 1 to 2 dBA lower than from the front and the sound to the sides is 3 to 4 dB lower than from the front. The noise model does not allow these small differences to be included. However, the movement of players on a court and the random direction of a paddle strike will create a changing sound field to the front, side, and back. These have been averaged from field measurements to properly use a point source model.

All noise maps in an overhead view are shown with north oriented to the top of each map. This provides a link to any local maps which also have north oriented to the top of the map. The three dimensional views are selected to best show the ray paths of sound.

All noise maps have the legend shown in Figure 6. Each colored band represents a 5 dB change in sound level, with the number beside each band indicating the lowest sound level within the band.



Figure 6 – Colored legend for noise maps

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For example, the yellow band indicates noise levels from 50 dBA to 54.9 dBA; the orange band indicates noise levels from 55 dBA to 59.9 dBA; and the pink band indicates noise levels from 60 dBA to 64.9 dBA. The colors were selected to represent increasing sound levels from 30 dBA in dark green to over 80 dBA in dark grey. Noise levels that are not bothersome and that are consistent with low background sound levels are the green zones. In this way, a noise map can be viewed with a focus on “non-green “ zones as areas where objections to pickleball noise might occur, depending on background sound levels.

Deliverables in RFP

As requested in the RFP (Appendix A), noise data for each site, comparisons to noise ordinances, and noise mitigation strategies will be presented. The comments and recommendations presented in this report are based on data from Ojai, data from similar pickleball sites, results from noise modeling software, lab tests on pickleball paddles, accepted procedures on sound propagation and sound reduction, reference material widely used and universally accepted in this field of work, and engineering experience. In all cases, opinions are avoided. Opinions are those statements not necessarily based on fact or knowledge. These recommendations are provided in the spirit of providing information on pickleball play so that the City of Ojai Parks and Recreation Commission together with the Ad hoc Committee on Pickleball can address both the interests of pickleball players and residents who are near these pickleball sites.

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Deliverable 1 – Noise Test Data for Three Sites

City Hall Courts

The Ojai City Hall courts on South Ventura Street are surrounded by residential and commercial properties. Figure 7 shows the aerial view of this area from Google Earth. This site has four courts that are below street level. The closest two residences are east of the courts on South Ventura Street and are approximately 100 feet from the courts. The street view from Google Earth is shown in Figure 8.



Figure 7 - Aerial view of City Hall pickleball courts outlined in red from Google Earth

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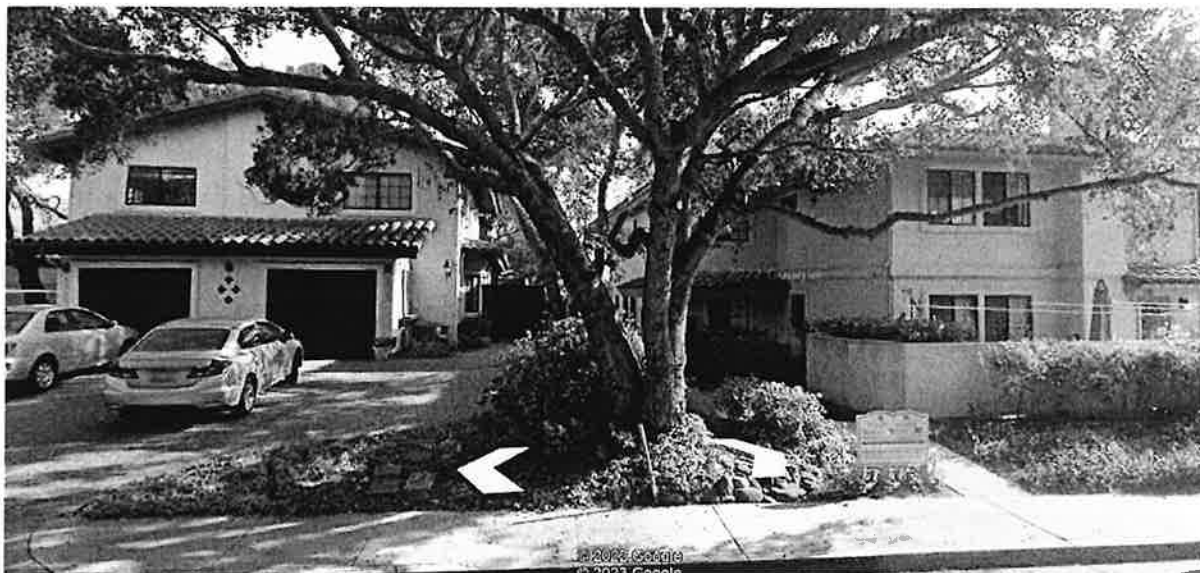


Figure 8 – South Ventura Street residences nearest to pickleball courts

The courts below street level are surrounded by a concrete wall approximately 3 feet in height. A noise barrier extends 10 feet above the court level on the east side and 12 feet from the court level on the south side. The height to the second story windows of the nearest residences is approximately 15 feet. Noise measurements taken at this site on November 15, 2022 are shown in Table 2. Pickleball measurements at all locations were made with a Paddletek Element paddle and Franklin pickleball with instructions to players to hit with maximum force. A description of the noise measurements methods for this site and for all Ojai sites can be found in the prior report to Ojai (Pickleball Sound Assessment Field test Report with Preliminary Recommendations Prior To Issuing January 2023 Report for Ojai, CA. December 24, 2022). Data sheets from measurements are in Appendix C. Background sound was measured with LAeq to provide a steady state average of ambient noise fluctuations.

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Table 2 – Noise measurements at City Hall Courts

Event	Position	Measurement Range	Average	Noise model
Background	On court		46 LAeq	
Pickleball play	On court – 20 feet away	79.1 to 84.3 LAFmax	81.4 LAFmax	81 LAFmax
Background	Police station		54.3 LAeq	
Pickleball play	Police station – 106 feet	59.4 to 62.5 LAFmax	60.9 LAFmax	62 LAFmax
Background	408 S Ventura		55 LAeq	
Pickleball play	408 S Ventura- 100 feet	61.0 to 66.1 LAFmax	63.1 LAFmax	62 LAFmax
Background	416 S Ventura		53.9 LAeq	
Pickleball play	416 S Ventura- 200 feet	56.4 to 58.8 LAFmax	58.8 LAFmax	57 LAFmax
Background	503 S Ventura		51.4 LAeq	
Pickleball play	503 S Ventura – 220 feet	54.2 to 57.0 LAF max	57 LAFmax	56 LAFmax
Pickleball play	Back of City Hall			74 LAFmax
Pickleball play	Front of City Hall			46 LAFmax

Noise levels for the areas surrounding the City Hall courts were calculated using sound mapping software. None of the ground elevations in the noise map were high enough to block a line of sight from a sound source to a receiver. This line of sight represents a direct path of sound. Building and residences in the line of sight to a pickleball court function as sound barriers and provide noise reduction like a large barrier.

Figure 9 shows the noise map superimposed on the Ojai map. Equal noise contours in 5 dB increments are shown by the colored lines. The level of each colored line is indicated in the legend. The figure also shows the noise level at the center of each grid square. Noise levels at selected receiver locations were added to this figure as close as possible to the locations selected in the field test. Table 2 shows that the results from the noise model are within 1 to 2 dB of the measurements. This shows good agreement between the noise model and the measurements. This agreement allows the noise map to have wider use in evaluating the noise projected onto the surrounding area.

Figure 10 shows the same noise plot as Figure 9 but with colors instead of line contours. This figure is helpful to display areas where the noise will not be objectionable. These are the areas in shades of green with sound decreasing from light green to dark green. The areas in shades of yellow, orange, pink, and red indicate progressively higher noise levels.

These results show that sound levels of 62 LAFmax are expected at the closest homes on South Ventura Street. These are shaded pink. To the north and west of the pickleball courts, the sound field is red, indicating levels greater than 65 LAFmax. The area to the south only becomes green in the area near 503 South Ventura Street.

The noise map shows several important characteristics of sound propagation away from the pickleball courts at this site. Without any barriers, the sound shows normal attenuation with distance to the southwest, much like the contours in Figure 4. Also, the abrupt reduction in sound from the source side of the existing barriers from 80 dB LAFmax to 65 dB LAF max or below is evident in the colored shadow zone of the barriers on the east and south sides. Buildings will also function as barriers as seen by the difference between a red zone and green zone on opposite sides of City Hall and on opposite sides of the building west of City Hall.



Figure 9 – Noise map for City Hall pickleball courts, dBA lines (1 meter = 3.3 feet)

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Figure 10 – Noise map for City Hall pickleball courts, dBA bands (1 meter = 3.3 feet)

Figure 11 shows the same noise contours in a three dimensional plot with solid lines showing 1 dB changes within each color band. These 1 dB decrements become wider spaced as the distance from the pickleball sound increase confirming the 6 dB reduction per doubling of distance guideline.

The distance at which pickleball sound will become inaudible will depend on the background sound at that location. The following guidelines are provided.

- If the background sound is 45 LAS or higher, pickleball sound will be inaudible in the medium green 40 dB zone.
- If the background sound is 50 LAS or higher, pickleball sound will be inaudible in the light green 45 dB zone.
- If the background sound is 55 LAS or higher, pickleball sound will be inaudible in the yellow 50 dB zone.

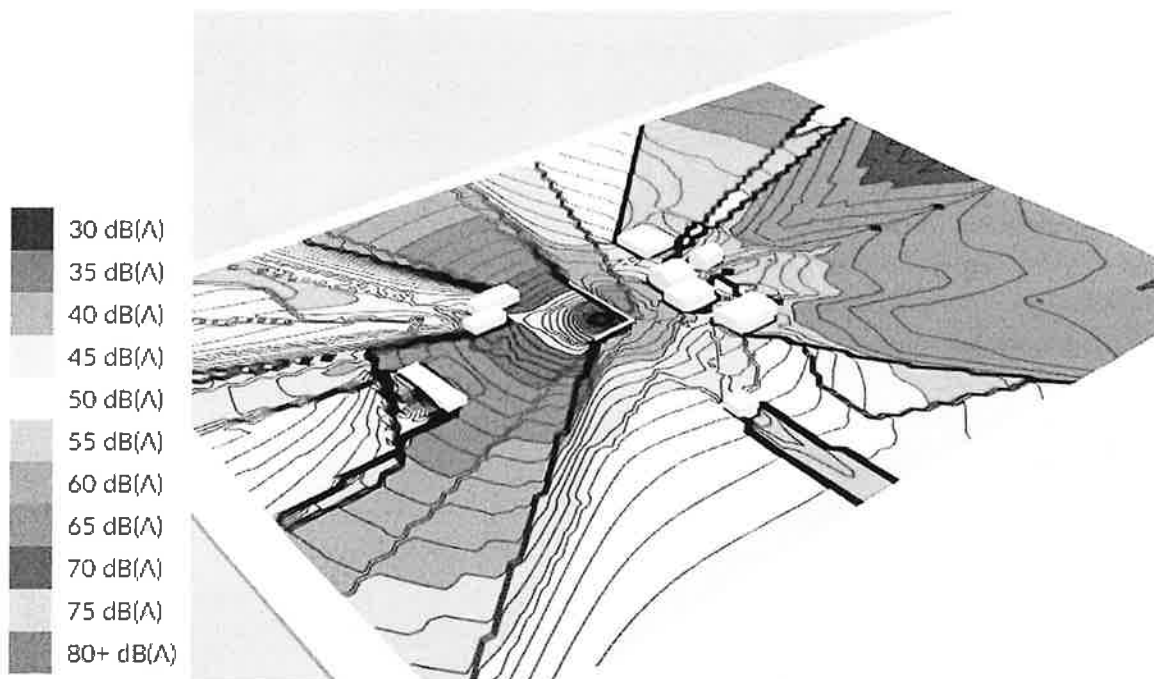


Figure 11 – Noise map for City Hall pickleball courts, three dimensional with dBA bands

Lower Libbey Courts

The Lower Libbey courts have a sloping hill on the west side with gentle changes in elevation on the top of this hill and in the surrounding area. Figure 12 shows the aerial view from Google Earth. This site has multiple tennis courts and play was measured with a pickleball game on the southernmost court. The closest two residences are west of the courts on South Signal Street with the nearest home 240 feet from the court.

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Figure 12 – Aerial view of Lower Libbey pickleball courts

Noise measurements taken at this site on November 15, 2022 are shown in Table 3. Pickleball measurements were made with a Paddletek Element paddle and Franklin ball with instructions to players to strike the ball with maximum force.

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Table 3 – Noise measurements at Lower Libbey

Event	Position	Measurement Range	Average	Noise model
Background	On court		45 LAeq	
Pickleball play	On court – 20 feet away	76.2 to 81.0 LAFmax	79 LAFmax	77 LAFmax
Background	100 feet to east		44 LAeq	
Pickleball play	100 feet to east	64.1 to 70.9 LAFmax	67.6 LAFmax	69 LAFmax
Background	406 S Signal		45 LAeq	
Pickleball play	406 S Signal- 240 feet	49.4 to 53.4 LAFmax	51.5 LAFmax	52 LAFmax
Pickleball play	400 Buckboard – 320 feet			49 LAFmax
Pickleball play	407 S Signal – 350 feet			39 LAFmax

Noise levels for the areas surrounding the Lower Libbey courts were calculated using sound mapping software. Elevations were added to the noise map with special attention to the hill on the west side of the courts. The closest home is 406 South Signal at 240 feet from the court. This home has a direct path of sound to the courts even though this path is partially obscured by trees.

Figure 13 shows the noise map superimposed on the Lower Libbey map. Equal noise contours in 5 dB increments are shown by the colored lines. The sound level of each colored line is indicated in the legend. Figure 13 also shows the sound level at the center of each grid square. Noise levels at selected receiver locations were added to this figure as close as possible to the locations selected in the field test. Table 3 shows that the results from the noise model are within 1 to 2 dB of the measurements. This shows good agreement between the noise model and the measurements. This agreement allows the noise map to have wider use in evaluating the noise from pickleball that is projected on the surrounding area.

Figure 14 shows the same noise plot as Figure 13 but with colors instead of line contours. This figure is helpful to display areas where the noise will not be objectionable. These are areas in shades of lightest to darkest green. The areas in shades of yellow, orange, pink, and red indicate progressively higher noise levels.

The noise map shows that a sound level of 52 LAFmax is expected at 406 S Signal Street. The next closest homes on South Signal have lower sound levels due to the shielding effect of the hill. This includes 407 South Signal Street. These are shaded green. To the northeast and south of the pickleball courts, the sound field is red, indicating levels greater than 65 LAF max. At 400 Buckboard Lane, the noise decreases to 49 LAFmax which is in the green zone.

The noise map shows several characteristics of sound propagation away from the pickleball courts. Without any barriers, the sound shows normal attenuation with distance, much like the contours in Figure 4. Positions behind buildings experience lower sound levels due to the barrier effects of the buildings.

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Figure 15 shows the vertical noise contour on the west side of the courts along a direct path from the court to the home at 406 South Signal Street at the top of the hill. Beyond the crest of the hill, there is a gradual reduction in sound level. However, the receiver at the top of the hill is in a direct path of sound.

Figure 16 shows the same noise contours in a three dimensional plot with solid lines showing 1 dB changes within each color band. These 1 dB bands become wider spaced as the distance from the pickleball sound increases, confirming the 6 dB reduction per doubling of distance guideline.

The location or distance at which pickleball sound will become inaudible will depend on the background sound at that location. The following guidelines are provided.

- If the background sound is 45 LAS or higher, pickleball sound will be inaudible in the medium green 40 dB zone.
- If the background sound is 50 LAS or higher, pickleball sound will be inaudible in the light green 45 dB zone.
- If the background sound is 55 LAS or higher, pickleball sound will be inaudible in the yellow 50 dB zone.

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Figure 13 – Noise map for Lower Libbey pickleball courts with dBA lines (1 meter = 3.3 feet)

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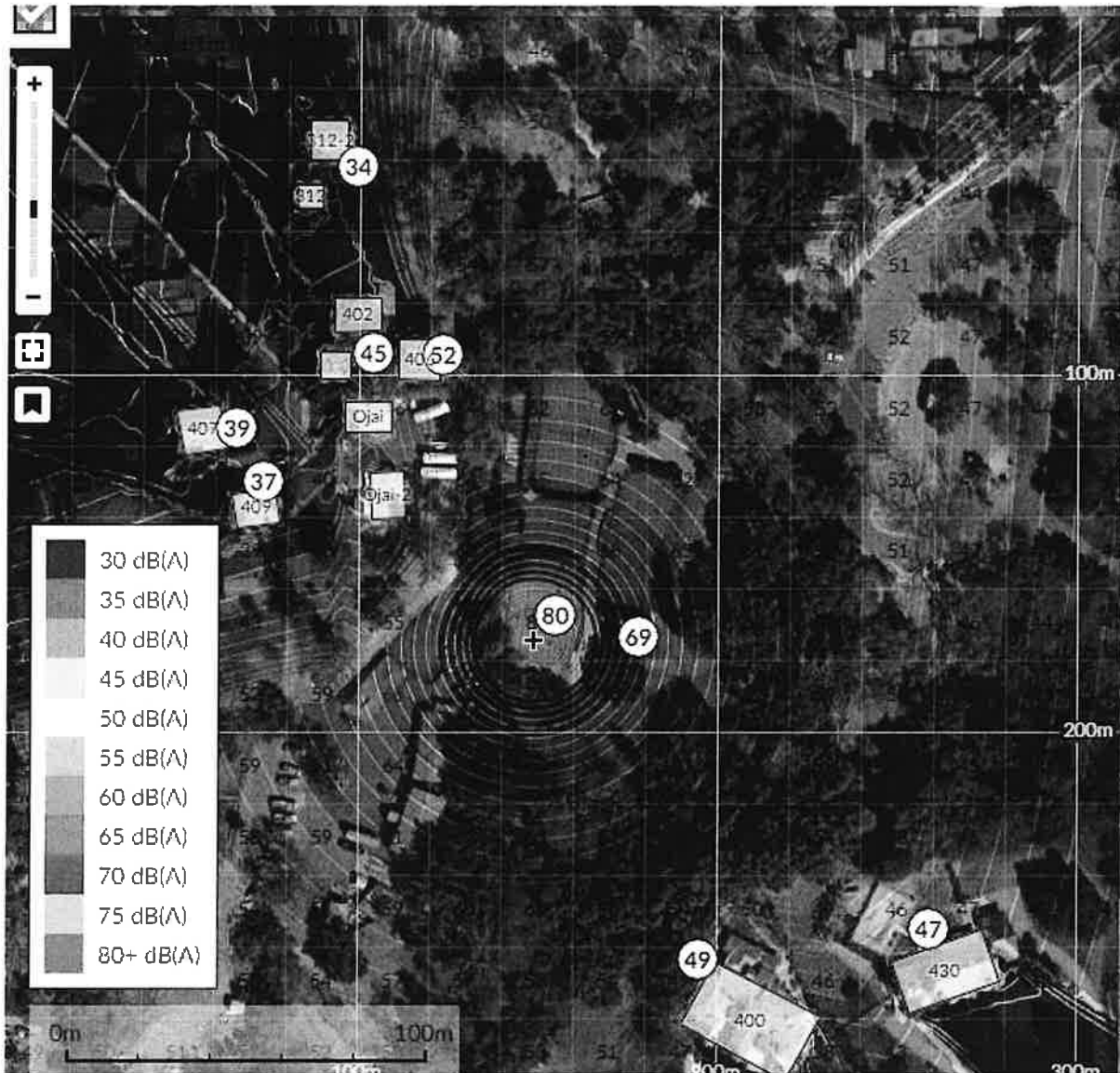


Figure 14 – Noise map for Lower Libbey pickleball courts with dBA bands (1 meter = 3.3 feet)

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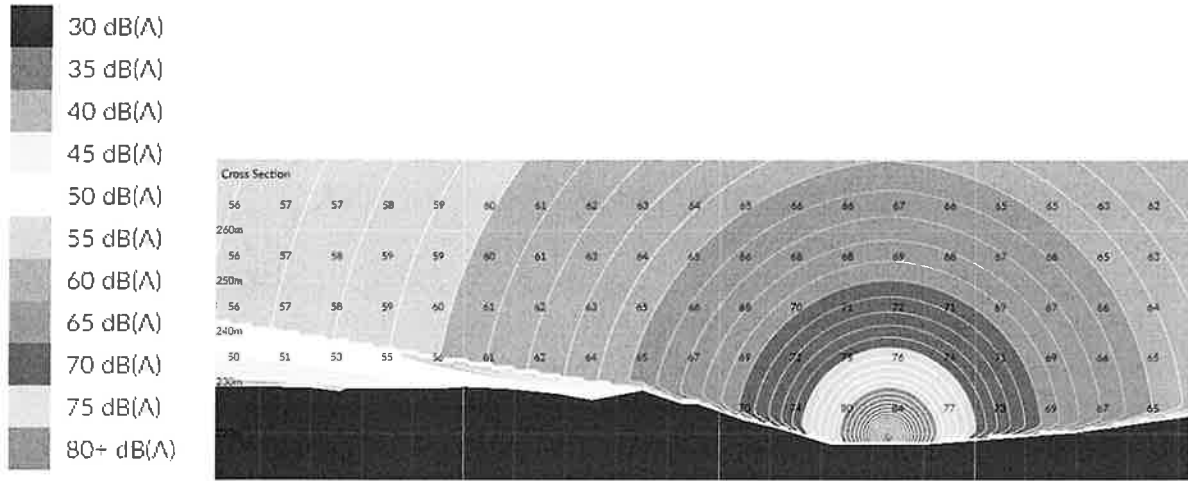


Figure 15 – Vertical noise map for Lower Libbey pickleball courts with dBA contours at 1 dB divisions (1 meter = 3.3 feet)

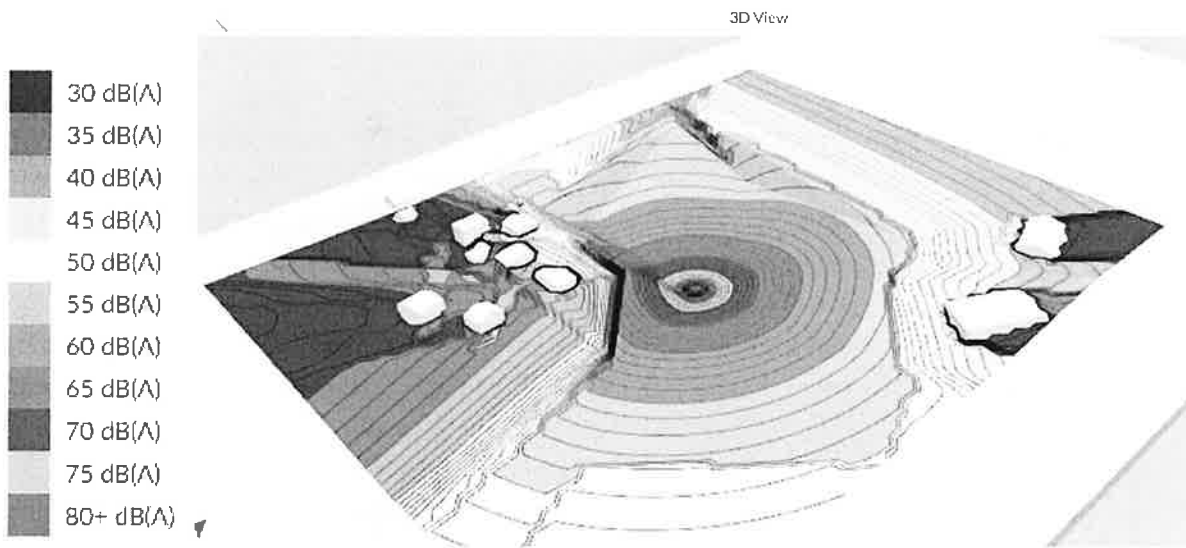


Figure 16 – Noise map for Lower Libbey pickleball courts in three dimensions with dBA contours

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Soule Park

Soule Park has one pickleball court. Pickleball noise measurements were made with players using the paddle tennis court. Figure 17 shows the aerial view from Google Earth. This site is adjacent to a golf course. No homes are near the site where pickleball noise measurements were made. Elevations were added to the noise map.



Figure 17 – Aerial view of Soule Park from Google Earth

Noise measurements taken at this site on November 15, 2022 are shown in Table 4. Pickleball measurements were made with a Paddletek Element paddle and Franklin ball with instructions to players to strike the ball with maximum force. At this site, higher skilled players were evident and, using the same gear, they generated a higher noise level for the court measurement than at the other two sites. Noise

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levels for the areas surrounding Soule Park were calculated using sound mapping software. Elevations and buildings for this site were added to the model.

Table 4 – Noise measurements at Soule Park

Event	Position	Measurement Range	Average	Noise Model
Background	On court		47 LAeq	
Pickleball play	On court – 20 feet away	82.5 to 86.2 LAF max	84.6 LAFmax	86 LAFmax
Background	100 feet to east	46 LA eq	46 LAeq	
Pickleball play	100 feet to east	66 to 71.5 LAF max	68.3 LAFmax	68 LAFmax
Background	325 feet to west	45 LA eq		
Pickleball play	325 feet to west	49.8 to 53.0 LAF max	51.2 LAFmax	56 LAFmax

Figure 18 shows the noise map superimposed on the Soule Park map. Equal noise contours in 5 dB increments are shown by the colored lines. The level of each colored line is indicated in the legend. Figure 18 also shows the noise level at the center of each grid square. Noise levels at selected receiver locations were added to this figure as close as possible to the locations selected in the field test. Table 4 shows that the results from the noise model are within 1 to 2 dB of the measurements for 2 of the 3 locations. At the farthest distance, higher noise levels were predicted from the noise model. In the last case the noise model was overly conservative and predicted a higher level. The lower field data at the farthest distance could be due to a wind from the west. The good agreement between the noise model and the measurements for 2 of the 3 positions and the higher predicted value for the third position allows the noise map to have wider use in evaluating the noise projected from pickleball to the surrounding area.

Figure 19 shows the same noise plot as Figure 18 but with 1 dB contours. This view allows better detail with 1 dB contours because of less contrast with vegetation and buildings than for the views at the other sites. Figure 20 shows the same view as Figure 20 but with colors instead of line contours. This figure is helpful to display areas where the noise will not be objectionable. These are areas in shades of lightest to darkest green. The areas in shades of yellow, orange, pink, and red indicate progressively higher noise levels.

The noise map shows several characteristics of sound propagation away from the pickleball courts. Without any barriers, the sound shows normal attenuation with distance, much like the contours in Figure 4. In the shadow zone of the limited buildings near this site, the buildings function as barriers and reduce the sound level.

Figure 21 shows the same noise contours in a three dimensional plot with solid lines showing 1 dB changes within each color band. These 1 dB decrements become wider spaced as the distance from the pickleball sound increases, confirming the 6 dB reduction per doubling of distance guideline. The closest home is over 1200 feet from these courts. Noise levels of 44 LAFmax are predicted at this home.

The location or distance at which pickleball sound will become inaudible will depend on the background sound at that location. The following guidelines are provided.

- If the background sound is 45 LAS or higher, pickleball sound will be inaudible in the medium green 40 dB zone.
- If the background sound is 50 LAS or higher, pickleball sound will be inaudible in the light green 45 dB zone.
- If the background sound is 55 LAS or higher, pickleball sound will be inaudible in the yellow 50 dB zone.



Figure 18 – Noise map for Soule Park with 5 dBA lines

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Figure 19 – Noise map for Soule Park with 1 dBA lines

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Figure 20 – Noise map for Soule Park with dBA contours

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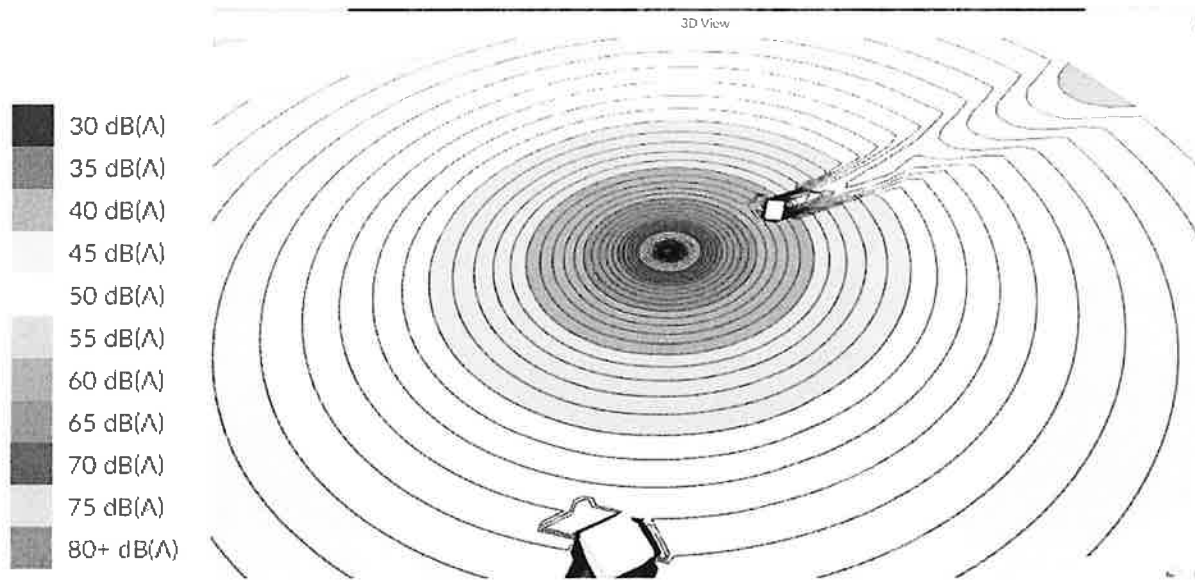


Figure 21 – Noise map for Soule Park three dimension view and 1 dB contours

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Deliverable 2 – Recommended Sound Standards for Outdoor Recreation, Inclusive of Pickleball**Sound Standards and Noise Ordinances**

In simple terms, noise is sound that annoys. Community noise ordinances establish noise limits so that noise is neither annoying nor bothersome, even though it may be audible. These ordinances are not intended to establish a limit where sound is inaudible. They are intended to establish a limit where the presence of noise above a background noise level will not be objectionable. The background noise level is the result of wind, trees, birds, normal ambient sounds, and sometimes traffic.

An effective noise ordinance must address both continuous noise and impulsive noise. Continuous noise is noise that is steady without abrupt changes. Impulsive noise is noise lasting less than one second that has a rapid onset and rapid reduction. This impulsive noise can also be intermittent in nature.

Because continuous sounds and impulsive sounds have different characteristics that cause them to be perceived differently by human hearing, the noise limits for both types of sounds must be separately stated. Limits for continuous noise are usually based on dBA levels with a slow averaging time (LAS) or with LAeq. The A-weighting provides a measurement that correlates with hearing sensitivity and the long averaging time provides an average value for the fluctuations of these continuous sounds. The limits for continuous noise at night should be lower than for those during the day.

The limits for impulsive sounds are less well defined in noise ordinances. Without a limit for impulsive noise, the continuous noise limits can be incorrectly applied to an impulsive noise. This can lead to situations where the measurement of an impulsive noise using the procedures for continuous noise indicate the noise level is not in violation of a noise ordinance, yet community noise complaints exist. Even when an ordinance includes a limit for impulsive noise, the noise measurement technique must be stated. The noise measurement for a gunshot sound is different than that for a pickleball sound yet both are considered impulsive sounds. Impulsive sounds are further classified as high energy impulsive (quarry explosions, demolitions, military armor), highly impulsive (gunfire, pile driving, hammering), or regular impulsive (neither high energy nor highly impulsive) (5). Pickleball is a regular impulsive sound.

City of Ojai Noise Ordinance

The summary of the City of Ojai ordinance (6) from Chapter 11 Noise Standards and Regulations is shown in Table 5. The ordinance has noise limits for daytime and nighttime activities for a residential zone. These limits are reasonable for continuous noise. This ordinance states that noise should be measured using an A-weighting setting, which is also proper. However, it does not specify a time averaging interval for sounds that are continuous versus impulsive, even though impulsive sounds are identified in Sec. 5-11.02 Definitions. Applying continuous measurements to an impulsive noise like pickleball noise will understate the perceived loudness of the noise. The ordinance does not have enough detail to cover impulsive noise like pickleball. Allowances for minor noise increases on an hourly basis are indicated but this does not

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apply to pickleball, even if the total number of 10 or 20 millisecond pickleball impacts were summed over an hourly basis.

City of Ojai Noise Ordinance Applied to Three Sites

The City of Ojai noise ordinance, in its current format, was applied to pickleball noise measurements for the three Ojai sites. Table 6 shows the loudest noise near a residence at each site in comparison with the Ojai noise ordinance. LAS measurements were not made as part of the site measurements because they are not the correct way to measure pickleball noise. Nevertheless, an estimate of the LAS level can be made by applying a 9 dB reduction in LAFmax when considering the difference between the 125 millisecond averaging time for LAF and the longer 1 second averaging time for LAS. This reduction will be less than 9 dB when the reduced level of pickleball noise approaches the level of the background sound. This is why Lower Libbey and Soule Park have less than 9 dB reduction between LAFmax and LAS. With these adjustments to LAS levels, pickleball noise at City Hall and Lower Libbey would pass the noise limit. When a long averaging time for pickleball sound is used, this reduces the measured sound level for a single impact. For these sites, pickleball sound is not in violation of the present noise ordinance. The perceived loudness of the pickleball sound has not changed between measurements using LAS and LAFmax settings, but the metric used to quantify the sound yields a different value. This shows opportunities to strengthen the Ojai noise ordinance if a stronger noise ordinance is needed.

Survey of Noise Ordinances

Noise ordinances vary greatly. No state or municipality has a perfect noise ordinance to address pickleball noise. A survey of several noise standards for cities in California and in other states is shown in Table 7. These common themes are evident.

1. Failure to address impulse noise - This understates pickleball noise and leads to mistaken assumptions on compliance. (Miami, Pittsburgh)
2. Limits based on a subjective response – “It is unlawful for any noise that interferes with the enjoyment of life of a reasonable person.” This would lead to a court case. (Indio, Aventura, Indianapolis)
3. Limits based on dB peak – These are not applicable to pickleball noise. (Ridgefield)
4. Limits for impulse noise 5 dB below the limit for continuous noise – These add more substance but omit the measurement settings. (Huntington Beach, Los Angeles, Orange County, Littleton, St. Louis)
5. Exclusion of noise limits for public parks or sporting events – This would assume that a prior noise study was completed with no issues before a park was constructed. (Indio, Orange County, Tampa)

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Table 5 – City of Ojai Noise Ordinance

Table 1: Exterior Noise Level Limits

Zones	Noise Standard		15 Minutes per Hour		5 Minutes per Hour		1 Minute per Hour	
	Day	Night	Day	Night	Day	Night	Day	Night
Residential	55db	45db	60db	50db	65db	55db	70db	60db
Commercial & Industrial	65db	55db	70db	60db	75db	65db	80db	70db

This table shows the maximum noise levels that a person can generate on a neighboring residential or commercial property. The noise levels are expressed in decibels (db), a unit used to measure the amplitude of a sound. Because routine activities can generate decibels in excess of the adopted standard, an allowance has been made for minor increases on an hourly basis.

Table 6 - Current Ojai Noise ordinance applied to 3 pickleball sites

Site	Location	Measured noise (LAFmax)	Estimated noise (LAS)	Comparison to Ojai 55 dB limit	Ojai community response
City Hall	408 S Ventura	63.1 dBA	54 dBA	Borderline pass	Complaints
Lower Libbey	406 S Signal	51.5 dBA	44 dBA	Pass	Complaints
Soule Park	1200 feet	44 dBA	37 dBA	Pass	New site?

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Table 7 – Survey of community noise ordinances

Community	State	Document	Section/line	Day Limit	Impulse	Details
Huntington Beach	CA	Huntington Beach Charter and Codes	Chapter 8.40 Noise Control	55 dBA	-5 dB for impact	
Indio	CA	Chapter 95C Noise Control	95C.03	level that is annoying at 50 feet		Exception for sporting events
Los Angeles	CA	Los Angeles County- Code of Ordinances	Chapter 12.08 Noise Control	50 dBA	LAF plus add + 5 dB	
Orange County	CA	Orange County Code of Ordinances	Division 6	55 dBA	50 dBA	Sec 4-6-7 c exclusion for parks or playground
Littleton	CO	CO Noise Statute	25-12-103	55 dBA	50 dBA	
Ridgefield	CT	Chapter 250	250-3	55 dBA	100 dB peak	one foot from boundary of emitter
Aventura	FL	Aventura FL Code of ordinances	Sec 30-31			Unlawful for any noise that interferes with enjoyment of life of a reasonable person
Bonita Springs	FL	Code of Ordinances	Sec 20-22	66 dBA S	76 dBA S	
Miami	FL	Code of Ordinances City of Miami	Sec 36-8 Mechanical equipment	60 dBA or 10 dB above ambient at property line-mechanical eqpmnt		36-1 It shall be unlawful to make any loud, unnecessary, excessive or unusual noise in the city
Tampa	FL	Tampa FL Code of Ordinances	Sec, 14-151	60 dBA		Exclusion for sport complexes for public use (h4)
Indianapolis	IN	Code City of Indianapolis	Sec 18-2	Noise that annoys or disturbs the comfort and peace of others		
Louisville	KY	Louisville-Jefferson County Metro Government	Sec 99.01	None	None	Unlawful for any noise that disturbs or annoys the comfort of another
St. Louis County	MO	Noise related ordinance	Chapter 652	55 dBA	50 LAF	Time weighted for levels above 50 LAF
Pittsburgh	PA	Pittsburgh Code Section	916.06 Noise	55 dBA or 3 dBA above background whichever is greater		

Noise Standard for Ojai Pickleball

A pickleball standard for Ojai must meet these criteria.

- The metric for pickleball noise must correlate with annoyance.
- The metric for pickleball noise must be measurable with standard sound level meters.
- The measurement procedure for pickleball noise must be possible by a person with basic training.
- The measurement must allow a decision of a potential noise violation at the site where the noise is measured without post processing of data using complex software at a lab or an office.

A reliable measurement procedure would allow a consultant, a city official, or a police officer to quickly assess whether a pickleball noise qualifies as an annoyance. This eliminates opinions on annoyance and disturbance that must be resolved in a courtroom.

One of the most important parameters for judging annoyance of a pickleball impulse is the signal to noise ratio. The signal is the sound level created by an impact between a paddle and a pickleball. The noise is the background sound level, which can vary by location and by time of day.

The recommended metric for measuring peak levels of pickleball sound is the LAFmax setting on a sound level meter. Measurements by Pickleball Sound Mitigation LLC have shown that a reasonable and workable LAFmax limit is 50 dBA. This has been successfully applied to previous projects when the noise ordinance fails to quantify the bothersome nature of pickleball sound.

Because the sound levels from pickleball vary based on the players, the force of impact, the paddles, and the balls, many LAFmax measurements must be taken to capture the highest value of LAFmax. A minimum of 10 individual LAFmax measurements is recommended.

The preferred metric for measuring background sound is LAeq. Because background sound can fluctuate, this measurement must be made over a long enough period to establish the average background sound.

Guidelines for Pickleball Sound

The following guidelines are recommended for Ojai pickleball.

- When the background sound level is at or below 47 dB LAeq, the noise limit for pickleball noise should be 50 dB LAFmax.
- When the background sound level is above 47 dB LAeq, the noise limit for pickleball noise should be 3 dB LAFmax above the background level.

These guidelines refer to noise levels at a property line.

This guideline provides a variable limit for pickleball noise depending on where pickleball courts are located and the ambient sound levels. If courts are in a busy city center with high background noise from traffic, then a limit for pickleball noise higher than 50 dB LAFmax should be set. If pickleball courts are in a quiet residential neighborhood with low background sound below 47 LAS, then a limit for pickleball noise at 50 dB LAFmax should be set.

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For example, most noise ordinances have a 55 dB LAS or Leq daytime limit. If this daytime limit of 55 dB LAS is measured, then the overall limit for pickleball impacts would be increased to $55 + 3 = 58$ dB LAFmax. If the daytime limit of 63 dB LAS is measured, then the overall limit for pickleball impacts would be increased further to $63 + 3 = 66$ dB LAFmax. The pickleball noise limit should never be lower than the background sound because that contradicts the laws of physics.

With the background sound level at 47 dB LAeq, pickleball impacts at 50 dB LAFmax will be faintly audible. For any lower levels of background sound, pickleball impacts will be perceptible but not bothersome due to the 50 dB LAFmax limit.

Pickleball sound at 50 dB LAFmax should not be bothersome to a reasonable person for these reasons.

- 50 dB LAFmax is the noise level of a large, busy office.
- 50 dB LAFmax is not loud enough to be objectionable even due to its intermittent nature.

These guidelines are recommended to avoid community annoyance. These guidelines are also applicable for other sports with intermittent impulsive noises. This includes pop tennis, paddle tennis, platform tennis, padel, outdoor handball, outdoor racquetball, basketball, baseball, or hockey.

Guidelines for Pickleball Sound Applied to Three Ojai Sites

The LAFmax limit of 50 dBA has been successfully applied to previous projects when the noise ordinance fails to quantify the bothersome nature of pickleball sound. This guideline was applied to the 3 Ojai sites in Table 8.

Table 8 – Ojai pickleball guideline applied to 3 pickleball sites

Site	Location	Bckgrnd LAeq	Adjusted limit LAFmax	Measured noise (LAFmax)	Comparison to guideline
City Hall	408 S Ventura	55 dBA	58	63.1 dBA	Strong violation
Lower Libbey	406 S Signal	45 dBA	50	51.5 dBA	Marginal violation
Soule Park	1200 feet	44 dBA	50	44 dBA	Pass

The results correlate to the complaints and responses from Ojai residents exposed to pickleball.

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Deliverable 3 – Recommended Sound Mitigation Measures and Projected Impact on Current Sound Levels for Each Site

Several sound mitigation measures are available for reducing pickleball noise levels. Some are more effective in reducing noise, some are easier to implement, some are lower in cost, and some are easier to control. Each will be discussed, and comparisons will be shown in Table 10.

Acoustical Barriers

Acoustical barriers block the direct path of sound that travels from a source to a receiver. A barrier must be massive enough to block sound that could pass through it. The recommended weight for a barrier is 1 pound per square foot. A small amount of sound still passes over the top or around the edges. With this weight barrier, the sound reduction is limited only by the height and width of the barrier.

The barrier must be solid with no holes, no gaps at the bottom, and no gaps between adjoining panels. Any holes or openings will allow sound to leak to the other side. Earth mounds and buildings can function as barriers if they disrupt a direct path of sound. Shrubs, bushes, and trees are not barriers even though they block a line of sight. They are not massive enough and not solid enough to block sound. A small amount of sound attenuation may be achieved with a dense planting of hedges, but this would not provide more than 2 to 3 dB sound reduction.

The effectiveness of any barrier is controlled primarily by its height and then by its width. The barrier must be tall enough and wide enough so that it minimizes the sound that is diffracted or bent over the top and around the edge. The amount of sound diffracted over the top and edge can be minimized as the barrier becomes higher and longer. In some cases, it may be best to enclose all four sides of a pickleball court with the highest barrier possible. If there are no homes exposed to pickleball sound from a side of the court, then a barrier can be eliminated on that side.

If the barrier height is restricted due to a local code or due to the support strength of an existing fence, then the barrier noise reduction will be less. In this case, the weight of the barrier can be reduced below 1 pound per square foot since the diffracted sound over a lower height becomes the determining factor.

The effectiveness of any barrier is shown in the following graphs and tables. Figure 22 shows the sound field from a pickleball impact at distances along a direct path to the front and to the back with no barrier. This is referred to in the subsequent table as a barrier at zero feet in height. The receiver positions away from the barrier are at 20, 40, 80, and 160 feet from the barrier. The receiver positions on the source side of the barrier are at 20 and 40 feet from the source. Figure 23 shows the same sound field with a 10 foot barrier placed 10 feet from the source. Comparing Figure 23 to Figure 22, reductions in LAFmax dB levels are evident for each distance on the receiver side of the barrier. On the source side of the barrier, a slight increase in dBA level is seen. This is due to the sound from the front of the paddle being reflected from the barrier and combining with the direct sound from the rear. On the opposite side of the barrier, away

from the sound source, the sound level decreases with distance. Sound fields were created for barriers heights of 0, 5, 10, 20, and 30 feet at these multiple receiver distances. These LAFmax levels are shown in Table 9.

The difference between the sound levels with no barrier and the sound levels with a barrier is the effectiveness of the barrier. This comparison was done for barriers heights of 0, 5, 10, 20, and 30 feet. Table 10 shows the effectiveness of multiple barrier heights with a source 10 feet from the barrier. The results show the noise reduction possible with a barrier at several distances.

The same analysis was conducted for a barrier at 0, 5, 10, 20, and 30 feet in height at the same distances on the source and receive side of the barrier bit with a source 20 feet from the barrier. Table 11 shows the effectiveness of multiple barrier heights with a source 20 feet from the barrier.

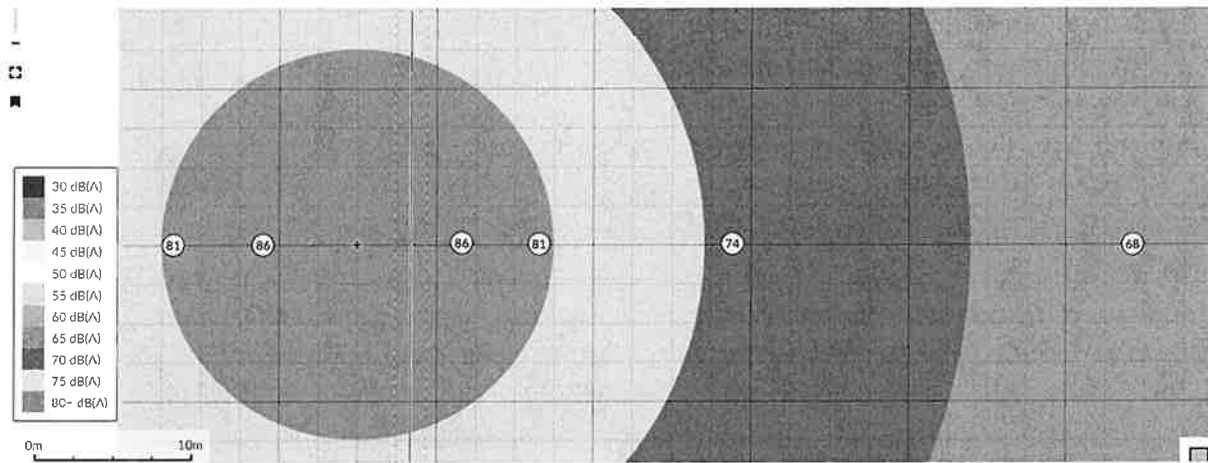


Figure 22 – Sound field with no barrier (1 meter= 3.3 feet)

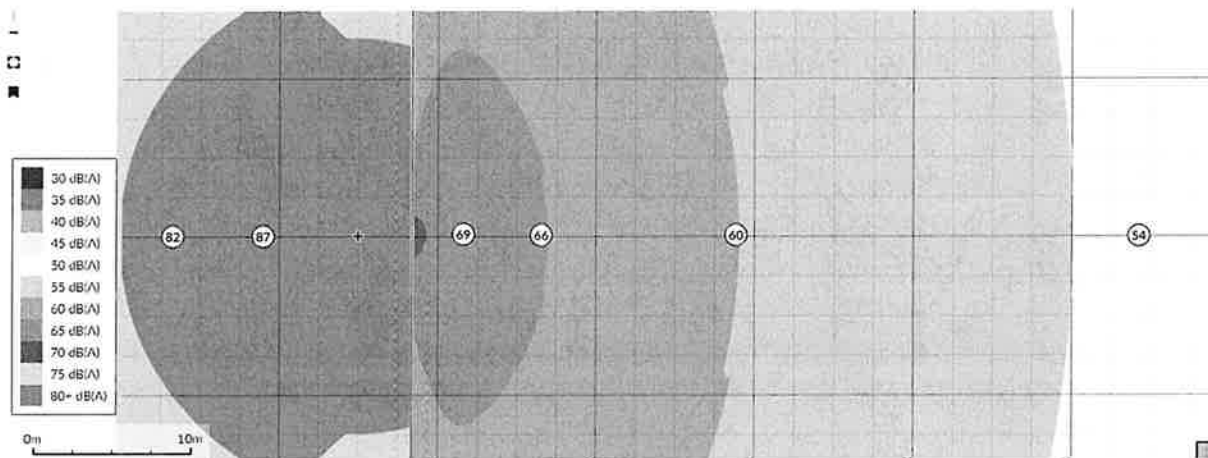


Figure 23 – Sound field with source at 10 feet from 10 foot barrier (1 meter= 3.3 feet)

Table 9 – LAFmax sound levels – source at 10 feet from barrier

Source 10 ft from barrier	Source side		Receiver side			
	feet from source		feet from source			
	40	20	20	40	80	160
Barrier Ht (ft)	LAFmax	LAFmax	LAFmax	LAFmax	LAFmax	LAFmax
0	81	86	86	81	74	68
5	81	86	81	76	70	63
10	82	87	69	66	60	54
20	82	87	63	59	53	47
30	82	87	61	56	51	45

Table 10 – LAFmax reduction – source at 10 feet from barrier

Source 10 ft from barrier	Source side		Receiver side			
	feet from source		feet from source			
	40	20	20	40	80	160
Barrier Ht (ft)	change	change	change	change	change	change
0	0	0	0	0	0	0
5	0	0	-5	-5	-4	-5
10	1	1	-17	-15	-14	-14
20	1	1	-23	-22	-21	-21
30	1	1	-25	-25	-23	-23

Table 11 – LAFmax sound levels – source at 20 feet from barrier

Source 20 ft from barrier	Source side		Receiver side			
	feet from source		feet from source			
	40	20	20	40	80	160
Barrier Ht (ft)	LAFmax	LAFmax	LAFmax	LAFmax	LAFmax	LAFmax
0	81	86	87	81	74	68
5	81	86	81	76	70	63
10	82	87	68	67	62	56
20	82	87	62	59	54	49
30	82	87	60	57	52	46

Table 12 – LAFmax reduction – source at 20 feet from barrier

Source 20 ft from barrier	Source side		Receiver side			
	feet from source		feet from source			
	40	20	20	40	80	160
Barrier Ht (ft)	change	change	change	change	change	change
0	0	0	0	0	0	0
5	0	0	-6	-5	-4	-5
10	1	1	-19	-14	-12	-12
20	1	1	-25	-22	-20	-19
30	1	1	-27	-24	-22	-22

These results show the following conclusions for noise reduction with a brier. (These reductions are in addition to the normal noise attenuation with distance.)

- The greatest noise reduction occurs with the highest barrier – higher and wider are better.
- The greatest noise reduction with any barrier height occurs closest to the barrier. This is the shadow zone.
- The noise reduction with a barrier decreases as a receiver is farther from a barrier.
- The greatest improvements in noise reduction with barrier height come with an increase from 5 feet to 10 feet in height.
- Smaller improvements in noise reduction occur with an increase from 10 feet to 20 feet.
- Even smaller improvements in noise reduction occur with an increase from 20 feet to 30 feet.

The general guideline for a barrier is that lowest noise level will be measured with a receiver as close as possible to the highest possible barrier. A detailed acoustical mapping of any site is recommended to evaluate the noise reduction benefits versus the costs before any barrier purchase is made.

Recommended vendors for barrier walls are:

- Insul-Quilts USA, South El Monte, CA, 833-853-6444, <https://www.insulquilt.com/>
- Acoustiblok, Tampa, FL, 813-980-1400, <https://acoustiblok.com/acoustiblok-soundproofing-product-lines/acoustifence-noise-reducing-fences/>
- eNoise Control, Noblesville, IN, 866-481-2024, <https://www.enoisecontrol.com/>
- DDS Acoustical Specialties, Westfield, MA 413-248-8118, <https://ddsacoustical.com/>

Noise barriers should weigh one pound per square foot to be effective as a barrier. The effectiveness of a higher weight is often compromised by the sound that is diffracted over the top or around an edge. A contractor must be consulted to assure that an existing fence or a new fence can support the added weight of a barrier. Wind loads on the barrier are also to be considered.

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Higher Barriers

A barrier applied to an existing fence just five feet high will only provide a small amount of noise reduction as shown in Table 10 and Table 12. Increasing the height to 10 or 20 feet will provide more noise reduction.

Acoustical Barriers with Sound Absorbing Liners

Acoustical barriers block sound but this blocked sound is then reflected in the opposite direction. If the reflected sound must be controlled, then barrier walls with sound absorbing surfaces can be used. The sound absorbing surface includes a weather resistant fiber covered by a weather resistant, protective, porous cloth. If reflected sound to an opposite side of the court is a problem, this can add up to 3 dB of additional noise reduction.

Recommended Paddles

As pickleball technology has evolved, new composite materials are being used in many different paddles. USA Pickleball, the governing body for the sport, has approved over 1,700 paddles for tournament play. Each paddle can produce a different noise level. Some paddles produce a lower noise level than others. However, the technology has not evolved to the point where any paddle can be considered a stealth paddle.

Table 13 lists recommended paddles as of January 2023 that have been tested in a chamber designed by PSM. These have shown to be from 3 to 7 dBA quieter than paddles made several years ago. These paddles will reduce but not eliminate noise.

The green paddle list by Sun City (7) can be used for comparing paddles but PSM does not know the procedure used to generate or maintain this list. A mandate to use paddles from an approved list is always hard to enforce for recreational players. One strategy would be to purchase 20 or more paddles of one model that is considered quieter than the loudest paddles, to supply these paddles as loaner paddles for pickleball play, and to only allow pickleball play with this model of paddle.

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Table 13 – Recommended lower noise paddles from PSM testing

Recommended Paddles 1/25/2023	
Paddle Vendor	Paddle Name
Joola	Radius
Joola	Ben Johns and Simone Jardim 16 mm
CRBN	1
Third Shot Drop	Model G
Diadem	Vice (Not USA Pickleball Approved)
Diadem	Warrior
Master Athletics	Q1 (Not USA Pickleball Approved)
Franklin	Pro Series 16 mm
E6	16s
Pro Kennex	Pro Speed
Pro Kennex	Ovation
Gearbox	GX5
Gearbox	CX11
Gearbox	CX14
Selkirk	Vanguard Invikta
Selkirk	Amped Epic
VERSIX	Pro XL 6C
Pro Drive	DRIVE
TMPR	Tantrum

Recommended Balls

While many plastic balls are approved for pickleball play, some balls produce slightly lower sound levels when struck with a paddle. The difference in sound levels among balls is much less than the difference among paddles. PSM has evaluated several commercially available pickleballs. Recommended balls with lower sound levels are:

- Onix Fuse G2 outdoor
- Penn 40
- Wilson 32
- Monarch Gen 2 outdoor
- Aviana Outdoor Green A210G

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A mandate to use balls from an approved list is always hard to enforce for recreational players. One strategy would be to purchase 100 or more balls of one model that is considered quieter than the loudest balls, to supply these balls for pickleball play, and to only allow pickleball play with this model of ball.

A Franklin X-40 pickleball was the standard ball used for testing and is considered 2 to 3 dB louder than any of these recommended balls.

A recommended paddle and ball combination for lowest noise is the Master Athletics Q1 paddle and the Monarch Gen 2 outdoor ball. This combination can provide up to 10 dB reduction over the loudest paddle and loudest balls. This combination should be compared to other paddles in use at pickleball sites in Ojai to compare sound levels and player reactions. The city could decide to provide this gear at each site as the standard for Ojai pickleball or simply to mandate its use by each player at the players' expense. Note that while the Master Athletics paddle is rated a low noise paddle, it is not approved for tournament play.

Court Time

Restricting play time is the equivalent of an on-off switch for pickleball. This can be controlled on courts with a gated entry that can be locked. However, restricted play time has the disadvantage of limiting the hours of court availability. This is something a community should review based on the availability of alternate courts and the number of pickleball players.

Sound Masking

Sound masking is the introduction of a second sound that will override or interfere with the bothersome sound. Common outdoor masking sounds include the sound from a fountain, a waterfall, ocean waves, or highway traffic. Masking sound can also be artificially created with speakers to simulate any ambient sound. For masking sound to be effective with pickleball, it must be 6 to 10 dB or more louder than the pickleball sound. These masking sounds can literally "swallow up" a lower level offensive sound but the offending sound is now replaced by a higher level masking sound. Even at a higher level, the continuous masking sound may be more acceptable than intermittent pickleball impacts. If this option is to be considered, a trial is recommended using a Bluetooth speaker and several selected masking sounds like a waterfall or a fountain at different elevated sound levels. This is because the ear can sometimes differentiate between different sounds with different tonal characteristics.

Court Reorientation

Changing the court orientation 90 degrees can achieve a small reduction in noise levels for sound coming from the direction parallel to the net. This is because a slightly lower sound level is generated to the side of a paddle than from the front or the back of the paddle. The sound level to the side of a paddle is 3 to 5 dB less than from the front of the paddle but this is not a constant due to the movement of players on the court.

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If existing courts are being converted to pickleball or new courts are being considered, the court orientation should be considered for noise propagation.

New Site Selection

Any new pickleball site should be far enough away from residential properties to avoid complaints from residents without incurring the added cost of sound mitigation. If the background sound level is below 45 dBA LAeq, the distance to the nearest residence should be no less than 1200 feet. If the background sound level is above 45 dBA LAeq, then a closer distance to the nearest residence can be considered, depending on both the noise mitigation in place and the higher background sound levels.

This does not mean that a new pickleball site must be remote from a city center. Alternative pickleball sites within a city center that are less likely to have noise complaints are sites near a highway, near an industrial zone, or near an airport. The higher noise limits for industrial zones, higher background sound levels near highways, and lower land values of these sites often make them attractive sites for expansion of pickleball play.

Enclosures

A simple solution to any noise problem is to build a box around the noise source so that sound does not escape. For pickleball, this means an indoor facility. The preferred enclosure for pickleball would be a repurposed warehouse, a vacant commercial building, or a metal building. These buildings keep the sound inside and shield nearby property owners from pickleball noise. An indoor pickleball facility could also provide a year round pickleball opportunity if supported by a membership fee or daily player fee to offset the cost of the building.

Air supported structures (known as tennis bubbles) are often used for winter tennis or golf. The walls do not provide as much sound reduction as a brick and mortar or metal building structure, but they may be sufficient for pickleball noise reduction. The roof of the air supported structure, like the roof of a permanent building, blocks sound that travels over the fixed barrier height.

Noise Mitigation Comparisons

Table 14 shows a comparison of each noise mitigation strategy. The legend below shows how each strategy may be compared. In some cases, applying multiple strategies will have an additive effect. This means that 20 dB barrier reduction plus 4 dB paddle reduction plus 2 dB ball reduction can achieve a total reduction of 26 dB – if paddles and balls can be controlled. The strategies that allow combined dB reduction are indicated.

Table 14 – Comparisons of pickleball noise mitigation strategies

Pickleball noise mitigation strategy	Maximum dB reduction	Additive dB effect	Effectiveness	Cost to City	Ease of Control	Player Reaction	Resident Reaction
Acoustical barriers	up to 20 dB	Yes	++	--	+++	++	++
Higher barriers	< 5 dB	No	++	---	+++	++	+
Barriers with absorption	< 3 dB	Yes	+	---	+++	++	++
Paddles	< 7 dB	Yes	++	0	---	-	++
Balls	< 3 dB	Yes	+	0	---	+	+
Court time	on or off		+++	0	+++	---	+
Sound masking	6 to 10 dB louder		+	--	+++	0	-
Site re-orientation	< 3 dB	Yes	+	-	+++	++	0
New site selection	not needed?		+++	---	+++	+++	+++
Enclosure	> 30 dB	Yes	+++	---	+++	+++	+
Tennis bubble	> 20 dB	Yes	++	---	+++	+++	+

Key	Description
\$\$\$	Highest cost
\$\$	Moderate cost
\$	Lowest cost
+++	Most favorable
++	More favorable
+	Favorable
0	Neutral
-	Unfavorable
--	More unfavorable
---	Most unfavorable

Sound Levels for Each Site with Mitigation

For each site in this study, the residential property location with the highest noise level was identified. In most cases, this is the property closest to the pickleball court. This property was chosen to determine the effectiveness of noise mitigation strategies. If noise can be reduced for this property, then any properties adjacent, behind, or at a farther distance from the pickleball courts will also experience lower noise levels. Noise barriers have the greatest potential for noise reduction. If they are installed at the required height, they will control noise so that other mitigation strategies involving paddles or balls will not have to be monitored.

Mitigation Applied to City Hall Courts

Because of the pickleball noise levels at residences on South Ventura Street, multiple noise mitigation strategies were examined to determine if the noise can be reduced to an acceptable level. Since enforcement of specific paddles and balls is difficult at a public site, attention was focused on barriers. Figure 24 shows the three dimensional view of ray paths of sound to a home with the existing 10 foot and 12 foot barriers on the east and south sides, respectively. The diffracted wave over the top of the barrier is shown. The noise level at the nearest home was 62 dB LAFmax. Increasing the height in 1 foot increments above the 10 foot current height was unable to bring the sound level to an acceptable level at the closest home. A maximum height of 30 feet for a barrier was evaluated and all 4 sides of the courts were enclosed as shown in Figures 25 and 26. The noise at the nearest home was reduced to 54 dB LAFmax. Multiple reflected sound rays are evident. With sound absorption on the inside of the 4 barrier walls, the level at the closest home can be reduced another 2 dB to 52 dB LAFmax.

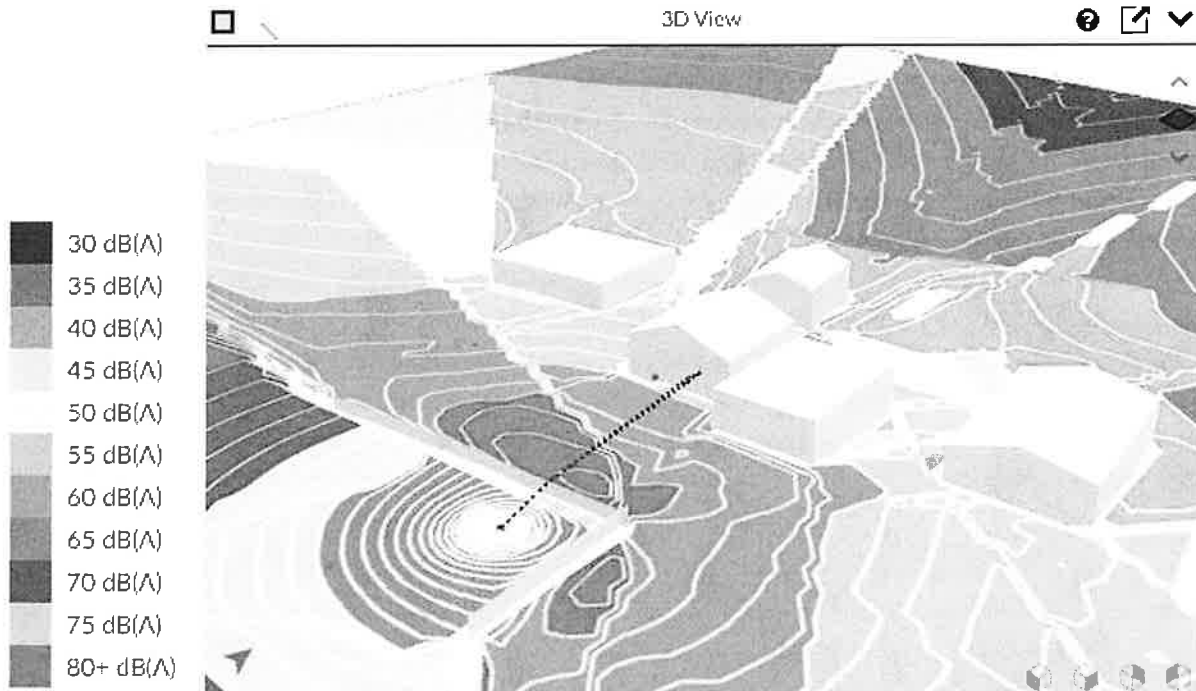


Figure 24 – Three dimensional view showing ray path to South Ventura Street, existing barriers

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Figure 25 – Plan view showing ray path to South Ventura Street, 30 foot barriers (1 meter = 3.3 feet)

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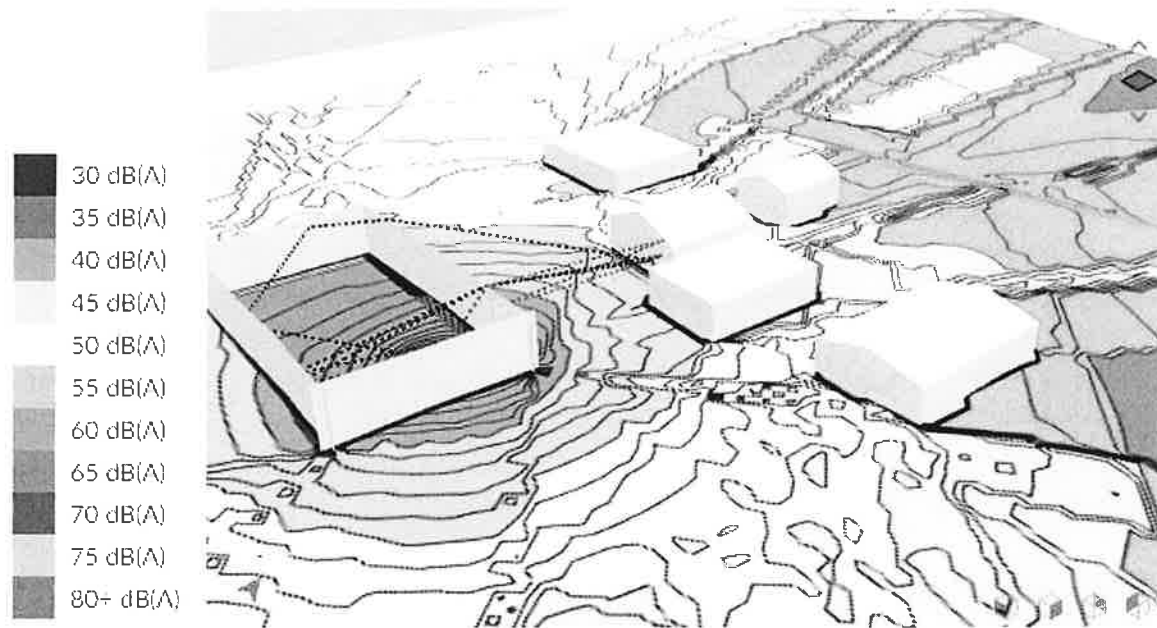


Figure 26 – Three dimensional view showing ray path to South Ventura Street, 30 foot barriers

Using the pickleball noise guidelines in Table 8 and the high background sound at this site (due to traffic), the sound would not be bothersome with 30 feet barrier walls – if the high background sound from steady traffic were continuously present. As soon as the background noise drops below LAeq 50 dB, pickleball noise will again be audible and bothersome. Any additional selection of preferred paddles or balls will have additional noise reduction benefits – but only if their use can be enforced.

A 30 foot barrier would likely be unfeasible in a city center. An alternate approach was investigated with a 15 foot barrier AND the best recommended paddle and best recommended ball. Figure 27 shows the noise map with the noise level at the closest residence now at 60 dB LAFmax. The difference in barrier noise reduction is evident comparing Figure 10 with a 10 foot barrier, Figure 27 with a 15 foot barrier, and Figure 25 with a 30 foot barrier. The barrier height increases from 10 feet, to 15 feet, and to 30 feet reduces the LAFmax from 62 dBA, to 60 dBA, and to 54 dBA respectively. If the best recommended paddle and best recommended ball were also to be used at this site with a 15 foot barrier (and pickleball noise at LAFmax of 60), then the noise level could be as much as an additional 10 dB lower or close to 50 LAFmax (60 – 10 = 50 LAFmax) – if this recommended gear can be enforced. Most pickleball players buy a preferred paddle for their style of play and may reject the use of a recommended paddle. In this case, they would have to play elsewhere. Also, the recommended paddle is not approved for tournament play. This may not be an objection for recreational players.

A possible trial plan is to buy enough recommended paddles and balls for play at City Hall courts with the existing 10 foot and 12 foot barriers to see if the noise reduction justifies the expense of paddles and balls for players on all 4 courts or if the additional expense to raise the barriers to 15 feet is justified.



Figure 27 – Plan view showing ray path to South Ventura Street, 15 foot barriers (1 meter= 3.3 feet)

Mitigation Applied to Lower Libbey Courts

The home with the highest noise level from Lower Libbey pickleball lay is 406 South Signal Street. A noise barrier at the court level would have a small effect on noise reduction due to the sound path shown in Figure 15. Instead, a barrier on the edge of the hill would have the greatest effect for this location. An 8 foot noise barrier was added to the noise map as shown in Figure 28. This reduced the noise level from 52 dB LAFmax to 46 dB LAFmax and placed the home in a green sound zone. Figure 29 shows the three dimensional view of a ray path of sound the home. The diffracted wave over the top of the barrier is shown. Because of the uncertain topography at the crest of this hill, more information is needed on the site to precisely select a barrier high enough and wide enough to block sound. This result is shown for pickleball play at the south end of the courts at Lower Libbey. To also reduce sound from a pickleball court on the north end of the courts, the width of this barrier would have to be extended along the crest of the hill. Any additional selection of preferred paddles of balls will have additional noise reduction benefits – but only if their use can be enforced.



Figure 28 – Barrier position on hill above Lower Libbey, 8 foot barrier (1 meter = 3.3 feet)

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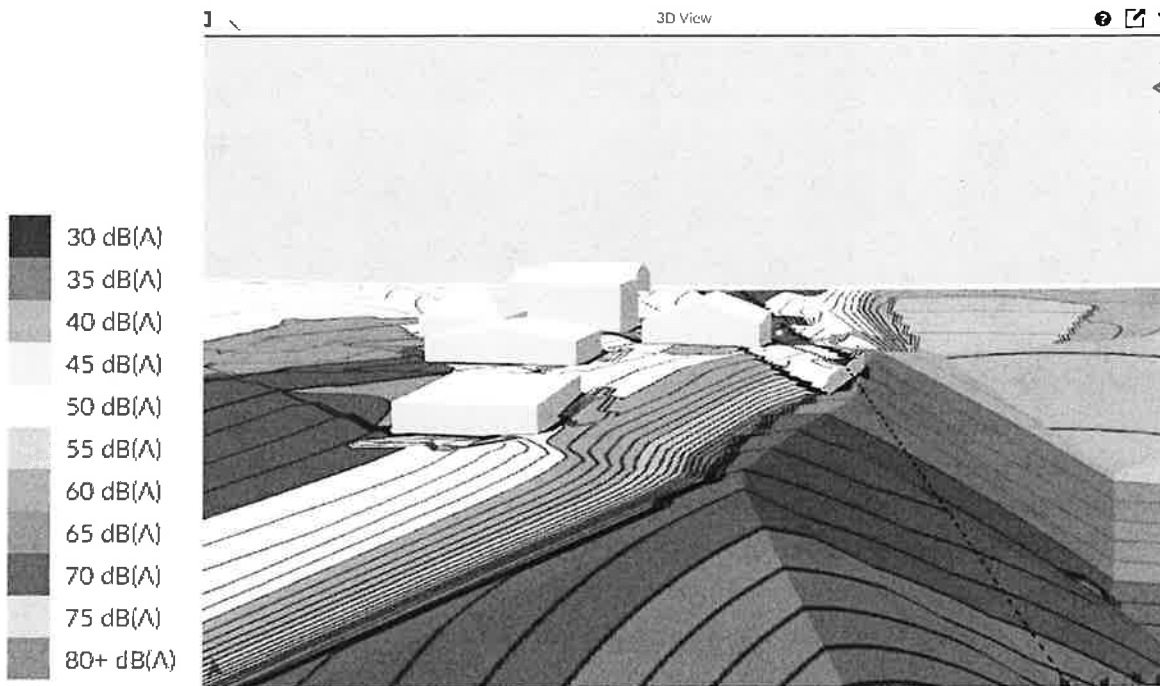


Figure 29 – Three dimensional noise map for Lower Libbey pickleball courts with 8 foot barrier on hill

Mitigation Applied to Soule Park

With the closest residence 1200 feet way from Soule Park, no sound mitigation is required if pickleball were to be played at this site. This avoids the cost of sound mitigation barriers for a potential new site. Figure 30 shows the closest home is at 290 Fairway Lane at the edge of the golf course where LAFmax is 44 dBA.

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Figure 30 – Closest home on Fairway Lane to Soule Park (1 meter = 3.3 feet)

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Conclusions

The following conclusions can be drawn from the results in this study.

1. The noise level predictions using noise mapping software match the noise levels from pickleball play measured at all three Ojai locations. This gives confidence in using the noise mapping software to examine noise levels in areas beyond the most critical sound locations and to effectively analyze noise mitigation strategies with barriers.
2. Noise maps for each site showed color bands that represent 5 dB noise differences. The preferred zone for persons exposed to pickleball sound is a green sound band.
3. Pickleball noise at 63 LAFmax was measured at 408 South Ventra Street (pink band). Even with high background noise from city traffic, this level is high enough to be considered bothersome and intrusive. With no traffic present and an even lower background sound level, this noise would be received as even more bothersome.
4. Pickleball noise at 52 LAFmax was measured at 406 South Signal Street. This level would be considered bothersome.
5. Pickleball noise at 51 LAF max was measured near the golf course at Soule Park. With the closest residence 1200 feet distant, this would not require any further sound mitigation to avoid pickleball noise complaints from this home.
6. The City of Ojai noise ordinance was applied to the noise levels using a slow measurement setting at critical noise locations for each site. The results were below the noise limits but conflicted with ongoing complaints. This is due to deficiencies in a noise ordinance. Critical elements of the City of Ojai ordinance were identified.
7. A survey of noise ordinances in place in California and other states show deficiencies on how pickleball noise is measured and evaluated as an annoyance.
8. Guidelines to standardize pickleball noise measurement and to quantify noise levels that create annoyance were outlined using LAFmax as the preferred metric. Applying these limits to the three sites for the City of Ojai showed good agreement with community reactions.
9. Several noise mitigation strategies were presented and the advantages and disadvantages of each were outlined. The most effective noise mitigation strategy is a high barrier.
10. Noise mitigation with an acoustical barrier was evaluated at City Hall and at Lower Libbey. At City Hall, if a four-sided enclosure 30 foot high were installed, noise from pickleball play would be reduced to acceptable levels. This installation will only be effective when high background noise from city traffic is present. At Lower Libbey, if an 8 foot barrier were installed at the crest of the hill, noise from pickleball would be reduced to an acceptable level for the closest resident. Additional sound mitigation with the use of preferred paddles and balls can be achieved at both sites – if this can be controlled.
11. A combined strategy was evaluated at City Hall with 15 foot barriers and the best recommend paddle and the best recommended ball. This combination of barrier, paddle, and ball produced noise levels at acceptable levels. This result is only viable if paddle and ball use can be controlled. Similar noise reduction results would be expected at Lower Libbey with use of only the best recommended paddle and ball.

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12. Without a home within 1200 feet of the of the potential pickleball site at Soule Park, no sound mitigation is required,

Recommendations

The following recommendations are made to the City of Ojai Parks and Recreation and to the Ad hoc Pickleball Committee.

1. If a 30 foot sound absorbing enclosure is installed at City Hall Courts, the pickleball noise for the closest home on South Ventura Street will be reduced to reasonable levels. The city must decide if this enclosure meets community and city acceptance and if the cost is justified.
2. If an 8 foot barrier is installed on the crest of the hill overlooking Lower Libbey courts, the pickleball noise will be reduced to an acceptable level for the closest home. Due to the uneven terrain at the top of the hill, the exact location, height, and width must be determined to assure that it will block the direct path of sound to the nearest home. A wider barrier will be needed if play is expanded to courts north of the southernmost court used for testing and analysis.
3. Soule Park has no homes nearby and would not require additional costs for pickleball sound mitigation barriers.
4. Noise maps for each site can be used to understand the sound field associated with each site and to gauge the validity of complaints on noise.
5. Ojai can use the guidelines outlined with LAFmax and background noise at each site to better understand the annoyance potential of pickleball noise.
6. If Ojai can control paddle and ball use, the best recommended paddle and ball should be evaluated at critical court sites to see if sufficient noise reduction can be realized without spending a higher amount of money on barriers.

PSM LLC has provided that these results on pickleball sound to help the City of Ojai balance the spirit of the city's recreational use of its public park spaces and facilities with the quality of life of its residents. PSM LLC is available to answer any questions related to this work.

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Disclaimer

The results, conclusions, and recommendations presented here are based on information provided to PSM LLC by the client and on measurements made using calibrated equipment and standard acoustical practices. These results are intended to address maximum noise levels from play. Pickleball sound assessment is a random process where the noise from each impact and from each game can vary based on player skill, force of impact, and equipment in use. Sound levels from pickleball are random impulsive events, meaning that it is predictable over a range and has averages and other statistical characteristics, but it has no exact single level. Actual sound levels will vary over time. In addition, it is not possible to determine what any particular person believes is an acceptable sound level. Because additional variables may be associated with the site, the players, or the equipment in use, PSM LLC assumes no liability for work undertaken by the client based on these recommendations, or for results that do not conform to the client's expectations.

Barry R Wyerman, PhD, PE
Principal Acoustical Engineer
PSM LLC

Robert Unetich, PE
Owner and Principal
PSM LLC

Appendix A – RFP from City of Ojai Parks and Recreation**Request for Proposals: City of Ojai Parks and Recreation Commission
Pickleball Sound Standards and Noise Mitigation Measures RFP****About the City**

The City of Ojai, a town of approximately 8,000 residents, is nestled in the northwest corner of Ventura County. The city offers spectacular living in a small town atmosphere and is adjacent to the Los Padres National Forest. Ojai is home to a wide array of festivals and events, distinctive Mission Revival architecture, tree-lined streets, Mediterranean climate, and striking views of the surrounding Topa Topa Mountains. The City currently operates and maintains six (6) parks: Chuff Vista Park, Daly Ranch Park, Libbey Park, the Ojai Skateboard Park, Rotary Community Park, and Sarzotti Park.

Additionally, the City also operates other properties that provide recreation services and amenities, including the City Hall Campus, which is home to the Demonstration Garden and the City's Pickleball facilities. The City and its Recreation Department seek to enhance the physical and mental well-being of Ojai residents by creating and offering a wide variety of accessible activities. For more information about the city and the recreation department, please visit ojai.ca.gov and ojairec.com.

Background Information

At the request of the Ojai City Council, the Ojai Parks and Recreation Commission *Ad Hoc* Committee on Pickleball is developing recommendations for current and prospective recreation sites regarding sound standards and noise mitigation measures for Pickleball play. While play at the current site meets the City's allowable noise standards for public parks, the unique characteristics of Pickleball noise (impulse noise, high frequency) are not necessarily encompassed by those standards. To address the rise in popularity of Pickleball locally and ensure that appropriate and effective sound mitigation measures are applied to current and future recreation sites, the *Ad Hoc* Committee is seeking expert advice on how best to align the spirit of the City's noise ordinance and the recreational use of public park spaces and facilities.

Applicant Qualifications**Required**

- Expertise and experience in:
 - conducting outdoor sound tests and interpreting resultant data for non-experts
 - evaluating outdoor sound mitigation measures
- Familiarity with:
 - general municipal/community noise standards
 - recreational noise standards
 - outdoor sound mitigation measures for recreational sites
- Experience with:
 - local government entities

Preferred

- Advanced degree(s)/certification/credentials in acoustical engineering or related field
- Experience with successful Pickleball and/or other outdoor recreation sound mitigation projects
- Institute of Noise Control Engineers (INCE) certification or equivalent

Scope of Work

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The *Ad hoc* Committee expects to use the results of this consultancy to advise the Parks and Recreation Commission and the Ojai City Council on options and costs for addressing noise complaints while sustaining and expanding recreational options for the residents of the Ojai Valley. The selected consultant will provide the Committee with the necessary data and expertise that will allow reasonable and well-informed decisions related to Pickleball play and future recreational facilities. The consultant should refrain from offering any opinion as to the advisability of Pickleball play or recreation at the current and prospective locations.

The selected consultant will work with the *Ad hoc* Committee and City Parks and Recreation staff to carry out the following activities in a timely manner:

- Review existing sound test results and mitigation measures, City noise ordinances, and physical locations and features of existing and prospective sites
- Review other jurisdiction sound ordinances and Pickleball site noise assessments for emerging practices
- Conduct ambient noise monitoring near current and prospective sites
- Conduct sound testing with Pickleball play at current Pickleball courts and Lower Libbey Tennis Courts
- Compare Pickleball sound testing results to City's outdoor noise standards and published Pickleball noise standards for other jurisdictions
- Develop recommendations for Pickleball noise standards and mitigation measures with expected sound levels

Primary Deliverables (include in Total Cost Quotation)

- Noise test data and methods for three sites (current City Hall Campus Pickleball courts, adjacent City Hall Campus potential site, Lower Libbey tennis courts potential site)
- Recommended acceptable sound standards for outdoor recreation, inclusive of Pickleball
- Recommended sound mitigation measures and projected impact on current sound levels for each site
- Written report summarizing the noise assessment, recommended sound standards, and recommended mitigation measures for each site

Additional Deliverables (include Separate Cost Quotation for each item)

- In-person public presentation of findings and recommendations to Parks and Recreation Commission
- Assessment of potential noise levels and recommended mitigation measures for Sarzotti Park Multi-Sport Court (basketball and futsal) to be constructed within one year

To be considered for this project, please submit a proposal that addresses each aspect of the Scope of Work, includes information about your qualifications and experience, and itemizes any logistical requirements or time constraints that will affect your ability to carry out the activities. Please include the all-inclusive budget for the Primary Deliverables, costs for each Additional Deliverable, and any costs for additional services that may be requested.

Deliver proposals via email to Luis Gomez (luis.gomez@ojai.ca.gov) by July 15, 2023. Any questions may be submitted to Mr. Gomez, the Parks and Recreation Department Supervisor.

Appendix B – Barrier Effectiveness

The following noise maps show the barrier height and distance effect on noise reduction with a barrier placed at 10 feet from the source. The software shows all distances in meters. A conversion to feet is listed on each figure.

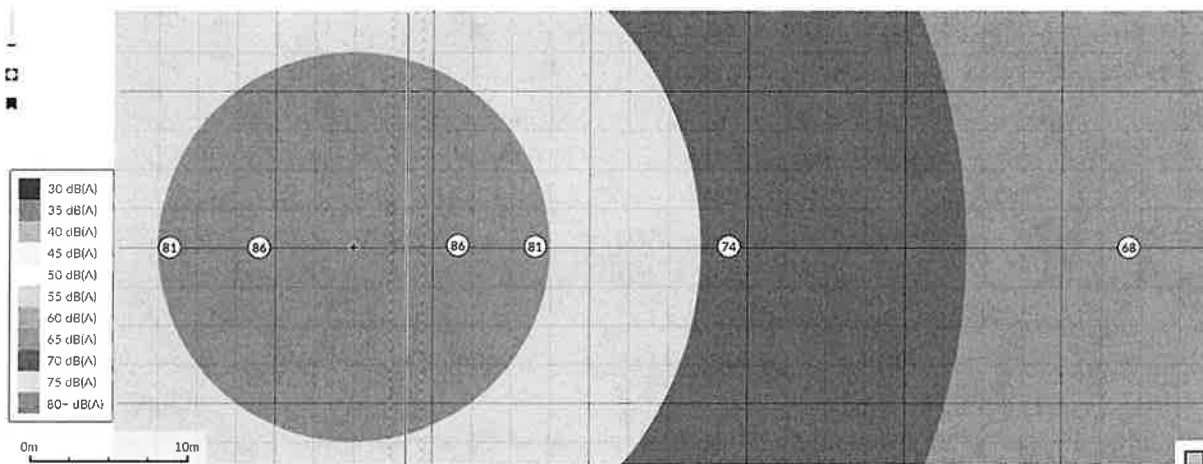


Figure B1 – LAFmax with source at 10 feet from 0 foot barrier (1 meter = 3.3 feet)

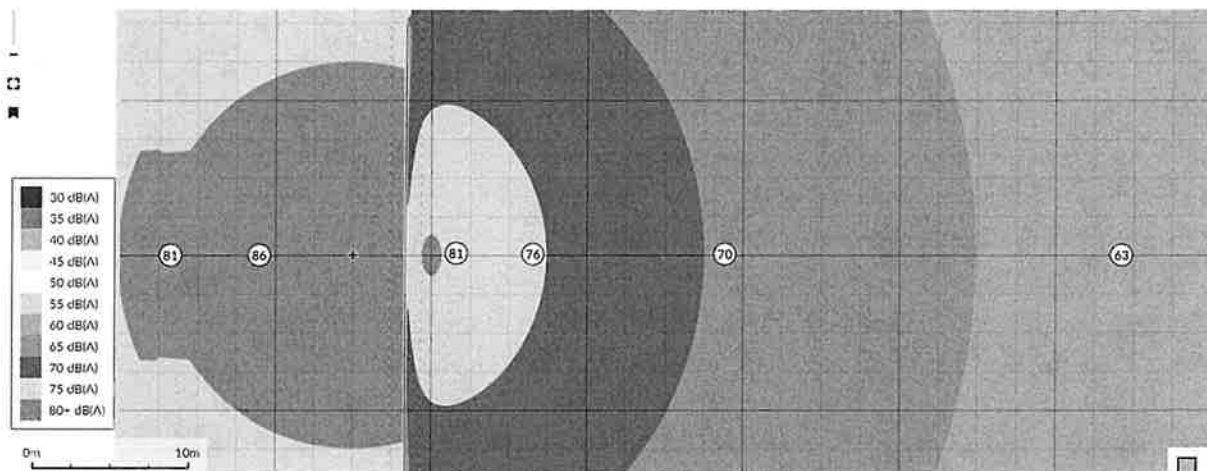


Figure B2 – LAFmax with source at 10 feet from 5 foot barrier (1 meter = 3.3 feet)

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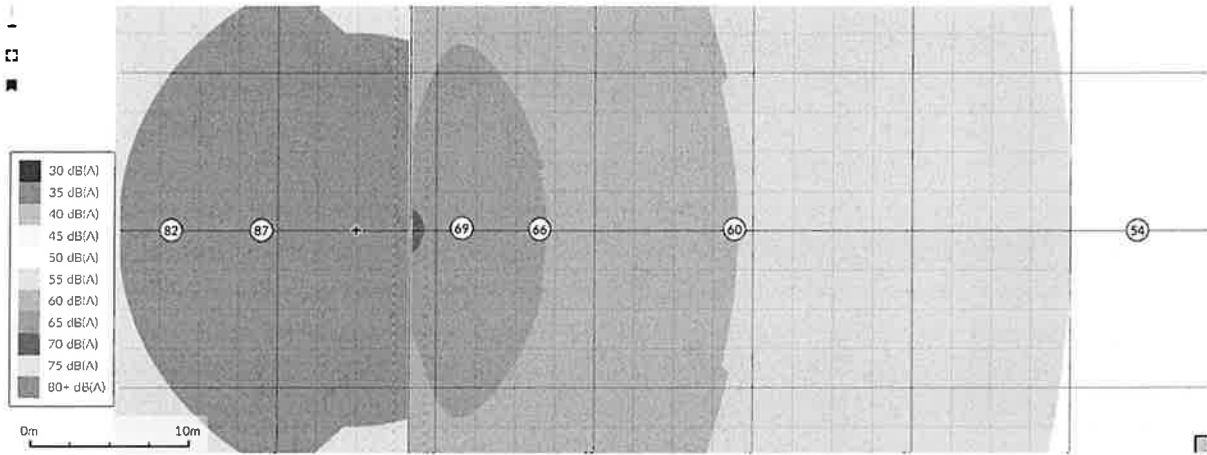


Figure B3 – LAFmax with source at 10 feet from 10 foot barrier (1 meter = 3.3 feet)

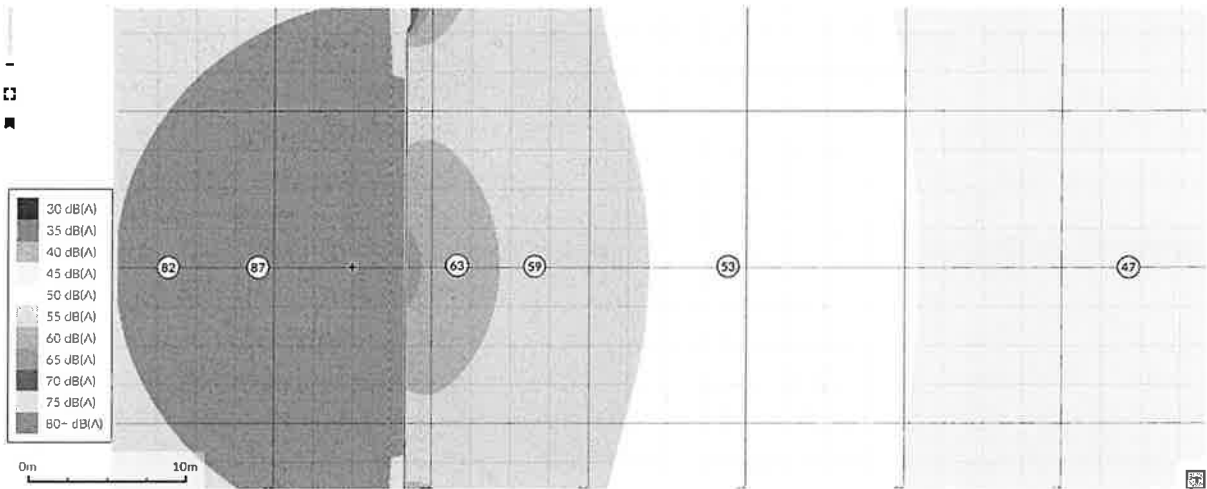


Figure B4 – LAFmax with source at 10 feet from 20 foot barrier (1 meter = 3.3 feet)

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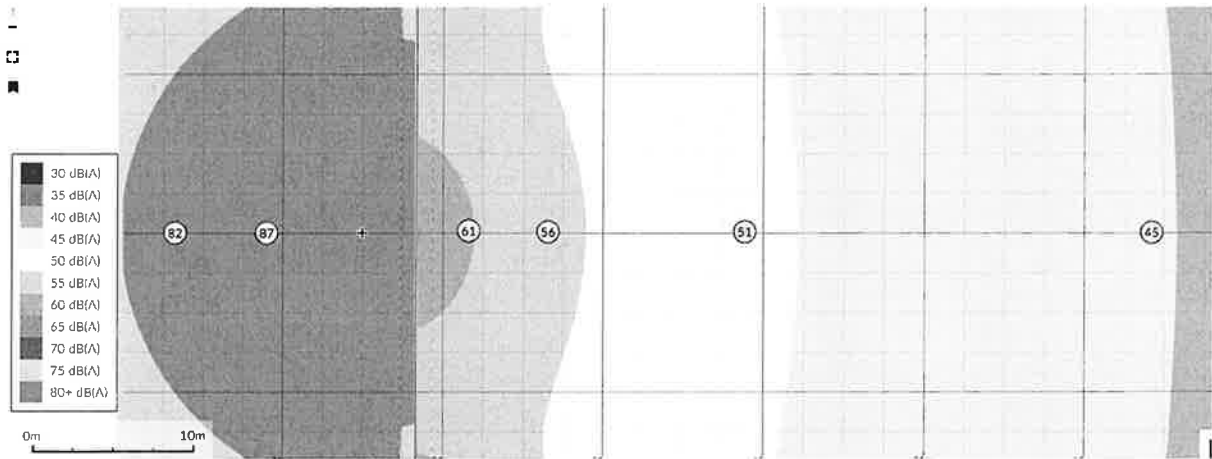


Figure B5 – LAFmax with source at 10 feet from 30 foot barrier (1 meter = 3.3 feet)

The following noise maps show the barrier height and distance effect on noise reduction with a barrier placed at 20 feet from the source. The software shows all distances in meters. A conversion to feet is listed on each figure.

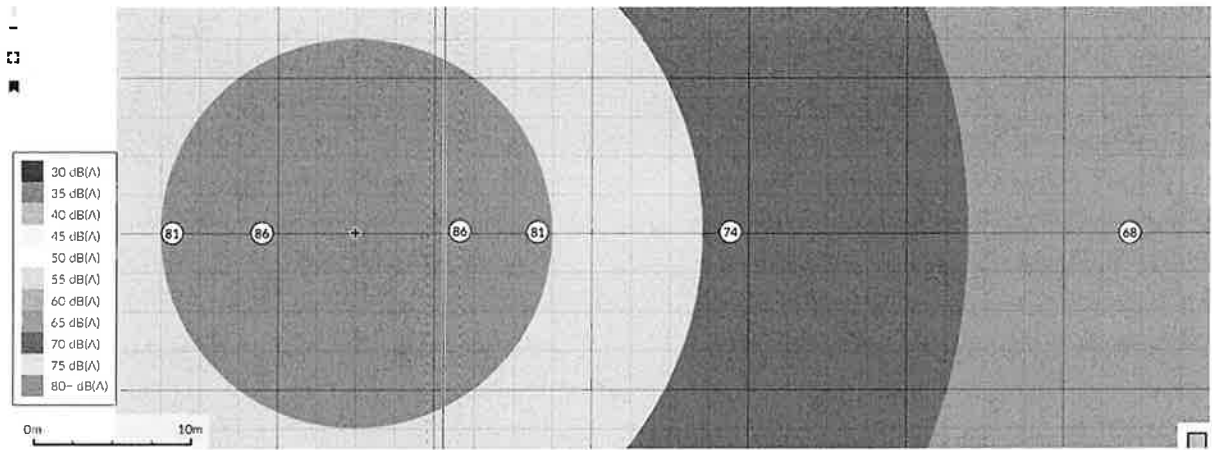


Figure B6 – LAFmax with source at 20 feet from 0 foot barrier (1 meter = 3.3 feet)

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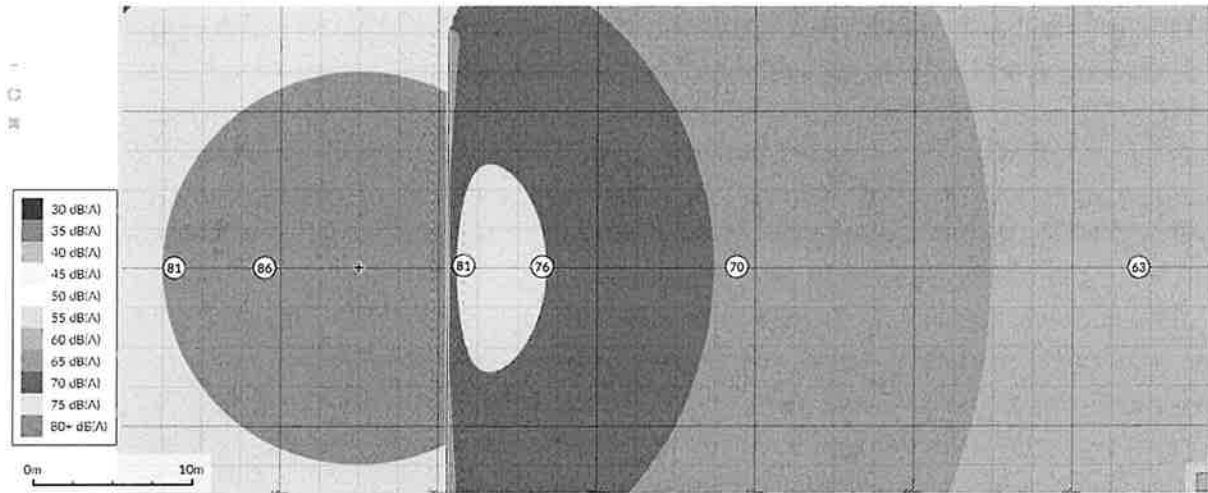


Figure B7 – LAFmax with source at 20 feet from 5 foot barrier

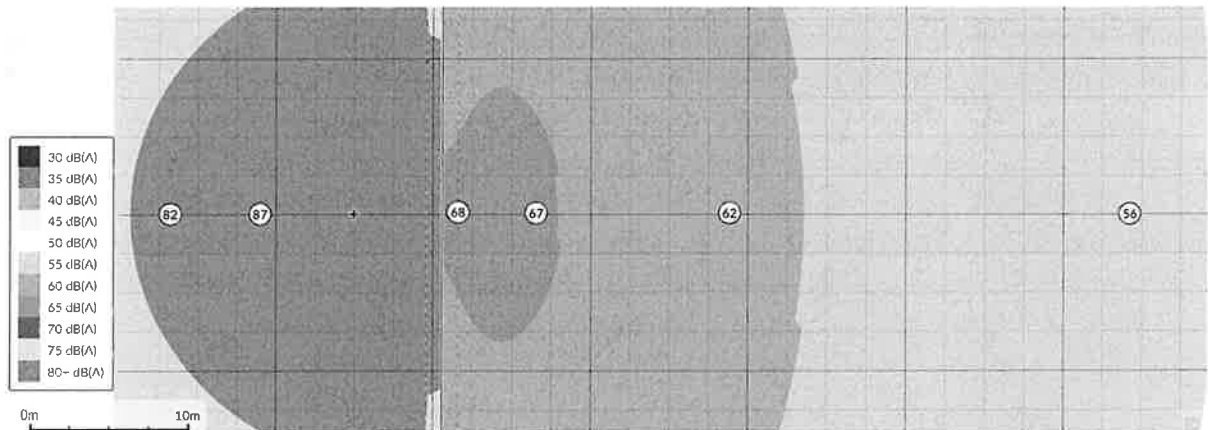


Figure B8 – LAFmax with source at 20 feet from 10 foot barrier (1 meter = 3.3 feet)

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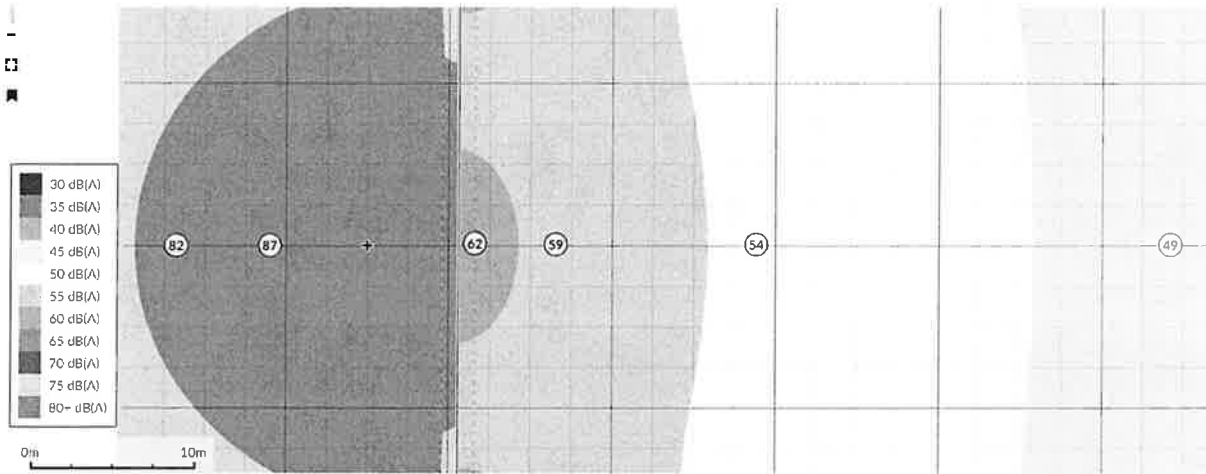


Figure B9 – LAFmax with source at 20 feet from 20 foot barrier (1 meter = 3.3 feet)

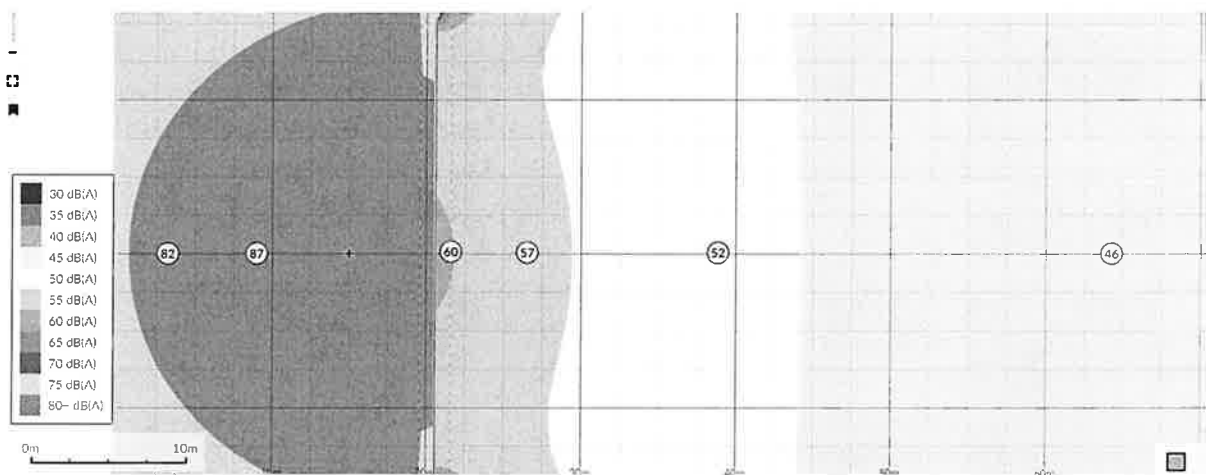


Figure B10 – LAFmax with source at 20 feet from 30 foot barrier (1 meter = 3.3 feet)

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Appendix C – PSM Field Data for Ojai

PSM LLC
Pickleball Sound Mitigation

1811 Woodlands Circle
Pittsburgh, PA 15241
412-780-4575

pickleballsound.com
rmu@pickleballsound.com

Pickleball Field Test Data

Date: 11/15/22 Start Time: 1 PM End Time: 3 PM

Site Name: CITY HALL COURTS

City: OJAI State: CA

Engineer: R. WNETCH

Client: OJAI

Test Gear: **REW** Software Version: V5.20.13 Computer: TOSHIBA PORTege

Microphone: Dayton Audio UMM-6 Mic Height: Above Surface: 5" WINDOWS 10

Court Name/Description: CONVERTED TENNIS COURT Number of courts in use: 1

Number of players hitting: 4 # Men: 2 # Balls in Play: 1 Ball used Franklin-X or _____

Paddle Model Used by Hard Hitter facing microphone: _____ Paddletek Element or _____

Receiving Location Addresses: A: POLICE STATION 755 AB 404 S. VENTURA ST 754 AB

C: 414 S. VENTURA 749 ASL G: CITY HALL GARDEN 748 ASL Wind Sped: CALM

DATA: Readings are LAFmax and Leq in dBA Readings Taken At 5 second typical intervals

Microphone	Location	Relative to	Loud Hitter	Facing Mic	in Feet	
			A	B	C	D
Distance	70 feet	100 feet	106	100	200	220'
LAFmax						
1	79.1		61.6	63.8	58.8	55.0
2	81.6		59.8	61.9	57.3	56.7
3	80.0		60.6	61.0	56.4	57.0
4	82.0		59.5	64.8	58.6	54.8
5	81.5		62.0	65.4	58.5	56.1
6	84.3		60.5	66.1	56.9	54.2
7	79.2		59.4	62.6		
8	83.3		62.1	61.1		
9	80.8		62.5	62.2		
10	82.6		60.9	62.0		
Sum	814.4		608.9	630.9	346.5	333.8
Data Points	10		10	10	6	6
Average:	81.4		60.9	63.1	57.8	55.6
Max:	84.3		62.5	66.1	58.8	57.0
Leq:	46		54.3	55.0	53.9	51.4

Site Sketch With Receiving Locations

Court Elevation (ASL): 752 ft

Surface: HARD

Force Height: VARIABLE ft

CITY HALL COURTS

POLICE HOUSE

GARDEN

Hitting Format:

Games _____

Volley Drills:

Hard Shot Drill:

Notes: _____

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PSM LLC

Pickleball Sound Mitigation

1811 Woodlands Circle
Pittsburgh, PA 15241
412-780-4575

pickleballsound.com
rmu@pickleballsound.com

Pickleball Field Test Data

Date: 11/15/22 Start Time: 10:30 AM End Time: 12:15 PM

Site Name: LOWER LIBBEY PARK

City: OJAI State: CA

Engineer: R. KNECH

Client: OJAI

Test Gear: REW Software Version: V5.20.13 Computer: JOSHUA PORTEGE

Microphone: Dayton Audio UMM-5 Mic Height: Above Surface: 5 ft WINDOWS 10

Court Name/Description: LOWER LIBBEY PARK TENNIS COURT Number of courts in use: 2

Number of players hitting: 2 # Men: 1 # Balls in Play: 1 Ball used Franklin-X or _____

Paddle Model Used by Hard Hitter facing microphone: _____ Paddletek Element or _____

Receiving Location Addresses: A: 406 S. SIGNAL ST 755 FT ASL

C: 406 S. SIGNAL ST D: _____ Wind Speed: CALM

DATA: Readings are LAFmax and Leq in dBA Readings Taken At 5 second typical intervals

Microphone	Location	Relative to	Loud Hitter	Facing Mic	in Feet
			A 240'	B	C 200'
			FROM MAIN COURT		FROM SMALL PRACTICE COURT
Location	20 feet	100 feet			
Distance					
LAFmax					
1	79.2	67.0	51.1		52.1
2	80.9	64.1	51.2		54.2
3	78.3	70.9	50.8		51.7
4	80.5	67.6	51.7		52.1
5	78.2	64.3	53.4		53.0
6	80.2	65.8	52.4		
7	76.3	68.9	53.4		
8	76.2	64.2	51.7		
9	78.9	69.0	49.4		
10	81.0	70.0	50.0		
Sum	789.7	676.0	514.7		263.1
Data Points	10	10	10		5
Average:	79.0	67.6	51.5		52.6
Max:	81.0	70.9	53.4		54.2
Leq:	45	44	45		45

Site Sketch With Receiving Locations

Court Elevation (ASL): 715 ft

Surface: HARD

Fence Height: 12 ft

Notes: _____

Hitting Format:

Games: _____

Volley Drills: _____

Hard Shot Drill:

PSM LLC

Pickleball Sound Mitigation

1811 Woodlands Circle
Pittsburgh, PA 15241
412-780-4575

pickleballsound.com
rnu@pickleballsound.com

Pickleball Field Test Data

Date: 11/15/23 Start Time: 8:00 AM End Time: 10 AM
 Site Name: SOULE PARK
 City: OJAI State: CA
 Engineer: R. Y. HETICH
 Client: OJAI

Test Gear: REW Software Version: V5.20.13 Computer: JOSHUA PORTLGE
 Microphone: Dayton Audio UMM-6 Mic Height: Above Surface: 5 ft WINDOWS 10

Court Name/Description: SOULE PARK PADDLE CT. Number of courts in use: 1
 Number of players hitting: 4 # Men: 4 # Balls in Play: 1 Ball used: FranklinX or _____
 Paddle Model Used by Hand Hitter facing microphone: _____ Paddletek Element or _____

Receiving Location Addresses: SOULE PARK GOLF B: COURSE CLOSEST FAIRWAY
TO THE WEST Wind Speed: CALM

DATA: Readings are LAFmax and Leq in dBA Readings Taken At 5 second typical intervals

Microphone	Location	Relative to	Loud Hitter	Facing Mic	In Feet	
			A	B	C	D
Location						
Distance	20 feet	100 feet				
LAFmax						
1	85.6	69.2		52.4		
2	84.7	67.6		51.5		
3	85.1	66.0		50.9		
4	82.8	71.1		50.7		
5	86.2	67.5		50.3		
6	83.5	66.8		51.1		
7	83.7	70.0		49.9		
8	86.0	67.3		53.0		
9	85.2	66.2		52.1		
10	82.5	71.5		49.8		
Sum	845.3	683.2		511.7		
Data Points	10	10		10		
Average:	84.6	68.3		51.2		
Max:	86.2	71.5		53.0		
Leq:	47	46		45		

Site Sketch With Receiving Locations

Court Elevation (ASL): 751 ft

Surface: HARD

Fence Height: 12 ft

Notes: _____

Hitting Format:

Games: _____

Volley Drills:

Hard Shot Drill: _____

LOCATION B ELEVATION
744 ASL

Rev 5

Appendix D – Reference Sources

1. ANSI S1.4 Specification for Sound Level Meters
2. OSHA Occupational Noise Exposure <https://www.osha.gov/noise/standards>
3. <https://noisetools.net/dbmap/> - Noise Mapping Tool
4. Handbook of Acoustics, Everest, F, Alton and Pohlmann, Ken C., fifth edition, 1979, p. 53.
5. ANSI S12.9 Quantities and Procedures for Description and Measurement of Environmental Sound
6. City of Ojai Noise Ordinance <https://ojai.ca.gov/noise/> and https://library.qcode.us/lib/ojai_ca/pub/municipal_code/item/title_5-chapter_11
7. Green Paddle List – <https://springbrook-hills.com/resources/Documents/Board/Sun%20City%20Green%20Zone%20List.pdf>

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Appendix E - PSM LLC Information

Pickleball Sound Mitigation LLC

PSM LLC was created in 2022 after 8 years of pickleball noise studies and advice on pickleball noise mitigation. This work included field measurements of pickleball play at multiple sites, analysis of the noise from different pickleball paddles and balls, consultation with USA Pickleball on equipment standards, and evaluation of suppliers of noise barrier systems. PSM has designed successful noise reduction systems for pickleball courts and has evaluated multiple paddles and balls to create lists of “quieter” paddles and balls. It has also completed field studies of pickleball noise to provide guidance to homeowners regarding local noise ordinances. In total, PSM has completed or has been involved in noise surveys and recommended noise mitigations measures for 23 pickleball sites, including seven in California. PSM is at the forefront of pickleball technology and is working directly with USA Pickleball to develop acoustical test methods for paddles, to identify quieter gear, and to create improved community standards for pickleball noise. It is also working with paddle manufacturers to help bring improved, quieter paddles to market. PSM LLC is in the final stages of developing the industry’s first anechoic chamber for testing both pickleball paddles and balls under controlled speed conditions. This will yield baseline data on paddles without the variables of wind, background noise, and player skill in hitting the ball. PSM LLC is also working on an air gun that will shoot pickleballs at a controlled speed for detailed studies of pickleball noise.

The mission of PSM is to support pickleball clubs, pickleball players, communities, parks, country clubs, and homeowner associations with an understanding of pickleball noise and of strategies and measures to control pickleball noise.

Robert Unetich, PE

Robert Unetich is the founder of PSM LLC. He is an avid pickleball player, a USA Pickleball Certified Referee, and the owner of the Pickleball School. He is the creator of the Facebook group, Pickleball Sound Mitigation, which has over 400 followers. His professional background includes over 50 years of industrial experience in electrical engineering, radio wave propagation, and signal processing. He is the owner of GigaHertz LLC, a manufacturer of custom electrical equipment. He has an electrical engineering degree from Carnegie Mellon University. His work in pickleball noise mitigation began when he was asked to investigate ways that the sound of pickleball might be reduced at residences near his home. That work involved careful analysis of work done by acoustical engineers in solving sound problems and at methods of reducing the

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Date: February 20, 2023

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level of annoyance experienced by neighbors of pickleball courts. His professional associations include:

- The Institute of Electrical and Electronics Engineers
- Professional Engineer, registered in Pennsylvania
- The Acoustical Society of America

Barry Wyerman, PhD, PE

Barry Wyerman, PhD, is the Principal Acoustical Consultant for PSM LLC. He is a pickleball player and a USA Pickleball Level 2 Referee. His professional background includes over 45 years of acoustical experience in creating innovative acoustical products, solving industrial noise control and vibration problems, and designing solutions for automotive noise and vibration control. He is the owner of Acoustical Design and Consulting, LLC, which provides engineering and consulting support in all areas of acoustics and noise control. He has a BS degree in physics from Ohio University and MS and PhD degrees in engineering acoustics from Penn State University. He became involved in pickleball noise mitigation when he met Bob Unetich at a pickleball court and provided initial recommendations on pickleball noise control from his work experience and acoustical training. His professional associations include:

- The Acoustical Society of America
- Society of Automotive Engineers, Noise and Vibration Committee
- Society of Automotive Engineers, Acoustical Materials Committee
- Professional Engineer, registered in Ohio

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APR 24 2026

City Clerk



Parks and Recreation Commission Pickleball Ad Hoc Committee

Final Report: Findings and Recommendations

Ad Hoc Committee Members:

Ryan Firestone, Parks and Recreation Commissioner
Karen Wilson, Parks and Recreation Commissioner

Staff Support:

Luis Gomez, Recreation Manager

March 30, 2023

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EXECUTIVE SUMMARY

This report is the culmination of thirteen months of study, analyses, and discussion focused on the increasing demand for pickleball facilities in the City of Ojai and the continued complaints of noise from residents near the current City Hall courts. The Pickleball Ad Hoc Committee recognizes the benefits of pickleball to Ojai as well as the noise concerns of neighbors and potential neighbors, and the dislocation and noise concerns of the tennis community. The Ad Hoc Committee supports resolutions that preserve and expand access to pickleball in the Ojai Valley while minimizing conflict between these groups.

As directed by the Ojai City Council at its January 25, 2022, Regular Meeting and the Parks and Recreation Commission at its March 3, 2022 Regular Meeting, the Ad Hoc Committee gathered information and analyzed options in order to advise these bodies on the situation of pickleball courts within the City of Ojai or elsewhere in the Ojai Valley. Between March 2022 and March 2023, the Ad Hoc Committee met 17 times, received more than 150 public comments, reviewed every identifiable option for public pickleball facilities, consulted with pickleball sound mitigation experts, and undertook several other research activities. The resultant background, context, findings, and recommendations contained herein are offered for the consideration of the Parks and Recreation Commission and the City Council with the intention of supporting sound decisions and lasting resolutions.

Summary of Recommendations

- 1) The following guidelines should be used to assess the suitability of any pickleball site in the City of Ojai:
 - a. When the background sound level is at or below 47 dB LAeq, the limit for pickleball noise should be 50 dB LAFmax at the nearest residential property line.
 - b. When the background sound level is above 47 dB LAeq, the limit for pickleball noise should be 3 dB LAFmax above the background level at the nearest residential property line.
- 2) The City should adopt a long-term plan to expand pickleball to additional locations with sufficient space to add between 8 and 12 courts, restrooms and other amenities as needed, and with noise levels within the Recommendation 1 guidelines at nearest residential properties. The Soule Park parking lot next to the paddle sport area would be a suitable location. The Ad Hoc Committee encourages the City of Ojai to work with the County of Ventura to pursue this plan expeditiously and to collaborate with the formal and informal organizations of Ojai pickleball and tennis players to realize a quality facility on the site.
- 3) The City of Ojai should not introduce pickleball to the current Libbey Park tennis courts.
- 4) The City of Ojai should continue to allow pickleball at the City Hall courts and the city should work with the pickleball community to reduce sound levels in the near term and for the long term.

- 5) Given the unique central, established location of the City Hall courts, the City of Ojai should consider altering the hours of play when the legal agreement governing the current hours expires after January 1, 2024.

BACKGROUND

Part 1 – History

The mission of the Ojai Recreation Department is to enhance the physical and mental well-being of Ojai citizens by creating and offering a wide variety of accessible activities. Its guiding principle is captured in the Department’s motto: “we create community through people, parks, and programs.” Its historical antecedents reach back to before the city’s incorporation when residents of the Ojai Valley initiated and sustained various recreational activities through informal groups and membership organizations. As the population of the city grew and generous benefactors donated land for public parks and money for public facilities and programs, the Recreation Department became responsible for managing those assets and activities for the benefit of all. In that role, it directly affects significant numbers of residents of the city and the Ojai Valley, perhaps second only to the city’s Public Works Department that paves and repairs the streets and clears downed trees among other critical duties. Public parks and recreation facilities are significant elements in the quality of life in Ojai, making them perhaps the most utilized resources offered by the city (after the streets and sidewalks, of course). Also notable is the fact that recreation in Ojai has changed over the last 100 years, as new activities, facilities, and parks have emerged to meet the needs of residents.

Most recently, a game invented in 1965 for family recreation and played with solid paddles and plastic balls has become popular in Ojai. Public recreational pickleball began in the Ojai Valley in 2017, initiated by Ojai resident Tim Krout, who secured permission for play at Matilija Middle School tennis courts after classes let out for the day. Inconsistent access, desire to play on lighted courts after dark, and growing participation sent the self-organized players to the City Recreation Department in 2018 in search of a viable facility.

As in many communities in California and around the nation, the seemingly sudden presence and popularity of pickleball sent enthusiasts scrambling for court space, tennis players protecting their courts, and the sounds of people at play emanating from previously under-used parks. For nearly five years, the Ojai City Council, Parks and Recreation Commission, city staff, and interested members of the public have been deliberating, debating, and devising ways to accommodate pickleball play, and since 2020, to address noise complaints provoked by the unique sound created by the paddles and balls used in the sport.

Initially, the city allowed pickleball play at Lower Libbey Court #6 on a temporary basis from November 2018 through March 2019. Due to winter temperatures and restriction to evening hours, pickleball participation numbers declined somewhat during those months. No noise complaints related to pickleball were received during that period; however, there were some objections registered with the city about reduced availability of the one tennis court. Concerns

about availability, the unique history of tennis in the city, and the investment of many volunteer hours and funds from various tennis organizations contributed to the end of temporary play at Lower Libbey.

With approval from the City Council, in mid-2019 the Parks and Recreation Commission convened an Ad Hoc committee consisting of two commissioners, two pickleball advocates, two tennis advocates, and a local resident. After considering three potential sites, the 2019 Ad Hoc Committee recommended that pickleball be allowed on the unused tennis court next to City Hall and the court be refurbished jointly by the city and the pickleball community (Administrative Report dated August 10, 2019, prepared by James Vega, City Manager, and Renee Peace, Recreation Manager, Subject: Pickleball Ad-Hoc Committee Recommendations). The City Council unanimously (5-0) approved the recommendation on August 27, 2019, allocating \$15,000 from the city's paving plan "for overlay and striping for the courts..." (City Council Minutes: August 27, 2019 Regular Meeting, Agenda Item 4).

In late 2019, the city resurfaced the court with a two-inch asphalt layer at the cost of \$9,300. By October 2020, the pickleball community had raised the funds needed to finish creating four permanent pickleball courts. Players provided the materials and labor for painting and striping, installing the permanent posts and nets, and cleaning up the area in and around the courts. Later, the community raised funds to install a safety chain-link fence on the west side of the courts. Additionally, the pickleball community (and beginning in 2022 through donations to the nonprofit Ojai Valley Pickleball, Inc.) pays for balls and loaner paddles for general use at the courts. Since 2019, the pickleball community has contributed \$12,135 for the creation and maintenance of the courts and provided balls at a total cost of approximately \$1,400. These donations are supplemental to the uncounted volunteer hours put in for the upkeep of the courts and the orderly organization of open play on a daily basis.

Play at the City Hall courts began in early January 2020 with temporary lines and nets on the asphalt. The first request for sound mitigation came in the form of a public comment at the January 28, 2020, City Council regular meeting. The request escalated to a claim for damages by one resident filed with the city on March 10, 2020. In response, the city entered an arrangement in which it agreed to:

- 1) Install sound-lessening material at the courts, such as acoustic-fence on eastern and southern sides, per city's discretion.
- 2) Limit Pickleball hours through January 1, 2024:
 - a. Winter Hours: October through March – 8:30 a.m. to 11:30 a.m. and 2:00 p.m. to 6:00 p.m.
 - b. Summer Hours: April through September – 8:30 a.m. to 11:30 a.m. and 2:30 p.m. to 6:30 p.m.

Sound mitigation measures were implemented on the southern and eastern sides of the courts. A gabion filled with rocks was built; vinyl sound barriers were erected above the gabion, behind the gabion, and along the campus perimeter wall on Ventura Street; and shrubbery was planted behind the gabion. Those measures cost the city approximately \$15,319 in materials and untold

hours of city employee labor supplemented by pickleball community labor. The measures reduced the sound levels by 5 or more decibels, particularly beyond the south end of the courts, as documented by before-and-after sound tests (see Sound Testing Pickleball Courts report link in Appendix). Players accepted the limited hours and generally adopted newer, quieter paddles as requested by the city.

Table 1. Expenditures Related to Conversion of City Hall Tennis Court and Sound Mitigation through 2022

Source of Funds	Court Expenditures	Sound Mitigation Expenditures
City of Ojai	\$ 9,300	\$15,319
Pickleball Community	\$12,135	-
Totals	\$21,435	\$15,319

Despite the mitigation efforts and resulting sound levels that most likely satisfy the current City of Ojai Noise Policy, noise complaints continued and some people began advocating that the City Hall courts be closed and pickleball be moved elsewhere. Additionally, pickleball players began lobbying for more courts as the popularity of the sport had pushed beyond the capacity of four courts with limited hours. Lower Libbey tennis courts and Soule Park were suggested frequently as alternative sites for pickleball that possibly could address expansion and noise issues. Both alternatives have complications. The Ojai Valley Tennis Club (OVTC) had been given by the City Council priority use of the tennis courts in recognition of its historical role in funding the creation and maintenance of the courts. Soule Park is a county-owned facility within the city limits, but not controlled by the city.

What to do about pickleball and noise became a frequent topic at City Council and Parks and Recreation Commission meetings. As frustrations grew, in January 2022 the City Council with a unanimous vote (5-0) referred the situation to the Parks and Recreation Commission, directing “that the Parks and Recreation Commission work with staff on an accelerated basis to gather information and return it to Council regarding costs, deed restrictions and other factors regarding situation of pickleball courts within the City of Ojai or elsewhere in the Ojai Valley.” (City Council Minutes: January 25, 2022 Regular Meeting, Agenda Item #4). At its March 3, 2022 meeting the Parks and Recreation Commission decided to form an Ad Hoc committee, consisting of two commissioners supported by the Recreation Supervisor, to carry out the Council’s directive (Parks and Recreation Commission Minutes, Regular Meeting, March 3, 2022).

Part 2 – Current Circumstances

The call for a second study and set of recommendations to address the situation of pickleball within the city and valley is a consequence of two developments that were unanticipated: (1) immediate objection to and legal action against the city about the sound emanating from pickleball play on the City Hall courts; and (2) rapid growth in the popularity of pickleball, partly accelerated by the Covid-19 pandemic public health emergency that eliminated indoor recreation options for a significant period of time.

The first Ad Hoc Committee saw the installation of pickleball courts on the City Hall campus as a positive improvement to a neglected area that could revitalize the campus, for example, by attracting more people to the Community Garden. It did acknowledge that noise could be an issue for the residents nearest the courts on Ventura Street. The committee discussed a neighbor notification effort about the new courts and requiring the use of quieter equipment as ways to address potential complaints. It is unclear whether the new courts notification took place. Most local players have voluntarily complied with the paddle requirement by using paddles from the city-cited "Green List" compiled by a Sun City, Arizona, senior community that has enforcement capabilities. The use of quieter paddles and quieter balls is discussed further under Recommendation 4 below.

In projecting that the installation of pickleball courts would draw more people to the City Hall campus, the members of the first Ad Hoc Committee did not anticipate that pickleball would be the overwhelming draw. Despite the City Hall courts being closed for six weeks in Spring 2020 due to Covid restrictions, pickleball participation more than doubled from the previous year when play was at Matilija Middle School, increasing from approximately 2,300 instances of play (one person playing on a given day) in 2019 to approximately 4,900 instances in 2020, according to data contemporaneously recorded and provided to the current Ad Hoc Committee by USA Pickleball Ambassador Tim Krout. The participation numbers have continued to increase dramatically. The rapid growth of pickleball in Ojai and beyond is discussed further in the section entitled Contest and Findings: Pickleball Growth, Player Demographics, and Preferences.

Although the first Ad Hoc Committee did consider the viability of the tennis courts at Matilija Middle School and Lower Libbey for pickleball play, it determined them to be unsuitable solutions. The conversion of the unused City Hall tennis court was deemed a more immediate, accommodating, and affordable solution for providing a pickleball facility. Findings by the current Ad Hoc Committee about those sites align with those of the first committee. One significant development during the current Ad Hoc Committee's work created a site option that the first Ad Hoc Committee did not consider. On September 27, 2022, the City Council approved a proposal to the County of Ventura for a partnership allowing the City of Ojai to provide expanded recreational programming at Soule Park, including specifically an option to lease space for constructing pickleball courts. Without such a partnership, Soule Park was and is not a viable site for any city programming or facility. With the firm prospect of a City-County partnership, the current Ad Hoc Committee added Soule Park as a potentially viable site for additional pickleball facilities to serve the city. All suitable facilities for the expansion of pickleball are discussed further in the next section, Context and Findings: Sites and Facilities.

CONTEXT AND FINDINGS

Sites and Facilities

The USA Pickleball Association's recommended minimum space for a single pickleball court is 30 feet by 60 feet for recreational play and 34 feet by 64 feet for competitive play. Generally, public pickleball facilities are constructed in multiples of two or four courts, often requiring an additional 5 to 10 feet around the perimeter of each court space to provide ease of access and to minimize play disruptions from errant balls. Ideally, the space can accommodate a north-south orientation to avoid direct sunlight in players' eyes. Further, outdoor sites should be level and have good drainage. Adding lights, shade coverings, and/or perimeter fencing may expand the plot size needed for a newly constructed pickleball facility. In the case of converting existing facilities to pickleball use, such as the installation of the City Hall courts at the unused regulation size tennis court, recommended perimeters and distance between courts often are not possible, so priority is given to create a regulation play area that is 44 feet long by 20 feet wide, line to line.

To determine what, if any, City-owned property could accommodate regulation pickleball courts, the current Ad Hoc Committee requested a list of occupied and vacant parcels with location and size, including all parks and all city-owned lots outside the city limits. Out of 41 parcels identified, only three were considered sufficiently distanced from residential property and potentially large enough for at least a two-court battery (58 feet x 60 feet minimum space recommended for recreational play): City Hall campus, Sarzotti Park, and Libbey Park.

Prior to the announcement of a new design effort for the City Hall campus, the Ad Hoc Committee considered the open space near Kent Hall as possibly suitable for additional courts given its distance from residences and the convenience of being on the same site as the existing courts. A review of the deed for the Smith-Hobson estate which conveyed the property to the city requires it to be used for public purposes by the City of Ojai. Since the City Council, exercising its discretionary powers and fiduciary responsibility, has made the property not only the municipal center, but also a space for various community activities and services which are all in line with the deed provision, the use of the former tennis court and other spaces there for pickleball play appears to conform to the deed. In preparation for a sound mitigation study, the Committee physically measured the space and found that, in following the city's policy to protect existing trees from endangering construction, only an insufficient 55 feet by 55 feet square plot would be available behind Kent Hall. All other open space on the campus already has been reserved for other purposes by the City Council.

The currently in-process Sarzotti Park Master Plan precludes building any additional new facilities beyond those identified and initiated under the plan. Once executed, that plan will fully utilize the ten acres of the park. It was determined that the John G. Martin Gymnasium could be adapted for indoor pickleball play on Saturdays when not in use by the Recreation Department's gymnastics program (occasional use), youth basketball teams (December through March), and basketball clinics (June through August).

Upper and Lower Libbey Park also is fully utilized with no suitable open spaces for new construction. The only existing facilities that could be considered as prospects for conversion or dual use are the tennis courts, specifically the Lower Libbey courts. As stated earlier, installing pickleball on the existing tennis courts is complicated by precedent, promises, and policies.

One precedent that the City Council requested the current Ad Hoc Committee review is the deed for Libbey Park and its bearing on the use of the park. The deed for Libbey Park indicates its conveyance to the Ojai Civic Association was to ensure that the property was used in service to all the "people of the Ojai Valley." When the City took possession of Libbey Park from the Civic Association it assumed that obligation. Therefore, a plain reading of the deed would support the City Council as the body that determines what constitutes the best use of the park for the Ojai Valley. As long as the Council adheres to the requirement that the property is accessible to and utilized by Ojai Valley residents and makes that the guiding principle in consideration in any decision regarding Libbey Park, the Council has the authority to regulate its facilities and use.

Another precedent that merits review is the historical and continuing support and use of the tennis courts by the Ojai Valley Tennis Club (OVTC). As the originator of tournament play in the Ojai Valley in 1896, OVTC is an example of Ojai residents creating their own healthful activity and ushering in new opportunities and facilities for the broader public. This is not dissimilar to the role Ojai Valley Pickleball, Inc. and the growing pickleball community are taking now in service to public recreation. In addition to hosting and producing The Ojai and other tournaments annually, OVTC has been a partner and collaborator with the city for many years in maintaining and improving the public tennis courts. In 1973 OVTC was instrumental in stopping the removal of the Upper Libbey tennis courts, memorialized in City Council Resolution No. 3409 which also set forth an agreement by the city to not remove the four upper courts without the concurrence of the Board of Directors of OVTC. Additionally, City Council resolution 00-03, approved in February 2000, designated the "Civic Center Courts" Local Historic Landmark #11, precluding any alterations, movement, or demolition without prior approval of the Historic Preservation Commission. In accepting the transfer of all improvements made by OVTC to the Lower Libbey tennis courts in 2010, the City Council in resolution 10-18 gave "first priority" to OVTC for use of the facilities without fee for The Ojai tournament, OVTC-sponsored Youth Clinics, and other non-profit tournaments held by OVTC. OVTC estimates that it, in collaboration with the Ojai Civic Association and other private donors, has contributed approximately \$800,000 (85% of the costs) of constructing and maintaining all eight public courts since the year 2000.

Implicit in the above cited precedents are promises incumbent on the City Council. First, the Libbey Park deed obligates the Council to dedicate and maintain the property for public benefit. Second, the resolutions documenting agreements and collaborations between the city and the Ojai Valley Tennis Club obligates the Council to recognize the club's considerable vested interest in the fate and use of the Libbey courts. While perhaps not legally binding, the resolutions and dealings with the city over the years support an expectation on the part of OVTC that tennis is the priority activity for the courts.

Local and national policies also are relevant in considering Libbey tennis courts as a potential site for pickleball play. At the local level, there is a policy in place that balances public benefit, priority use, and private access to the eight (8) public tennis courts within the City of Ojai. The City Council adopted a policy recommended by the Parks and Recreation Commission to always make available a minimum of four (4) courts for open public play. A review of the reservation records for 2022, Parks and Recreation Department tennis program schedules, and special, regular, and private events that affect court availability, made clear that, for significant portions of most days and evenings, the minimum availability was the norm. Transforming or dedicating one tennis court for pickleball play would affect the availability of all tennis courts under the city's current reservation policy, recreation offerings, and commitments.

At the national level, the USA Tennis Association (USTA) has acknowledged the growing popularity of pickleball and conducts a national pickleball training facility alongside its tennis training facility in Florida. As the national governing body for the sport of tennis in the US, it has prepared a statement of guidance for a public facilities approach to tennis and pickleball. Its number one recommended option is for sports specific sites, given the differences in court sizes and regulations between tennis and pickleball. Further, the association has left up to each regional tennis governing body the decision as to whether to allow dual use courts, that is, courts accommodating both sports simultaneously (with overlapping striping, for instance), for tournament play. It appears that most regional bodies are not inclined to approve such arrangements at the time of the writing of this report. Based on figures provided by the Ojai Valley Tennis Club, the cost of converting a single tennis court to two or four pickleball court and back to a tennis court multiple times per year to accommodate the differences in court regulations could approach \$45,000 a year. These annual costs would be in addition to the initial cost of conversion and movable nets estimated to be \$21,880 by city staff. Further, such conversions would remove that facility from all play during multiple annual transformation periods of between 4 and 8 weeks each, resulting in less court space for both tennis and pickleball players.

In addition to reviewing City of Ojai owned sites and facilities, the Ad Hoc Committee also investigated possible partnerships with the Ojai Unified School District (OUSD) and the County of Ventura Parks Department. In the Spring of 2022, the Ojai Parks and Recreation Supervisor Luis Gomez contacted the OUSD twice to request a meeting on behalf of the Ad Hoc Committee but received no response from school district officials. More recently, Mr. Gomez contacted the school district on behalf of another program and was informed that OUSD was not renting any facilities after the current school year, since the status of some school facilities is unknown at this time given recent OUSD Board of Trustees decisions. Possibilities for use of school facilities, including existing tennis courts at Matilija Middle School, may be open for discussion in the future.

The Ad Hoc Committee met with County of Ventura Parks Deputy Director Colter Chisum in April 2022, for a general discussion about partnership and collaboration options. This meeting was independent of, and without the Ad Hoc Committee being aware of, any specific partnerships being pursued by the Ojai City Council. Overall, pursuing a joint effort to build pickleball courts

in Soule Park was met with a positive reaction from the Deputy Director along with some key practical considerations that such a project would entail, including sources of funding, need for County staff involvement, and other higher priority County projects in the pipeline. The in-process broader agreement between the County and the City of Ojai has the potential to address some of those considerations and streamline what otherwise would be a lengthy process to construct new facilities. Recommendation 2 elaborates on the potential for pickleball in Soule Park.

Sound, Sound Policies, and Sound Mitigation

In addition to the history of pickleball in Ojai, the physical options for pickleball facilities, and the growth of pickleball (discussed below), the current Ad Hoc Committee determined that it needed guidance in understanding the noise issues associated with the game from a technical perspective. Through a Request for Proposal process, the Ad Hoc Committee secured the consulting services of Pickleball Sound Mitigation (PSM) at a cost of \$13,250. PSM is a two-partner firm that specializes in advising public entities, homeowner associations, and private individuals about sound policies and mitigation options specifically relevant to the sound generated by pickleball play. Working closely with the Ad Hoc Committee, PSM conducted on-site sound testing and computer-assisted sound mapping and analysis that was presented in a 70-page report detailing their findings and guidelines for the City of Ojai (“Pickleball Sound Study for the City of Ojai, California by Pickleball Sound Mitigation LLC, February 20, 2023”). Based on the PSM report and other resources, this section summarizes technical information related to sound, the human perception of sound, and the measurement of sound.

Human Perception of Sound

“The human ear is sensitive to a sound’s level, its frequency content, its duration, and its frequency of occurrence. All of these contribute to annoyance. The higher the sound level, the greater the annoyance becomes.” (PSM, 2023).

- Frequency – Sound is caused by vibrations propagating through air or other substances. The frequency of the vibrations is the number of vibrations per unit of time, typically measured in cycles per second, or hertz (Hz). The human ear is sensitive to frequencies ranging from 20 Hz to 20,000 Hz. Lower frequency sounds are perceived as having a lower pitch and higher frequency sounds a higher pitch. Humans are more sensitive to some frequencies of sound than others. Humans are most sensitive to sounds in the range of 1,000 to 4,000 hertz. Sounds in this range of frequencies are perceived as louder than those outside of this range. Pickleball sound is commonly in the range of 1,000 to 2,000 hertz, although it varies with the combination of paddle and ball. (source: <https://picklevine.com/how-far-does-pickleball-noise-travel/#:~:text=The%20sound%20generated%20by%20a%20pickleball%20hitting%20a,anywhere%20between%20a%20thousand%20and%20two%20thousand%20hertz.>)
- Duration – “The ear is also sensitive to the duration of a noise. A pulse of sound lasting 10 milliseconds is not perceived as loud as a continuous tone at the same level. This is

because a short, 10 millisecond pulse occurs faster than the ear can respond. So, a peak sound level measurement over 0.04 milliseconds (the averaging time for a peak measurement) occurs much faster than the ear can respond and overstates the perceived loudness.” (PSM, 2023). The initial, loudest part of the pickleball impact lasts approximately 2 milliseconds and a quieter ringing sound persists for approximately 10 milliseconds.

- Frequency of Occurrence – “Another factor in annoyance is the interval or space between sounds. Intermittent sounds are considered more annoying than a steady state sound of the same dB [decibel] level.” (PSM, 2023)

The annoyance of a sound is also relative to the background sound levels of the environment. Sound must be louder than the background sound level for it to be perceived. The greater the sound level is relative to the background sound level, the more of a nuisance it will be. For this reason, the same sound (for example, a pickleball strike) may be a nuisance in a quiet environment (e.g., a remote park) and not a nuisance in a noisier environment (e.g., adjacent to a busy street).

Sound Measurement

“Sound is measured with a sound level meter.... The units of sound measurement are decibels, abbreviated as dB. Higher dB levels represent louder sounds” (PSM, 2023). Sound level meters commonly contain a variety of settings reflecting a range of sound measurement methodologies, each of which may be best suited to characterizing a particular type of sounds and/or a particular type of noise concern (for example, the occupational hazard of an impulse sound versus the nuisance of ongoing sound in a residential neighborhood). Basic sound level meters typically have the following settings:

- Frequency weighting: As noted previously, humans’ sensitivity to sound depends on the frequency of the sound. Frequency weighting schemes give more weight (assign higher dB value) to sounds that humans are more sensitive to. Typical weighting schemes are
 - Z: no weighting. Sound of all frequencies is measured equally.
 - A: weighted to reflect human perception of sound up to 100 dB
 - C: weighted to reflect human perception of very loud (100+ dB) sounds

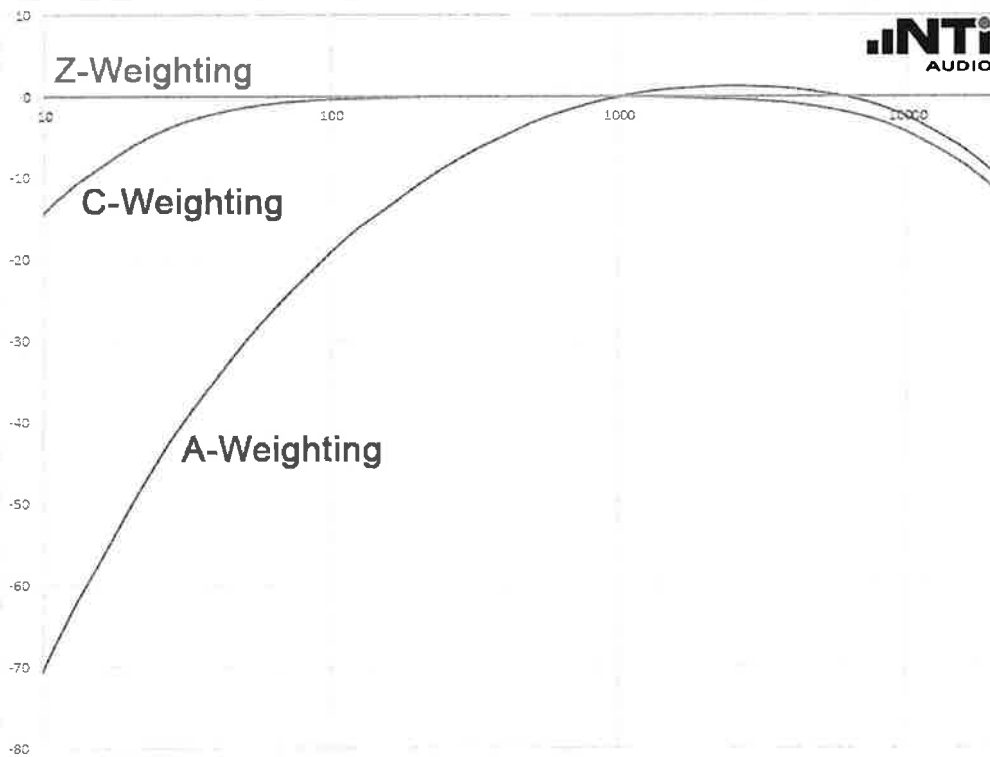


Figure 1: Sound weighting schemes (source: <https://www.nti-audio.com/en/support/know-how/frequency-weightings-for-sound-level-measurements>)

- Time weighting: Sounds are continuously varying. Time weightings provide sound measurement over different periods of time:
 - Slow (S): The average sound level over 1 second.
 - Fast (F): The average sound level over 0.125 seconds (125 milliseconds).
 - Impulse: “This is a 35 millisecond average of a short pulse of sound. This measurement is commonly used for high energy sounds like gunshots or hammering” (PSM, 2023).
 - Peak: “This is the peak value for sound with averaging over 40 microseconds [0.040 milliseconds]. This measurement is commonly used for extremely high energy sounds like explosions” (PSM, 2023).
 - Equivalent Continuous Sound (Eq) – average sound over a longer time period, ranging from seconds to hours.

“Max” means that the maximum value over the recording time period is captured. For example, if sound was recorded for 10 seconds, the maximum value on the Fast setting would be the highest average sound level over any 125 millisecond duration within the recording.

The “L” at the beginning of a sound measurement methodology stands for “level.”

City of Ojai Noise Standards – Sound Level Measurement

The Ojai, California Municipal Code, Title 5 Sanitation and Health, Chapter 11, Noise Standards and Regulations (see link in Appendix) states the following:

Sec. 5-11.08. Sound level measurement.

“Any sound levels measured pursuant to the provisions of this chapter shall be “A” weighted sound levels, measured with a sound level meter using the “A” weighting and slow response, except for impulsive noise, for which the fast response shall be used. The sound level meter shall meet the standards for such devices established by the American National Standards Institute. Outdoor measurements shall be taken with the microphone located along the property line of the complainant’s property or the noise source. Whenever possible, the meter shall be located three (3) to five (5) feet above ground level. If the noise complaint is related to interior noise levels, interior noise levels shall be measured within the complainant’s dwelling or commercial structure. If possible, the ambient noise level shall be measured at the same locations as the offending noise source is measured.”

In accordance with the City Noise Standard, pickleball noise should be measured using the LAFmax (Sound Level, A-Weighted, Fast response, maximum value) setting on a noise meter.

Sec. 5-11.04. Noise standards and limits.

“(2) It is unlawful for any person at any location within the City to create any noise, or to allow the creation of any noise, on property owned, leased, occupied or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other residential or commercial/industrial property, to exceed the following noise levels measured in decibels on a cumulative basis per hour:”

Table 2. Sec. 5-11.04. Noise standards and limits, Ojai, California Municipal Code

Zones	Noise Standard		15 Minutes Duration/Hour		Five Minutes Duration/Hour		One Minute Duration/Hour	
	Day	Night	Day	Night	Day	Night	Day	Night
Residential (includes Village Mixed Use)	55 db	45 db	60 db	50 db	65 db	55 db	70 db	60 db
Commercial/Industrial	65 db	55 db	70 db	60 db	75 db	65 db	80 db	70 db

Pickleball sounds are intermittent. The cumulative duration of pickleball strike sound, measured at LAFmax, is equal to the number of pickleball strikes multiplied by 0.125 seconds. A pickleball game can have one strike per second during active volley. Across four courts, this would add up to four strikes per second, or 0.5 seconds of LAFmax strike readings per second. That is, 50% of the time. If all four courts sustained continuous volleying for an hour, the cumulative duration of LAFmax readings would be 30 minutes. However, this is an extremely unlikely scenario, as there is typically a significant amount of time in-between a point or fault and a significant amount of time in-between games. For a given court, active volleying may only be occurring 25% of the

time. This would imply 7.5 minutes per hour of cumulative pickleball strike sound, which results in a city limit of 60 dB at the residential property line, or 65 dB if these estimates of frequency were slightly lower. This refers to the average LAFmax level of all pickleball strikes during an hour.

PSM Sound Measurements

PSM measured background sounds and pickleball sound at three court locations and several distances from the courts at each location. Details of the testing data collected are provided in the PSM report on pages 65-67. Table 3 summarizes the findings of this testing.

Table 3. PSM Sound Measurements

<i>Testing Site</i>	Distance to nearest property line (feet)	Background Sound Level (LAeq) at property line	Average pickleball sound at nearest property (LAFmax)
<i>City Hall Courts</i>	100	55	63
<i>Libbey Park</i>	240	45	52
<i>Soule Park</i>	1200+	47	44 (predicted, not measured)

Note that this testing was done using a particularly loud (but typical) paddle type, using a hitter that the pickleball community identified as a particularly hard hitter, and instructing this hitter to hit hard. For this reason, the pickleball sound measured at the nearest property can be viewed as a worst-case scenario; sound levels from typical play would be lower than these values.

The Ad Hoc Committee conducted its own, unannounced sound testing at the City Hall courts during both morning (March 17, 2023) and afternoon (March 16, 2023) play. Average LAFmax levels of 59 to 61 dB were observed at the two nearest property lines (408 South Ventura Street and 410 South Ventura Street). This is approximately 3 dB less than PSM's observations.

Pickleball Noise

Sound level metering conducted by PSM does not suggest any violation of the City noise standards at the property line of the nearest neighbor to the City Hall courts. That is, the average LAFmax reading of all pickleball strikes occurring during an hour of typical play is unlikely to exceed the 60 dB residential limit for 15 minutes/hour of cumulative sound. Regardless, neighbors near the pickleball courts still share concerns regarding the noise. This situation is common across the United States as pickleball courts are introduced near residences. While noise ordinances are designed to limit offensive sounds, they are measuring an objective sound level, rather than a perceived nuisance. It is possible for some sounds to be a nuisance at levels lower than the ordinance. This is the case with pickleball sound.

Guidelines for Pickleball Noise

The acoustical consultants, PSM, have experienced this situation at many locations across the United States and recommend the following guidelines to minimize noise complaints:

“When the background sound level is at or below 47 dB LAeq, the noise limit for pickleball noise should be 50 dB LAFmax.

When the background sound level is above 47 dB LAeq, the noise limit for pickleball noise should be 3 dB LAFmax above the background level.

These guidelines refer to noise levels at a property line” (PSM 2023).

LAFmax can be measured with standard sound level meters that the City of Ojai and law enforcement possess and can be measured and interpreted instantaneously. More sophisticated sound level meters are capable of characterizing pickleball sound more accurately but are less accessible and would require more expertise to use. While guidelines could be established relative to these more sophisticated metering capabilities, they would be equivalent to those that can be measured on simpler equipment. That is to say, there is a one-to-one mapping of the actual sound levels of pickleball to the LAFmax levels recorded on a standard sound level meter.

LAeq (used for measuring background noise) requires an integrating meter, which is not a feature available on entry-level sound meters such as the type that the City of Ojai uses. The city may need to acquire an integrating sound meter in order to measure LAeq. Suitable meters are readily commercially available, with costs starting near \$500.

These guidelines do not specify whether the limit applies to any pickleball strike or some characteristic of pickleball strikes over a period of time. Consistent with the consultants’ sound metering approach, an appropriate addition to the city sound measurement guidelines would state:

“LAeq should be measured over a 5-minute period. Longer time periods (up to 4 hours) can be used if typical variation in background noise is not captured in the 5-minute reading.”

“LAFmax should be measured over a 10-second duration. A total of 10 measurements should be taken and the average value used. If the sound level meter does not have a fast-max setting, the practitioner can use the LAF setting and visually observe the highest value shown on the screen over a 10-second period for each measurement.”

These guidelines are specific to pickleball sound, based on PSM’s expert observations regarding the perceived nuisance of this sound and its relationship to LAFmax sound measurements. A similar framework might be suitable to other sounds that are perceived as a nuisance despite being in compliance with the city codes; however, the choice of measurement specification (e.g., LAFmax) and acceptable sound level threshold (e.g., 50 dB) may vary.

PSM Sound Mitigation Estimates

PSM estimates that the following measures can be used to mitigate sound levels:

Table 4. PSM Recommended Sound Mitigation Measures and Estimated Impacts

Mitigation Measure	Sound Level Reduction (dB)
Acoustical barriers	Up to 20
Higher acoustical barriers	Up to 5 additional
Barriers with sound absorbing materials	Up to 3 additional
Quieter paddles	Up to 7
Quieter balls	Up to 3
Site reorientation (if court is oriented sub-optimally)	Up to 3

Table 5 again summarizes the findings of the testing, along with the implications of each sound mitigation measure.

Table 5. PSM Sound Level Testing Results, Recommended Levels of Sound Reduction

<i>Testing Site</i>	<i>Distance to nearest property line (feet)</i>	<i>Background Sound Level (dB, LAeq) at property line</i>	<i>Average pickleball sound at nearest property (dB, LAFmax, PSM "worst case" methodology)</i>	<i>PSM recommended maximum acceptable sound level (dB, LAFmax)</i>	<i>Amount of sound reduction required to comply with guideline (dB, LAFmax)</i>
<i>City Hall Courts</i>	100	55	63	58	5
<i>Libbey Park</i>	240	45	52	50	2
<i>Soule Park</i>	1200+	47	44 (predicted, not measured)	50	[None]

Sound at the City Hall site could possibly be brought into a more acceptable level with the suggested guideline using quieter paddles. Because residences across from the site are two-story buildings, a sound barrier higher than the current one, perhaps extended to the entire perimeter of the courts, also might provide sufficient sound reduction. PSM predicts a combination of these two measures would achieve notable sound reduction. See Recommendation 4 for additional discussion of measures for acceptable sound levels.

Sound at the Lower Libbey courts also could be brought into a more acceptable level with either an appropriately sited barrier or quieter paddles. Due to the topography of the site, a barrier would need to be placed at the top of the hill above the courts close to the nearest residence, rather than around the court. PSM predicts such a barrier would be needed to achieve sufficient sound reduction.

Sound at Soule Park would comply with the recommended guideline without any sound mitigation measures.

PICKLEBALL GROWTH, PLAYER DEMOGRAPHICS AND PREFERENCES

Pickleball Growth

Between 2017 and 2022, the number of pickleball players nationally has grown from 3.1 million to 8.9 million, making it the fastest growing sport in the US, according to the Sports and Fitness Industry Association (SFIA). The annual growth rate in 2019 was 4.8% over 2018, while the annual rate was 85.7% in 2022 over 2021. In its 2023 report on pickleball, SFIA projected that the \$152.8 million pickleball paddle market will grow at a compounded annual rate of 7.7% through 2028. There are over 10,000 places to play pickleball in the US. One of those is in the City of Ojai.

Since 2018, local growth in pickleball has emulated national trends, with participation increasing steadily each year. Participation is counted as the number of person-days per year. One person visiting the court on one day would increase the participation count by one. According to contemporaneous daily counts recorded 6 to 7 days a week by USA Pickleball Ambassador Tim Krout, Ojai participation numbers grew from 1,412 in 2018 to 11,009 in 2021, averaging increases of nearly 100% year over year. This growth was despite reduced availability of courts in 2020 for approximately two months in total due to pandemic restrictions and completion of the tennis court conversion at City Hall.

In 2022, instances of participation at the Ojai City Hall courts were tallied for weekday mornings only (5 days, 3 hours per day), totaling 5,357, reflecting the minimum total participation for the year. That figure is higher than the total for 2020 (4,935) and 48% of the total reported for 2021 (11,009). Although accounting for only 31% of the weekly available court hours, the tally still indicated that participation in pickleball was continuing to grow.

Since play began at the City Hall campus in 2020, court availability and hours have been more consistent than the previous two years. Average daily participation at the City Hall courts also captured the local growth, increasing from an average of 16 people per day to 33 people per day. Table 6 details the annual participation and daily average participation for the last five years.

Table 6 Pickleball Participation Growth, 2018-2022

Year	Ojai Pickleball Participation	Average Daily Participation
2018*	1,412	-
2019	2,336	10
2020**	4,935	16
2021	11,009	30
2022***	11,919	33

* Play was generally weekday afternoons and Saturdays at Matilija Middle School; total number of days unknown.

** Pickleball play began at City Hall courts in early January and was suspended in mid-March along with all recreational programs due to the Covid-19 pandemic health emergency. Installation of permanent nets, painting and striping closed access to the courts for a short time as well. Estimated 306 days of access for 2020.

*** Yearly total was extrapolated from weekday mornings only count (5,357), which covered 31% of the allowed play time of 49 hours per week and averaged 6.78 participants per hour/20.34 participants per morning. Daily average based on extrapolated total.

It is difficult to compare the growth and popularity of pickleball with other sports locally, due to the lack of reliable and equivalent participation data. However, as the next section will discuss, there is a population of predominately Ojai Valley residents numbering well over 100 that plays multiple times a week at the City Hall courts. It is a self-organized group that has succeeded in creating a daily recreation opportunity for children, adults, families, retirees, working people, and visitors, all together. Like the beginnings of other recreational activities in Ojai, pickleball has grown from the passion of a few to the enjoyment of many. Given its growth and participation rates, pickleball appears to be one of the more popular open-recreation sports played at the city's public facilities.

Player Demographics and Preferences

Who plays pickleball? In its 2023 Fact Sheet, USA Pickleball cites the following national data from the SIFA 2022 Single Sport Report on Pickleball (see source link in Appendix). The 4.8 million pickleball players are made up of 3.5 million casual players (1-7 times a year) and 1.4 million core players (8 or more times a year). In 2021 people 55 and up made up the largest age bracket (29.6%), while players aged 18 to 34 made up the second largest bracket (28.8%). Fifty-two percent of the core players are age 55 and older, while 79% of the casual players are under 55. The average age of players declined from 41 years in 2020 to 38 in 2021. By gender, the players are 60% male and 40% female, with the number of women taking up the sport growing faster year-over-year. Pickleball is a popular, accessible, low-cost sport that is played by 1.6% of the US population of 305 million people ages 6 and up.

Based on an online survey the Ojai Recreation Department conducted at the request of the Ad Hoc Committee in Spring 2022, it appears that most of the non-duplicated 155 respondents are enthusiastic core players, reporting frequencies of play more than 8 times a year. Asked how often they played weekly, 35% selected 0-1 time a week, 58% selected 2-5 times a week, and 7% selected 6 or more times a week. This selection bias was expected to show up in the survey results, as this was the first survey about pickleball ever conducted by the city and it was embraced enthusiastically by players. While it did not capture much data about casual players, the survey did confirm that there is a substantial nucleus of pickleball players who primarily play at the City Hall courts. Of the 149 respondents who identified where they most often play, 74.5% (110 respondents) identified the City Hall courts as their primary playing location. Other key data collected in the survey are summarized in the following figures, which provide the survey question and number of respondents to each question.

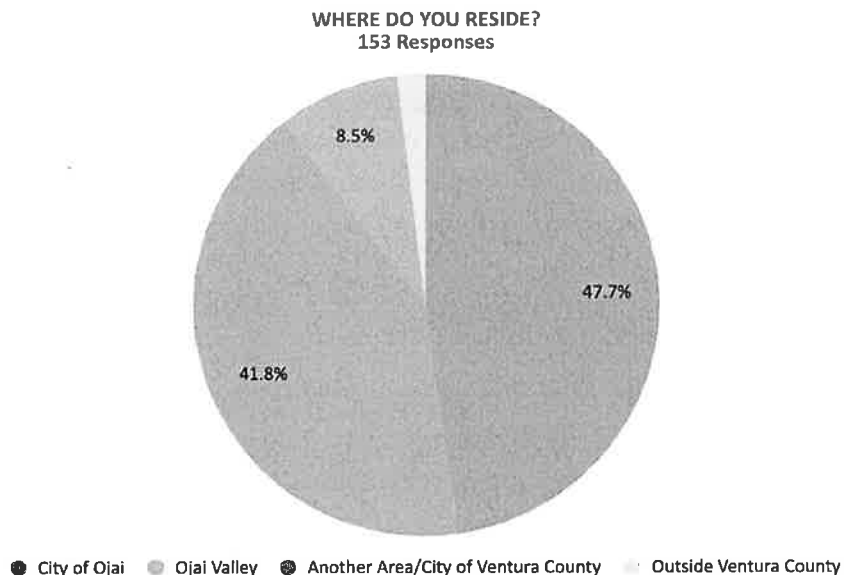


Figure 2. Survey Question: Where do you reside?

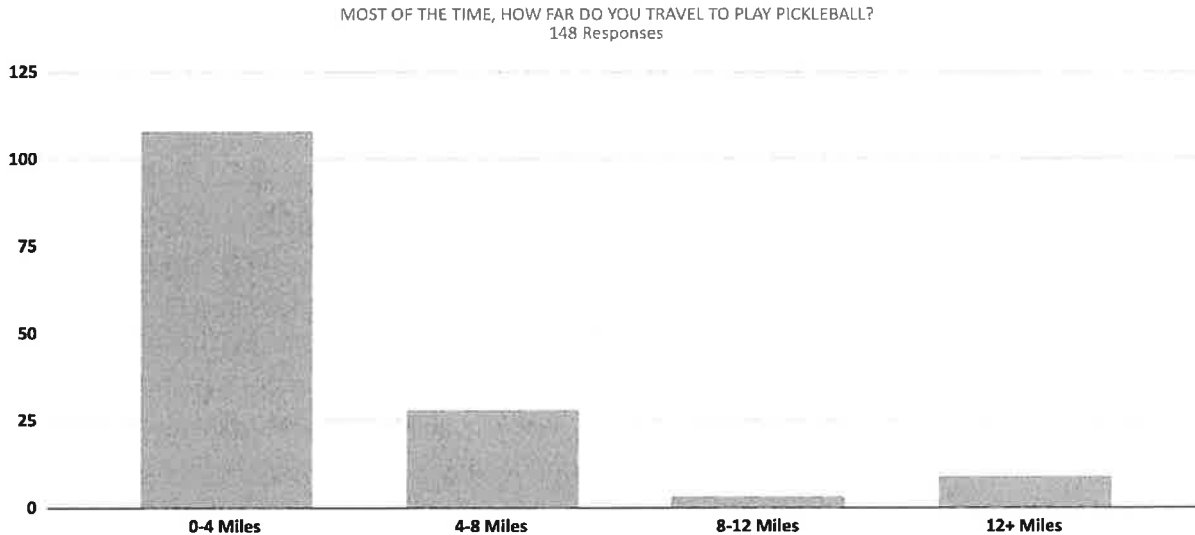


Figure 3. Survey Question: Most of the time, how far do you travel to play pickleball?

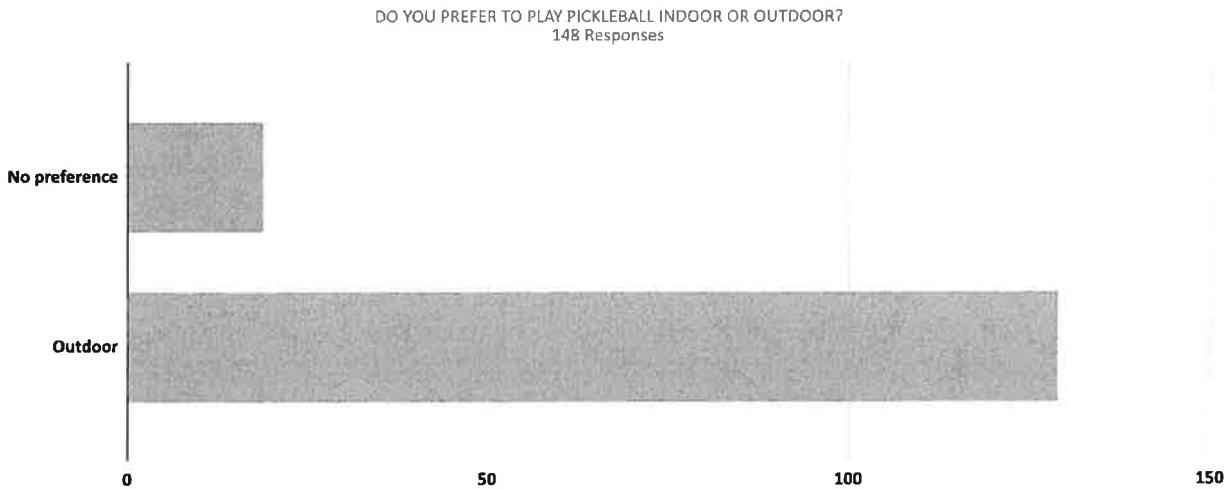


Figure 4. Survey Question: Do you prefer to play pickleball indoor or outdoor?

Note: No respondent to this question selected "Indoor" as a preference.

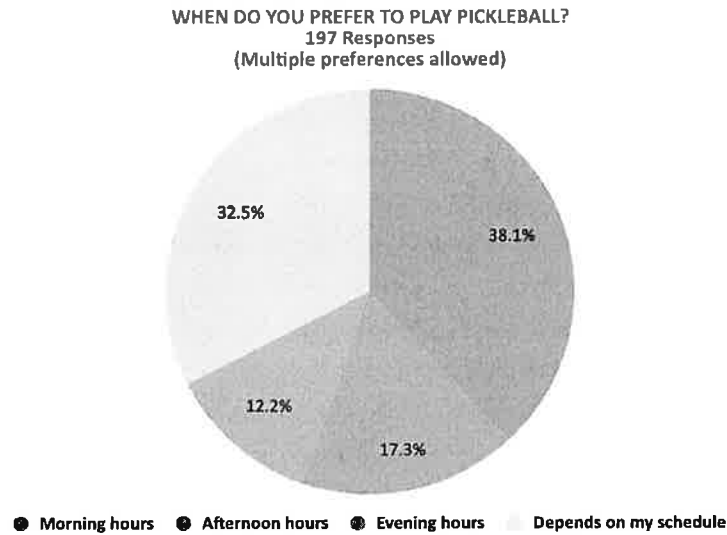


Figure 5. Survey Question: When do you prefer to play pickleball?

While the survey captured the habits and preferences primarily of residents of Ojai and the Ojai Valley, the annual court counts reflect the temporary winter residents and weekend visitors who play at the City Hall courts according to anecdotal evidence. It has become a common occurrence for pickleball players to seek out facilities whenever and wherever they travel, using national websites to aid their search. The City Hall courts are listed there, among the more than 300 pickleball facilities in California offering space for healthy intergenerational and lifelong recreation and socializing.

AD HOC COMMITTEE RECOMMENDATIONS

The Ad Hoc Committee recognizes the benefits of pickleball to Ojai as well as the noise concerns of neighbors and potential neighbors, and the dislocation and noise concerns of the tennis community. The Ad Hoc Committee supports resolutions that preserve and expand access to pickleball in the Ojai Valley while minimizing conflict between these groups. We therefore provide the following recommendations:

1) The following guidelines should be used to assess the suitability of any pickleball site in the City of Ojai:

- When the background sound level is at or below 47 dB LAeq, the noise limit for pickleball noise should be 50 dB LAFmax at the nearest residential property line.
- When the background sound level is above 47 dB LAeq, the noise limit for pickleball noise should be 3 dB LAFmax above the background level at the nearest residential property line.
- Background sound should be measured on an integrating sound meter, using the “LAeq” setting, and be measured over a 5-minute period. Longer time periods (up to 4 hours) can be used if typical variation in background noise is not captured in the 5-minute reading. Background sound should be measured at representative times, but not necessarily the same time as the pickleball sound metering if it is not practical to stop play for the prescribed duration of background sound metering.
- Pickleball sound should be measured using the “LAFmax” setting of a sound meter over a 10-second duration. A total of 10 measurements should be taken and the average value used. If the sound level meter does not have a fast-max setting, the practitioner can use the LAF setting and visually observe the highest value shown on the screen over a 10-second period for each measurement. If loud background sounds such as automobile or bird sounds are present during this 10-second period, that meter reading should be discarded.
- These guidelines are not intended to be used as an enforcement mechanism (e.g., city code) but rather for the city to assess current and potential sites for suitability. For the current City Hall courts, the magnitude of typical pickleball sound levels relative to these guidelines can inform the City’s decisions on the extent of pickleball play (hours per day, days per week) and support of sound mitigation efforts (see Recommendation 4 and 5). For potential sites, these guidelines can inform the suitability of candidate sites and the likely sound mitigation measures necessary to satisfy the sound level guidelines in this Recommendation, as demonstrated by the PSM evaluation of the Libbey Park and Soule Park locations.

- Based on background sound measurements made by PSM at the City Hall courts (55 dB), Libbey Park (45 dB), and Soule Park (47 dB), these guidelines would limit the pickleball sound to 58 dB at the City Hall Courts and 50 dB at Libbey Park and Soule Park.
- 2) **The City should adopt a long-term plan to expand pickleball to additional locations with sufficient space to add between 8 and 12 courts, restrooms and other amenities as needed, and with noise levels within the Recommendation 1 guidelines at nearest residential properties. The Soule Park parking lot next to the paddle sport area would be a suitable location. The Ad Hoc Committee encourages the City of Ojai to work with the County of Ventura to pursue this plan expeditiously and to collaborate with the formal and informal organizations of Ojai pickleball and tennis players to realize a quality facility on the site.**
- a. Alternative sites within the City of Ojai also could be considered, including sharing or leasing Ojai Unified School District (OUSD) properties, should the district be willing to partner with the city.
 - b. Limited indoor pickleball play at the Sarzotti Park gym could be explored if the pickleball community is interested and the Recreation Department staff can supervise the logistics of multi-sport gym use.
 - c. The Ad Hoc Committee has not identified any city owned properties that would be suitable for the expansion of pickleball.
- 3) **The City of Ojai should not introduce pickleball to the current Libbey Park tennis courts.**
- a. We see the logistical constraints of maintaining dual-use courts and/or repeatedly converting courts between pickleball and tennis to support Ojai Valley Tennis Club events throughout the year as a significant barrier to pickleball play at the Libbey Park courts.
 - b. Furthermore, the addition of pickleball would be at the detriment to the quality of tennis play, both in terms of access to courts and sound on courts. This would be particularly true if the number of pickleball courts introduced was any larger than the two recommended by PSM.
 - c. Additionally, the effectiveness of the sound mitigation measure recommended by PSM for pickleball play to satisfy the recommended sound guidelines – that is, the introduction of a sound barrier on the top of the hill above the courts - is uncertain, given the complexity of the topography in that area.

- 4) **The City of Ojai should continue to allow pickleball at the City Hall courts and the city should work with the pickleball community to reduce sound levels in the near term and for the long term.**
- a. Given that the current pickleball sound levels are in compliance with the city code requirements and that only a limited number of nearby residents are currently affected, we recommend the continued use of the City Hall courts. Further, through February 2023, over \$50,000 has been invested in the creation, maintenance, and mitigation of pickleball at the courts (city \$37,869 plus pickleball community \$12,135), creating a valued recreational facility.
 - b. We recommend that the city work with the pickleball community to reduce pickleball sound levels through the following activities:
 - i. Establish a no-fee paddle certification program and encourage the use of certified acceptable paddles through the following:
 1. Adopting a list developed by PSM (“the Blue List,” see Appendix) of paddles that have been tested and objectively qualified as quieter paddles.
 2. Creating and providing materials (e.g., stickers) for the paddle certification process in which pickleball volunteers and/or city staff can verify that a particular paddle is Blue List qualified and apply a sticker to the butt of the paddle (estimated cost: \$0.10-\$0.25 per sticker).
 3. Encouraging players to get their paddles certified.
 - ii. Supply a variety of Blue List qualified paddles to the pickleball community as “loaner” paddles for use at City Hall courts (estimated initial cost: \$1,200-\$2,000).
 - iii. Work with the pickleball community to do periodic checks of paddles in use on the courts to estimate the percentage that are certified.
 - iv. Provide the pickleball community with ongoing supplies of PSM-recommended regulation low-sound balls (see Appendix) at City Hall courts, as the designated budget for pickleball allows (estimated annual cost: less than \$750).
 - v. Encourage harder-hitting players to use only the two western courts. That is, the two courts furthest away from the nearest residential property lines on South Ventura Street.
 - c. If the property owners are amenable, provide the owners of 408 and 410 South Ventura Street with portable, reasonably priced fountains for their properties as a means of masking noise, as suggested by PSM, by overriding or interfering bothersome sound. We would encourage the property owners to investigate other mitigation measures, such as window inserts that can reduce noise with either single or double paned windows, for court-facing second-story windows.

- d. Based on Ad Hoc Committee sound level testing, typical pickleball sound at the City Hall courts is in the range of 59 to 61 dB. Based on PSM sound level testing, the background sound at the nearest residential property lines to the courts is 55 dB. Therefore, a 1 to 3 dB reduction in sound would be required to satisfy Recommendation 1. PSM estimates that the use of quieter paddles and balls can reduce pickleball sound levels by up to 10 dB. The impact would be less than this if many players are already using quieter paddles.
- e. Moving the loudest hitters from the eastern courts to the western courts would increase the distance from the sound to the residential property lines from approximately 100 feet to approximately 130 feet. This 30% increase in distance would reduce the sound level at the property line by approximately 2.3 dB according to the logarithmic relationship of sound levels to distance from the sound source and a 6 dB reduction in sound level per doubling of distance from the sound source.
- f. The current sound levels and the potential reductions from the mitigation measures included in this Recommendation suggest a high likelihood of success in satisfying the guidelines in Recommendation 1.

5) Given the unique central, established location of the City Hall courts, the City of Ojai should consider altering the hours of play after the legal agreement governing the current hours expires on January 1, 2024.

- a. If Recommendations 1 and 4 are accepted and implemented in a timely manner, a trial of up to six (6) months could be carried out to determine if the additional mitigation measures allow the sound levels to fall within the recommended guidelines.
- b. Based on the results of the trial, we recommend the city take action accordingly:
 - i. If the measures consistently succeed in meeting the guidelines, the city should increase the hours at the City Hall courts to provide additional court access while other long-term expansion options are pursued.
 - ii. If the measures consistently fail in meeting the guidelines, the city should consider the following questions in weighing the options of keeping the current play times or reducing hours and/or days of play:
 - 1. To what extent and when is the sound outside the recommended guidelines?
 - 2. How many nearby residents are personally disturbed by the sound?
 - 3. What future precedent is the city setting as it weighs the benefits of pickleball versus the nuisance of noise?

SUMMARY OF AD HOC COMMITTEE ACTIVITIES/PROCESS

In carrying out its charge the Ad Hoc Committee engaged in the following activities:

- Met 17 times between March 2022 and March 2023.
- Received and reviewed over 150 verbal and written public comments regarding current and prospective sites for pickleball, expansion of pickleball, noise policies, and sound mitigation measures.
- Surveyed the pickleball community for current behavior, needs, and preferences.
- Reviewed previous Ad Hoc Committee charges and recommendations.
- Reviewed what other cities and counties have done to address the demand for pickleball facilities and options for sound mitigation.
- Reviewed physical requirements for facilities appropriate to recreational and competitive pickleball play and site requirements for sound mitigation and management.
- Reviewed national data on pickleball growth and player demographics.
- Analyzed local pickleball participation data covering the years 2018 through 2022, received from Tim Krout, for growth trends and expansion needs.
- Evaluated city-owned property including all parks and empty parcels of land for suitability for pickleball.
- Reviewed the city's obligations and options under deeds for Libbey Park and the City Hall campus and agreements with the Ojai Valley Tennis Club.
- Examined the city's reservation policy and practice for its eight (8) public tennis courts along with 2022 reservation and events schedule.
- Collected data about the costs of creating and maintaining the City Hall pickleball courts and the costs of sound mitigation measures in place currently.
- Reviewed historical investment data and cost estimates for maintaining Libbey Park tennis courts for tournament-level play provided by the Ojai Valley Tennis Club.
- Reviewed the framework for the in-process agreement between the city and the County of Ventura for city programming and pickleball facilities in Soule Park.
- Reviewed the city's noise standards.
- Examined all city sound studies.
- Engaged Pickleball Sound Mitigation LLC as outside consultants to conduct sound tests at potential sites and the current site, to make noise standards recommendations, and to offer sound mitigation options.
- Reviewed independent analyses and information provided by Ojai Citizens for Sound Pickleball Policy and Dr. Bruce Walker regarding sound studies and noise standards.
- Reached out to the Ojai Unified School District, the Ventura County Parks Deputy Director, Ojai Valley Pickleball, Inc., the local USA Pickleball Ambassador, the Ojai Valley Tennis Club, and the Soule Park pickleball group for possible collaborations and site options.

APPENDIX

Note: Any item without a link is available on City of Ojai website (<https://ojai.ca.gov/>) under cited agenda items and meeting minutes.

Administrative Report dated August 10, 2019, prepared by James Vega, City Manager, and Renee Peace, Recreation Manager, Subject: Pickleball Ad-Hoc Committee Recommendations. City Council Minutes: August 27, 2019 Regular Meeting, Agenda Item 4

City Council Minutes: January 25, 2022 Regular Meeting, Agenda Item #4

Parks and Recreation Commission Minutes, Regular Meeting, March 3, 2022

Administrative Report dated September 28, 2022, prepared by Luis Gomez, Recreation Supervisor, Subject: Soule Park Partnership Update, Parks and Recreation Commission Regular Meeting, November 3, 2022, Agenda Item 6.D.

Sound Testing Pickleball Courts

Link: tinyurl.com/eyspmxcf

Ojai, California Municipal Code, Title 5 Sanitation and Health, Chapter 11, Noise Standards and Regulations: (<https://library.qcode.us/lib/ojai-ca/pub/municipal-code/item/title-5-chapter-11?view=all>)

Pickleball Sound Study for the City of Ojai, California by Pickleball Sound Mitigation LLC, February 20, 2023

Link: tinyurl.com/5n9b5xdu

PSM Blue List of Paddles

Link: tinyurl.com/38cbwp83

PSM List of Recommended Balls

Link: tinyurl.com/2p8x3hm9

USA Pickleball 2023 Fact Sheet

Link: <https://usapickleball.org/about-us/organizational-docs/pickleball-annual-growth-report/>)

National Task Force on Pickleball Noise

Updated March 9, 2026

Received City of Ojai

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City Clerk

Research and Facts

Benefits of Pickleball

Pickleball offers players a fun way to stay active while connecting with others. The game is easy to learn, inclusive, and provides low-impact exercise that benefits heart health, balance, and strength.

1. Wildly popular, pickleball continues to expand with more than 4000 new locations and more than 18,000 new courts in 2024. The benefits are clear--It provides healthy activity and social community for the players (1).

2. Pickleball helps create social connection. Relatively easy to play on a small court, the game allows people of all ages and skills to play together, creating friendships and a strong sense of community. Regular play helps reduce loneliness and helps improve mental well being with social connection, and laughter (2,3).

3. The game is inclusive, accessible and also encourages intergenerational mixing. For some, it provides a sense of purpose (especially post-retirement) with regular schedules and opportunities for mentoring.

4. Pickleball also provides healthy exercise that improves heart health, balance, coordination, and strength while being easier on the joints than many court sports. The small court and doubles format keep players moving without excessive strain, making it accessible for a wide range of ages and fitness levels. And because it's fun and social, people tend to play regularly, which helps them stay active and maintain overall physical health (4).

1. [USA Pickleball, 2025](#)

2. [Pickleball and Social Isolation, Kurth 2025](#)

3. [Pickleball and Mental Health, Cerezuela 2023](#)

4. [Pickleball and Physical Health, Stroesser 2024](#)

Acoustics

Pickleball noise goes beyond how loud a few pops sound to us. The impact is largely driven by the high number of sharp, impulsive pops that accumulate over time.

- 1. Measuring pickleball noise can be tricky.** *There are several components to consider.*
- 2. Pickleball is impulsive .** *Each pop is very short and loud, lasting less than 0.02 seconds (20 milliseconds). Studies show that impulsive sounds are more annoying than steady state noise and that an automatic physical stress response occurs after just 50 minutes of exposure. For these reasons, acoustic professionals recommend that pickleball noise, like other impulsive noise, is given an extra 5–12 decibel penalty for its impact (1,2,3,4).*
- 3. Pickleball is repetitive.** *A busy set of four pickleball courts can create 30,000 pops/day. One tennis match creates about 500 impacts. (This assumes 5 hits per rally, 100 points per match). Research shows the more times a noise happens, the more people are affected by it (5,6).*
- 4. The pitch of pickleball pops** *(about 1000-1200 Hz) catches our attention. Our brains are wired to notice that pitch or frequency—this is why vehicle alarms use that range and why pickleball pops are so noticeable (7).*
- 5. Long term exposure is a problem.** *Eight in 10 surveyed neighborhoods are exposed to more than 50 hours of pickleball noise per week. Although it is commonly believed that people get used to noise over time, research shows that long-term exposure can actually make some noises more bothersome (8,9).*
- 6. Pickleball is at least four times louder than tennis.** *Sound studies estimate the pops are roughly 20-30 decibels louder than tennis. Because decibels are logarithmic, every 10-decibel increase roughly doubles the perceived loudness.*
- 7. Accurate measurements of decibels are important.** *Decibel measurements should indicate the distance from the source and the averaging time period used. The pickleball pop lasts a very short time; if the measured sound level is averaged over a longer time period, the reading will be falsely low. (See Recommendations for more information).*
- 8. Lowering the sound level** *may not always resolve the issue after long term exposure to persistent, unpleasant noise. This may help explain why sound barriers may not work very well for people already exposed to the noise . Even quiet sounds, like a dripping faucet, can become extremely irritating when they repeat over and over (10).*

1. Centennial, CO report, Spenderian and Willis, 2023
2. Penalty for Impulse Noise, Rajala, 2020
3. Impulse Noise and Stress Effects, Radun, 2022
4. Penalty for Pickleball Impulse Noise, Storm, 2024
5. 79 Sound Studies Analyzed, Leahy, 2024
6. Number of Events/Annovance, Quehl, 2006
7. SAE Auto Engineering Labs
8. Pickleball Survey of 264 Communities, Romito, 2025
9. Longer Noise Exposure Increases Sensitivity, Lefevre, 2020
10. Lower Sound Levels May Not Help, Genuit, 2018

Human Impact

Neighbors are reporting serious health concerns related to chronic pickleball noise. Many are also reporting severe disruption to their lives at home.

1. Pickleball noise can be heard inside nearby homes. A survey of 264 communities with pickleball courts found that almost 3 out of 4 residents living near courts could hear the sound inside their homes. When people can hear noise inside their home, it has a greater impact (1,2).

2. Residents are not able to enjoy being at home. More than 8 in 10 surveyed neighbors report that they are frequently or always unable to converse, concentrate, or find peace in their homes because of the pickleball noise. Some report leaving their homes for hours at a time when people are playing. When daily activities are affected, the human impact from noise is much greater. (1,2)

3. Pickleball noise is creating health concerns. Chronic noise exposure can increase the chances of heart disease, sleep disruption, memory loss, and mental health issues. This happens because chronic noise activates our unconscious fight-or-flight response, setting off a harmful cascade of events in our body (3,4).

4. The health concerns are serious. More than 9 in 10 surveyed neighbors reported having a health concern related to pickleball noise. Concerns include: severe psychological distress, disturbed sleep, trauma and PTSD-like reactions, and hearing phantom "pops" when no one is playing. A few people have reported suicidal thoughts related to the noise. These concerns suggest that the unconscious stress response to the sound is turned on to a high level, without an "off button" (1,4).

5. People are having to move because of the impact of the noise. About half of surveyed residents reported having to move or wanting to move because of the noise (1).

1. Pickleball Survey of 264 Communities, Romito, 2025

2. ISO/TS 16755-1. "Acoustics — non-acoustic factors influencing the perception, interpretation and response to environmental sounds — Part 1: Definition and conceptual framework" (ISO, Geneva, Switzerland, 2025).

3. Noise as Health Hazard American Public Health Assoc. Statement, 2021

4. Health Effects from Pickleball Noise, Romito 2025

Community Impact

Pickleball noise can strain municipal resources, drive social conflict, and harm neighbors, with even greater impact on vulnerable populations.

1. Pickleball noise complaints require valuable municipal resources: time, personnel, and money. Pickleball is now recognized as the number one trend requiring attention from Parks and Recreation departments across the country. City and town councils are devoting hours to contentious public hearings. Municipal legal teams are increasingly pulled into the fray; reportedly there have been more than 200 cases across the US (1,2).

2. Chronic noise can be particularly harmful for certain groups of people. It affects how well children learn in school and can cause agitation and lost sleep in people with dementia. Other vulnerable groups of people include the elderly, people working night shift, people with chronic illness, and people with certain cognitive or neurologic issues like autism. 90% of surveyed neighbors said they were concerned that pickleball noise could be harmful for veterans or people with PTSD (3.4.5.6.).

3. Pickleball noise is causing conflict between players and neighbors. More than 4 in 10 surveyed neighbors report actually being harassed for raising concerns about the noise. And more than 7 in 10 reported being afraid of being harassed. This conflict increases how neighbors are impacted by the noise and can require police and municipal resources to resolve (6,7).

4. Poor communication between local decision makers and affected neighbors contributes to how noise impacts the neighbors. Communities report being ignored, losing trust, and having their concerns minimized by leaders. This can lead to more stress and also more conflict (7). For example, when one Parks and Rec leader told a group that "their petition just did not matter to him", it increased anger, broke down trust, and eventually led to a successful lawsuit against the City (8)..

1. *Trends in Parks and Recreation, Jan 2026, p 36*
2. *Hillsborough County Commission, Josh Wostal 1:49:36*
3. *Noise and Children/Learning, Bronzhaft, 1981*
4. *Noise and Dementia, Janus, 2021*
5. *Vulnerable Populations, Van Kamp, 2013*
6. *Pickleball Survey of 264 Communities, Romito, 2026*
7. *Non Acoustic Factors in Pickleball Noise, Knudson, 2025 (in press)*
8. *Dougherty v. Boise 2025*

Facts about mitigation

Adequate setbacks between courts and homes are the most effective way to prevent conflict and harm to neighbors. Sound barriers and quiet racquets/balls often fall short.

1. Setbacks: *Early guidance, based only on sound levels (2023), recommended not placing courts within 100 feet from homes, even with sound barriers. When acoustic professionals began to account for the human impact of impulsive noises (2024), they recommended at least 250 feet of setback. As recent research increasingly shows harm occurring up to 1000 feet away (2025), health professionals and many cities are recommending larger setbacks.*

Recent research shows most concerns are from neighbors within 500 feet, though some residents up to 1,000 feet away still report serious problems, even with sound barriers in place.

Larger setbacks may also be needed where terrain carries sound—such as valleys or water—or near multi-story homes or where courts are located near schools, hospitals, or homes for older people. (1,2,3,4).

2. Sound barriers: *Mass-loaded vinyl barriers—(e.g. Acoustifence, Acoustiblock) have quickly become a popular choice and they perform well in indoor lab tests. (P&Z article) But they appear to work less well in the real world. Almost 90% of surveyed neighbors, living from 10-1000 feet from courts with thick vinyl sound barriers reported the barriers did not help. Noise can travel over or around barrier edges and barriers do not address the repetitive or impulsive popping characteristics of the noise (3).*

3. Quiet racquets and balls: *Although USA Pickleball has “quiet” equipment categories, the criteria for classification are not publicly available. Some of the “quiet balls” are noted to produce 81 db of sound on their website.*

Early research suggests that recommending use of quiet balls and racquets xxxxx Some neighbors report improvement specifically with the Librarian foam ball and OWL paddle and this combination has worked at two sites within 100 feet when strictly required and enforced. (Eisenhower, Denver and a private HOA). But, when no one is enforcing the use of quiet racquets and balls, most players continue using louder equipment (5).

4. Shorter hours: Early research shows that limiting open hours at the courts does not resolve the concerns. Social conflict between players and neighbors increases and neighbors are still challenged by the noise in their homes for many hours per week(3).

5. Why does mitigation fail? Sound barriers require close attention for correct installation and often aren't maintained over the long term. Enforcement of quiet equipment is often not possible. A full analysis is available in Resources (6)

1. Mitigation Pickleball Noise, Weyerman, 2023
2. Centennial, CO report, Spenderian and Willis, 2023
3. Pickleball Survey of 264 Communities, Romito, 2025
4. Vulnerable Populations, Van Kamp, 2013
5. Managing Pickleball Through Zoning, Leahy, 2025
6. USAPickleball: Quiet Category Equipment, accessed March 3, 2026
7. USAPickleball: About Equipment Evaluation, accessed March 3, 2026
8. Pickleball Noise Relief Facebook group
9. Mitigation Failure Analysis, Leahy, 2025 (in press)

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NOISE AS A PUBLIC HEALTH HAZARD

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Noise as a Public Health Hazard

October 25, 2021 202115

Abstract

Noise is unwanted and/or harmful sound, first recognized as a public health hazard in 1968. The Noise Control Act of 1972 declared that "it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare." The promise of that legislation remains unfulfilled 50 years later. Human exposure to harmful noise levels is widespread. Major sources include transportation, military aircraft and combat operations, noisy recreational vehicles, industrial machinery, recreational and leisure activities, outdoor power equipment, consumer products, and, possibly, wind turbines. Loud noise causes hearing loss and tinnitus and can contribute to non-auditory health problems. Chronic noise, even at low levels, can cause annoyance, sleep disruption, and stress that contribute to cardiovascular disease, cerebrovascular disease, metabolic disturbances, exacerbation of psychological disorders, and premature mortality. Noise interferes with cognition and learning, contributes to behavior problems, and reduces achievement and productivity. The health of more than 100 million Americans is at risk, with children among the most vulnerable. Noise-related costs range in the hundreds of billions of dollars per year. Yet, the United States has no federal standards for non-occupational noise exposure. Federal standards for occupational noise exposure from the 1970s address only hearing loss as an adverse health effect and do not

apply to all workers (e.g., those in agriculture and construction). Calls for action have gone largely unheeded. This policy calls for national noise standards, enforcement, education, outreach, and action on noise as a public health hazard. They are long overdue.

Relationship to Existing APHA Policy Statements

Apart from Policy Statement 20135 (Environmental Noise Pollution Control) and the original noise policy statement (1968), no existing policy statement relates to noise as a public health problem. This update incorporates all noise exposures, including environmental noise pollution. The APHA policy statements below relate to this update by advocating for the following: reducing environmental stressors and their harmful effects on public health, rectifying the disproportionate burden of environmental hazards borne by disadvantaged populations, and encouraging actions to mitigate adverse effects. Including noise as a stressor in future APHA policy statements and updates is recommended.

- APHA Policy Statement 20197: Addressing Environmental Justice to Achieve Health Equity
- APHA Policy Statement 20183: The Public Health Impact of Energy Policy in the United States
- APHA Policy Statement 20189: Achieving Health Equity in the United States
- APHA Policy Statement 201713: Establishing Environmental Public Health Systems for Children at Risk or with Environmental Exposures in Schools
- APHA Policy Statement 201711: Public Health Opportunities to Address the Health Effects of Air Pollution
- APHA Policy Statement 201710: Protecting Children's Environmental Health: A Comprehensive Framework
- APHA Policy Statement 20157: Public Health Opportunities to Address the Health Effects of Climate Change

- APHA Policy Statement 20137: Improving Health and Wellness through Access to Nature
- APHA Policy Statement 201210: Promoting Health Impact Assessment to Achieve Health in All Policies
- APHA Policy Statement 20078: Addressing the Urgent Threat of Global Climate Change to Public Health and the Environment
- APHA Policy Statement 200412: Support for Community Based Participatory Research in Public Health
- APHA Policy Statement 20005: Effective Interventions for Reducing Racial and Ethnic Disparities in Health
- APHA Policy Statement 200011: The Precautionary Principle and Children's Health

Problem Statement

Noise is unwanted and/or harmful sound. It was first recognized as a public health hazard in 1968.[1] In 1972, the Noise Control Act of 1972 was signed into law, declaring that "it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare." An amendment to that legislation, the Quiet Communities Act, was enacted in 1978. The United States Environmental Protection Agency (EPA) was given responsibility for coordinating "the programs of all federal agencies relating to noise research and noise control." The promise of that legislation remains unfulfilled 50 years later.

Noise is defined in this policy statement as "unwanted and/or harmful sound." [2] This definition amends an earlier definition ("unwanted sound") that did not reflect the serious health impacts of noise and placed the onus on those who complained rather than on the noise source.

Environmental noise is "unwanted and/or harmful outdoor sound created by human activities, including noise from road traffic, railway traffic, airports and industrial sites," to which the public is exposed involuntarily. [3] Occupational noise is distinct from environmental noise in that it is, by definition, associated with the workplace. Measures to reduce or eliminate

noise are the responsibility of employers.[4] Non-occupational noise exposures include noise from consumer products (e.g., personal audio systems, children's toys, household appliances, power tools, lawn and garden equipment) and leisure and entertainment venues (e.g., restaurants, bars, clubs, concerts, movies, sporting events).

The problem of noise has increased since it was first recognized as a public health hazard. Noise exposure in everyday life is sufficient to cause auditory[5,6] and non-auditory health problems.[7,8] Common sources of harmful noise include but are not limited to the following: transportation; military aircraft and combat operations; noisy recreational vehicles (e.g., motorcycles, snowmobiles); industrial machinery; recreational and leisure activities; social, sports, and entertainment venues; sirens and alarms; outdoor power equipment (e.g., construction, land care); power tools; consumer products (e.g., personal audio systems, children's toys, household appliances); and, possibly, wind turbines. The risk of adverse health effects starts at low decibel (dB) levels and differs by noise source. For example, the World Health Organization (WHO) environmental noise guidelines for road traffic are no more than 53 dB average levels and 45 dB from aircraft over the course of a day to prevent adverse health effects; average nighttime levels are even lower.[9] Noise levels from many of those sources exceed safe thresholds. For example, a jackhammer is 130 A-weighted decibels (dBA), a jet plane takeoff is 120 dBA, a siren is 110 to 129 dBA, power tools are 90 to 110 dBA, subway noise is 80 to 106 dBA, a hair dryer is 94 dBA, traffic noise is 80 to 85 dBA, restaurants and bars average 81 to 87 dBA, and personal audio system outputs can be as high as 125 dBA.[10,11] Because the decibel scale is logarithmic, recommended exposure times are reduced by half with each 3 dB increase in volume. Therefore, an average exposure of 70 dB for 24 hours is equivalent to 75 dB for eight hours or 85 dB for one hour.[10] In the case of extremely loud noise (e.g., plane takeoffs, jackhammers, fireworks), no exposure duration is safe.[11]

Decades of scientific evidence show that noise causes or contributes to

hearing loss (noise-induced hearing loss [NIHL]), annoyance, sleep disruption, cardiovascular disease, metabolic disturbances, and exacerbation of anxiety and depression.[3,7–9,12] It also has adverse impacts on communication, activities, learning, productivity, and quality of life.[3,8,13] The health of more than 100 million Americans is estimated to be at risk.[14]

Hearing loss is the third most common chronic physical condition in the United States, with a prevalence twice that of diabetes or cancer.[15] Approximately 5.2 million children (6–19 years of age) and 26 million adults (20–69 years of age) have hearing damage from excessive noise exposure (i.e., NIHL).[16] In addition to the physical and mental health effects, the costs of hearing loss are considerable. Untreated hearing loss has been shown to increase health care costs by 46%, the incidence of inpatient stays by 47%, and the likelihood of 30-day hospital readmission by 44% over a 10-year period.[17] These findings may be related to consequences that include higher risks of falls,[18] depression, cognitive decline, and dementia.[17] Work productivity losses due to hearing loss are estimated in the hundreds of billions of dollars per year.[19]

Approximately 145 million Americans are at risk of noise-related hypertension, thus increasing the risk of noise-related ischemic heart disease, stroke, and related mortality. Noise-related effects on non-auditory health add considerably to the health and economic burden of noise.[3,20] In Europe, the loss of disability-adjusted life-years attributable to environmental noise is 61,000 from ischemic heart disease, 45,000 from children's cognitive impairment, 903,000 from sleep disturbance, 22,000 from tinnitus, and 587,000 from annoyance.[3]

A full accounting of noise-related health costs in the United States does not exist, but studies suggest that those costs are considerable. Medical costs for treatment of hearing loss are estimated at \$3.3 billion to \$12.8 billion annually.[21] Cost estimates of lost productivity due to hearing loss vary widely, from \$1.8 billion to \$194 billion annually. An analysis by Neitzel and colleagues suggests that those costs may be higher: the

...and colleagues suggests that these costs may be higher, and authors found that preventing NIHL in just 20% of those potentially affected would save \$123 billion in productivity losses.[19] When noise-related hypertension is considered, lowering environmental noise just 5 dB is estimated to reduce the prevalence of hypertension by 1.4% and the prevalence of coronary heart disease by 1.8%, resulting in medical cost savings of \$3.9 billion annually.[20] The inclusion of other noise-related health effects, such as ischemic heart disease and mental health disturbances, would increase those cost estimates considerably.

In the United States and internationally, low-income and minority communities are more likely to be exposed to environmental health hazards, placing them at high risk of poor health and performance outcomes.[22,23] As is the case for air-polluting industries and hazardous waste landfills, sources of noise pollution tend to be located in or close to poorer communities. In the United States, nationwide studies show that exposure to road and air traffic noise is highest in minority and low-income neighborhoods[22] and in public schools serving lower-income and minority students.[24] Poorer preexisting health status of residents in these communities may increase their vulnerability to noise exposure and risk of adverse health outcomes. The disparate exposure of these communities is likely to stem from post-World War II decisions to site federal highway and aviation infrastructure near minority neighborhoods. [22,24,25] Other factors may include zoning and land use decisions on roads, industrial sites, and other sources of noise and pollution that favor the wealthy and take advantage of differences in political power defined by race and socioeconomic class.[26,27]

Children and those with autism spectrum disorders, sensory processing disorders, and other conditions may be especially affected.[28,29] Noise has been shown to elevate blood pressure in children,[30] disrupt learning,[31] and contribute to behavioral problems.[32] Children and adults with hearing damage, attention-deficit hyperactivity disorder, autism spectrum disorders, sensory processing disorders, posttraumatic stress disorder, and noise-induced developmental disorders are known to

have heightened sensitivity to certain types of noise that can result in problems with mental and physical function.[28]

Despite the breadth and seriousness of its health impacts, noise has not been prioritized as a public health problem for decades. The Office of Noise Abatement and Control (ONAC) was established within the EPA in 1970 and given responsibility under the Noise Control Act of 1972 to fund research, education, product labeling, regulation, and community support. However, funding for the ONAC was terminated in 1981. Since that time, there has been little federal action on noise.[33] No new federal noise regulations or standards have been promulgated by the EPA since 1986. Guidelines are more than 45 years old and need updating. There are still no federal recommendations, guidelines, or standards for non-occupational noise exposures. Uniform definitions, criteria (e.g., validity, enforceability), methods, and metrics for addressing noise are lacking. Noise-related activities are poorly coordinated. Each federal agency may have a different approach. Major efforts around noise, for example the NextGen program of the Federal Aviation Agency (FAA) and the National Academy of Engineering's publication *Technology for a Quieter America*, have not been informed by federal health agencies. The Federal Interagency Committee on Aviation Noise — tasked with identifying research and development needs around aviation noise — does not include representatives from federal health agencies.

In the absence of federal infrastructure, state and local governments responsible for regulating noise in areas not preempted by federal law have been slow to act. Many states do not have noise legislation, and, among those that do, some do not enforce the legislation. According to the Noise Pollution Clearinghouse, there is little consistency across states and municipalities with regard to the descriptors, criteria, and methods incorporated in noise legislation.[34,35]

Tools such as health impact assessments, environmental screens, and measures of community health can be useful in evaluating and mitigating

the impact of noise on low-income communities and vulnerable populations. However, they do not consistently include noise as an indicator, precluding consideration of noise mitigation.[36] Neither the EPA's EJScreen, an environmental justice mapping and screening tool,[37] nor California's CalEnviroScreen[38] includes noise as an environmental indicator. Even when included, consideration of the health impacts of noise may be limited (e.g., to sleep disturbance).[36]

Metrics and methods for evaluating the health effects of environmental noise are also underdeveloped.[31,39] Use of sound pressure levels (in decibels) as the sole measure of health impacts from noise is insufficient. Data on factors such as noise pattern and duration, frequency band distribution, frequency of exposure, and time of exposure that bear on human response are needed. Furthermore, reliance on A-weighted decibels to reflect the impacts of sound involving strong low-frequency components (e.g., aircraft, outdoor power equipment) is widely criticized as inadequate, because A-weighting underrepresents those components and their potential harms.[40–42] The importance of meaningful metrics is well understood by the European Commission, which convened a working group to study and recommend indicators to describe noise from all outdoor sources for the purposes of assessment, mapping, planning, control, and implementation.[43] Metrics other than A-weighted decibels that account for characteristics such as frequency, tonality, and intermittency would allow decision makers to more accurately assess the harmful effects that noise may have on communities.

International guidelines recognize the incontrovertible scientific evidence that noise causes auditory and non-auditory health problems.[7–9,31] In Europe, environmental noise is widely recognized as a public health hazard, and information is made widely available to the public.[3] In the United States, the issue has received far less attention. Information is fragmented and is not readily available. The United States has no federal standards for noise exposure of the public.[44] Standards applicable to workplaces are based on data from the 1970s, are focused on hearing conservation rather than hearing loss prevention, and do not apply to all

conservation rather than hearing loss prevention, and do not apply to all workers. Many hazardous noise exposures experienced by the public emanate from sources where people are working and where exposures are highest.[45] In the absence of federal standards, safe noise exposure levels published by the EPA in 1974[46] and WHO community guidelines[9] are sources of guidance. Regardless, these levels are routinely ignored, and more than half of all Americans[20] continue to be exposed to harmful levels of noise.[10,14,20,31,47]

Previous calls by the APHA and the American Academy of Nursing to protect the public from the adverse effects of noise have gone largely unheeded.[48] The magnitude and seriousness of noise as a public health hazard warrant action.[40,48] A more assertive and coordinated approach is needed.

Evidence on noise exposure and auditory health: NIHL is caused by irreversible damage to cochlear hair cells and primary auditory neurons. [49] Hearing loss in later life is largely NIHL.[50] While hearing damage can occur from a single exposure to loud noise, it more commonly results from a lifetime of exposure to high-decibel sources such as leaf blowers, car horns, and traffic.[10] Reducing noise exposure is the only means of preventing NIHL.[10] NIHL is the only form of hearing loss that is entirely preventable.

Hearing loss is associated with higher risks of social isolation, depression, and possibly Alzheimer's, Parkinson's, and other neurodegenerative diseases, thus amplifying hearing loss-related morbidity and economic burdens.[51,52] A survey of 5,227 older adults in the Chicago area showed that each 10 dBA increase in neighborhood noise was associated with a 36% increase in the risk of mild cognitive impairment and a 29% increase in the risk of Alzheimer's disease.[51]

The risks of occupational noise exposure have long been known. The National Institute for Occupational Safety and Health (NIOSH) recommended a permissible exposure limit in 1972,[53] but in 1981 the

Occupational Safety and Health Administration (OSHA) adopted a less protective standard that has not been updated.[54] The OSHA permissible exposure limit of 90 dBA averaged over an eight-hour shift does not protect workers from hearing loss, let alone the other adverse health effects associated with exposures at much lower levels. Standards applicable to workplaces are based on data from the 1970s; are designed only to conserve hearing, not prevent hearing loss; and do not apply to all workers, including those in agriculture and construction. Moreover, immigrants and people of color are overrepresented in jobs involving a higher risk of injury.[45]

Among occupational exposures, members of all branches of the military are exposed to high noise levels, especially with respect to impulse noise from weapons but also including vehicle, aircraft, and shipboard noise. It is difficult to balance the need for situational awareness in combat situations with the need for hearing protection.[55]

Non-occupational noise exposure causing hearing loss was recognized as an issue in 1966, but the Centers for Disease Control and Prevention (CDC) did not begin work on this problem until 2016.[44] Everyday noise exposure is now known to cause NIHL.[10] As a result, approximately 25% of American adults 20 to 69 years of age have NIHL (defined by audiometric notches), most without significant occupational noise exposure, and 17% to 23% of Americans 12 to 19 years old have hearing loss greater than 15 dB.[44,56] Personal audio systems pose a particular risk for young people due to ubiquitous use at high sound levels several hours a day for several days a week.[10] Hearing loss may have a substantial impact on young people because good hearing is vital for communication, socialization, education, and future vocational success. Of particular concern for communities are the F-35 and F-16 fighter jets that produce noise levels of 115 dB and 94 dB at an altitude of 1,000 feet. [57]

Evidence on noise exposure and non-auditory health: Sleep disruption,

annoyance, and stress caused by environmental noise play central roles in the development of clinical disease. These responses set off a cascade of physiological responses involving increases in stress hormone levels, blood pressure, heart rate, and other risk factors that, in turn, raise the risks of stroke, hypertension, ischemic heart disease, myocardial infarction, metabolic disturbances, and related mortality.[7,8,58] Pathophysiological changes associated with noise can result from either daytime or nighttime noise but may be more pronounced with nighttime noise for reasons that are as yet unclear.[59]

Exposure-response studies show that increasing levels of transportation noise raise the risks of myocardial infarction, premature death, stroke, and hypertension.[58] For example, a meta-analysis of road traffic noise studies revealed that each 10 dB increase above 50 dBA increased the relative risk of ischemic heart disease by 8%[12]; other meta-analyses have shown similar results.[58]

Pathophysiological and epidemiological studies suggest that environmental noise is also implicated in metabolic diseases such as diabetes and obesity.[58] Furthermore, research shows that noise exposure substantially increases the risk of anxiety and depression. For example, a German study of 15,010 individuals revealed a direct interrelationship among noise, annoyance, and the prevalence of anxiety and depression, with the highest levels of noise associated with a twofold increase in the prevalence of anxiety and depression.[58]

Evidence on noise, learning, and productivity: Environmental noise can diminish productivity and learning, with annoyance and sleep disruption playing important roles.[31] High ambient noise levels affect speech perception, listening comprehension, short-term memory, reading, and writing.[13] Many studies have shown negative effects of chronic noise on children's cognitive development, including poorer reading comprehension, memory, and listening skills.[13,31] In a large 10-year cross-sectional study of 6,000 U.S. schools located near the nation's 46

leading airports (average day/night noise levels of 55 dBA or above), aircraft noise was found to be associated with lower standardized test scores. Installation of sound insulation in 119 of those schools reversed that effect.[60] Many other studies have shown that transportation noise adversely affects both children's and adults' learning and performance of complex tasks.[13,31,60] Current understanding of the causal pathway from noise exposure to cognitive, learning, and productivity impacts involves annoyance and sleep disruption.

Evidence-Based Strategies to Address the Problem

As a topic that has essentially lain dormant for 40 years, it is a formidable challenge to bring noise as a public health hazard into public awareness and effectively address its myriad aspects and sources. It will require a strong commitment at the national, state, and local levels, as well as engagement with nonprofit organizations, professional associations, and the public.

A well-funded federal noise control program — led by the EPA or another agency — is necessary to initiate, coordinate, administer, and oversee federal, state, and private sector policies, programs, and projects that can lead to reductions in the burden of noise.[33] Existing legislation needs to be implemented and enforced. The accomplishments of the EPA's ONAC during the 1970s are grounds for optimism. Examples of what was accomplished during its brief, 10-year tenure include the following: (1) publication of evidence-based guidance on safe levels of noise to protect the health of the public[46] (although published in 1974, this guidance remains useful as a basis for noise control actions in the United States along with the WHO guidelines and NIOSH standards); (2) noise emission regulations on trucks, motorcycles, motorcycle mufflers, and construction equipment, allowing citizen suits against violators and enforcement by the courts; (3) dissemination of information and educational materials on noise and health effects, including even a children's book; (4) a model community ordinance; (5) the convening of a federal interagency committee on noise; and (6) the Urban Noise Initiative, a multiagency effort that provided for soundproofing schools and hospitals. promoted

...more that provided for soundproofing schools and hospitals, promoted quiet design features in transportation projects, encouraged noise-sensitive housing development, supported neighborhood efforts to address local noise problems, and provided help to federal, state, and local agencies to buy quiet equipment.

However, it will take more than funding for the United States to build out a 21st-century federal noise control program. While the concepts underlying the Noise Control Act of 1972 and the Quiet Communities Act of 1978 are still relevant today, the science has advanced 40 years and international progress has raised the standard for modern-day programs. The United States would be well advised to consult and seek guidance from international governments (e.g., the European Union) and agencies (e.g., WHO) on revamping a federal noise control program.

The European Union's approach to environmental noise could serve as a model for the United States. The problems are the same in Europe and the United States (e.g., transportation as a major source of environmental noise, concerns over disparate impacts of noise on vulnerable and disadvantaged groups, and lack of needed standards). The federal-state systems in the European Union and United States are comparable. Environmental Noise Directive 2002/49/EC created a federal framework that aimed to "define a common approach intended to avoid, prevent or reduce on a prioritized basis the harmful effects, including annoyance, due to the exposure to environmental noise."^[61] Its main focus is on transportation (roads, railways, airports) and industrial noise responsible for the vast majority of adverse health effects, but it also covers mandatory and voluntary noise labeling for outdoor equipment and household products, respectively. Consideration is given to quiet spaces in public parks and other areas that may help mitigate effects in noise-sensitive areas. The directive requires member states to monitor and assess the number of people affected by noise throughout Europe; inform and consult with members of the public on noise exposure, its effects, and measures to address it; and address local noise issues through evidence-based action plans to reduce harmful noise and preserve good

environmental noise. It does not require member states to legislate noise limits. Member states are required to produce noise maps and evidence-based action plans every five years using the European Union's uniform set of noise indicators to evaluate exposures around major population areas, roadways, railways, and airports.[62] The European Union and its member states have relied on input from WHO for evidence-based guidelines (community noise, nighttime noise, environmental noise) and analyses (e.g., the Burden of Disease from Environmental Noise report) to inform existing policies and future legislation.[3,9]

This strategic approach has resulted in significant developments including a common method for noise mapping to allow comparison across countries, legislation mandating retrofitting of rail freight fleets with quiet brake blocks, legislation to ensure that airports take measures to mitigate noise, and an increase in the use of quieter electric vehicles.[62] However, much still needs to be done. Overall noise reduction goals set by the European Union and WHO for 2020 have not been met, in part because of the failure of some member states to develop action plans, poor quality of plans, lag time to implement plans, and absence of mandatory thresholds or the means to enforce them. The European Union is contemplating revisions to improve the effectiveness of its strategy, one of which is to align noise and air pollution reduction strategies, where possible, to achieve greater cost-benefit ratios.

Disparate impacts of noise on low-income and minority communities can be addressed in part by focusing noise reduction activities in densely populated urban areas most affected by transportation and industrial noise sources through means such as traffic sound barriers and quiet pavements, as well as improving railways and incentivizing the use of quieter electric vehicles. Federal, state, and local governments and academic institutions should ensure that noise is consistently included as an indicator in health impact assessments, environmental screens, and community health measures to help identify and mitigate adverse effects on disadvantaged and vulnerable communities. Inclusion of noise and air

quality indicators in health impact assessments has resulted in modifications of housing and transportation development projects in lower-income areas of Oakland and San Francisco, California, to mitigate harmful effects on low-income communities.[36]

Opposing Arguments/Evidence

In the evidence-based strategies section, a strong federal noise control program was proposed to supply infrastructure and provide state and local governments with technical assistance, as articulated in existing legislation. One argument is that noise is a local problem and states are better suited than the federal government to address it. For example, states and localities are allowed to limit noise emissions on products not regulated by federal law and can regulate the use of products whose noise emissions are regulated by federal law. However, very few states have actually taken such steps. Furthermore, state and local governments do not have the resources to conduct the noise surveillance and research essential to guide development of effective programs at the state and local levels.

Since the defunding of the ONAC in 1981, states and municipalities have had ample time to develop noise abatement and control programs, but there is little evidence to suggest that there have been widespread efforts to regulate noise and fund such programs. As noted in the problem statement, many states and municipalities do not regulate noise, leaving their citizens without legal recourse to stop harmful noise exposures. The defunding of the federal program was a critical factor. Testimony from several state officials describes how, in the absence of a federal program, noise would be deprioritized and state programs defunded, as summarized by the following statement from a staff member of Oregon's Department of Environmental Quality: "Without a federal program...it became politically expedient to classify noise pollution as a 'nuisance' and cancel out programs under the pretext that it was a cost savings measure. Paradoxically, the costs borne by those exposed [to] the airports, highway, railway, and other egregious noise producers, if calculated...are by no means insignificant"[22]. The lack of federal infrastructure made local

means insignificant. [33] The lack of federal infrastructure made local noise control programs unaffordable for many jurisdictions, and the problem of noise has increased over the years.[40]

Another argument relates to the perception that noise is simply a nuisance and is too expensive to regulate.[33] The problem statement noted that noise was identified as a public health problem more than 50 years ago[1] and summarized the extensive evidence showing its serious impacts on auditory and non-auditory health. Arguing that noise is too expensive to regulate neglects the substantial external costs associated with noise exposures. It is difficult to imagine that the cost of abatement and control programs would be anywhere near the hundreds of billions of dollars incurred each year for noise-related health care and lost productivity.

Action Steps

Noise is ubiquitous and must be recognized as a major public health hazard, one that is largely controllable. A significant body of research, primarily conducted in Europe, has consistently documented the myriad deleterious effects of noise on health. Noise is an environmental justice issue, disproportionately affecting low-income and minority populations (who also experience health inequities). In order to mitigate the public health impact of noise on the American public, it is critical to reestablish a strong federal noise control program that is evidence based and builds on lessons learned in the European Union.

APHA urges

1. The U.S. Congress to:

- Reinststitute EPA funding for the ONAC and/or its mandated activities, as required by the Noise Control Act of 1972 and the Quiet Communities Act of 1978, statutes that are still on the books.
- Stipulate in the 2023 Federal Aviation Administration Re-Authorization Act that exposure to aviation noise must be addressed by the FAA in collaboration with the EPA and health agencies including the CDC

collaboration with the EPA and health agencies including the CDC.

- Assume leadership in reducing harmful noise and promoting health by providing support to federal agency programs.

2. The federal administration to:

- Ensure that reduction of noise exposures is part of all environmental and health platforms.
- Recognize the disparate noise levels in communities where low-income and minority populations reside as an environmental justice issue.

3. The following actions be taken by relevant federal agencies:

- The EPA (or another agency) should take charge of and reestablish all of the functions mandated in the Noise Control Act and the Quiet Communities Act via the ONAC or other internal mechanisms; create a modern strategic plan for a federal noise control program; coordinate with the National Environmental Justice Advisory Council to address environmental justice issues; update its program to reflect the current status of scientific evidence on the adverse effects of noise; develop and incorporate source-specific, evidence-based guidelines in the development of standards; create uniform metrics and methods to measure and monitor noise; seek the means to encourage states and local governments to implement actions to reduce noise; and coordinate efforts with other federal and international agencies.
- The Department of Labor should work with federal health agencies to adopt more protective standards to address work-related noise exposures, including a lower permissible exposure limit, that apply to workers in all industries.
- The Department of Transportation should increase surveillance and monitoring of noise from existing air and road traffic and work with federal health agencies to ensure best practices for assessments and mitigation; provide funding for noise mitigation in existing areas;

develop and implement regulations regarding noise for all new proposed airports and highways, ensuring inclusion of noise in health impact assessments; and engage with local communities on health impact assessments.

- The FAA should reconsider allowable flight concentrations, paths, and hours for all airborne equipment and accelerate adoption of quieter, more fuel-efficient engines.
- The Department of Defense should modify flight paths and hours of operation to mitigate some of the worst impacts on civilians, strengthen the military's existing hearing conservation programs for service members, make military equipment quieter without sacrificing performance to protect the hearing of service members and the public, and reduce noise exposures experienced by civilians at domestic and foreign bases and in combat operations.
- The Department of Health and Human Services should develop educational materials for health professionals and the public on the deleterious effects of noise on health, promote assessments of noise exposures in guidelines for individual health care, incorporate goals regarding noise exposures in Healthy People, ensure that noise exposures are considered in all efforts to reduce health inequities and environmental injustices and promote noise mitigation efforts, and develop and promulgate recommendations, guidelines, or standards for non-occupational noise exposures.
- The Department of Education should develop and provide educational materials to educators to inform them about noise effects on learning and cognition, provide guidance to state and local governments to aid in mitigating noise in schools, and ensure that standards regarding the location of new schools are utilized, including those involving noise.
- The National Institutes of Health should increase research support for surveillance of environmental noise and its effects on healthy lives lost and disability-adjusted life-years lost in the United States due to noise exposures, develop research-based standards for acceptable levels of environmental noise, and ensure incorporation of noise as a factor

in research on health inequities.

- The Department of Housing and Urban Development should develop and promulgate standards for noise exposures in proposed low-income housing, promote noise mitigation actions for existing low-income housing in high-noise areas, evaluate supplementary metrics to A-weighted decibels to better assess and evaluate the health impacts of noise, and engage with local communities on health impact assessments.
- The Consumer Product Safety Commission should work with the EPA to ensure that household appliances and consumer products are assessed in terms of decibel levels and develop standards to promote low levels for products sold in the United States; the agency should also require noise labels for noise-emitting consumer products.
- The National Institute of Standards and Technology should include health impact assessments in its development of standards in order to fulfill its mission of promoting quality of life

4. Actions by state governments to:

- Use federal resources to promote healthy environments (e.g., parks, green spaces), free from deleterious noise, for their citizens.
- Ensure that public health and primary care providers educate the public on the risks of occupational and non-occupational noise exposure and prevention strategies.
- Ensure that states monitor and implement noise control standards for occupational and environmental noise.
- Implement noise standards for location of schools, ensure that environmental noise is considered prior to building new schools, and ensure that funding is provided for remediation as needed in older schools.
- Use zoning guidelines and noise standards developed by federal agencies to protect disadvantaged populations from excessive noise.

- Provide guidance to local governments to reduce noise exposures (e.g., model noise ordinances).
- Regulate use and operation of high-noise equipment.

5. Actions by local governments to:

- Promulgate and enforce noise ordinances to control road traffic noise, including noise from vehicle operation and illegally modified exhaust systems.
- Promulgate and enforce ordinances to control neighborhood noise from equipment and households.

6. Actions by nongovernmental agencies and professional societies to:

- Educate health professionals on the risks of noise exposure, the need for assessment of exposures, and prevention strategies.
- Promote education of the public on the health risks of noise exposures and the need for action to reduce noise.
- Influence governmental action at all levels (national, state, and local) to reduce noise exposures as a means of promoting health.

Furthermore, it is recommended that APHA take the leadership in coordinating a campaign with health professionals and health-related organizations to reduce noise exposures and, thereby, the negative effect of noise on health and health inequities. Reductions in noise exposures will also help reduce the nation's health care costs.

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Pickleball noise: The physiological and psychological effects on nearby residents

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Pickleball play creates a new type of unwanted noise - repetitive, impulsive “pops,” exposing those living near courts to thousands of piercing pickleball pops per day. Noise has adverse health effects, but those from pickleball noise have not been previously studied. Content analysis, a scientific method which examines words or phrases in public content to identify patterns, was used to explore a possible link between long-term exposure to pickleball noise and self-reported adverse health effects. This physician-led analysis identified 246 such mentions. Physical health effects represented almost half (45.9%) of all mentions. Of these, 46.0% involved the nervous system and 25.7% the heart. Psychological health effects represented 54.1% of all mentions. Of these, over half (51.3%) described severe distress or used the term “torture,” with two mentioning suicidal thoughts. Nearly a quarter (23.9%) reported trauma or PTSD-like symptoms. The remainder included anxiety, stress, and depression. Beyond these acute effects, the responses suggest a highly activated physiological stress response. Such responses are known to be harmful when sustained over time. These findings highlight a need for further research into the complex acoustical characteristics of pickleball noise and its health effects, which must be considered when making decisions about pickleball court placement.



1. INTRODUCTION

Pickleball noise is repetitive impulse noise, exposing those living near busy pickleball courts to thousands of pickleball “pops”/day (1), creating a completely new type of unwanted noise in the residential sounds. One resident, quoted in a news article, likened it to living next to a pistol range (2). Pickleball is a racquet sport similar to tennis but played on smaller courts with hard paddles and plastic balls. Unlike tennis’s soft “ping,” pickleball produces a louder “pop.” In 2024, over 4,000 new courts were built (3), often by converting one tennis court into four pickleball courts. With smaller courts and four-player games, pickleball generates significantly more paddle-ball impacts than tennis. As new courts are built, pickleball noise is disrupting residential areas, leading to conflicts and complaints. One Google Map lists >360 pickleball noise hotspots across North America (4). This issue is the focus of >200 news reports, countless social media posts, and dozens of legal claims. An audio sample of the noise from 4 pickleball courts can be heard at <https://doi.org/10.5281/zenodo.15566001>.

Pickleball noise is impulse noise, sometimes referred to as impulsive noise. Although the implications are different, in acoustics the terms “noise” and “sound” are often used inter-changeably. As defined by the American National Standards Institute (ANSI), impulse sound is characterized by:

- “Brief excursions of sound pressure (acoustic impulses) that significantly exceed the ambient environmental sound pressure” and
- “Duration of a single impulsive sound is usually less than one second” (6).

Examples of impulse sound include:

- Highly impulsive (e.g., metal hammering, wood hammering, small-arms gunfire, pile driving, drop forging, pneumatic hammering, and riveting) (6,7).
- Regular impulsive (slamming of car door, outdoor balls games, such as football (soccer) or basketball, and church bells (6,7).

A typical pickleball pop has a rapid onset of 1-2 millisecond (ms) short duration that repeats, echoes, and reverberates in a high-density fashion for another 20 milliseconds, as shown in Figure 1 (8).

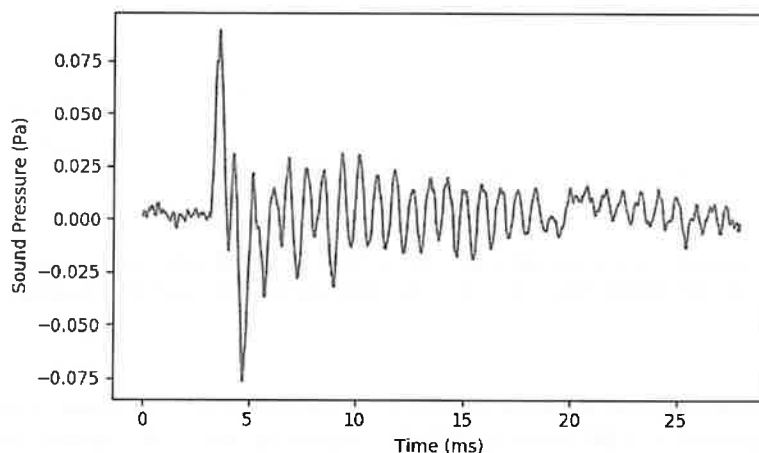


Figure 1. Pickleball noise sound pressure trace.
Reproduced with permission from Lance Willis, Spenderian and Willis, Tucson, AZ

Chronic exposure to impulse noise in the residential setting is a new phenomenon. There is only a small body of literature on the effects of impulse noise in occupational settings, with a focus on hearing loss. Pickleball noise averages fall below U.S. National Institute for Occupational Safety and Health (NIOSH) and Occupational Safety and Health (OSHA) hearing loss limits (9) although exposure times may exceed daily occupational limits. Impulse noise may have a disproportionate impact on hearing (10) and the long-term effects of environmental noise on the adult auditory system are not yet well understood (11).

The health effects of long-term non-occupational impulse noise exposure remain unclear. Impulse noise is more irritating than steady noise. ANSI Standards and additional research recommend adding a 5-12 decibel (dB) penalty to standard measurements when measuring impulse noise in general (6,12), including pickleball noise (13). When studied in relationship to intellectual tasks, impulse noise caused a measurable physiological stress response after just 50 minutes of exposure. The researchers noted that compared to steady state sound “there is additional stress effect related to the impulsiveness of the sound, reflected as a psychological experience”. Impulse noise also affects concentration (14).

The pickleball pop has an average peak frequency near 1200 Hz, which falls within the highly sensitive range for human hearing, and matches the frequencies used in vehicle backup alarms (15). Pickleball pops measured courtside in LAeq, LASmax, and LCpeak were 69.7 dBA, 92.2 dBA, and 115.6 dBC, respectively (9). Each busy court produces approximately 900 pops/hour (1) and a set of busy public courts can produce 20,000-40,000 individual pops (noise events)/day. Aviation studies show that an increased number of noise events correlates with increased noise annoyance (16) and this is likely true for pickleball noise. Figure 2 demonstrates the hourly distribution of 21,208 total pops over one day at a private condominium complex with restricted access to courts.

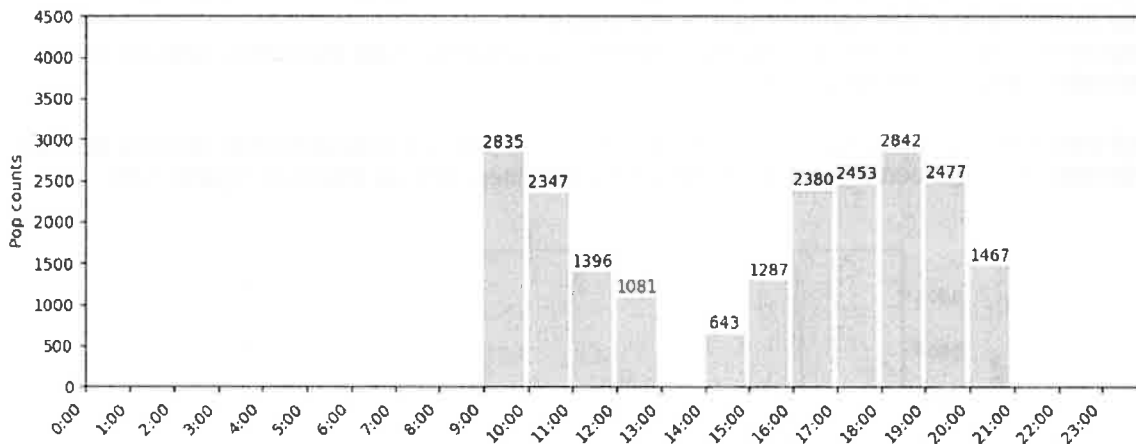


Figure 2. Pops per hour at 4 pickleball courts, Total of 21,208 total pops in one day. Reproduced with permission from NoiseNet US Operations, Brisbane, Australia.

In many neighborhoods, residents are exposed to pickleball noise from dawn to dusk, or with lighted courts, even later. Exposure to > 90 hours of pickleball noise per week, for months and years, is not unusual. While it is commonly believed that sensitivity to a noise decreases the longer one is exposed to it, longer exposure (e.g., years) increases sensitivity to certain types of noise (17). Figure 3 demonstrates a typical day of pickleball noise exposure for someone living near busy courts with hours of operation from 8 am to 9 pm.

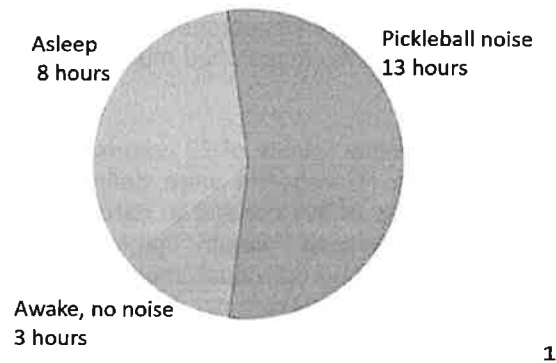


Figure 3. A typical day for a neighbor, courts open 8 am -9 pm.

Finally, neighbors close to pickleball courts have no control over the noise. An external locus of control has been associated with higher noise annoyance levels (18).

Noise is defined as unwanted and/or harmful sound (19). Exposure to noise triggers the body's involuntary stress response. Almost instantaneously, the heart rate and blood pressure increase. Within minutes, stress hormones such as adrenaline and cortisol are released. Over time, repeated stress can cause inflammation in the blood vessels, which has been linked to heart disease and a higher risk of death (20).

Decades of research show that prolonged noise exposure, generally from transportation noise, triggers a physiologic stress response and is linked to serious health problems including cardiovascular disease, anxiety, and sleep disturbances (21,22,23). Additionally, noise may also contribute to an increased risk of stroke, dementia, and cognitive decline (24). Noise can also lead to learning problems in children and problems concentrating, annoyance, and stress (21,23,25).

There are no known reports examining the effects of impulse noise on the general public. This report, using the scientific method of content analysis, may be the first.

2. OBJECTIVE OF THIS STUDY

To assess self-reported adverse health effects associated with chronic exposure to impulse pickleball noise by evaluating public comments from people living near pickleball courts.

3. METHODS

Given the absence of published reports on the impact of chronic impulse noise exposure in residential settings, content analysis was chosen as an appropriate methodology for this early-stage research. A content analysis, often used in public health to identify early trends, uses only information available in unsolicited comments (e.g., public interviews, news reports, social media posts) as its data source. It does not rely on interviews, surveys, or other interpersonal interactions (26).

This physician-led conceptual content analysis used publicly available comments about pickleball noise from Facebook, Reddit, news reports, legal filings, and public websites. A list of 120 news reports about pickleball noise was identified (27) and updated monthly via Google searches from August 1, 2024 through February 28, 2025 using the search term "pickleball noise news report". Only one report, from

The New York Times, addressed the possibility of potential adverse health effects from pickleball noise (2). Some news reports referenced other sources, allowing identification of additional content for analysis. Publicly available legal filings were found with Google searches for "pickleball noise lawsuits" or by finding filings mentioned in news reports. Social media was searched using the term "pickleball noise." Two Facebook groups focused on pickleball noise were searched more thoroughly with the terms and concepts as identified in Table 1.

Categories were developed from an initial review of 20 comments, standard medical classification, and prior research on noise and health. Categories were defined narrowly, to minimize subjective interpretation, as seen in Table 1. Coding of the content to categories was performed by a physician and repeated independently by a second health professional. Inter-rater reliability was excellent at 89.4%. (Ideal >80%). For any one individual, multiple self-reported health effects could be reported, but duplicates within the same category were not tallied.

When possible, the distance between pickleball courts and the residence of the individual reporting a concern was estimated using available data including hotspot reports to the Facebook Pickleball Noise Relief group, public records, and Google Maps.

Table 1. Categories and definitions used for content analysis

Category	Definition
anxiety	used the terms "anxiety" or "anxious"
auditory hallucinations/phantom pops	hearing pickleball pops when no play is occurring
cardiovascular problems, other	any cardiac/heart reference or stroke, excluding heart rate abnormalities or high blood pressure
depression	used the term "depression" or "depressed"
difficulty concentrating	Inability to concentrate, difficulty with or hard time concentrating
disrupted/loss of sleep	any comment related to loss/lack/disrupted/interrupted sleep
elevated blood pressure	high, elevated, increased blood pressure
fast or irregular heart rate	any description of fast heart rate, flutters, irregular heart beat
gastrointestinal issues	nausea, diarrhea, any concern related to digestion
headaches	headaches, migraines
hypersensitization to sound	subjective, any description that described a hypersensitivity to sound
hypervigilant	any description that described a sense of uncomfortable waiting with heightened alertness for noise to begin.
neurology-other	Any neurologic reference, excluding phantom pops, difficulty concentrating, sleep, hypersensitivity to sound
nightmares	nightmares, bad dreams about pickleball
PTSD-like	used term "PTSD" or similar phrasing e.g. "pickleball stress disorder"
severe distress	Subjective (e.g., suicidal thoughts, "this is living hell". Does not include any comments that were assigned to other categories)
stress	used the term "stress", "stressful", "or "can't relax"
torture	used the term "torture"

4. RESULTS

164 unsolicited public comments from 98 individuals mentioning adverse mental or physical health effects from pickleball noise were identified between May 3, 2022 and Feb. 14, 2025. Some comments referenced multiple types of health impacts, resulting in a total of 246 unique adverse impacts. Ten individuals reported adverse health effects in legal filings, 24 in news reports, and 64 in online comments.

Distance between court(s) and private residences could be determined for 67.3% of individuals. Of this group, 76.9% of comments came from residents living within 100 feet of courts and 86.3% were within 300 feet of courts. Comments did not mention daily exposure times. There was insufficient data on noise mitigation efforts (e.g., barriers, reduced hours, quiet paddles and balls) or number of courts at each location to allow analysis of these factors.

The self-reported health effects from pickleball noise are presented in Figure 4. Stress, anxiety, and sleep disruption and a variety of cardiovascular symptoms were reported, consistent with prior research on noise and health. A substantial portion of comments referred to trauma, torture, or a post-traumatic stress disorder (PTSD)-like experience. Hearing phantom pickleball pops (i.e. hearing the popping when no actual play is occurring) also represented a significant proportion of comments. Comments communicating severe distress were the most frequent type of comment. This category included two mentions of suicidal thoughts.

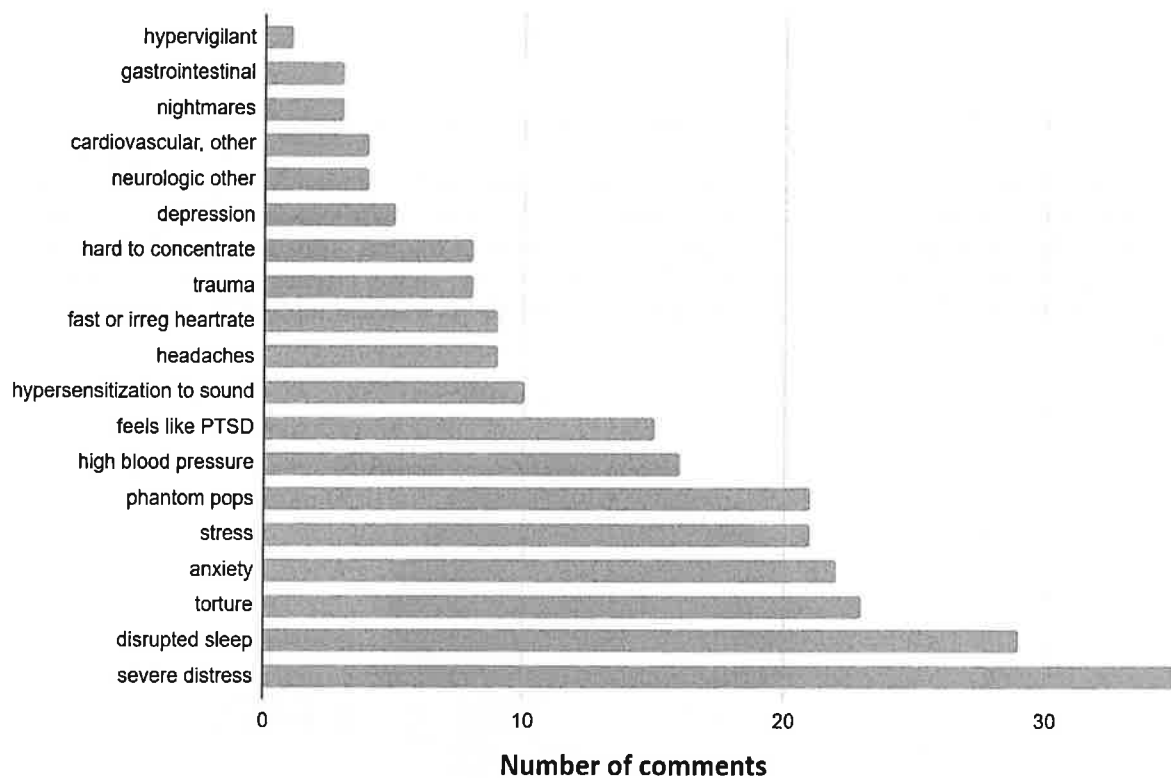


Figure 4. Self-reported health effects from pickleball noise, public comments.

Physical symptoms were noted almost as frequently as psychological symptoms. See Figure 5. While recognizing that physical and psychological symptoms often inter-relate, in this study, physical health effects are defined as a physical perception by the individual. Psychological health effects are defined as an emotional perception by the individual. Physical health effects from pickleball noise accounted for 45.9% of all comments. Of these, almost half (46.0%) were neurologic, a quarter (25.7%) were cardiovascular, and another quarter (25.7%) involved sleep disruption, as shown in Figure 5.

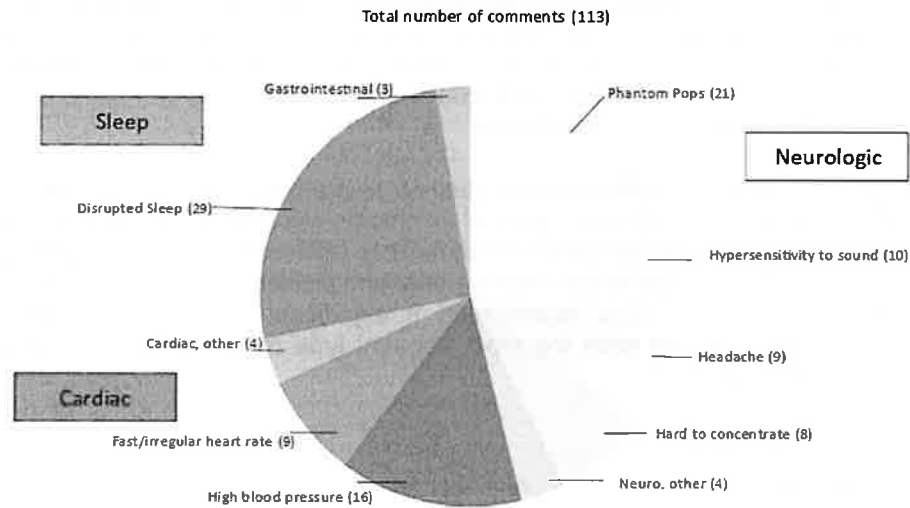


Figure 5. Self-reported physical symptoms from pickleball noise exposure

Psychological health effects from pickleball noise represented 54.1% of total comments, as shown in Figure 6. Of these, just more than half the comments (51.3%) communicated severe distress or used the term "torture." Almost a quarter (23.9%) experienced a sense of trauma. This included comments on "trauma," "nightmares," "hypervigilance," and "PTSD." Specifically, 15.3% (15/98) of individuals felt they were suffering from a PTSD like condition, using the term "PTSD" or a similar term (e.g. "pickleball stress disorder").

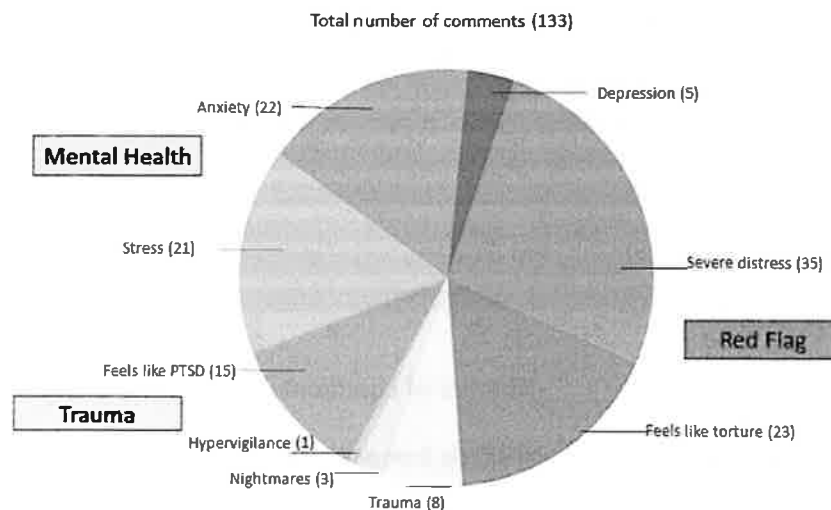


Figure 6. Self-reported psychological symptoms from pickleball noise exposure.

1

The remainder of comments on psychological health effects included stress, anxiety, and depression. Comments for stress, anxiety and depression were categorized narrowly, including comments only if they used the specific terms or derivatives (e.g., stress, stressful or depression, depressed). No other subjective interpretations of stress were included. A sample of comments categorized as “Severe distress” is provided in Table 2. The researcher noted multiple mentions of individuals forced to move, feeling trapped inside their home, or needing medication to manage symptoms due to pickleball noise.

Table 2 A sample of comments categorized as “severe distress”.

“Pickleball noise is worse than dying of cancer” (cancer patient, now deceased)
“I was told to kill myself or move”
“Suicidal thoughts”
“Extreme anguish”
“It makes me want to splatter my own brains all over the screaming yelling payers 20 feet from my bedroom”
“The pain, suffering and mental anguish is unbearable. Someday the perpetrators of this nightmare will pay.”
“The slow un-aliving of a person”
“Beyond distressing”
“This dangerous, involuntary noise torture experiment ran its full course. Now please stop it”
“I cannot live a normal life...for me, it's hell.”
“You feel as if someone is constantly punching your head”. Went on a hunger strike.
“I am not sure what I can do other than move from my home of 24 years because this play is seriously affecting my mental health”
“No one would choose to live this way. It is physically and emotionally debilitating”

16 June 2025 18:48:10

5. DISCUSSION

A. The health effects of pickleball noise exposure

This study links prolonged exposure to pickleball noise to health issues reported by nearby residents. Many of the reported health effects align with prior noise research, but some neurological and psychological effects may be more severe than previously reported. Manufacturing noise is typically separated from homes by zoning laws, construction noise is short-term, and sports-related impulsive sounds usually occur farther from residences and for limited durations. No other exposure introduces impulsive noise into residential areas with such high repetition and persistence.

Epidemiologic evidence has linked noise exposure to depression and anxiety (28). Depression and anxiety were noted in this study, aligning with results from previous noise research. Sleep disturbances, along with noise annoyance, contribute to noise-related mental health issues (29). Disrupted sleep was a significant concern and not an unexpected finding, as it is part of the physiologic stress response. However, some individuals described being awakened by hearing phantom pickleball noises and then being unable to fall back asleep. Pickleball nightmares were also mentioned.

Phantom pops were reported by 21.4% (21/98) of commenters, with some calling it "auditory hallucinations". The symptoms were noted both during the day and at night, sometimes associated with a racing heart. In some cases, these symptoms persisted months after exposure had stopped. Potential explanations include tinnitus or auditory hallucinations. Both tinnitus and hallucinations stem from central auditory processing issues, occurring within the brain.

Tinnitus, the perception of sound without an external source (30), has been linked to industrial and traffic noise annoyance. Research suggests neuroplastic changes in the brain may contribute to noise-related tinnitus (31). Tinnitus and prolonged noise exposure are associated with neuro-psychiatric diseases, cognitive decline, and dementia (32). Auditory hallucinations, also defined as sensory perceptions of hearing noises without an external stimulus, are associated with severe stress or psychiatric conditions, including post-traumatic stress disorder (PTSD), although the cerebral mechanism has not been completely defined (33).

"PTSD" or a "PTSD-like" response was mentioned by 15.3% (15/98) of commenters. Lay people often use the term "PTSD" to describe the effects of traumatic experiences. Although symptoms reported by those exposed to pickleball noise do not meet current criteria for a formal PTSD diagnosis (34), the comments do clearly communicate a personal experience of trauma and must be taken seriously. Combined with comments on nightmares, hypervigilance, or trauma, this group of concerns accounted for 20% of psychological complaints. Repeated exposure can worsen symptoms of trauma, which typically persist unless the trigger is removed.

While definitions of traumatic events vary, one definition is: "Traumatizing events are those that fundamentally uproot a person's sense of safety—whether through a single event, an ongoing set of experiences, or a proximity to violence" (35). The relationship between sound and trauma is complex and requires a multidisciplinary approach that considers context, culture, and psychology, as well as acoustics (36).

Comments categorized as "severe distress" or "torture" made up a notable portion of the responses. Some individuals compared the relentless impulse noise exposure to specific forms of torture, such as "dripping water torture." Although these categories are not part of standard medical classifications, they strongly suggest heightened activation of the physiological stress response and warrant further investigation.

Two comments mentioned suicidal thoughts, and another described chronic pickleball noise as "un-aliving." Given research linking transportation noise to a slight increase in suicide risk (37), these concerns should not be ignored.

B. The psycho-acoustics of pickleball noise exposure

The proportion of comments about phantom pickleball pops and the severity of some of the psychological health effects are concerning. The psychoacoustics of the pickleball pop may be a key factor behind these psychological and neurological health effects. The characteristics of pickleball noise that may contribute to the adverse health effects found in this study are outlined in Figure 7.

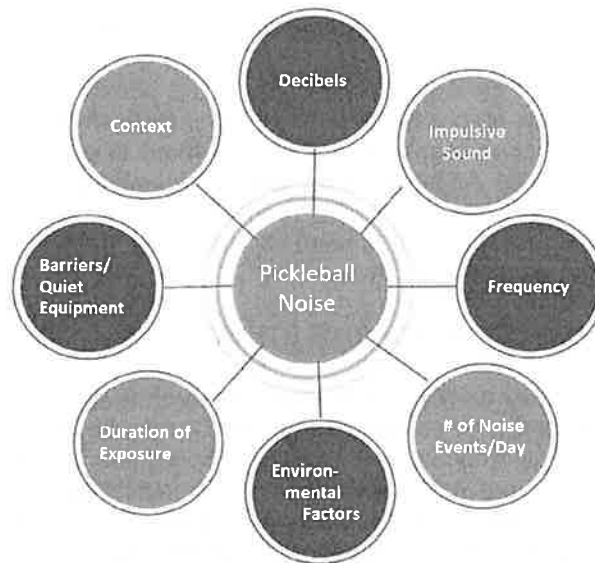


Figure 7. Factors contributing to human perceptions of pickleball noise.

Local U.S. noise ordinances often overlook key aspects of pickleball noise, relying mainly on decibel levels, often measured incorrectly-without accounting for impulse noise penalties (38). Many pickleball sound studies share this flaw, focusing only on decibels and omitting the impulsive nature of the sound. A review of 79 pickleball sound studies found that only one of 36 consultants classified the pickleball “pop” as highly impulsive and applied the full 12 dB penalty, while just three applied a 5 dB penalty (1). These inadequate measurements obscure the true auditory, physical, and psychological impacts. As pickleball noise expert Bob Unetich told NPR in 2023, “You can’t take pop, pop, pop for 12 hours a day every day and remain sane” (39).

Civic leaders often interpret noise complaints as a NIMBY (Not in My Back Yard) issue or just an “annoyance.” However, from a health perspective, the findings of this study show that pickleball noise should be viewed as much more than an “annoyance”

Given the potential for serious health effects in nearby residents, immediate mitigation or closure of problematic courts and careful planning for new courts is recommended. The placement of courts should involve certified acoustic professionals who can predict and evaluate noise exposure levels and potential problems near residences. A multifactorial approach that fully assesses the human impact of pickleball noise exposure is recommended.

Acoustic consultants have already provided general recommendations for setbacks, while recognizing that each site brings unique factors that require thorough evaluation. One consulting company that has evaluated more than 150 pickleball court locations reports that “as a ‘general rule of thumb’, within 100 ft of residences, it is extremely difficult (i.e., costly) to adequately mitigate pickleball sound without enclosing the courts. (40). Courts 100–400 feet away typically also require multiple costly mitigation strategies and enforceable rules (8,41,42,43). Courts between 400–1000 feet should undergo individualized sound assessment (8,42,43). Of note, enforceable rules regarding quieter paddles and balls or shortened hours of operation appear to be enforceable only in private courts or in municipal courts with constant supervision.

Based on the acoustic consultant advice and our data, we suggest that existing courts <1000 feet from homes should undergo comprehensive sound evaluations including analysis of all factors influencing perception of pickleball noise sound. To avoid years of costly litigation, it may be advisable to delay locating new courts within 1000 feet of homes until further research is available. For courts within 100 feet of homes, our findings support the consultants’ recommendations. Approximately 75% of the

reported health concerns noted in our study came from people living <100 feet from courts. We recommend that courts not be placed within 100 feet of homes unless completely enclosed.

Our preliminary findings raise serious concerns about the health effects of prolonged exposure to pickleball noise. Just as indoor smoking bans and designated smoking areas protect others from secondhand smoke, pickleball court locations must be planned to protect non-players living near the courts from intrusive impulse noise. And, just as no safe lower limit was found for secondhand smoke, it is possible that no safe exposure level exists for repetitive impulse noise either. Detailed acoustical, physiological, and epidemiological research is needed. Until then, every effort should be made to place new courts as far from homes as possible.

6. STRENGTHS AND LIMITATIONS OF THIS STUDY

Content analysis helps identify early patterns when research is limited and can guide future studies, but it does not measure prevalence or establish causation. It may be biased by self-selection, as those most affected may be more likely to speak out. However, gaslighting and harassment of neighbors has been reported in social media and may discourage some individuals from speaking out. Coding is subjective but follows standard health classifications to enable verification and replication. Potential bias exists as both reviewers of the data are members of related Facebook groups.

7. CONCLUSION

Once constructed, pickleball courts can be expected to operate for many years into the future. Local decision makers need comprehensive information as they make decisions about pickleball court location and local regulations. This should include not only a comprehensive sound study that includes all the acoustic measurements relevant to impulsive pickleball noise but also information about the potential adverse health effects on nearby neighbors.

This study links prolonged exposure to pickleball noise to self-reported adverse health effects in nearby residents. Chronic noise exposure is already known to be associated with heart disease, diabetes, disrupted sleep, and other adverse health effects. Our results also link pickleball noise exposure to reports of suicidal thoughts, a sense of torture, PTSD-like symptoms, and comments suggesting severe distress. Psychological concerns, sleep disruptions, and hearing phantom pickleball pops were found. Both the immediate stress responses and the long-term effects suggest a potential risk of long-term harm to the physical and mental health of those living near pickleball courts.

These findings underscore the urgent need for further research. Further study should address the complex acoustical properties of pickleball noise, as well as the significant psychological and physiological impacts of long-term exposure to impulse noise in residential settings.

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The harassment experienced by neighbors is real, including reported death threats, and the authors respect the courage it takes to speak publicly about these concerns. A data file—including links to public sources—will be provided upon request to journalists or researchers at accredited institutions who agree to adhere to standard privacy protocols.

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A survey of the community impact of pickleball noise: A pilot study

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A survey of the community impact of pickleball noise: A pilot study

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As pickleball grows in popularity, pickleball noise in residential settings is increasingly recognized as a potential acoustic intrusion and health hazard to neighbors. Current recommendations for appropriate mitigation are currently based on expert opinion from sound professionals and industry leaders. While expert recommendations have provided valuable guidance, a lack of publicly accessible data—particularly from those living near the courts—can present a challenge for local decision makers, who must balance the harm resulting from pickleball noise with the interests of a growing player base. This study aims to help fill that gap through a survey of residents living within 1000 feet of public, club-operated or homeowners association (HOA)-managed pickleball courts. Survey questions gathered data on the number of courts, exposure duration across time, sound levels, the existence of mitigation means, and the respondents' current levels of annoyance, disturbance, and/or other harms. This research on the lived experience of communities is essential to evidence-based decision making that protects the health and well-being of the neighboring residents while also providing the desired access to pickleball recreation.

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1. INTRODUCTION

Pickleball is an increasingly popular racquet sport played with hard paddles and plastic balls that produce loud “pops.” These repetitive impulse sounds introduce a new and distinctive source of unwanted and potentially harmful noise in residential environments, exposing residents living near busy courts to thousands of sharp “pops” each day. An audio recording of the noise from 4 pickleball courts can be heard at <https://doi.org/10.5281/zenodo.15566001> (1).

In 2024, 18,455 new courts were built in an estimated 4,000 new locations (2). As new courts are constructed, pickleball noise is disrupting the soundscape in residential areas, leading to conflicts and complaints. One Google Map identifies more than 500 pickleball noise hotspots across North America (3). The issue has been covered in hundreds of news reports, generated countless social media posts, and led to approximately 200 legal claims in the United States (4).

Although local decision makers and acoustic professionals responsible for decisions regarding court locations usually understand the health and social benefits of pickleball recreation, they are less likely to be familiar with the potential harm to residential neighbors who are chronically exposed to pickleball noise. A previous content analysis of self-reported health concerns linked to pickleball noise found significant issues amongst residents exposed to chronic pickleball noise, including trauma-like symptoms, phantom sounds (pops), and severe psychological distress (5).

This pilot study aims to better understand the impacts of pickleball noise on the lives and health of community members who are exposed and to inform guidelines for court locations and noise mitigation strategies.

2. METHODS

A. SURVEY DEVELOPMENT

An eighteen-question online questionnaire was developed using Survey Monkey (SurveyMonkey Inc, San Mateo, CA; www.surveymonkey.com). The survey questions were drafted based on scientific literature on the effects of noise and on impacts reported by affected community members. The draft survey underwent face validation with a focus group, was revised accordingly, and submitted to an ethics committee for approval.

The first ten questions focused on the respondent’s zip code location and details of the physical arrangement of the courts located nearby, including geographic features and existing noise mitigation measures. Participants were instructed to estimate the distance between their residence and the courts using Google Earth or by pacing the distance, with each step approximating three feet. The remaining eight questions addressed the nature and severity of the impacts experienced, as well as respondents’ concerns about their noise exposure. Free text comments were permitted in Questions 3, 6, 7, and 10-18 without restrictions on the number of comments. Open-ended responses for questions 11 & 12 were analyzed using thematic analysis. Responses were coded, grouped into categories, and synthesized into higher-order themes reflecting common experiences and perspectives. No demographic information was requested from respondents.

B. SURVEY SAMPLE AND DISTRIBUTION

The survey was open for three weeks in September–October 2025. The survey was directed at individuals who currently live, formerly lived, or anticipate living within 1000 feet of pickleball courts. “Exposed” individuals are defined as those respondents who currently live or have lived near courts and who hear or have heard chronic pickleball noise. Respondents were instructed to submit one survey only. Duplicate responses from the same device were not allowed and IP addresses were scanned for multiple responses.

To recruit neighbors with both ongoing concerns as well as successfully resolved concerns, two acoustic firms that regularly address pickleball noise were invited to share the survey with past clients. Four community advocates were invited to distribute the survey link to community members who had previously reached out to them regarding pickleball noise. The survey was also posted on two Facebook groups: Pickleball Noise Relief (focused on affected neighbors) and Pickleball Sound Mitigation (administered by an acoustic firm, focused on finding technical solutions). The author also posted messages in each group soliciting successful noise mitigation experiences.

C. ANALYSIS

For this paper, survey responses were analyzed using descriptive statistics only. A detailed statistical analysis is underway to determine the contribution of co-variables, such as distance from courts and duration of noise exposure, on the impacts of pickleball noise on the lives and health of the surrounding residents.

3. RESULTS

A. SURVEY RESULTS

Within the three-week open survey period, 440 responses were received from 264 communities, 229 of which were from the United States, evenly distributed across the North, South, East, and West. In four zip codes, there were two distinct locations (i.e., sets of courts) where noise concerns occurred. International responses came from 29 postal codes in Canada, and from one postal code each in Australia and New Zealand.

Three hundred eighty-six of the 440 surveys received were from community members who were exposed to pickleball noise in their neighborhood, either presently or in the past. Thirty-three of the survey participants reported that courts were planned nearby, 11 reported they had never lived near existing or planned courts, and 10 declined to state whether they had lived near courts (Question 2). Overall, 87.7% of respondents met the study’s definition of “exposed” individuals. Fifteen submissions were received from respondents living more than 1000 feet from courts and their responses are included in the results.

Results from exposed respondents were analyzed and described in the following tables: the physical characteristics of courts (Tables 1–2), amount of exposure (Table 3), acoustic and non-acoustic factors affecting the experience of the sound (Table 4), annoyance (Tables 5, 6, 7), interference with daily activities (Figures 1–5), consideration of moving (Figure 6), and health concerns (Figure 7). The remainder of the questions were analyzed using all community responses.

The physical characteristics of the neighborhood courts are shown in Table 1 and the presence of noise mitigation currently in place is shown in Table 2.

Table 1. Characteristics of pickleball courts

Q3. Type of courts (n=365)		Q4. # of courts (n=383)		Q5. Setback distance (n =385)		Q6. Geography (n=302)	
Public	220 (60.3%)	1	23 (6.0%)	<100 ft	167 (43.4%)	Home above courts	139 (46.0%)
HOA*	92 (24.9%)	2-4	229 (59.8%)	100-300 ft	119 (30.9%)	Body of water	15 (5.0%)
Private/Club	33 (9.0%)	4-8	92 (24.0%)	300-500 ft	46 (11.9%)	Geography focuses noise	65 (21.5%)
Neighbor	21 (5.8%)	>8	39 (10.2%)	500-1000 ft	38 (9.9%)	None	114 (37.5%)
				>1000 ft	15 (3.9%)		

*Homeowner Association

Table 2. Existing noise mitigation (n=374)

Thick vinyl sound barriers	57 (15.2%)	Mesh netting	70 (18.7%)
Limited hours, recommended	66 (17.7%)	Limited hours, enforced	31 (8.3%)
Quiet paddles, recommended	54 (14.4%)	Quiet paddles, enforced	5 (1.3%)
Quiet balls, recommended	45 (12.0%)	Quiet balls, enforced	6 (1.6%)
No mitigation in place	172 (46.0%)		

*Multiple responses allowed

Qs. 8, 9. What is the duration of exposure to pickleball noise? While some courts are used only occasionally, many public courts—due to pickleball’s popularity—are in near-constant use from daybreak to sunset. The addition of lights, in some situations, can extend the hours of play into the late-night hours. Pickleball is a relatively new sport and most respondents have less than 5 years of exposure to the noise. See Table 3.

Table 3. Exposure to pickleball noise

Hours per week, courts open (n=379)	Responses (%)	Years of exposure (n=382)	Responses (%)
<30 hours per week	32 (8.4%)	< 1 year	41 (10.9%)
30-50 hours per week	50 (13.2%)	1-3 years	162 (43.1%)
50-70 hours per week	76 (20.1%)	3-5 years	119 (31.6%)
>70 hours per week	221 (58.3%)	>5 years	54 (14.4%)

Q10. Which of the following can be used to describe your experience with pickleball noise? While 2/3 of respondents described the noise as loud, almost 90% described the noise as repetitive pops or clicks. Almost 3/4 of participants reported being able to hear the noise inside their home or office and almost 2/3 reported being exposed to nighttime pickleball noise. Nearly half of all residents reported experiencing harassment from pickleball players after raising concerns about the noise. Several respondents further described incidents involving “assault,” “threats,” or “being accosted,” and at least three indicated that police involvement was required.

Table 4: Acoustic and non-acoustic factors affecting residents’ experience of the sound (n=384)

Acoustic Factors: How Residents Describe the Sound	Responses (%)	Non-Acoustic Factors: How Residents Experience the Sound	Responses (%)
Repetitive (e.g., pops, clicks)	377 (88.1%)	Noise heard inside home or office	316 (73.6%)
Chronic	286 (66.8%)	Being ignored by decision makers	280 (65.4%)
Loud	282 (65.9%)	Courts visible from home	275 (64.3%)
Unpredictable	254 (59.4%)	Noise during the night, 6 pm-8 am	274 (64.0%)
Intermittent	189 (44.2%)	Harassment from pickleball players	203 (47.4%)

*Multiple responses allowed

Q11. Does the word “annoyance” adequately describe your experience of pickleball noise? (n=358)

While the term “annoyance” is used by acousticians to define a sound problem that requires a remedy, lay people, including local decision makers, more often use the term to describe an irritant, without the implied need to remedy the situation. More than half of respondents reported “no” when asked if the word “annoyance” was adequate to describe their experience. Of the twenty-eight (7.5%) respondents who skipped the “yes/no” question, 26 left comments describing their experience as more than an annoyance using phrases such as “tortuous”, “unbearable”, and the “popping sound triggers PTSD from the military”. Their responses are included as “no” in the table below. See Appendix, Table A1.

Table 5. The word “annoyance” adequately explains the experience of pickleball noise (n=386)

The word “annoyance” adequately explains the experience	Respondents (%)
Yes	157 (40.7%)
No	229 (59.3%)

A total of 206 respondents provided an open comment to the question about the adequacy of the term “annoyance,” with nearly 2/3 of them communicating severe psychological or emotional distress, mirroring the 26 comments from those who did not answer the structured question. See Appendix, Table A2.

Q12. How often does the issue of pickleball noise interfere with your ability to do the following activities? Most respondents reported that pickleball noise either often or constantly interferes with the ability to be mindful, enjoy their home, communicate at home, or work productively (Fig 1-4). Almost half report it often or constantly interferes with sleep (Fig. 5)

How often does the noise affect your ability to:

Fig.1 Be mindful, rest, be calm or think (n=377)

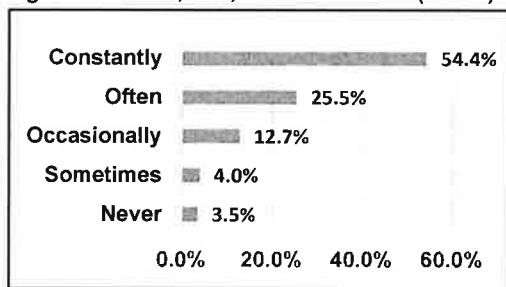


Fig.2 Enjoy indoors/outdoors at home (n=374)

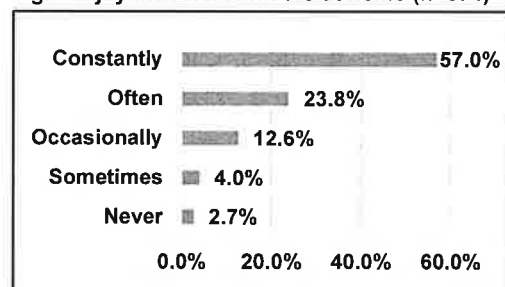


Fig.3 Talk, socialize, do activities at home (n=368)

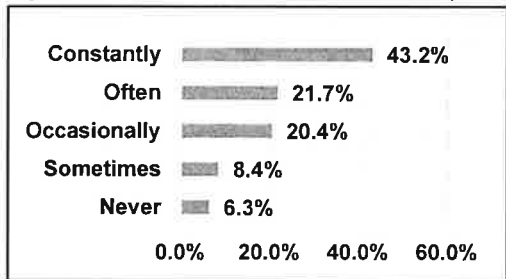


Fig.4 Concentrate or work productively (n=364)

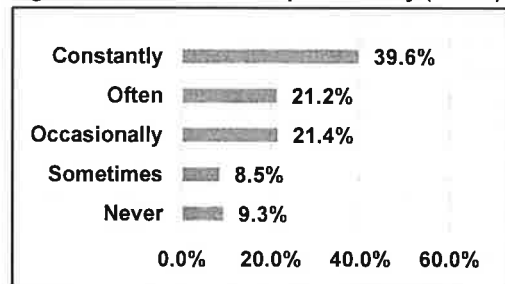
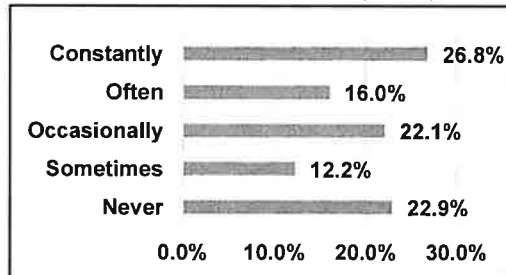


Fig.5 Sleep undisturbed (n=362)

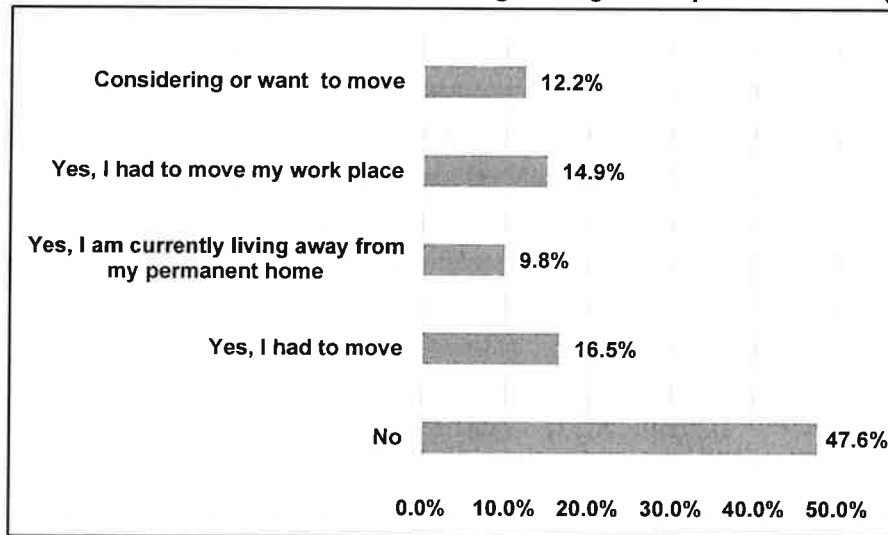


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Open ended comments from 84 respondents further describe disruption of rest, well-being, and quality of life among those exposed to pickleball noise. See Appendix, Table A3.

Q 13 Have you had to significantly modify your life because of pickleball noise? 226 of 386 participants responded to the given response options. Of the remaining 160 (41.5%), 31 provided open-ended comments that expressed a desire to move with some unable to and others considering or preparing to move. These responses are included in the results below. More than half of the respondents reported either having to move or wanting to move. See Figure 6.

Fig 6. Proportion who moved or are considering moving due to pickleball noise (n=257)



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Q14. What feelings best describe your response to pickleball noise? Almost all respondents reported at least one type of negative emotional response to pickleball noise. Frustration, feeling anxious/agitated, stress, and feelings of powerlessness were all reported by more than 2/3 of respondents. See Table 6.

Table 6. Emotional responses to pickleball noise (n=418)

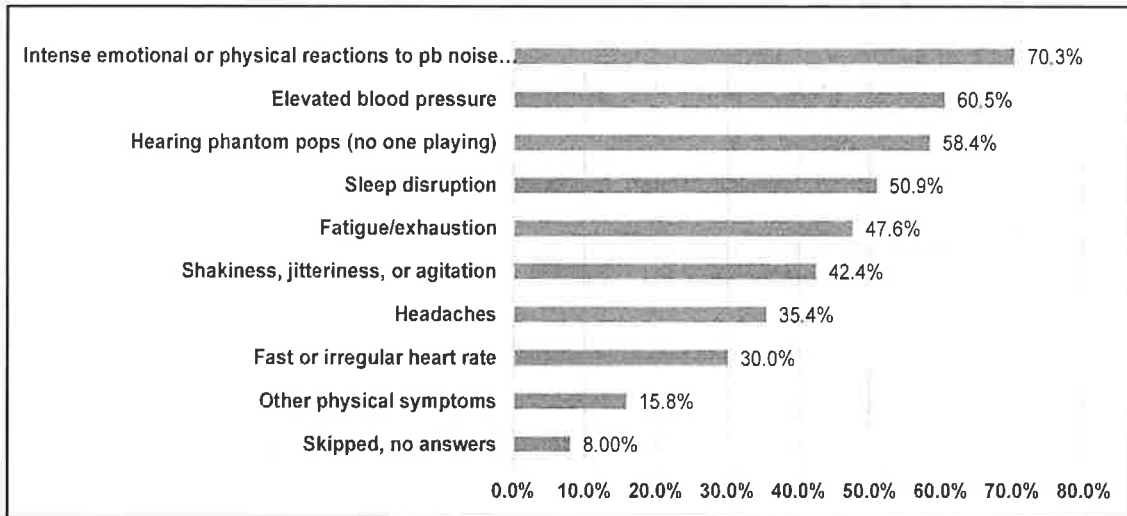
Feelings	Responses (%)
Frustration	343 (82.1%)
Stress	312 (74.6%)
Feeling of Powerlessness	302 (72.3%)
Anxious/Agitated	302 (72.3%)
Anger/Rage	269 (64.4%)
Resentment	265 (63.4%)
Hopeless	186 (44.5%)
Depressed	151 (36.1%)
Fear	75 (17.9%)
No strong feelings	19 (4.6%)

*Multiple responses allowed

65 respondents left additional comments, reflecting the above themes. One commenter reported “feeling suicidal” and another was so enraged they thought they would “end up in prison due to violence”. Many reported trauma-like responses using descriptive terms such as “trauma”, “torture”, and “PTSD.” One respondent commented, “It honestly made my PTSD from my military service much worse. The constant high pitch in a random and irregular pattern was just nerve-wracking all the time inside and outside my home”.

Q15 What concerns do you have about the possible effects of pickleball noise on your health or that of your family members? More than 90% of all respondents reported at least one health concern. More than 2/3 of respondents reported intense emotional or physical reactions to pickleball noise or its reminders. See Figure 7.

Figure 7. Health concerns from pickleball noise (n=393)



*Multiple responses allowed

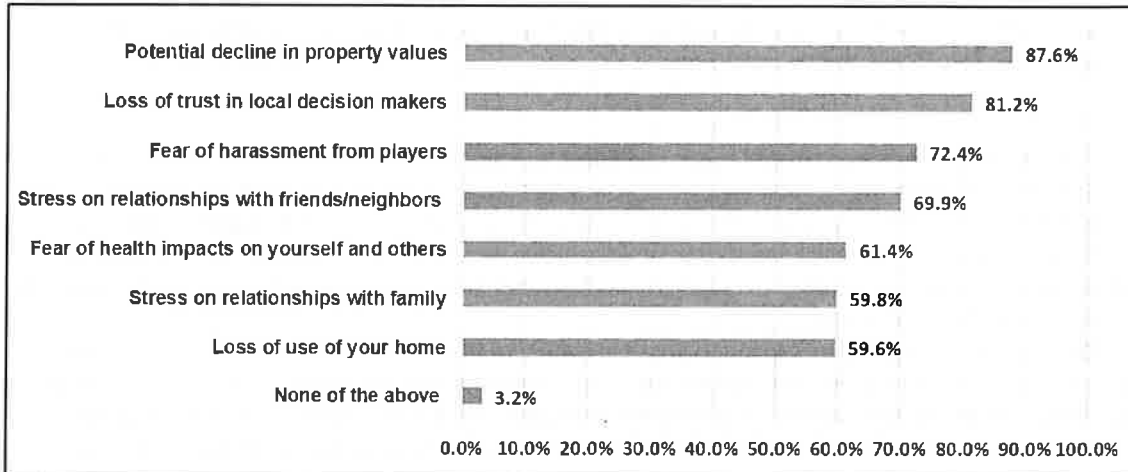
Q16. How concerned are you about the impacts of pickleball noise on your community? More than half of the community reported being extremely concerned about the impact on each of the following: children or infants, seniors, veterans or others with PTSD, and people with learning disorders, neurologic disorders, or other disabilities. See Table 7.

Table 7. Level of concern about specific impacts on community from pickleball noise (n=430)

Answer choices	Not concerned	Not very concerned	Moderately concerned	Very concerned	Extremely concerned
Impact on children or infants	42 (11.7%)	25 (7.0%)	56 (15.6%)	50 (13.9%)	186 (51.8%)
Low income and/or minority populations	87 (26.1%)	36 (10.8%)	61 (18.3%)	38 (11.4%)	111 (33.3%)
Effect on environmental quality and ecosystems	29 (7.9%)	20 (5.4%)	59 (16.1%)	69 (18.9%)	189 (51.6%)
Impact on seniors, especially those with pre-existing conditions	20 (5.4%)	9 (2.4%)	36 (9.7%)	66 (17.7%)	242 (64.9%)
Impact on veterans or others with PTSD	22 (6.2%)	15 (4.3%)	36 (10.2%)	47 (13.3%)	233 (66.0%)
Children and adults with learning and/or neurological disorders, e.g., autism, sensory deficit disorders	27 (7.7%)	18 (5.1%)	43 (12.2%)	56 (15.9%)	208 (59.1%)
Children and adults living with disabilities	34 (9.6%)	16 (4.5%)	52 (14.7%)	53 (15.0%)	198 (56.1%)

Q 17. What other impacts of pickleball noise concern you? Property values, fear of harassment and health impacts and stress on relationships both with family members and within the community were all areas of significant concern to the respondents, with more than 60% of respondents indicating a concern for each issue. See Figure 8.

Figure 8. Other concerns about impact of pickleball noise (n=435)



*Multiple responses allowed

Q18. Are there any other details about your experience that you think are important to know? 280 open-ended responses to this question were received and mirrored the hundreds of other open-ended responses received to the above questions.

B. SURVEY RESULTS ON NOISE MITIGATION STRATEGIES

Physical sound barriers, quiet paddles and balls, and setbacks from homes are often recommended by acoustic professionals. The authors have not found any published research regarding the effectiveness of these strategies that include input from residents living near courts. A limited descriptive analysis is provided below. A detailed statistical analysis is underway to determine the contribution of co-variables, such as noise mitigation strategies and duration of noise exposure, to the impacts of pickleball noise on the well-being of the surrounding residents and will be the subject of a separate manuscript.

I. VINYL SOUND BARRIERS

Sixty-seven respondents reported that their local courts have thick vinyl sound barriers with setbacks ranging from less than 100 feet to more than 1000 feet. Sixty-one of these respondents provided comments, of which almost all (n= 59, 96.4%) suggested the barriers are not adequately addressing the noise problem.

II. SETBACKS

About 1 in 8 respondents (53) report living more than 500 feet from courts. A significant proportion of this group reports a notable impact on their ability to be mindful (n=31, 62%), enjoy being indoors/outdoors at home, (n=31, 62%), or communicate/socialize at home (n=22, 46%). Almost half of this group said the term "annoyance" is not adequate to describe their experience of pickleball noise (n=24, 49%). Almost 2/3 of this group report concerns about intense emotional or physical reactions to pickleball noise or its reminders (n=27, 65.9%) and almost half report concerns about high blood pressure (n=20, 48.8%).

III. QUIET EQUIPMENT

Six respondents reported that playing with quiet balls was enforced at their neighborhood courts. All six had homes located within 100 feet of courts. Only one commented "no impact on daily activities". The other five reported "a nightmare", "tortuous", "it has ruined the enjoyment of our home", "unbearable annoyance", and "abusive noise".

4. DISCUSSION

The results of this pilot survey show that pickleball noise has a substantial impact on the health and well-being of people in the nearby community.

A. ACOUSTIC AND NON-ACOUSTIC FACTORS

Characteristics other than decibel levels can affect human response to noise; for example, frequency (in Hz), number of noise events, and impulsivity (6,7,8,9). Pickleball courts can generate up to 900 pops per court per hour, with four busy courts producing over 35,000 pops per day in irregular patterns at ~1,200 Hz—a frequency to which the human brain is highly sensitive. Respondents highlight that it is "not just decibels." A higher percentage of respondents described the sound as *repetitive pops* compared with *loud* (88% vs 66%, respectively).

More than 3/4 of respondents reported possible exposure to the noise for more than 50 hours per week. Although courts may not be in constant use, residents emphasized the uncertainty of when play might begin, an anticipatory stressor that prevents relaxation. Nearly 90% have lived near active courts for more than one year. While it is commonly believed that noise tolerance increases with continued exposure, research suggests that in some situations, annoyance increases with extended exposure (10).

Non-acoustic factors unrelated to the physical, measurable characteristics of a sound, such as social context and stress have been found to explain up to 1/3 of the variance in noise annoyance (11). Examples from this survey include being able to hear the noise inside one's home, reported by almost 3/4 of respondents. Another is the harassment from pickleball players after speaking up about the noise, reported by nearly half of all respondents. These results underscore the importance of considering factors other than decibels when evaluating the human response to pickleball noise.

B. IMPACTS ON DAILY LIFE

For many respondents, the noise has severely disrupted daily life and caused significant stress. Most residents report being impacted constantly or very often. People report being unable to enjoy their homes, gardens, or outdoor spaces, and many have altered routines or even relocated to avoid the noise. Comments frequently describe an ongoing sense of intrusion— "*I cannot think, I cannot concentrate, I can't do anything in my house*" and a feeling that they are being driven indoors or away from home.

Some report major life decisions such as delaying retirement or giving up hobbies, because of the noise. Over half of respondents have either already moved, want to move, or have moved part time from their home, due to the noise. These experiences are clearly very stressful and clearly meet common definitions of an environmental nuisance: interference with the comfortable enjoyment of life or property.

C. HEALTH CONCERNS AND PHYSIOLOGIC STRESS RESPONSE

The high level of concern over the impact of pickleball noise on health and the reports of specific impacts, e.g., elevated blood pressure, sleep disturbance, anxiety and jitteriness, are consistent with extensive scientific evidence on the ability of noise to trigger the body's stress response. Noise stimulates the amygdala and activates the autonomic nervous system leading to inflammation and oxidative stress, resulting in damage to the vascular endothelium (12). Chronic activation of the stress response increases the risk of cardiovascular, cerebrovascular, and metabolic harms as well as of mental health disturbances like anxiety and depression (13,14). In addition to these non-auditory impacts, the reported concern by well over half of respondents over "phantom pickleball pops," i.e., hearing sound in the absence of play, may represent a trauma-related reactivity or a form of noise-induced tinnitus. It is reported that these

phantom sounds may cause sleep disruption and, for some, have lasted for weeks or months after moving away (5).

The potential for pickleball noise to trigger trauma-like responses warrants further consideration. Previous research found that a self-reported sense of trauma, feeling tortured, and/or severe distress was noted frequently by people who spoke publicly about their concerns with pickleball noise (5). More than 2/3 of survey respondents reported intense emotional or physical reactions to pickleball noise or its reminders—a measure designed to assess trauma-like symptoms. Evidence for this possibility is further supported by the finding that 2/3 of respondents expressed extreme concern about the effects of pickleball noise on veterans and individuals with PTSD, the highest concern among all vulnerable groups. Such trauma-like responses may arise when individuals or communities face persistent, uncontrollable, and distressing noise that overwhelms coping capacity, leading to chronic distress, hypervigilance, or sleep disruption.

D. COMMUNITY LEVEL IMPACT

Significant community and social disruption was reported in relation to pickleball noise, with a majority reporting stress on relationships with neighbors, friends, and relatives. Fear of harassment from pickleball players and a loss of trust in local decision makers, reported by most respondents, are factors that exacerbate disruption of community and social relationships.

Beyond individual effects, respondents describe broader concerns for the community. Significant majorities expressed concern for other vulnerable groups, including children and infants, children and adults with disabilities including neurologic and cognitive issues, as well as the elderly.

E. ROLE OF MITIGATION

Current guidance, based on expert opinion, has suggested that full relief is unlikely within 100 feet of active courts, and significant multi-faceted mitigation is needed within 400 feet (5). Most respondents in this survey live within 300 feet of courts which might suggest that the impacts are greater closer to courts.

However, preliminary results suggest that while proximity may increase the percentage of people affected, meaningful impacts persist for residents living at even greater distances from the courts. Initial results also suggest that current implementation of various mitigation techniques, including quiet paddles/balls or sound barriers, may not provide adequate relief in many situations.

Further statistical analysis is needed to better understand the multifactorial relationships between setbacks, geography, mitigation, and duration of exposure and how these factors affect the significant impact currently being reported by many residents.

F. LIMITATIONS

Purposeful sampling, used in this pilot study, is commonly used in exploratory and early-stage environmental health research to document the existence of a new problem and characterize the range of responses. Given inherent response bias, typical in surveys of this type, participation was likely weighted toward those most impacted. Additionally, two experienced acoustics firms were invited to share the survey with their clients to solicit examples of successful implementations. One firm declined to participate, although it allowed the survey to be posted on its Facebook page. As a result, the pool of potential success cases may have been reduced, which may have increased bias. Random sampling is not included in this methodology but can be used in subsequent studies to help measure the prevalence of concerns.

The survey underwent face validation but no other psychometric testing. The study relied on self-reported data, and no objective measurements were collected to validate respondents' estimates of factors such as distance from courts, duration of exposure, or noise intensity.

Statistical analyses are ongoing and not included in the current paper; the lack of demographic data (e.g., age, gender, time spent at home) prevents assessment of potential variation across population subgroups.

G. POLICY IMPLICATIONS

As pickleball continues to grow in popularity, acoustic professionals and local policy makers must be made aware of the potential negative impacts on pickleball noise on the daily lives, health, and well-being of surrounding community members. For many, the effects extend beyond simple annoyance. Decisions about appropriate court locations must rely on factors that are meaningful to the lived experience of communities. In addition to assessing loudness (e.g., decibels), other characteristics of the sound must be considered including impulsivity, number of noise events/day, and total duration of exposure. It is equally critical to account for non-acoustic factors that shape human perception of noise such as the intrusion of sound into the interior of the home and the presence of social conflict. A framework for planning and zoning that incorporates these considerations has been proposed (15), but further development and broader dissemination of evidence-based guidelines for court siting and mitigation strategies are needed.

5. CONCLUSION

Survey responses from 264 communities show that pickleball noise has a substantial impact on nearby residents. Residents describe both loss of enjoyment of home and property from chronic noise exposure and significant health concerns consistent with a physiological and psychological noise-induced stress response. Municipalities and local leaders tasked with providing opportunities for pickleball recreation are also responsible for protecting the well-being and health of neighbors living in proximity to pickleball courts. Evidence-based guidelines are needed to help guide these decisions.

6. ACKNOWLEDGEMENTS

The authors gratefully acknowledge the assistance of Rob Mastroianni, Nalini Lasiewicz, Lance Willis, and Pickleball Sound Mitigation.

7. APPENDIX

Table A1. Comments from the respondents who skipped the “annoyance” question (Q.11, n=26)

<i>The popping sound triggers PTSD from the military</i>	<i>Racquet noise and yelling</i>	<i>Tortuous</i>
<i>Aggressive, oppressive</i>	<i>Irritating, impulsive</i>	<i>Anxiety trigger</i>
<i>Daily torture</i>	<i>Disturbing</i>	<i>Constant nightmare</i>
<i>I flinch</i>	<i>Unwanted noise</i>	<i>Nuisance against our covenant</i>
<i>Unbearable</i>	<i>Obnoxious</i>	<i>Noise piercing</i>
<i>Worse than annoyance, health risk</i>	<i>Unbearable</i>	<i>Absolute torture</i>
<i>Annoyance + health impact</i>	<i>Tortuous</i>	<i>Extremely annoying, disruptive</i>
<i>Torturous</i>	<i>Difficult to have a</i>	<i>Drives a person crazy</i>
<i>Stressful</i>	<i>conversation</i>	<i>Enjoyment, exercise</i>

Table A2. All open comments to the question about “annoyance” (Q.11, n=206)

Category	% of total	Representative Comments
Severe psychological distress emotional distress	65.0%	<i>“Psychologically damaging is more like it!”, “auditory assault”, “Sonic harassment or torture”, “Absolute torture”, “CRIMINAL ASSAULT”, “soul destroying”, “abusive” “Painful, PTSD inducing, nails on chalkboard”.</i>
Impacted quality of life	23.3%	<i>“It sounds dramatic, but it affects my quality of life.” “It has ruined the enjoyment of our home”, “It is impossible to live in our home”, “I think nuisance is better word.” “I would call the sound maddening. Have to go inside.”</i>

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Impacted health	8.7%	"We both have been diagnosed with health issues due to the noise", "Documented health risk affecting each family member differently" "Mental health and overall well-being was extremely affected to the point of a breakdown."
Positive or neutral	2.9%	"Joy, fun", "Enjoyment, exercise"

Table A3. Open comments to question about interference with daily activities at home (Q12, n=84)

Category	% of responses	Representative comments
Impacted daily activities	58.3%	"Stopped playing outside with my child", "I cannot think, I cannot concentrate, I can't do anything in my house", "We are retired so forced to leave our house on a daily basis multiple times a day", "Interferes with my ability to read, converse with my spouse, work in my yard, use the front half of my house for anything at all"
Stress and/or health effects	13.1%	"Anger", "Blood pressure risen", "Hallucinations", "It's nerve wracking and it's impossible to relax" "I'm now triggered just by the mention of the P word"
Sleep disturbed	11.9%	"We cannot sleep in the master bedroom". "Even when they are not playing, you wake up in the night thinking you hear it"
Coping	8.3%	"Fighting court expansion near my home is a part time job", "You man up and do what you have to"
Other	8.3%	"Traffic"

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Using municipal zoning ordinances to manage pickleball noise near homes

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Pickleball noise disputes have reached city halls nationwide. Recreation departments often convert tennis courts to pickleball without considering impacts on nearby homes. Decibel-based ordinances fail to address the impulsive nature of paddle noise. When private clubs build courts, zoning officials attempt to intervene but face lawsuits due to outdated codes lacking pickleball-specific provisions. Some cities have begun to amend their zoning ordinances, offering promising models. This paper proposes a three-tier distance-based framework: (1) a prohibited zone via a fixed setback distance where outdoor pickleball is not allowed; (2) an intermediate conditional use zone, requiring public hearings and enforceable mitigation conditions; and (3) a by-right zone beyond which courts may be permitted without further review. We evaluate common mitigation tools—barriers, equipment restrictions, limited hours—and assess prospects for success and enforceability. The framework puts the zoning and permitting department fully in charge, applying traditional tools like setbacks and Conditional Use Permits (CUPs), with administration by the already trained zoning staff, planning commissions, and appeals boards. This approach offers a proactive alternative to reactive enforcement, better aligning recreational development with neighborhood compatibility. Removing decision making from the recreation and code enforcement departments is a key enabler for success at city hall.

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1. INTRODUCTION

What began as a friendly, fast-growing sport has become a recurring source of conflict in communities across North America. Fueled by low cost, wide appeal, and minimal space requirements, pickleball rapidly expanded, particularly during the COVID-19 pandemic, when communities sought safe outdoor recreation and social connection amid isolation and loneliness. As a result, courts were often shoehorned into parks, clubs, and residential areas with little long-term planning or foresight. With the sport's rise has come an unexpected backlash, as neighbors report escalating noise, declining property values, and a deteriorating quality of life.

What's become clear is that zoning codes are unprepared and do not have provisions specific to this new and unexpected noise. With an estimated 20,000 separate zoning authorities in the US there is considerable work ahead.

A. THE PICKLEBALL PROBLEM REACHES CITY HALL

Media coverage and lawsuits have brought the issue into sharp focus. Ref. 1 One common trigger for conflict involves municipal or county parks. The recreation department creates pickleball courts and encourages play, while nearby residents demand relief. The resulting tension spills into city council meetings, with public comment periods filled by dueling factions of players and neighbors. Conflict escalates as residents call for noise ordinance enforcement and public records requests are filed by both sides. Players react strongly when cities try to limit the hours or require quiet equipment. Nuisance lawsuits are filed by neighbors.

Another common trigger involves private facilities, such as country clubs and developers, where planners and local officials have tried to manage court construction or respond to complaints using existing zoning tools. These efforts have led the cities into litigation with the court owners, exposing the limits of outdated zoning never designed to address the scale or acoustic profile of pickleball.

B. ENGINEERS AND PLANNERS WORK TOGETHER

Acoustic engineers have identified the land-use incompatibility between pickleball facilities and nearby residential uses, documenting the distinctive nature of the noise and evaluating the limits of traditional mitigation measures. Ref. 2, 3 Research findings have helped clarify the many ways in which noise mitigation can fail to resolve community impacts. Ref. 4.

There is a growing trend among forward-looking municipalities to amend their zoning ordinances to include provisions addressing pickleball noise. The intended audience for this paper includes both acoustic engineers and the municipal professionals who share responsibility for developing and implementing effective zoning regulations. Our approach in this paper:

1. Review the principles of zoning and permitting law so acoustic engineers can mesh with the traditional framework already familiar to planners, city attorneys, and municipal boards.
2. Summarize the acoustic characteristics of pickleball noise so municipal officials are motivated and equipped to make difficult decisions during drafting and implementation of the zoning ordinance.
3. Confront the common assumption that decibel criteria are effective regulatory tools.
4. Present a three-tier distance model specific to pickleball.
5. Evaluate available noise mitigation tools for effectiveness and practicality.
6. Show why these rules must apply to all categories of pickleball court ownership.

2. LAW OF ZONING AND PERMITTING – A PRIMER FOR ENGINEERS

Acoustic engineers are often asked to advise local governments on how to prevent or control noise impacts. In many cases, the municipality's request arises within a planning or permitting context—preparing an update to the general plan, drafting a zoning ordinance, or responding to a new development proposal. To be persuasive and useful, the engineer's recommendations must fit the framework that city planners, attorneys, and decision-makers already use. Helping engineers understand the logic and vocabulary of zoning is therefore essential.

A. ORIGINS AND PURPOSE OF ZONING

Modern zoning in the United States emerged during the early twentieth century as cities grappled with the proximity of incompatible land uses—factories beside homes, stables beside schools, and later, airports beside neighborhoods. The landmark case *Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365 (1926) upheld a municipality’s authority to divide its territory into districts and to separate incompatible uses from one another in the interest of protecting public health, safety, and welfare. This decision established the constitutional foundation of zoning as a legitimate exercise of the police power, the state’s inherent authority to safeguard community well-being.

Zoning ordinances function as preventive public-health instruments, not as punitive codes. Their goal is to avoid foreseeable conflicts rather than resolve them after harm occurs. This preventive character should feel familiar: it parallels the engineering goal of designing for acceptable sound exposure before a nuisance develops.

A typical zoning ordinance implements the community’s comprehensive plan, which expresses long-term goals for growth and livability. The zoning ordinance itself is the legally enforceable mechanism that translates those goals into maps and standards. Every parcel of land is assigned to a zoning district, e.g., R-1 Single-Family, C-1 Commercial, I-1 Industrial etc. Each district has its own regulations governing the activities permitted within it.

Equally important are the boundaries between these districts, where different land uses meet. Many conflicts over noise, traffic, and lighting arise not within a district but at its edges, where an active or commercial use adjoins a quiet residential neighborhood. Zoning’s preventive purpose is to manage this border compatibility, ensuring that transitions between uses are buffered through setbacks, screening, and conditional permits. For acoustic engineers advising municipalities, understanding how these boundary zones function is essential because it is precisely along these interfaces that pickleball noise disputes most often occur.

In short, zoning answers three questions fundamental to any noise-sensitive development:

- What activities are allowed?
- Where may they occur?
- Under what conditions may they operate?

B. KEY ELEMENTS OF LAND USE ZONING

Zoning ordinances differ across jurisdictions but share a common architecture that acoustic consultants should recognize when drafting recommendations or reviewing local codes.

I. USE CLASSIFICATIONS

Every activity is categorized as a land use - residential, commercial, industrial, institutional, or recreational. If an activity is not listed, it is generally considered prohibited. Defining pickleball play as its own land use can be crucial: otherwise, it defaults into the broader category of “outdoor recreation,” or “sports courts” leaving the city with little control over its unique acoustic profile.

II. DIMENSIONAL SETBACKS

Setbacks specify the minimum horizontal distance between a structure or activity and the property line. Setbacks are among the oldest and most effective zoning tools for mitigating environmental externalities such as noise, odor, or light. By establishing physical separation, setbacks passively reduce exposure without requiring ongoing enforcement or measurement. Setbacks are objective. They can be confirmed by measurement rather than debate and therefore carry high legal defensibility.

Communicating in the planner’s vocabulary, an engineer might recommend that “outdoor pickleball courts shall maintain a minimum setback of 350 ft from any property line of a noise-sensitive use,” rather than expressing the condition as a decibel limit. This situates the acoustic advice within the language of zoning.

III. PERMITS BY RIGHT

A typical zoning ordinance will state the conditions under which a particular use is permitted “by right” and therefore may proceed quickly through administrative review once basic dimensional and design standards are confirmed. This category is reserved for uses deemed inherently compatible with surrounding uses. In the case of pickleball noise, identifying a reliable distance at which the noise has substantially dissipated allows cities to place a permit application in this “by-right” category, simplifying approvals and reducing political friction. No public hearing or additional approval is required.

IV. CONDITIONAL USE PERMITS FOR PROBLEMATIC USES

Sometimes proposed land use can be incompatible with neighboring use but can be restored to compatibility if corrective conditions and limitations are enforced. A Conditional Use Permit (CUP) specifies the conditions and limitations that will be required if the activity is to be allowed.

Conditions typically address noise, traffic, lighting, hours of operation. Terms of the CUP are fashioned through procedural steps such as public notice, a staff report by the planning department professionals, response from the applicant, sometimes leading to a hearing before the planning commission, and written findings based on substantial evidence. Applicants may be required to submit a noise study. Then when the CUP is issued and the permitted use is operational, a failure to comply with the agreed conditions can trigger a review or revocation. Thus the CUP is the procedural doorway through which noise-mitigation recommendations will be introduced.

To be effective, terms of the CUP must be enforceable and stated in measurable, verifiable terms. Instead of “use quieter paddles” a condition might read, “paid staff must be on duty during operating hours and only paddles and balls listed on the Parks Department’s quiet-equipment list may be used; other paddles are prohibited.” The first is advice; the second is an enforceable legal condition.

CUPs provide both flexibility and enhanced prospects for successful compatibility between adjacent land uses. A site can be approved if a credible mitigation plan is demonstrated. The CUP also offers a forum for public participation, giving neighbors a voice and increasing procedural legitimacy.

C. ADOPTION, ADMINISTRATION, AND ENFORCEMENT OF ZONING ORDINANCES

Local governments already maintain and staff a well-established framework for administering zoning ordinances and issuing permits for residential, commercial, and recreational development.

- City Councils or county boards adopt the zoning ordinances and then delegate day-to-day administration to professional staff and appointed bodies.
- Planning staff receives applications for proposed developments and perform technical reviews for completeness and compliance with zoning standards and procedural rules, including issuance of notices to neighboring property owners. When needed reports are referred to the Planning Commission.
- Planning Commissions hold hearings, adopt findings and grant approvals of the conditional use permits.
- Zoning Boards of Appeal hear variance requests and appeals.
- City Attorneys advise staff and appointed bodies and also assist with enforcement when violations occur.
- Zoning Enforcement Officers investigate violations of zoning regulations or permit conditions.

This existing, well-functioning system and staffing at city hall can be readily extended to review, condition, and issue permits for new pickleball facilities.

3. ACOUSTIC CHARACTERISTICS - A PRIMER FOR OFFICIALS

Municipal officials tasked with drafting or enforcing zoning ordinances rarely have formal training in acoustics. Yet the decisions they must make—establishing setback distances, approving or denying permits, and enforcing operational limits—depend on understanding a few fundamental acoustic and psychoacoustic facts.

When city staff and elected officials grasp why pickleball noise behaves the way it does and why residents react so strongly to it, they are more willing to adopt preventive zoning standards rather than rely on ineffective decibel enforcement after complaints begin. This section summarizes those characteristics in terms that can be directly used in ordinance drafting and implementation.

A. THE SOUND OF PICKLEBALL

Noise concerns often arise when existing tennis courts are converted for pickleball play. In many cases, these conversions have been reversed, with cities or clubs restoring the courts to their original tennis use in response to neighbor complaints. This pattern of converting, encountering problems, and reverting suggests that the differences between tennis and pickleball are not superficial, they are central to understanding the nature of incompatibility.

Unlike tennis, which features a soft ball and a racquet with flexible strings, pickleball involves hard plastic balls and hard solid-faced paddles. With smaller courts and less running, player competence is quickly achieved, and fast paced exchanges create paddle strike rates of up to 900 hits per hour per court. With four courts placed on a repurposed tennis footprint, the result is 3600 sharp “pops” per hour, echoing in random succession for hours, often dawn to dusk.

Here is an actual audio recording of play on four pickleball courts, 65 feet from neighboring residences- <https://zenodo.org/records/15566001>.

While tennis is typically quiet and formal with fewer players per court, pickleball is more social and group-oriented, mostly a doubles game. Players drop in without set schedules, leading to clusters of active pickup games and groups waiting nearby. The informal and highly social nature contributes to more frequent shouting, laughter, and other vocalizations that amplify the overall noise impact.

While other recreational uses such as playgrounds and basketball can generate noise, their impacts are self-limited by the school and work schedules of the users. In contrast, pickleball is especially popular among seniors and retirees who gather to play in the early morning hours. This is compounded by a younger after-work crowd that fills the courts in the evenings and on weekends, resulting in near-continuous daily use and prolonged noise exposure to nearby residents.

B. ACOUSTIC PROPERTIES THAT MATTER

The growing controversy surrounding pickleball noise has prompted focused research into the nature of the sound and revealed an unusual confluence of intrusive qualities that drive disproportionate community response. Ref. 5, 6, 7.

- Sound Pressure Level (Decibels) - Commonly understood as loudness, pickleball paddle strikes are approximately 20 decibels louder than tennis. Due to the logarithmic nature of the decibel scale, this represents a fourfold increase, which listeners perceive as dramatically louder, especially in quiet residential settings.
- Impulsive Noise - Fast rise and decay within 2 milliseconds (.002 seconds) followed by a reverberating tail of 20 milliseconds. The impulse crests at a peak level substantially above the background noise making these sounds startling and difficult to ignore.
- Acoustic Frequency - Each paddle strike is centered around 1250 Hertz (Hz), where human hearing is most sensitive, making them subjectively more annoying.
- Lack of Spectral Masking -The random staccato pattern stands out sharply, unlike the steady hum of urban noise like traffic or lawn care.
- High-Rate Repetition - Each court generates 900 pops per hour. With multiple courts, the daily noise exposure can be many thousands of individual noise events.
- Irregularity – The noise are spaced apart “pop - pop, pop, pop, - pop, pop”, but also going up and down in loudness and Hz, making them chaotic and impossible to habituate and get used to.
- Propagation Characteristics - High-frequency impulsive sounds reflect and travel efficiently. Landscaping and fencing provide little relief, while nearby structures and ponds and pavements can unintentionally amplify and redirect the sound up to 1000 feet.

C. THE BIOLOGY OF ANNOYANCE – A DIRECT LINK TO HEALTH, SAFETY, WELFARE

Impulsive noises—sudden, sharp, and irregular—trigger an inherited physiological response deeply rooted in human survival. The sudden breaking of a branch in the woods, for example, activates the endocrine system’s “fight or flight” response—a mechanism that evolved to help early humans detect and react to threats. This neurological alarm system is deeply inbred, involuntary, and it cannot be simply ignored. With repeated and prolonged exposure, the body's stress-response systems remain activated, leading to a cascade of negative health outcomes. Over time, this results in not only psychological distress—such as anxiety, irritability, and fatigue—but also physiological harm, including elevated cortisol levels, disrupted sleep patterns, and cardiovascular strain.

A long-established body of public health research links chronic environmental noise exposure to adverse health outcomes. Ref. 8, 9. Building on this foundation, a growing body of pickleball-specific research now

links the prolonged exposure of pickleball noise to elevated annoyance, community conflict, and health-related complaints among nearby residents. Ref. 10, 11, 12, 13, 14, 15.

Together, this evidence places pickleball noise squarely within the municipal mandate to protect public health, safety, and welfare and provides a sound basis for zoning and permitting decisions that treat the activity as an incompatible land use near residential and noise sensitive areas.

4. FROM NOISE ORDINANCES TO ZONING PRACTICE: AN EVOLVING RESPONSE TO PICKLEBALL NOISE

When pickleball noise disputes reach city hall, the first question officials usually ask is: “What is the decibel level, and does it exceed our ordinance?” This question reflects a long-standing assumption that a numerical sound level displayed on a sound meter can define land-use compatibility. For pickleball, that assumption has proven incorrect.

A. WHERE EXISTING NOISE ORDINANCES FALL SHORT

Research by the Noise Pollution Clearinghouse examining 491 local noise ordinances documents both the wide variation in decibel limits and the practical difficulties these provisions present. Ref. 16 Across the United States, maximum allowable levels range from approximately 50 to 85 dBA, reflecting neither a consistent regulatory philosophy nor a shared understanding of how noise is experienced by residents.

Importantly, only a small fraction of ordinances includes provisions specifically addressing impulsive noise. Most rely on after-the-fact enforcement tools such as decibel limits, plainly audible standards, or a general nuisance language akin to prohibitions on sounds that “unreasonably disturb others.” Only a minority of communities adopt a preventative approach by establishing distance setbacks between noise sources and residential receivers.

B. THE MODEL NOISE ORDINANCE: AN IMPORTANT TRANSITIONAL STEP

In response to these shortcomings, Noise Pollution Clearinghouse proposed a comprehensive Model Noise Ordinance for Pickleball, grounded in the U.S. EPA Model Noise Ordinance and decades of noise-regulation experience. Ref. 17 The model ordinance articulates two core principles that are central to the evolution of pickleball regulation. First, neighbors should not be required to hear recreational noise inside their homes. Second, “Siting a pickleball court without proper planning is the functional equivalent of planning to create noise problems and community conflicts.”

To operationalize these principles, the model ordinance employs multiple regulatory tools, including decibel limits, impulsive noise corrections, plainly audible standards, and time-of-day restrictions. Based on analysis of sound attenuation with distance, the model ordinance places emphasis on large residential setbacks - approximately 1,200 feet for courts operating during evenings, Sundays, and holidays when ambient noise is lowest, or 800 feet where hours of operation can be limited to daytime periods of higher background sound.

By endorsing distance setbacks, the model ordinance represents a substantial advance over decibel-based regulation. At the same time, it does not take advantage of mitigation strategies such as acoustic barriers or quieter equipment, and it remains rooted in the noise-ordinance framework rather than discretionary land-use review by the established zoning and permitting department. The Model Noise Ordinance for Pickleball is available for adoption. However, given that many jurisdictions are going in the direction of more focused zoning solutions it is more likely to occupy an important but transitional position in the broader regulatory evolution.

C. HOW LEADING CITIES ARE SHOWING A ZONING PATH FORWARD

Rather than amending noise enforcement codes, many leading cities are demonstrating an effective approach by embedding pickleball decisions within existing zoning frameworks and using conditional use permits to manage compatibility at the planning stage. In doing so, municipalities are applying the same planning tools they routinely use for other potentially incompatible land uses.

This zoning-based approach allows cities to permit pickleball at distances closer than 800 to 1200 feet while still protecting residential quality of life by layering on multiple mitigation measures and conditions for ongoing supervision if noise problems emerge. By moving decision-making upstream, before construction or pickleball play occurs, communities are seeking outcomes that noise ordinances alone have been unable to deliver.

5. DESIGNING THE ZONING AMENDMENT

Our approach to designing a zoning amendment begins with a review of the ordinances already adopted by first mover jurisdictions across the country. These communities often start by adopting a temporary moratorium of several months on the construction of any new pickleball courts. The moratorium allows time for a thoughtful and deliberative legislative process. As with any legislation, a specific triggering event can prompt action, but there is also the risk that new rules become too narrowly tailored to the past problem rather than addressing the broader land-use context.

To avoid that trap, our methodology selects the strongest and most broadly applicable elements from the first generation of ordinances and synthesizes them into a comprehensive zoning framework. Each city will ultimately make its own choices, guided by its existing code structure, planning objectives, and community context. This paper does not propose a single “model ordinance,” because no one-size-fits-all template exists. Instead, we identify the core issues, definitions, and regulatory tools that can be integrated into any zoning code to support clear, predictable, and defensible decision making.

A. EMERGING ZONING SOLUTIONS

Cities across the country are beginning to confront the land use and noise conflicts created by outdoor pickleball. Some leading examples are Torrance, California (Ordinance No. 3931); Centennial, Colorado (Ordinance No. 2023-O-10); Park City, Utah (Ordinance No. 2022-08); Sagaponack, New York (§245-34.S); and Easttown Township, Pennsylvania (Ordinance No. 469-25).

No single ordinance stands out as a definitive model, but taken together, these first movers offer a framework of best practices. A promising structure gaining traction is a three-tiered permitting approach based on proximity to noise-sensitive uses:

- Prohibited Zone: A setback distance and buffer zone where outdoor pickleball is simply not allowed.
- Conditional Use Zone: An intermediate distance where courts may be approved with a CUP to define required mitigation.
- By-Right Zone: A distance at which noise has naturally dissipated and courts may be allowed without special review if zoning criteria are met.

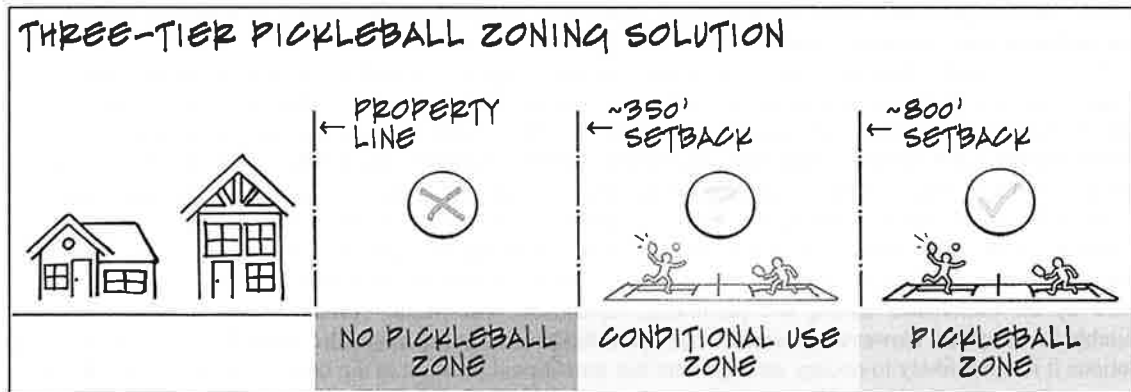


Figure 1 – Image of a typical 3-tier zoning scheme. Credit Michele Whitman.

B. DEFINE PICKLEBALL AS A DISTINCT LAND USE

The zoning ordinance should explicitly define pickleball as a distinct, noise-generating land use. This definition may take the form of classifying “pickleball play” as its own land use category or as a specialized subcategory within outdoor recreational facilities. Importantly, the definition should encompass both permanent courts—with fixed nets and painted lines—and temporary setups, such as portable nets wheeled onto driveways, tennis courts, or basketball courts.

The regulatory trigger should be the noise-producing activity itself, not just the construction of a fixed facility. This approach allows a proper response to unpermitted temporary play when it results in significant neighborhood impacts.

C. REQUIRE ZONING AND PERMITS FOR PUBLICLY OWNED COURTS

A critical component of success is ensuring that municipal-owned courts and those operated by independent park districts within the local jurisdiction are captured within the ordinance. Applying the same zoning standards to publicly owned facilities promote fairness, reduces community conflict, and reinforces public trust in the commitment to neighborhood livability. Public courts account for a significant share of the nationwide problem.

D. DEFINE THE NOISE SENSITIVE RECEPTORS TO BE PROTECTED

A zoning amendment should specify which nearby land uses are considered “noise-sensitive” and entitled to protection from intrusive noise levels.

- Residential (built or zoned but unbuilt)
- Schools
- Senior living facilities
- Hospitals and medical offices
- Religious institutions
- Professional offices

These land uses are especially vulnerable to impulsive noise, which can disrupt rest, learning, concentration, speech comprehension, and emotional recovery—core functions of these environments. These uses should be protected even if they are technically regarded as non-conforming uses in relation to the current zoning map.

E. ESTABLISH THE DISTANCES FOR A THREE-TIERED PERMITTING STRUCTURE

The zoning amendment should adopt a three-tiered framework for permitting based on the distance between the proposed pickleball court and the nearest noise-sensitive use. This approach offers clarity, administrability, and a defensible connection to acoustic realities.

- Prohibited Zone - In this inner zone, typically a specified distance of 250, 350, or 500 feet, outdoor pickleball courts should be outright prohibited due to the certainty of incompatible land use and the low probability that available mitigation can fully resolve the conflict. Choosing a relatively large distance such as 350 or 500 feet will provide maximum protection and reduce the number of conflicts.

- Conditional Use Permit Zone - In the middle zone pickleball may be allowed only by conditional use permit. In these cases, the applicant and planning staff must design and demonstrate site-specific noise mitigation. A discretionary permit process, including notice and a public hearing, gives residents a voice while allowing planning staff and commissioners to evaluate whether the mitigation is adequate.

- By-Right Permit Zone - Beyond about 800 or 1000 feet, a pickleball court may be permitted by right, provided the applicant and staff verify that the setback is accurate and the court complies with any general development standards. At this distance, the sound is still audible but significantly dissipated by natural conditions, and the risk of significant annoyance is substantially reduced. Choosing a relatively large distance such as 800 or 1000 feet will position more of the court projects within the CUP zone and thereby give the planning staff greater ability to resolve conflicts by adjusting the mitigation requirements.

This three-tiered framework prevents conflicts altogether where the risk is high, manages impacts where distances are marginal, and streamlines approval where distance provides a reliable degree of reduced conflict.

F. DEFINE HOW SETBACKS ARE MEASURED

For consistency with traditional measures, the best practice is to specify measurement from the nearest fence line or edge of the paved playing surface of the court to the property line of the nearest noise-sensitive use. The use of property lines for the receiving location recognizes that residential and institutional properties are entitled to the quiet enjoyment of their entire parcel including backyards, gardens, and outdoor living spaces.

G. USE CAUTION WITH MINIMUM LOT SIZE STANDARDS

Some communities structure their zoning codes using minimum lot size categories—for example, R-80 or R-120 zoning, where the number refers to the minimum square footage or acreage of the lot. While this structure

may be acceptable for some uses, owners of large lots often position pickleball courts at the far edge of their property to maximize separation from their own living spaces, thereby pushing the court closer to neighboring homes. For this reason, minimum lot size standards should not substitute for setback requirements.

H. USE CAUTION WITH ACOUSTICAL TESTING

Incorporating acoustic testing into the permit review process may appear objective. But in practice, acoustic testing has been seen to produce uncertain and inconsistent outcomes. The sound of pickleball is impulsive and variable, making measurements or predictions technically challenging and beyond the capabilities of municipal staff. Once testing is introduced, applicants and opponents alike may begin shopping to hire professionals who are known to produce favorable conclusions. This can erode public trust, escalate disputes, and burden city staff and planning commissions with technical disputes beyond their expertise. Nonetheless, to some extent engineering consultants are often unavoidable as barriers and other mitigations must be designed and specified.

For these reasons, cities should favor clear, distance-based setback standards rather than subjective decibel thresholds or testing requirements. Setbacks are predictable, enforceable, and transparent to all parties.

I. ADDITIONAL LIMITATION FOR COURTS ON RESIDENTIAL LOTS

Zoning amendments should incorporate use-specific limitations that reflect the nature of residential property and the intensity of use.

- **Prohibit Rentals of Residential Courts** - Pickleball courts on private residential lots should not be rented to third-party users or allowed as a short-term vacation rental. Rentals transform the activity from personal recreation into a commercial-like operation.
- **Limit to One Court Per Residential Lot** - No more than one court should be allowed. Multiple courts escalate the impact.
- **Lighting Restrictions** - If permitted at all, lighting should use fully shielded downlighting and be restricted to periods of active play and end at a specified time.
- **Hours of Operation** - Residential courts should be subject to clear limitations on hours of use, especially in the early morning, evenings, weekends, and holidays, when neighborhood ambient noise is lower and the potential for conflict is highest.
- **Prohibit Practice Backboards** - Banging the hard ball against a backboard creates extra noise of ball impacting against a hard surface, an addition to the normal impact of paddle against ball.

These limitations reinforce the principle that residentially located courts must remain truly accessory to an individual household's use without disrupting neighboring households' quiet enjoyment of their property.

6. ADMINISTERING THE PROCESS – THE CONDITIONAL USE PERMIT

A suite of noise control tools is available, but each comes with trade-offs. Effective design of the zoning ordinance and any CUP begins with a realistic understanding of how each tool works in practice.

A. COMPLETE INDOOR ENCLOSURE

When courts are fully enclosed within a building, exterior noise emissions can be reduced to negligible levels. Cities may wish to incentivize indoor development by granting such uses by right, without the need for a conditional use permit. Alternatively, cities may issue CUPs with simple operational conditions, such as requiring all doors to remain closed during play and prohibiting any amplified music or announcements outdoors of the building.

B. DISTANCE AND SETBACKS

Sound energy diminishes naturally with distance. Setbacks are especially powerful because they impose no additional cost on developers and require no enforcement mechanism. As a result, a well-calibrated setback standard is the most effective and reliable zoning tool available. A substantial starting setback can give the other mitigation solutions a better chance of success by guaranteeing a partial dissipation of the noise.

C. BARRIERS AND WALLS

Sound walls are a common response to community complaints, but their effectiveness depends heavily on materials, location, and design. A fundamental misunderstanding is to visualize sound as a linear “bullet” that can be blocked by a line-of-sight obstacle. In truth, sound energy radiates outward from the paddle in a three-dimensional bubble, rising and spreading in all directions. This allows sound to flank over the top of barriers.

Typical noise barriers must be at least 10 feet tall, resulting in high construction costs and frequent conflicts with fence height limits in residential areas. Barriers also impede airflow and reduce visibility for players, neighbors, and law enforcement. Importantly, in the case of two-story homes or those located at elevations above the court surface, substantially taller barriers are needed which then become impractical due to excessive height. In many regions barriers must be engineered for hurricane winds, adding substantial cost. Despite these limitations, barriers may still play a supporting role when combined with adequate setback distances.

D. QUIET EQUIPMENT

Innovations like the OWL (Optimized Whisper Level) paddle and the Librarian quiet foam ball offer meaningful reductions in loudness, frequency and general annoyance. However, player acceptance remains low which leads to significant enforcement difficulties. USA Pickleball has approved over 2500 paddle designs. Players prefer to use their own equipment and rely upon the noise to indicate how hard a fast a ball is being hit. And yet in commercial or membership-based settings, and even public parks, a CUP can mandate the hiring of onsite supervisors and on-site rental or checkout of pre-approved quiet paddles and balls. Public parks can fund the hiring of rangers by charging a modest daily fee.

E. HOURS AND DAYS OF OPERATION

Time-of-day and day-of-week restrictions are often the most contentious part of regulation. The hours that create the greatest intrusion for neighbors—weekends, holidays, and evenings—are precisely the hours players value most. Operators and players dislike seeing facilities sit idle. Minimal limits, such as playing 10 hours a day, seven days a week offer little benefit. In contrast, restrictions such as no play after 6 p.m. and no play on Sundays or holidays can give neighbors respite during the quietest ambient periods.

Experience shows that highly motivated players often ignore posted hours, making enforcement by code enforcement officers, police, or costly automatic gate locking systems necessary.

F. PLAYER VOICES

By its nature and culture, pickleball is a boisterous activity. Even with quiet-play rules players are largely powerless to rein in the spontaneous outbursts, laughter, and on-court banter that define the joyful culture of the game. Distance remains the most practical and reliable solution for player voices.

7. PRACTICALITY OF MITIGATION TOOLS BY OWNERSHIP TYPE

Noise mitigation strategies must be tailored to the practical realities of the zoning applicant. Planners should anticipate different types of applicants and be ready to craft conditional permits accordingly.

A. PUBLIC PARKS AND RECREATION DISTRICTS

Publicly owned parks often involve four, eight, twelve or more courts clustered for tournament or league play. These are often open for extended hours of 10-12 or more hours daily and have high intensity of use. Players often drive long distances from other cities, increasing overall traffic and usage levels. In these cases, enforcement of quiet equipment is difficult unless the park employs rangers with both presence and authority. Barriers are expensive and may be cost-prohibitive. Instead, the local planners and officials should favor large setbacks as the intensity of usage guarantees complaints from close in neighbors. Experience shows that violation of posted hours should be expected unless the courts are fenced and locked.

B. COMMERCIAL DEVELOPERS AND FRANCHISES

Developers often repurpose big-box retail spaces and other underutilized buildings, offering soundproof play in a climate-controlled environment. However, when developers also propose outdoor courts the CUP should require substantial setbacks, use of quiet paddles, and clear hours of operation. Equipment rentals and loaners can be enforced and ensure that only low-noise gear is used.

C. Leahy

Using municipal zoning ordinances to manage pickleball noise near homes

C. PRIVATE MEMBERSHIP CLUBS AND COUNTRY CLUBS

These applicants often have well-resourced boards and legal teams. They may resist restrictions and lobby or litigate for exceptions. CUP conditions should treat these uses like any other, requiring compliance with setbacks, limited hours, and noise mitigation strategies. Clubs are often able to enforce quiet equipment rules and limited hours, since player access is already restricted by membership requirements.

D. PRIVATE RESIDENTIAL COURTS

Difficult cases arise when individual homeowners play pickleball on their private lots. Given the potential for chronic neighborhood disturbance, planners and officials may choose to prohibit private courts altogether in residential zones. As a minimum, these should meet the same conditions applied to other recreational facilities: setbacks, hours of use, and possible equipment restrictions. The zoning provisions should clarify that both permanent and temporary pickleball activity (such as lining a basketball court or driveway and bringing in portable nets) are subject to the same zoning scrutiny. The challenges of CUP enforcement are magnified as these are private property and full access can be difficult.

E. HOMEOWNERS ASSOCIATIONS

Homeowner associations (HOA's) were designed by land developers for land-use efficiency, with tennis courts placed near homes without issue. When those courts are converted to pickleball, the noise impact changes dramatically and conflict erupts. Residents of HOAs deserve the same health and safety protection that the governing jurisdiction provides in other neighborhoods. Consistent zoning and permitting processes are needed as internal HOA governance leaves too many citizens without meaningful recourse.

8. VARIANCES: PRESERVING PURPOSE, ALLOWING FLEXIBILITY

Applicants may argue that a strict setback requirement constitutes a hardship because it effectively prevents building a pickleball court. A variance to reduce the required setback would directly conflict with the ordinance's intent of preserving public health, safety, and welfare and should be denied.

Conversely, some jurisdictions may have zoning rules that inadvertently prevent pickleball courts from being built in industrial or commercial zones due to outdated use tables or overly rigid recreational use definitions. In such cases, a use variance may be appropriate. Allowing courts in areas that are already noisy, non-residential, or buffered from homes aligns with the intent of minimizing noise impacts on sensitive receptors.

9. ONGOING OVERSIGHT OF NOISE IMPACTS

In many jurisdictions, pickleball-related noise problems have proven dynamic, not static. Noise mitigation measures that initially appeared sufficient have failed over time due to increased intensity of use, seasonal expansion, tournament scheduling, or user non-compliance. The health impacts on neighboring residents is cumulative over time, often supporting additional mitigation. For this reason, zoning ordinances that authorize pickleball facilities should include provisions for ongoing oversight and conditional reconsideration.

Courts facing closure or litigation can often be rescued by redeploying available mitigation tools such as quiet equipment and better management of playing hours. A provision enabling ongoing supervision might be:

"In the event that substantiated noise complaints are received from adjacent properties, or that the use of the facility intensifies beyond the levels presented in the original application, the Planning Commission may schedule a public hearing to consider modification or revocation of the conditional use permit. Conditions may be amended to reduce permitted hours, require upgraded mitigation, or impose other restrictions reasonably necessary to protect the public health, safety, and welfare."

In addition, ongoing supervision of courts located on private property raises questions of access and enforcement. Accordingly, the terms of a conditional use permit should expressly provide zoning officials with the right to enter the property for inspection, or, in the alternative, require periodic compliance reports from court operators to demonstrate continued adherence to permit conditions.

10. A POLICY CHALLENGE FOR THE GOVERNING BODY

For elected officials of the legislative body, adopting a clear zoning ordinance is not just a technical task—it is a test of civic priorities. Do the officials place the health and welfare of its residents first, or do they bend toward accommodating an optional recreational use for a special group of users?

Selecting the minimum no-pickleball setback is the most important and most challenging decision. Though tempting to set a small setback distance of 150 feet as a few have done, it is the larger minimum setbacks of 250 or 350 or even 500 feet that remove the most problematic court locations and give the best chance of a successful CUP to mitigate the noise and decisively reduce civic conflict. The smaller the no-pickleball setback, the greater the need for an aggressive combination of the barriers, quiet equipment and limitation on playing times.

Likewise, establishing the distance at which permits are freely granted “of right” without the supervision of a CUP is a challenge. Although the noise can travel 1000 feet or more, 800 feet can be a good choice as courts within a lesser distance can be successfully mitigated with a properly administered CUP and courts over 800 feet have reduced potential for serious conflict even though the noise is audible.

An equally critical policy decision is whether to apply the zoning rules to the public parks by requiring the parks and recreation departments to apply for zoning approval, just like any other property owner. When governmental departments and public parks are exempted from zoning review, trust erodes, and conflict escalates. Subjecting public parks to the same rule of law may be politically difficult but demonstrates meaningful commitment to protecting residential quality of life as well as safeguarding the municipality from conflict, adverse publicity and cost of litigation.

11. CONCLUSION

Pickleball’s rapid expansion has exposed a structural gap between recreation programming and land-use regulation. Traditional noise ordinances fail because they rely on after-the-fact enforcement. Zoning, by contrast, offers a proactive, preventive framework grounded in established municipal practice.

A three-tier, distance-based system implemented through standard zoning procedure can prevent conflict where incompatibility is certain, manage impacts where mitigation is plausible, and expedite approvals where risk is low.

Applying these rules equally to public and private projects reinforces fairness, reduces litigation risk, and upholds the health and welfare purposes of local government.

Pickleball can coexist peacefully with neighborhoods when managed by zoning professionals and a sound zoning ordinance. The path forward for growing the sport is smarter planning.

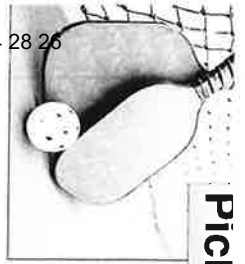
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“It’s like having a pistol range in your backyard”

Kathleen Romilo, M.D. and Daniel Fink, M.D.
Quiet Communities, Inc., Lincoln, Massachusetts

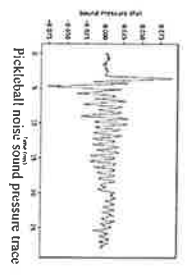
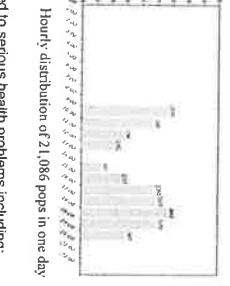


Introduction

Pickleball noise is repetitive, impulsive noise. It is an entirely new type of noise exposure for the public in the last 5-7 years. There are hundreds of homes reporting conflicts (1).

- **Impulsive Sound:** Each pop lasts <20 milliseconds with a sharp impulse that echoes and reverberates densely. A 5–12 dB penalty is recommended for impulsive noise.
- **Repeating pickleball (2,3)**
- **120 Hz:** Comparable to backup alarms on vehicles
- **>20 hrs/week:** Noise often lasts down to dusk, 7 days/week
- **>20,000 pops/day:** The hourly distribution of daily pops at one party (4 courts) is 5000.

- **Human Impact:** Residents report feeling tipped unable to open windows or escape noise in their homes. Speaking out can lead to harassment, threats, and gaslighting.



- **Prolonged noise exposure** triggers an undelicious physiologic stress response and is linked to serious health problems including:
 - Heart disease
 - Anxiety and sleep disturbances
 - Increased risk of stroke and memory problems
 - Learning problems in children
 - Problems concentrating (4,5,6,7,8)

Objective

To assess self-reported adverse health effects associated with chronic exposure to impulsive pickleball noise.

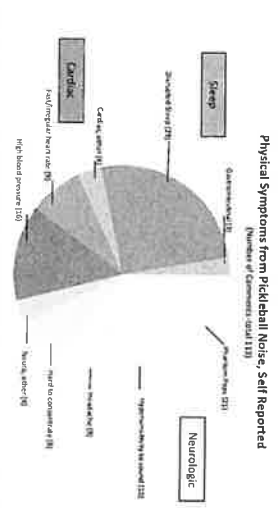
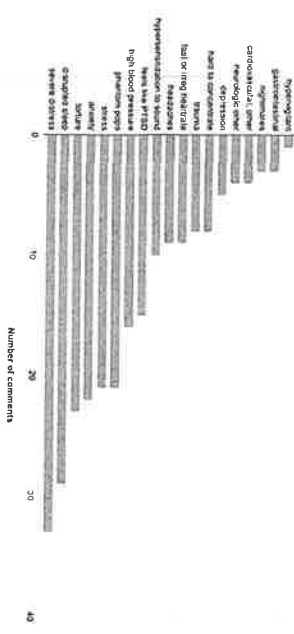
Methods

- Publicly available comments about pickleball noise from Facebook, Reddit, news reports, legal filings, and public websites were evaluated with a content analysis. The comments were categorized by two health professionals. Inter-rater reliability was excellent (99.4%, [kappa >80%]).

Results

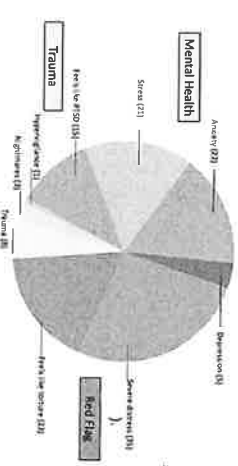
246 unique adverse health effects were reported.

- 5% of comments came from people living within 100 feet of courts.
- An additional 11% of comments came from people living within 300 feet of courts. (where distance information was available)



Physical symptoms were noted almost as frequently as psychological health effects.

Psychological Symptoms for Pickleball Noise, Self Reported



- Psychological health effects represented just over half of all comments.
- The term "torture" was used more than the term "stress".
- PTSD-like symptoms were not uncommon.
- Severe distress. Many commenters reported serious emotional impacts.
- Suicidal thoughts were cited by 2% of comments.
- Medication use to cope with health effects was mentioned repeatedly.
- Having to move due to the noise was commonly noted, but not analyzed in this study.

Sample of Comments categorized as Severe Distress

"Pickleball noise is worse than getting of cancer" (cancer patient, now deceased)
"I want told to hit myself or move"
"Suicidal thoughts"
"I'm having suicidal thoughts"
"I'm having suicidal thoughts"
"The pain, suffering and mental anguish is unbearable. Somebody the perpetrators of this nightmare are evil."
"The slow acclimating of a person"
"Beyond distressing"
"This dangerous revolutionary noise torture experiment ran its full course. Now please stop it!"
"I cannot live a normal life. I'm not."
"You hear as if someone is continuously punching your head". Went on a hunger strike "I can not sure what I can do other than move from my home of 24 years because the play is literally affecting my mental health."
"The only word I could use to live this way, it is physically and emotionally devastating"

Conclusions

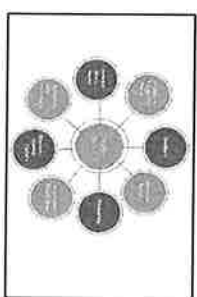
This study links chronic exposure to pickleball noise to self-reported adverse health effects in nearby residents. The results suggest that the impact of this noise goes far deeper than anyone imagined.

- 30% of the human perception of sound is determined by the sound level (decibels).
- 70% of the human response is due to other factors (9).

- Three components should be considered when assessing the impact of noise:
 - The source of the noise (characteristics of the sound)
 - The path of the noise (distance, barriers)
 - The receiver---the human whose brain processes the noise

Decision makers responsible for the location of pickleball courts must consider all of these factors, not just the decibel readings.

Comprehensive sound studies that include both the acoustic and human factors are strongly recommended prior to court placement.



We suggest the following, based on our findings and expert recommendations from professionals with experience in over 150 pickleball court sound evaluations (10):

- Increased setbacks between courts and homes.
 - Courts <100 feet from homes should be moved or enclosed (with rare exceptions).
 - Courts <400 feet from homes will likely require multiple forms of noise mitigation (e.g. sound barriers and quiet paddles/balls and enforced regulations).
 - Comprehensive sound evaluation of all courts placed within 1000 feet of homes.
- Cross-disciplinary research is urgently needed to further study:
- The complex acoustical properties of pickleball noise.
 - The effectiveness of various noise mitigation strategies, including sound barriers and quiet paddles/balls.
 - The health impacts of prolonged impulse noise in residential settings.

Acknowledgments

The authors express appreciation to the many professional noise reduction service providers who assisted in the data collection and analysis. The authors also thank the many individuals who provided their time and expertise to assist in the data collection and analysis. The authors also thank the many individuals who provided their time and expertise to assist in the data collection and analysis. The authors also thank the many individuals who provided their time and expertise to assist in the data collection and analysis.

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 Quiet Communities at info@quietcomm.com
 Presented May 22, 2025 at 189th meeting of **Received City of Miami**

APR 24 2026
City Clerk

It's like a pistol range in your backyard"
J. Barden, New York Times 8/20/23

It's like a pistol range in your backyard

Received City of Ojai

APR 24 2026

City Clerk

April 24, 2026

City of Ojai
City Council

Re: Deny the Request of Appeal to Rescind the Permit for the Pickleball Tournament at the Lower Libbey Park Tennis Courts on June 5-7, 2026

To the Ojai City Council:

This letter is to address the request for appeal filed with the City on April 2, 2026 by Ojai citizens identifying themselves as "Neighbors of Libbey Park".

The Ojai Valley Pickleball Inc, a non-profit corporation, requests the Council deny this request based on the following facts.

Attached is a copy of the City of Ojai's Recreation Department's Permit No. R633 approved for issuance to the Ojai Valley Pickleball Inc on March 6, 2026; original hardcopy of the official permit was issued and received by the Ojai Valley Pickleball Inc on March 9, 2026. An application from the Ojai Valley Pickleball Inc requesting a permit for the use of the four lower tennis courts located at Libbey Park for a three day pickleball tournament was submitted to the City of Ojai's Recreation Department on February 17, 2026.

The Ojai Valley Pickleball Inc followed all of the City's established procedures required to obtain this permit: i.e. submittal of required application, submittal of appropriate insurance coverage naming the City as additional insured, proof of exemption under Internal Revenue Code (IRC) Section 501(c)(3), etc.

Also attached is a copy of the original Grant Deed from Edward D. And Florence Scott dated March 28, 1917 deeding the property to be known as Libbey Park to the Ojai Civic Association. On March 4, 1971 the Ojai Civic Association transferred ownership of the property to the City of Ojai. (Copy of 1971 Grant Deed attached). The ownership of the property was transferred but the original stipulations of the Grant Deed From the Libbeys remains in effect.

In the 1917 Grant Deed, the Libbeys stipulate how this property is to be used and by whom it is to be used. Direct quotes from the Libbeys' Grant Deed are as follows:

"....This gift and grant is hereby made, and said real property is hereby conveyed, upon the condition subsequent that said land shall be used, improvedas a public park and place of recreation.....people of the Ojai Valley....."

“.....Nothing herein shall be construed as authorizing or permitting the party of the second part to let, demise or permit any private parties or corporations to occupy or use any part of the above-described real property for private gain.....:

“.....in the event of a breach of any of the foregoing conditions subsequent, the title to the real property hereby conveyed shall immediately revert to and vest again in the parties of the first part, their heirs and assigns.....”

We believe that holding a pickleball tournament (organized and funded by a non-profit organization) is exactly what the Libbeys wanted this park to be used for. We do not read anywhere in the Libbeys' Grant Deed that this park is to be used solely for tennis as a public recreation.

Based on the above presented information, it is the Ojai Valley Pickleball Inc's Board of Directors' opinion that rescinding the above referenced Permit No. R633 would be discrimination against a certain group of people and a violation of the intent and the plainly stated stipulations of the Libbeys' 1917 Grant Deed.


Addressing the noise concerns referenced by the "Neighbors of Libbey Park", we believe that the noise from a three day pickleball tournament would be no more disruptive than the 4 to 5 day annual tennis tournament, the 4 day music festival and the various concerts held periodically in Libbey Park. Identifying the "noise" from a pickleball tournament as more disruptive than any of these other events is just a means to justify a discriminatory action.

The Board of Directors of the Ojai Valley Pickleball Inc respectively request you deny this request to rescind Permit No. R633 issued for a 3 day pickleball tournament on the 4 lower tennis courts to be held June 5-7, 2026.

Thank you.

Sincerely,

Ojai Valley Pickleball Inc
Board of Directors



Tim Krout, President

Pickleball vs Tennis—Let's be friends

Tennis and pickleball are cousins—I just wish they were friendly ones. So many former tennis pros —Agassi, McEnroe, Graf, Roddick have transitioned to pickleball because it means they can still play a game they love and be competitive. I volunteer at the tennis tournament each year but can no longer play, so I am on the Ojai Valley Pickleball Board.

I ask you the city council to listen to the voters who approved the courts at city hall. I ask you to respect your decision which was a good one—it respected the grant deed at Libbey and promises to benefit the community by bringing them together and the businesses by bringing in shoppers and restaurant patrons.

Your approval set in motion the investment necessary to make this tournament work—the purchase of the permit, temporary nets and all the equipment necessary for a successful tournament. I have heard the accusation that this is about making money. The monies collected go to the non-profit Ojai Valley Pickleball Inc. which was set up solely for the promotion of this delightful sport. None of the officers take or are entitled to a salary. The financial hardship of revoking this permit will be brutal and will fall on the pickleball community who will be obligated to repay the investment. The pickleball community many of whom played or still play tennis are not inclined to exacerbate this adversarial relationship—we just want to be fiends, but I think by rescinding this permit we would be entitled to recoup our investment. If this means a lawsuit-so be it.

I have also heard about the noise concern. This temporary use of three days will be far less noise than the beloved music festival or the lively rock bands which can be heard all over town, but like them it is temporary—three days of the year. Libbey Park is about the cultural and recreational life of the community. Let us get together and have fun.

I walked by a tennis pro the other day and remarked at how sweaty he was—he said you sweat a lot more playing tennis and I said you laugh a lot more playing pickleball. This sport was touted by the surgeon general for its potential to cure a dire epidemic in this country—that of loneliness. This is not only for the retirees looking for a social life, but for youngsters looking to get off their phones. I have played with a 6 year old and an 86 year old and we all had fun.

Please don't cave in to the few angry voices of some tennis devotees. We don't want to eliminate them from the courts, we love tennis too—we just want four days once a year to do what Libbey Park was created for—bringing the community together for recreation.

Leslie Clark

Ojai Valley Pickleball board, Ojai Studio Artist, fourth generation Ojai resident and former tennis player.



Ojai Recreation Department
510 Park Road
Ojai, CA 93023

PHONE:(805) 646-5581

Permit # R633

Status Approved

Date of Issue Feb 25, 2026 10:30 AM

Customer Name Tim Krout
Customer Type General Public

Home Phone Number
Email Address

System User Brianna Soliz

Payer Tim Krout

COPY

Rental Fee	\$1,684.00
Discounts	\$0.00
Subtotal	\$1,684.00
Deposits	\$0.00
Deposit Discounts	\$0.00
Total Permit Fee	\$1,684.00
Total Payment	\$1,684.00
Refunds	\$0.00
Balance	\$0.00

Ojai Shangrila Classic Pickleball Tournament

4 recourse(s) 16 booking(s) Subtotal: \$1,684.00

Booking Summary

Tennis Court 5 (Lower) (External Rental)			Center: Libbay Park	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX	
Thu, Jun 4, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	--	\$416.00	
<i>Occurs on selected dates effective 06/04/2026 until 06/07/2026.</i>				
Thu, Jun 4, 2026 6:00 AM	Thu, Jun 4, 2026 10:00 PM	1	\$104.00	
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00		
Fri, Jun 5, 2026 6:00 AM	Fri, Jun 5, 2026 10:00 PM	1	\$104.00	
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00		
Sat, Jun 6, 2026 6:00 AM	Sat, Jun 6, 2026 10:00 PM	1	\$104.00	
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00		
Sun, Jun 7, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	1	\$104.00	
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00		
Tennis Court 6 (Lower) (External Rental)			Center: Libbay Park	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX	
Thu, Jun 4, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	--	\$416.00	
<i>Occurs on selected dates effective 06/04/2026 until 06/07/2026.</i>				
Thu, Jun 4, 2026 6:00 AM	Thu, Jun 4, 2026 10:00 PM	1	\$104.00	
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00		
Fri, Jun 5, 2026 6:00 AM	Fri, Jun 5, 2026 10:00 PM	1	\$104.00	
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00		

Sat, Jun 6, 2026 6:00 AM	Sat, Jun 6, 2026 10:00 PM	1	\$104.00
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00	
Sun, Jun 7, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	1	\$104.00
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00	
Tennis Court 7 (Lower) (External Rental)		Center: Libbey Park	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
Thu, Jun 4, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	--	\$416.00
<i>Occurs on selected dates effective 06/04/2026 until 06/07/2026.</i>			
Thu, Jun 4, 2026 6:00 AM	Thu, Jun 4, 2026 10:00 PM	1	\$104.00
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00	
Fri, Jun 5, 2026 6:00 AM	Fri, Jun 5, 2026 10:00 PM	1	\$104.00
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00	
Sat, Jun 6, 2026 6:00 AM	Sat, Jun 6, 2026 10:00 PM	1	\$104.00
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00	
Sun, Jun 7, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	1	\$104.00
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00	
Tennis Court 8 (Lower) (External Rental)		Center: Libbey Park	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
Thu, Jun 4, 2026 6:00 AM	Thu, Jun 4, 2026 10:00 PM	1	\$104.00
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00	
Fri, Jun 5, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	---	\$312.00
<i>Occurs on selected dates effective 06/05/2026 until 06/07/2026.</i>			
Fri, Jun 5, 2026 6:00 AM	Fri, Jun 5, 2026 10:00 PM	1	\$104.00
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00	
Sat, Jun 6, 2026 6:00 AM	Sat, Jun 6, 2026 10:00 PM	1	\$104.00
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00	
Sun, Jun 7, 2026 6:00 AM	Sun, Jun 7, 2026 10:00 PM	1	\$104.00
Tennis Court Rental	\$6.50 / Hour x 16	\$104.00	
Resource level fees			\$20.00
Processing Fee	\$20.00 / Each x 1	\$20.00	

Waivers and Information

WAIVER NAME	DUE DATE	FOR	SIGNING STATUS
Waiver	Jun 4, 2026		Waiver Signed

MEDICAL RELEASE: I, the undersigned parent/legal guardian of the undersigned minor participant (?Participant?), authorize the City Recreation staff to take whatever actions may be necessary to obtain emergency medical care if warranted. These actions may include, but not be limited to, the following: Attempting to contact parent or legal guardian, Attempting to contact parent or legal guardian through any of the persons listed above, calling 911 for assistance and have Participant transported by ambulance to a hospital if recommended by emergency personnel. I, the parent/ legal guardian of Participant, hereby further authorize any physician or medical staff of licensed hospital to provide treatment as is necessary until I can be notified. I understand this authorization is given in advance of any treatment being required.

RELEASE, HOLD HARMLESS AND ASSUMPTION OF RISK: Participant desires to participate in the recreational activities described herein and other activities related thereto (the ?Activities?). Participant, and his or her parent or legal guardian, if participant is under 18 years old, recognizes that the Activities are hazardous and understand the risks and dangers associated with participation in the Activities, including but not limited to,

bodily injury, disability, paralysis and death. The undersigned accept and assume such risks and responsibilities now or later caused or alleged to be caused by any party with the exception of those risks caused by gross negligence, fraud, willful misconduct or violation of law. In consideration for Participant being permitted to participate in the Activities, each of the undersigned hereby waives, releases, discharges, indemnifies and holds harmless the City of Ojai, its boards and commissions, employees, agents and any other related parties (?City?), from any and all claims for damages for wrongful death, personal injury, or property damage arising out of Participant's participation in the Activities and caused by negligence (passive or active), strict liability or otherwise (except for such injury, wrongful death or property damage caused by City's gross negligence, fraud, willful misconduct or violation of law). This release is intended to be binding on each of the undersigned's heirs, beneficiaries, personal representatives, next of kin, spouse and assigns. I/We have read the above waiver, have been fully and completely advised of the potential danger incidental to engaging in the Activities, are fully aware of the legal consequences of signing this waiver and have signed it voluntarily.

MEDIA RELEASE: I, the undersigned parent/legal guardian of the undersigned minor participant (?Participant?), give permission to the City of Ojai to photograph, film and/or tape by any method my participation in such activities and to use, reproduce, exhibit and publish my photograph in any manner and in all media, publications, advertising and publicity.

ACTIVITY REFUND POLICY: There will be a \$5 service charge on ALL requested refunds. Absolutely no refunds will be granted after the second class. If a class is cancelled by the Recreation Department, an automatic refund will be processed with no service charge and mailed to you. A credit voucher can be issued for the full amount and is valid for 1 year. Activities that do not reach the minimum enrollment requirement will be cancelled and a refund and or credit will be issued. There is a \$28.50 returned check fee. Financial assistance is available.

COPY

Signature _____

Payment and Refund

RECEIPT #	DATE	FEE DESCRIPTION	EVENT	RESOURCE	PAYMENT / REFUND
1058328.002	Mar 9, 2026	Tennis Court Rental	Ojai Shangrila Classic Pickleball Tournament	Tennis Court 5 (Lower)	\$416.00
1058328.002	Mar 9, 2026	Tennis Court Rental	Ojai Shangrila Classic Pickleball Tournament	Tennis Court 6 (Lower)	\$416.00
1058328.002	Mar 9, 2026	Tennis Court Rental	Ojai Shangrila Classic Pickleball Tournament	Tennis Court 7 (Lower)	\$416.00
1058328.002	Mar 9, 2026	Tennis Court Rental	Ojai Shangrila Classic Pickleball Tournament	Tennis Court 8 (Lower)	\$416.00
1058328.002	Mar 9, 2026	Processing Fee	Ojai Shangrila Classic Pickleball Tournament	Tennis Court 8 (Lower)	\$20.00

X: _____

Date: _____

Ojai Recreation Department
Mailing Address: 510 Park Road, Ojai, CA
93023
Phone Number: (805) 646-5581

X: _____

Date: _____

Tim Krout
Customer Id: [REDACTED]
Home Phone Number [REDACTED]
Email Address: [REDACTED]

Receipt Confirmation

From: OjaiRecreationDepartment@active.com (ojairecreationdepartment@active.com)

To: [REDACTED]

Date: Monday, March 9, 2026 at 10:58 AM PDT

Ojai Recreation Department
510 Park Road
Ojai, CA 93023

COPY

Phone: (805) 646-5581

FAX:

Email: ojairec@ojai.ca.gov

Thank you. Your transaction has been processed.

Please check the receipt summary below.

Receipt Number: 1058328.002.

Issued Date/Time: Mar 9, 2026 10:58 AM

Total Charges: \$1,684.00

Total Payments: \$1,684.00

Remaining Balance: \$0.00

TO VIEW THIS RECEIPT (LOGIN IS REQUIRED): <https://anc.apm.activecommunities.com/ojairec/receipt?redesignedReceipt=true&receiptId=MFN4WmpXd3Ruc3dKU3IUvzU5SkpmQT09&receiptSiteId=2&locale=en-US>

TO VIEW OR PRINT ANY RECEIPT DETAILS, LOG-IN TO YOUR ACCOUNT AND UNDER YOUR PROFILE CLICK ON "TRANSACTION AND PAYMENT HISTORY"
https://apm.activecommunities.com/ojairec/ActiveNet_Home/registrationMain.sdi?source=AccountOptions.sdi&ncui=1

TO VIEW OUR OTHER OFFERINGS:
https://apm.activecommunities.com/ojairec/ActiveNet_Home/RegistrationMain.sdi?

Note: If a link does not work, please copy and paste the link into your web browser



CITY OF OJAI

APPLICATION FOR FACILITY USE

Handwritten signature: M. M. Ryan

Ojai Recreation Department
510 Park Road, Ojai, CA 93023
Phone: (805) 646-5581

*Approved for event
paid by check 3/6/26
CHECK # 1678*

APPLICATION INFORMATION

Organization: Ojai Valley Pickleball Inc. Date: 2-17-26

Chief Officer of Organization (Name): Tim Krout - President

Organizations Address: [Redacted]

Organization Business Phone Number: [Redacted]

Non-profit organization: yes IRS 501C Tax Number *: [Redacted]

* A Letter of Determination (LOD) confirming your 501C Tax number must be attached to this application before application will be routed for approval. If LOD is not attached application will be denied.

I/we have read and understand the terms and attached regulations and procedures of this application. I/we agree on behalf of this organization to pay any and all fees required by this permit. INDEMNIFICATION: Applicant covenants and agrees to indemnify and hold harmless the City of Ojai, its officials, officers, and employees from any claim of personal injury, wrongful death, and/or property damage by reason of any act done or permitted to be done by applicant in, upon or about the premises utilized by the applicant, or arising out of. Or connected with the occupation, use, and enjoyment of said premises by applicant.

Chief Officer Signature: Tim Krout Applicant Signature Tim Krout

Applicant (Name): Tim Krout, President Ojai Valley Pickleball Inc.

Applicant Address: [Redacted]

Business Phone: [Redacted] Evening Phone [Redacted]

Cell Phone: [Redacted] Fax Number: ()

Contact Person on site or available by phone on day of event: Tim Krout

Phone: [Redacted] Cell Phone: [Redacted]

EVENT INFORMATION

Type of event:

- Run/Walk/Bike Tour
- Park Festival
- Gathering/picnic (reunions, etc.)
- Parade
- Street Festival
- Concert or Theatrical Production
- Sports event
- Other (specify) _____



Payment Accepted

Amount Collected: \$473.00

Collected By: Tim

Card Number [REDACTED]

COPY

As the premier specialty insurance broker and ranking among the 15 largest insurance brokerage firms in the U.S., Alliant Insurance services delivers a comprehensive portfolio of insurance products and services through a network of offices nationwide and affiliate offices worldwide.

The knowledge that Alliant Insurance has gained in more than eight decades provides our clients with the most cost effective and innovative insurance, employee benefits, risk management, and financial and business services available.

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CA License No.0C36861

Ojai Shangrila Classic Pickleball Tournament at City of Ojai on 06/07/2026

From: noreply@support.alliant.com

To: [REDACTED]

Date: Wednesday, February 25, 2026 at 11:33 AM PST

Thank you for placing your Special Event coverage through Alliant Insurance Services, Inc. Attached please find the Certificate of Insurance showing coverage for your purchased event. Best wishes for a successful event.

Alliant Insurance Services, Inc.

Driver Specialty Group

License #0C36861

sep@alliantinsurance.com

1.800.821.9283



SpecialEventCert.pdf
199 kB

COPY



CITY OF OJAI

APPLICATION FOR FACILITY USE

COPY

COPY

Ojai Recreation Department
510 Park Road, Ojai, CA 93023
Phone: (805) 646-5581

APPLICATION INFORMATION

Organization: Ojai Valley Pickleball Inc. Date: 2-17-26

Chief Officer of Organization (Name): Tim Krout - President

Organizations Address: [REDACTED]

Organization Business Phone Number: [REDACTED]

Non-profit organization: yes IRS 501C Tax Number *: [REDACTED]

* A Letter of Determination (LOD) confirming your 501C Tax number must be attached to this application before application will be routed for approval. If LOD is not attached application will be denied.

I/we have read and understand the terms and attached regulations and procedures of this application. I/we agree on behalf of this organization to pay any and all fees required by this permit. INDEMNIFICATION: Applicant covenants and agrees to indemnify and hold harmless the City of Ojai, its officials, officers, and employees from any claim of personal injury, wrongful death, and/or property damage by reason of any act done or permitted to be done by applicant in, upon or about the premises utilized by the applicant, or arising out of. Or connected with the occupation, use, and enjoyment of said premises by applicant.

Chief Officer Signature: Tim Krout Applicant Signature Tim Krout

Applicant (Name): Tim Krout, President Ojai Valley Pickleball Inc.

Applicant Address: [REDACTED]

Business Phone: [REDACTED] Evening Phone: [REDACTED]

Cell Phone: [REDACTED] Fax Number: () [REDACTED]

Contact Person on site or available by phone on day of event: Tim Krout

Phone: [REDACTED] Cell Phone: [REDACTED]

EVENT INFORMATION

Type of event:

- Run/Walk/Bike Tour
- Parade
- Sports event
- Park Festival
- Street Festival
- Other (specify) _____
- Gathering/picnic (reunions, etc.)
- Concert or Theatrical Production

** latest hand written **

Facility Requested:

- Sarzotti Park Picnic Area 1, 2 or 3
- Sarzotti Ballfield 1 or 2
- Community Gymnasium
- Boyd Center _____ Room
- Sarzotti Snack Bar
- Upper Lower Libbey Tennis Courts
- Other _____

Event Title: Ojai Shangrila Classic Pickleball Tournament

Event Dates: June 4 - 7, 2026 Number of Spectators: 100
 Number of Participants: 220
 Total attendance: 320

Actual Event Hours: 6:30 (am/pm) to 10:00 am/pm

Will a staging/setup/assembly/construction location be required? Yes No

If yes, Date: June 4, 2026 Starting time: 6:30 (AM/PM)

Dismantling Date: June 7, 2026 Start Time: 8:00 pm Completion time: 10:00 pm

Areas to be set up: all areas in the vicinity of lower Libbey Park including the youth warm-up court

Description of the scope of setup/assembly work: setting up EasyUp shade canopies, tables & 16 temporary pickleball courts & nets

Note: For parades, walks/runs, or any other street use including load in and set up, public transportation stops, or overflow parking for large events, please attach a map/plan. Any of the above will require encroachment permits from the Ojai Public Works Department for City streets or from Caltrans for Ojai Ave or Maricopa Highway. Contact the Public Works Department for information and Encroachment Permit applications.

Rehearsal Scheduled: Dates: N/A Times: N/A

Is special lighting required? If so, who will be responsible for lighting? N/A

Will the event include musical entertainment? Yes No

Number of Stages 0 Number of Bands 0 Type of Music 0

Sound Amplification: Yes No Time Begins _____ Time ending _____

Sound Check Yes No Time begins _____ Time ending _____

Description of sound system: N/A

Estimated decibel level, if known: N/A

Are decorations/signs required for event? Yes No

If yes, please describe banners about the event and about sponsors of the event

Will food be served at the event? Yes No

If, yes what kind? Pot Luck BBQ Vendor Sales Other _____

Has a Food Permit been submitted to the County of Ventura Health Department? N/A. If so, when was the permit submitted N/A

How will food be prepared? N/A Gas ___ Electric ___ BBQ ___ Other (specify) ___

Please describe how food will be served at the event: N/A

Does the event involve the sale or use of alcoholic beverages? ___ Yes No

If yes, I N/A will ensure that alcohol will only be consumed by adults of legal drinking age.

Alcohol Beverage Control approval must be obtained and submitted to the City if alcohol will be sold, before approval can be made on this application. ABC licenses may be checked by law enforcement personnel during your event.

Signature of Applicant: Jim Krauth Date: 2-17-26

Are fees being charged?

Admission Fee	\$ <u>0</u> per person	\$ <u>0</u> Estimated Gross Receipts
Vendor Fees	\$ <u>0</u> per person	\$ <u>0</u> Estimated Expenses
Participant Fees	\$ <u>80</u> per person	\$ <u>17,000</u> Projected Revenues

Staff Comments- The following are required for this event prior to final approval:

- A complete description of event
- Maps of event area or route
- A City or Caltrans Encroachment Permit
- Certificate of Insurance
- Environmental Health Dept. approval
- Alcohol Beverage Control approval
- Other _____

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SECURITY, POLICE AND EMERGENCY SERVICE

Who will be responsible for security at this event?

- Sponsoring organization staff/volunteers
- Professional Security organization (please list): _____

Security Company: N/A

Address: _____

Phone: _____

Security Director: _____

Security Responsibilities:

Any searches prior to entering: ___ Yes No

Bottle and Can check for alcohol ___ Yes No

How many Security Guards at each Entrance: 0

Number of Security Guards inside the Venue: 0

Do security personnel monitor parking?

How will Event / Staff Patrons be visibly different from the Public? dressed for Pickleball

POLICE SERVICES REQUESTED

Number of Uniformed Officers: N/A _____ Foot Patrol _____

Mobile Police Command Post: Yes No Bike Teams Mounted Unit

Primary Duties/ Responsibilities:

Parking lot patrol: Yes No Entrance Security: Yes No

Interior Venue: Yes No Venue perimeter: Yes No

Note: Applicant must obtain a Police Security Agreement from the Ojai Police Dept. for Police Services prior to final approval of this application if Police services are requested or required.

<p>Police Comments:</p> <p><u> </u> Please file a complete security plan with the Ojai Police Department</p> <p>Additional security required: <u> </u> Private Security <u> </u> Police Security <u> </u> additional officer/s</p> <p><u> </u> Police Security Agreement required prior to final approval.</p> <p><u> </u> Police Security Agreement on file Date _____ Signed _____</p> <p>Police comments _____</p> <p>Police Department Event Approval: _____ Date _____</p>
--

A. RESERVATIONS

1. Renters desirous of a Facility are required to make reservations 2 months in advance of the intended date of use because demand for facilities is high and dates fill quickly.
2. A facility is not considered rented until (1) Renter delivers to the City of Ojai the Facility Use Agreement, IRS 501C Letter of Determination, rental fee, deposit, certificate of insurance, written evidence of permits and licenses, and any other items deemed necessary by the City of Ojai; and (2) the City of Ojai, in its sole discretion, approves such rental in writing.
3. A person who is at least (18) years of age must sign this agreement.
4. Renter shall provide the City of Ojai Manager or his/her designee with a single contact who is to serve as the representative for Renter's activities.
5. Renter shall be responsible for securing all required permits and licenses.
6. The facility shall be used for the purpose stated in this agreement and no other use will be permitted.
7. Renter shall not use the City of Ojai's name to suggest endorsement or sponsorship of the event without prior written approval of the City of Ojai Manager or his/her designee. Renter's publicity of the event shall clearly and accurately identify the name of the sponsoring organization or individual.
8. Renter shall permit any City of Ojai officers, employees, or agents to visit the event described in this agreement.

9. Renter shall be responsible for picking up the keys to the Facility, if any, from the City of Ojai prior to the event. Renter shall return keys immediately following the event to the City of Ojai.
10. Under no circumstances shall Renter sublease or allow any other organization or individual to use the Facility for the period for which Renter has contracted. Renter is an independent contractor and not the agent or employee of the City of Ojai.

Initials: TZK

COPY

B. FEES

1. Renter is to pay Facility and deposit fees 1 month prior to event date. Failure to do so will result with event being canceled or placed on hold until fees are paid.
2. Any person or agency holding a reservation for the use of City of Ojai facilities and desiring to cancel such reservation may be subject to the withholding of a portion of or the entire rental fee for the Facility.
3. The City of Ojai may charge an additional amount of double the regular rental rate for any event continuing past the ending time stated in this agreement.
4. Renter is responsible for any lost keys, and any costs that the City of Ojai might incur to replace and/or re-key the Facility.
5. In the event the Facility is left damaged, Renter shall be charged for any and all janitorial and/or repair fees incurred by the City of Ojai as a result of same and these fees shall be billed to Renter.
6. **The Sheriff's Department Fees.** Deputies, which may be requested by the Sheriff's Department and/or the Applicant will be calculated after the event and an invoice, will be mailed to the Applicant for payment.
7. **The Sheriff's Department Reserve Deputy Fees.** The Sheriff's Department may choose to contract with Reserve Deputies for an event, in which case the Applicant is responsible to pay the Reserve Deputies directly. Reserve fees will be calculated and an invoice will be mailed to the Applicant for payment.
8. Renter will pay \$25 a week for items left in any City Facilities after their allotted time.

Initials: TZK

C. INDEMNIFICATION AND INSURANCE

1. Renter shall indemnify, defend, and hold harmless the City of Ojai, its officers, employees, and agents from any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Renter's use of occupancy of the Facility and adjoining property, unless solely caused by the gross negligence or willful misconduct of the City of Ojai, its officers, employees, or agents.
2. Renter shall procure, and maintain general liability insurance against any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Renter's use or occupancy of the City of Ojai's, facilities and adjoining property in the amount of \$1,000,000 (one million dollars) per occurrence. Such insurance shall

name the City of Ojai, its officers, employees, and agents as additional insured prior to the rental date of the Facility. Renter shall file certificates of such insurance with the City of Ojai, which shall be endorsed to provide thirty- (30) days notice to the City of Ojai of cancellation or any change of coverage or limits. If a copy of the insurance certificate is not on file prior to the event, the City of Ojai may deny access to the Facility.

3. Renter shall report any personal injuries or property damage arising at any time during and/or arising out of or in any way connected with Renter's use or occupancy of the City of Ojai's facilities and adjoining property to the City of Ojai City Manager or his/her designee, in writing and as soon as possible.

4. Renter waives any right of recovery against the City of Ojai; its officers, employees, and agents for fires, floods, earthquakes, civil disturbances, regulation of any public authority, and other causes beyond their control. Renter shall not charge results of a natural disaster to the City of Ojai; its officers, employees, or agents.

5. Renter waives any right of recovery against the City of Ojai, its officers, employees, and agents for indemnification, contribution, or declaratory relief arising out of or in any way connected with Renter's use or occupancy of the Facility and adjoining property, even if the City of Ojai, its officers, employees, or agents seek recovery against Renter.

Initials: TKK

D. SECURITY

1. The City of Ojai, at its sole discretion, may require a certain number of security officers for the event. Renter shall be responsible for procuring and paying for security officers through the City of Ojai or a private security agency.

2. Renter is solely responsible for supervising all individuals at the Facility and adjoining property during the event. The City of Ojai is not responsible for providing this supervision. However, the City of Ojai may evict individuals from the Facility during the event if their conduct is not in the best interest of the public or is deemed to be detrimental in any way.

Initials: TKK

E. SET UP / CLEAN UP / DECORATIONS

1. Renter, caterers, bands, transportation of rental equipment, and related individuals and activities will not be permitted access to the Facility prior to or after the event time period. Renter shall be responsible for arranging access during the time requested for entry and exit of the facility.

2. Renter shall not prepare or decorate the Facility prior to the event start time, unless Renter provides rental fees, deposits, and insurance for the time of the preparation and/or decoration.

3. Renter shall not drive or permit to drive nails, hooks, tacks, screws, poles, stakes or other forms of fasteners into any part of the Facility and shall not make or allow to be made any alterations of any kind therein.

4. Renter shall be responsible for all clean up of the Facility, including adjacent grounds, at the end of the rental. Renter shall pick up, bag, and remove all trash generated by all activity in any way connected with its use of the Facility, leaving the Facility clean and free of all trash and litter. Renter shall also leave all fixtures, if any, in good working condition.

5. Renter shall not store any equipment or materials at the Facility or adjoining property without the prior written approval of the City of Ojai Manager or his/her designee.

6. Renter shall be responsible for any and all damage to the Facility and/or its contents during use. In the event damage occurs or excessive cleaning is necessary, Renter shall be charged for any and all janitorial and/or repair fees incurred by the city of Ojai as a result.

Initials: TK

F. EQUIPMENT / ACCESSORIES

1. Renter shall not remove, relocate, or take the City of Ojai property outside of the Facility for any reason without the prior written approval of the City of Ojai Manager or his/her designee.

2. Renter shall not use the City of Ojai equipment, tools, or furnishings located in or about the Facility without the prior written approval of the City of Ojai Manager or his/her designee.

3. Renter shall not drive motorized vehicles on field or green space.

4. The City of Ojai does not provide audio / visual system, public address systems, spotlights, floodlights, or projectors. Renter, at its own cost, may bring these systems into the Facility for their use.

5. Renter shall secure the approval of the City of Ojai before using audio / visual systems, public address systems, and live or recorded amplified music. Renter shall not record, televise, or broadcast the event or any portion thereof without prior written approval of the City of Ojai Manager or his/her designee.

Initials: TK

G. MISCELLANEOUS

1. Renter shall comply with all local, state, and federal laws and regulations related to the use of the Facility.

2. Renter shall not admit a larger number of individuals than can lawfully, safely, and freely move about the Facility.

3. Gambling of any kind is not permitted at the Facility.

4. Smoking is not permitted at the Facility.

5. No animals are permitted at the Facility, with the exception of guide dogs.

6. If Renter violates any part of this agreement or reports false information to the City of Ojai, the City of Ojai may refuse Renter further use of the Facility and Renter shall forfeit a portion of or all of the rental fee and/or the deposit.

7. The City of Ojai may impose additional requirements as deemed necessary to protect the health, safety, and/or welfare of the community.

8. Any person aggrieved by the City of Ojai's decision with respect to this agreement may appeal to the City of Ojai's Manager or his/her designee in writing no later than five (5) days after the City of Ojai's decision has been communicated to the aggrieved party.

9. If any provision of this agreement is held to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

10. In the event the City declares this Agreement to be in breach, the Renter must immediately cause Facility to be vacated of all persons and property and City will have the right to cause to be removed all persons and property from Facility without service of notice or resort to legal process and without legal liability on its part. Alternatively, upon declaring a breach, City may

COPY

require that User rectify the breach. If City requires Facility to be vacated, User shall loose all rights of possession.

11. If any legal action or other proceeding be brought by either party with regard to the provisions of this Agreement the prevailing party shall recover in addition to all other relief, reasonable attorney's fees and costs.

12. This Agreement, along with those documents incorporated herein by reference, constitutes the entire agreement between City and User and can be altered, superseded or otherwise amended only in writing.

Initials: TZK

I am an authorized agent of the organization submitting this agreement. The information provided in this agreement is true and correct. I have read and understand this agreement and agree to all of the aforementioned rules, regulations, and conditions of use.

Print name: Tim Krout

Signature: Tim Krout

Date: 2-17-26

SAFETY, SERVICES AND ACCESSIBILITY:

To be completed by applicant- please check all items, which, will be provided by the event holder.

- Portable and/or Permanent Toilet Facilities
 - # of portable toilets: _____ participants in excess of 1,000 require 1 per 250 people
 - # of ADA accessible toilets _____ 10% of all portable toilets to be ADA accessible
- First Aid Facilities and Ambulance Locations
- First Aid Kit (required) includes bandages, disinfectant, ice pack, eyewash and burn dressing
- Tables and Chairs
- Fencing Barriers and/or Barricades
- Generator locations and/or Source of Electricity
- Canopies or Tent locations
- Booths, Exhibits, Displays or enclosures
- Scaffoldings, bleachers, platforms, stages, grandstands, or Related Structures
- Vehicles and/or trailers, which will be parked inside the facility during event
- Trash Containers or Dumpsters (in addition to those currently on site)
- Food or beverage concession stands
- Other related Event Components not covered above (please list) _____


INSURANCE REQUIREMENTS:

For final permit approval, the event organizers must attach a "Certificate of Insurance" of commercial general liability insurance that names the City of Ojai, its officers, employees and agents as an additional insured and any other public entities impacted by this event. Insurance must be maintained for the duration of the event. The cancellation clause on said certificate shall provide for 10-day notice to the City of cancellation of policy, and shall not include the words "will endeavor" in the cancellation notice clause. If sponsoring organization is not insured, please contact the City Public Works Department for information on special event insurance coverage.

Name of Insurance Company: _____

Agcnt's Name: _____ Business Phone: _____

Policy Number: _____ Policy Type: _____

 **IRS** DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 06-08-2022

Employer Identification Number:
[REDACTED]

Form: SS-4

Number of this notice: CP 575 E

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

COPY

OJAI VALLEY PICKLEBALL
% KAREN S WILSON
[REDACTED]

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 88-2712094. This EIN will identify your entity, accounts, tax returns, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

Taxpayers request an EIN for business and tax purposes. Some taxpayers receive CP575 notices when another person has stolen their identity and are operating using their information. If you did not apply for this EIN, please contact us at the phone number or address listed on the top of this notice.

When filing tax documents, making payments, or replying to any related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear-off stub and return it to us.

When you submitted your application for an EIN, you checked the box indicating you are a non-profit organization. Assigning an EIN does not grant tax-exempt status to non-profit organizations. Publication 557, Tax-Exempt Status for Your organization, has details on the application process, as well as information on returns you may need to file. To apply for recognition of tax-exempt status, organizations must complete an application on one of the following forms: Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code; Form 1023-EZ, Streamlined Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code; Form 1024, Application for Recognition Under Section 501(a); or Form 1024-A, Application for Recognition of Exemption Under Section 501(c)(4) of the Internal Revenue Code.

Nearly all organizations claiming tax-exempt status must file a Form 990-series annual information return (Form 990, 990-EZ, or 990-PF) or notice (Form 990-N) beginning with the year they legally form, even if they have not yet applied for or received recognition of tax-exempt status.

If you become tax-exempt, you will lose tax-exempt status if you fail to file a required return or notice for three consecutive years, unless a filing exception applies to you (search www.irs.gov for Annual Exempt Organization Return: Who Must File). We start calculating this three-year period from the tax year we assigned the EIN to you. If that first tax year isn't a full twelve months, you're still responsible for submitting a return for that year. If you didn't legally form in the same tax year in which you obtained your EIN, contact us at the phone number or address listed at the top of this letter. For the most current information on your filing requirements and other important information, visit www.irs.gov/charities.

(IRS USE ONLY) 575E

06-08-2022 OJAI O 9999999999 SS-4

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.
- * Provide future officers of your organization with a copy of this notice.

Your name control associated with this EIN is OJAI. You will need to provide this information along with your EIN, if you file your returns electronically.

Safeguard your EIN by referring to Publication 4557, Safeguarding Taxpayer Data: A Guide for Your Business.

You can get any of the forms or publications mentioned in this letter by visiting our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions about your EIN, you can contact us at the phone number or address listed at the top of this notice. If you write, please tear off the stub at the bottom of this notice and include it with your letter.

Thank you for your cooperation.

Keep this part for your records.

CP 575 E (Rev. 7-2007)

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

CP 575 E

9999999999

Your Telephone Number Best Time to Call
() -

DATE OF THIS NOTICE: 06-08-2022
EMPLOYER IDENTIFICATION NUMBER: [REDACTED]
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023
[Barcode]

OJAI VALLEY PICKLEBALL
KAREN S WILSON
[REDACTED]



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

OJAI VALLEY PICKLEBALL INC
C/O KAREN S WILSON
[REDACTED]

COPY

Date:
07/27/2022
Employer ID number:
[REDACTED]
Person to contact:
Name: Customer Service
ID number: 31954
Telephone: (877)829-5500
Accounting period ending:
December 31
Public charity status:
170(b)(1)(A)(vi)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
April 1, 2022
Contribution deductibility:
Yes
Addendum applies:
No
DLN:
[REDACTED]

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

Letter 947 (Rev. 2-2020)
Catalog Number 35152P

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, as my office, in the City of Santa Paula and County of Ventura, the day and year last above written.

(Notarial Seal)

Kathleen Kucharski, Notary Public
in and for the City of Santa Paula,
County of Ventura, State of California.

Recorded at Request of Mrs. Margaret Havens, Mar 28 1917 at 40 minutes past 9 o'clock A.M.

J.L. Argabrite, County Recorder.

-----800-----

THIS INDENTURE, made this 27th day of March, in the year of our Lord, One Thousand Nine Hundred and Seventeen, between EDWARD D. LIBNEY and FLORENCE SCOTT LIBNEY, his wife, of Toledo, Ohio, parties of the first part, and OJAI CIVIC ASSOCIATION, a corporation, organized and existing under and by virtue of the laws of the State of California, and having its principal place of business at Nordhoff, in the Ojai Valley, in the County of Ventura, State of California, party of the second part, WITNESSETH:

That said parties of the first part do hereby give, grant and convey unto the said party of the second part, and to its successors forever, for the uses and purposes, and upon the conditions hereinafter expressed, all that certain real property, situate, lying and being in the Rancho Ojai, County of Ventura, State of California, and described as:

Part of the Rancho Ojai, as granted by the United States of America to Fernando Tico, by letters patent dated December 22, 1870, and recorded in the office of the County Recorder of said Ventura County in book "A" of Patents (Transcribed Records from Santa Barbara County," at page 323 et seq., and particularly described as follows:

Beginning at the point of intersection of the South line of Ojai Avenue and the East line of Signal Street, as said Avenue and Street are designated and delineated upon that certain map entitled "Map of the Town of Nordhoff, located in the Ojai Valley, Ventura County, Cal.", and recorded in the office of the County Recorder of said Ventura County in Book 1 of Miscellaneous Records at page 225; thence from said point of beginning,

- 1st- North 84° 15' East 329.78 feet along the South line of said Ojai Avenue to a $\frac{1}{4}$ -inch iron pipe set at the North-west corner of that certain parcel of land as conveyed by Ojai Improvement Company to Ojai State Bank by deed dated May 14, 1910, and recorded in the office of the County Recorder of said Ventura County in book 127 of Deeds at page 1 et seq.; from which the West face of a live oak tree bears South 42° 30' East 17.60 feet distant, and the East face of a live oak tree bears Westerly 40.20 feet distant; thence at right angles,
- 2nd- South 5° 45' East 150.00 feet to a $\frac{1}{4}$ -inch iron pipe set at the south-west corner of said lands of the Ojai State Bank; thence at right angles,
- 3rd- North 84° 15' East 35.00 feet to a $\frac{1}{4}$ -inch iron pipe set at the South-east corner of said lands of the Ojai State Bank; thence at right angles,
- 4th- North 5° 45' West 150.00 feet to a $\frac{1}{4}$ -inch iron pipe set at a point in the South line of said Ojai Avenue at the north-east corner of said lands of the Ojai State Bank; thence at right angles,
- 5th- North 84° 15' East 40.00 feet along the South line of said Ojai Avenue to the north-west corner of that certain parcel of land as conveyed by Sherman D. Thacher, trustee, to Jack Boyd Memorial, Casa de Piedra, Ojai Valley Club, by deed dated January 30, 1905, and recorded in the office of the County Recorder of said Ventura County in book 101 of Deeds at page 338 et seq.; from which an iron standard set in the center line of said Ojai Avenue, distant South 30.00 feet from the south-east corner of Block eleven (11) of said Town of Nordhoff, bears

6th- South 5° 45' East 180.00 feet; at 150.00 feet the south-west corner of said lands of Jack Boyd Memorial, Casa de Piedra, Ojai Valley Club and the north-west corner of that certain parcel of land as conveyed by Ojai Improvement Company to said Jack Boyd Memorial, Casa de Piedra, Ojai Valley Club, by deed dated April 23, 1910 and recorded in the office of the County Recorder of said Ventura County in book 133 of Deeds at page 63 et seq.; at 180.00 feet the south-west corner of said last described lands of Jack Boyd Memorial, Casa de Piedra, Ojai Valley Club; thence at right angles.

- 7th- North 84° 15' East 53.834 feet to a point in the west line of lot three (3) of said Bellevue Tract, at the south-east corner of said East described lands of Jack Boyd Memorial, Casa de Piedra, Ojai Valley Club; thence,
 8th- South 1° 15' East 232.86 feet along the west line of said "Bellevue Tract", to a stake marked "B" set in the west line of and distant North 1° 15' West 27.82 feet from the south-west corner of lot one (1) of said "Bellevue Tract"; thence,
 9th- South 87° west 88.44 feet to a station on the right bank of a small ravine; thence,
 10th- South 10° east 190.73 feet to a mound of rocks; thence,
 11th- South 17° 30' west 225.00 feet; at 198.00 feet a stake set on left bank of said ravine; at 225.00 feet a stake marked "B.7"; thence,
 12th- South 0° 45' West 65.55 feet to a point in the north line of the right of way of the Ventura and Ojai Valley Railroad; thence along same,
 13th- North-westerly along a curve to the right (the long chord of which bears North 67° 18' West 386.62 feet) to a point in the East line of said Signal Street; thence along same,
 14th- North 698.30 feet to the point of beginning and containing 7.54 acres.

Reserving and excepting a perpetual, unobstructed and unrestricted easement, right of entry and right of way for all purposes whatsoever, over a strip or parcel of land 35.00 feet wide and 355.00 feet long for the use and benefit of the Ojai State Bank, its customers and patrons, said strip or parcel of land particularly described as follows:

Beginning at a $\frac{1}{4}$ -inch iron pipe set at the north-west corner of the above-described real property as conveyed to the Ojai State Bank by said deed bearing date of May 14, 1910; thence from said point of beginning,

- 1st- South 5° 45' East 355.00 feet to a point; thence at right angles,
 2nd- South 84° 15' West 35.00 feet to a point; thence at right angles,
 3rd- North 5° 45' West 355.00 feet to a point in the south line of said Ojai Avenue; thence along same,
 4th- North 84° 15' East 35.00 feet to the point of beginning.

Also reserving and excepting unto the said Ojai State Bank the right and privilege of constructing, renewing, repairing, and forever maintaining sidewalk, curb and gutter, with its appurtenances, upon a strip or parcel of land 5.00 feet wide and 150.00 feet long, lying adjoining and immediately west of the west line of the last above described real property as conveyed to the Ojai State Bank by said deed bearing date of May 14, 1910; said strip 5.00 feet wide and 150.00 feet long lying within the limits of the exterior boundaries of the strip or parcel of land 35.00 feet wide and 355.00 feet long last above described; said strip or parcel of land 5.00 feet wide and 150.00 feet

more particularly described as follows:

Beginning at the last above-described 4 inch iron pipe set in the south line of said Ojai Avenue; thence from said point of beginning,

- 1st- South 5° 45' East 150.00 feet to a point; thence at right angles,
- 2nd- South 84° 15' West 5.00 feet to a point; thence at right angles,
- 3rd- North 5° 45' West 150.00 feet to a point in the south line of said Ojai Avenue; thence along same,
- 4th- North 84° 15' East 5.00 feet to the point of beginning.

This gift and grant is hereby made, and said real property is hereby conveyed, upon the condition subsequent that said land shall be used, improved and be perpetually maintained by the party of the second part, and its successors in interest and estate, as a public park and place of recreation and pleasure ground for the amusement, health and pleasure of the people of the Ojai Valley, in the County of Ventura, State of California.

Nothing herein shall be construed as authorizing or permitting the party of the second part to let, demise or permit any private parties or corporations to occupy or use any part of the above-described real property for private gain or advantage, or to conduct thereon any private business or enterprise.

This conveyance is made and accepted upon the condition subsequent that neither the party of the second part, nor its successors, nor those claiming under it, shall ever manufacture or dispose of, or permit the sale, manufacture or disposal of spirituous or intoxicating liquors in or on any part of the above-described real property, and upon the further condition subsequent that the approaches and highways leading to said park shall always be kept and maintained in a clean and sanitary condition;

This conveyance is made upon the further express condition that in the event of a breach of any of the foregoing conditions subsequent, the title to the real property hereby conveyed shall immediately revert to and vest again in the parties of the first part, their heirs and assigns, the same as though this deed had never been executed, delivered and accepted by the said party of the second part; and the said party of the second part, by acceptance of this deed of grant and gift, hereby agrees that if, at any time, any of the conditions, limitations or restrictions above expressed shall be broken, it or its successors will reconvey said real property to the parties of the first part, their heirs or assigns.

The parties of the first part hereby declare that this gift and grant shall be liberally construed, and always with a view to effect the objects and promote the purposes of the parties of the first part, as above expressed.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said party of the second part, and to its successors forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, the day and year first above written.

Edward D. Libbey (Seal)
Florence Scott Libbey (Seal)

STATE OF CALIFORNIA, }
COUNTY OF VENTURA. } ss.

On this 28th day of March, in the year of our Lord One Thousand Nine Hundred and Seventeen, before me John J. Burke, a Notary Public in and for said county and State, residing therein, duly commissioned and qualified, personally appeared Edward D. Libbey and Florence Scott Libbey, his wife, known to me to be the persons described in

BOOK 3790 PAGE 241

10772

COMPARED

RECORDED AT REQUEST OF
City of Ojai
AT 35 MIN PAST 12 M.
OFFICIAL RECORDS VENTURA COUNTY
MAR 4 - 1971

GRANT DEED OF CIVIC CENTER PARK

Robert L. Hanson RECORDER
107 N. Ventura St
Ojai, Calif FREE

WHEREAS, by indenture made on March 27, 1917,

Edward D. Libbey and Florence Scott Libbey granted to the Ojai Civic Association that property in the City of Ojai commonly known as Civic Center Park; and

WHEREAS, such indenture contained conditions to insure that the property conveyed would be perpetually used and maintained as a public park and place of recreation and pleasure; and

WHEREAS, in order to carry out the purpose of the original grant and to make available public funds for maintenance and improvement of the park and adjacent public property it is desirable to vest title to the park in the City of Ojai subject to certain conditions;

NOW THEREFORE, THE OJAI CIVIC ASSOCIATION, a non-profit corporation organized and existing under the laws of California, HEREBY GRANTS TO THE CITY OF OJAI, a municipal corporation, upon the conditions and covenants hereafter set forth; that certain property in the County of Ventura, State of California, described as follows:

Part of the Rancho Ojai, as granted by the United States of America to Fernando Tico, by letters patent dated December 22, 1870, and recorded in the office of the County Recorder of said Ventura County in book "A" of Patents (Transcribed Records from Santa Barbara County); at page 323 et seq., and particularly described as follows:

Beginning at the point of intersection of the South line of Ojai Avenue and the East line of Signal Street, as said Avenue and Street are designated and delineated upon that certain map entitled "Map of the Town of Nordhoff, located in the Ojai Valley, Ventura County, Cal.", and recorded in the office of the County Recorder of said Ventura County in

-1-

Copy of the transfer of Libbey Park from the Ojai Civic Association to the City of Ojai [redacted] on March 2, 1971

[redacted]

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Book 1 of Miscellaneous Records at page 225; thence from said point of beginning,

- 1st - North 84° 15' East 329.78 feet along the South line of said Ojai Avenue to a 1/4-inch iron pipe set at the North-west corner of that certain parcel of land as conveyed by Ojai Improvement Company to Ojai State Bank by deed dated May 14, 1910, and recorded in the office of the County Recorder of said Ventura County in book 127 of Deeds at page 1 et seq.; from which the West face of a live oak tree bears South 42° 30' East 17.60 feet distant, and the East face of a live oak tree bears westerly 40.20 feet distant; thence at right angles,
- 2nd - South 5° 45' East 150.00 feet to a 1/4-inch iron pipe set at the south-west corner of said lands of the Ojai State Bank; thence at right angles,
- 3rd - North 84° 15' East 35.00 feet to a 1/4-inch iron pipe set at the South-east corner of said lands of the Ojai State Bank; thence at right angles,
- 4th - North 5° 45' West 150.00 feet to a 1/4-inch iron pipe set at a point in the South line of said Ojai Avenue at the north-east corner of said lands of the Ojai State Bank; thence at right angles,
- 5th - North 84° 15' East 40.00 feet along the South line of said Ojai Avenue to the north-west corner of that certain parcel of land as conveyed by Sherman D. Thacher, trustee, to Jack Boyd Memorial, Casa de Piedra, Ojai Valley Club, by deed dated January 30, 1905, and recorded in the office of the County Recorder of said Ventura County in book 101 of Deeds at page 338 et seq.; from which an iron standard set in the center line of said Ojai Avenue, distant South 30.00 feet from the south-east corner of Block eleven (11) of said Town of Nordhoff, bears North 5° 45' West 30.00 feet and North 84° 15' East 71.38 feet distant, and the north-west corner of lot four (4), as the same is designated and delineated upon that certain map entitled "Bellevue Tract Rancho Ojai", and recorded in the office of the County Recorder of said Ventura County in book 2 of Miscellaneous Records at page 169, bears North 84° 15' East 68.00 feet distant; thence at right angles,
- 6th - South 5° 45' East 180.00 feet; at 150.00 feet the south-west corner of said lands of Jack Boyd Memorial, Casa de Piedra, Ojai Valley Club and the north-west corner of that certain parcel of

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land as conveyed by Ojai Improvement Company to said Jack Boyd Memorial, Casa de Piedra, Ojai Valley Club, by deed dated April 23, 1912, and recorded in the office of the County Recorder of said Ventura County in book 133 of Deeds at page 63 et seq.; at 180.00 feet the South-west corner of said last described lands of Jack Boyd Memorial, Casa de Piedra, Ojai Valley Club; thence at right angles,

- 7th - North 84° 15' East 53.834 feet to a point in the west line of lot three (3) of said Bellevue Tract, at the south-east corner of said last described lands of Jack Boyd Memorial, Casa de Piedra, Ojai Valley Club; thence,
- 8th - South 1° 15' East 232.86 feet along the west line of said "Bellevue Tract", to a stake marked "B" set in the west line of and distant North 1° 15' West 27.82 feet from the south-west corner of lot one (1) of said "Bellevue Tract"; thence,
- 9th - South 87° west 88.44 feet to a station on the right bank of a small ravine; thence,
- 10th - South 10° east 190.74 feet to a mound of rocks; thence,
- 11th - South 17° 30' west 225.00 feet; at 198.00 feet a stake set on left bank of said ravine; at 225.00 feet a stake marked "B.7"; thence,
- 12th - South 0° 45' West 65.55 feet to a point in the north line of the right of way of the Ventura and Ojai Valley Railroad; thence along same,
- 13th - North-westerly along a curve to the right (the long chord of which bears North 67° 18' West 386.62 feet) to a point in the East line of said Signal Street; thence along same,
- 14th - North 698.30 feet to the point of beginning and containing 7.54 acres.

Reserving and excepting a perpetual, unobstructed and unrestricted easement, right of entry and right of way for all purposes whatsoever, over a strip or parcel of land 35.00 feet wide and 355.00 feet long for the use and benefit of the Ojai State Bank, its customers and patrons, said strip or parcel of land particularly described as follows:

Beginning at a 1/4-inch iron pipe set at the north-west corner of the above-described real property as conveyed to the Ojai State Bank by said deed bearing date of May 14, 1910; thence from said point of

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beginning,

- 1st - South 5° 45' East 355.00 feet to a point; thence at right angles,
- 2nd - South 84° 15' West 35.00 feet to a point; thence at right angles,
- 3rd - North 5° 45' West 355.00 feet to a point in the south line of said Ojai Avenue; thence along same,
- 4th - North 84° 15' East 35.00 feet to the point of beginning.

Also reserving and excepting unto the said Ojai State Bank the right and privilege of constructing, renewing, repairing, and forever maintaining a sidewalk, curb and gutter, with its appurtenances, upon a strip or parcel of land 5.00 feet wide and 150.00 feet long, lying adjoining and immediately west of the west line of the last above described real property as conveyed to the Ojai State Bank by said deed bearing date of May 14, 1910; said strip 5.00 feet wide and 150.00 feet long lying within the limits of the exterior boundaries of the strip or parcel of land 35.00 feet wide and 355.00 feet long last above described; said strip or parcel of land 5.00 feet wide and 150.00 feet long particularly described as follows:

Beginning at the last above-described 1/4 inch iron pipe set in the south line of said Ojai Avenue; thence from said point of beginning,

- 1st - South 5° 45' East 150.00 feet to a point; thence at right angles,
- 2nd - South 84° 15' West 5.00 feet to a point; thence at right angles,
- 3rd - North 5° 45' West 150.00 feet to a point in the south line of said Ojai Avenue; thence along same,
- 4th - North 84° 15' East 5.00 feet to the point of beginning.

Further reserving and excluding from this conveyance that property used for post office purposes described as follows:

Beginning at the intersection of the East line of Signal Street with the South line of Ojai Avenue, as the same is shown upon that certain Map entitled "Map of the Town of Nordhoff", as recorded in Book 1 of Miscellaneous Records at page 225, in the Office of the Recorder of Ventura County, thence;

- 1st - North 84° 20' East 85.0 feet, along the South line of Ojai Avenue, to a point marked by a

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3/4 inch iron pipe, tagged "JAD-RE 224";
thence;

2nd - South 5° 40' East 264.60 feet to a 1/2 inch
iron pipe, marked as described, thence;

3rd - North 83° 0' West 111.60 feet to a 1/2 inch
iron pipe, marked as described, thence;

4th - North 241.32 feet, along the East line of
Signal Street, to the point of beginning.

The following provisions of the original grant apply
to this grant with the same force and effect as in such original
grant with the Ojai Civic Association being party of the first
part and the City of Ojai being party of the second part:

This gift and grant is hereby made and said
real property is hereby conveyed upon the condition
subsequent that said land shall be used, improved
and be perpetually maintained by the party of the
second part and its successors in the interest and
estate as a public park and place of recreation
and pleasure of the people of the Ojai Valley, in
the County of Ventura, State of California.

Nothing herein shall be construed as authorizing
or permitting the party of the second part to let,
demise or permit any private parties or corporations
to occupy or use any part of the above described real
property for private gain or advantage or to conduct
thereon any private business or enterprise.

This conveyance is made and accepted upon the
condition subsequent that neither the party of the
second part nor its successors nor those claiming
under it, shall ever manufacture or dispose of or
permit the sale, manufacture or disposal of spirituous
or intoxicating liquors in or on any part of the

above described real property and upon the further condition subsequent that the approaches and highways leading to said park shall always be kept and maintained in a clean and sanitary condition.

This conveyance is made upon the further condition that in the event of a breach of any of the foregoing conditions subsequent, the title to the real property hereby conveyed shall immediately revert to and vest again in the parties of the first part their heirs and assigns the same as though this deed had never been executed, delivered and accepted by the party of the second part and the party of the second part by acceptance of this deed of grant and gift, hereby agrees that if, at any time, any of the conditions, limitations or restrictions above expressed shall be broken, it or its successors will reconvey said real property to the parties of the first part their heirs or assigns.

This grant is made upon the further condition subsequent that the real property hereby conveyed shall not be used for a public parking lot, nor as a site for a city hall or other public administrative buildings.

In addition to the foregoing conditions, by acceptance of this deed the City of Ojai agrees that it shall observe and be bound by the following covenants:

That it shall, consistent with constitutional and statutory provisions relating to budgeting and expending public funds, make reasonable provisions in its annual budgets for maintenance and improvement of the park.

That it shall make appropriate portions of the park

BOOK 3790 PAGE 247

or additions thereto available for a tennis tournament, music festival, and similar nonprofit civic, cultural, and recreational events such as have been conducted in the past and may reasonably be expected to continue or expand in the future.

Executed on February 24, 1971.

OJAI CIVIC ASSOCIATION

By Robert B. Zamb

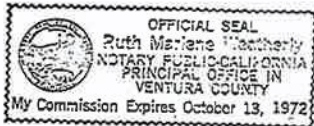
By Darlan S. Jenkins

STATE OF CALIFORNIA)
) ss
COUNTY OF VENTURA)

On February 24, 1971 before me, the undersigned, a Notary Public in and for said State, personally appeared Robert B. Zamb known to me to be the President, and Darlan S. Jenkins known to me to be the Secretary of the corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Ruth Marlene Weatherly
Notary Public in the for said
County and State



-7-

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OJAI CITY COUNCIL

RESOLUTION NO. 1845

RESOLUTION OF ACCEPTANCE OF DEED
(Government Code section 27281)

BE IT RESOLVED by the Council of the City of Ojai
that the GRANT DEED OF CIVIC CENTER PARK, executed by the
Ojai Civic Association on February 24, 1971, is
hereby accepted and the grantee consents to recordation thereof.

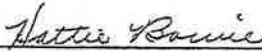
Passed and adopted on March 2, 1971, by the
following roll call vote:

- AYES: Councilmen Hey, Loebel, Mittrany, Burr
- NOES: Councilmen None
- ABSENT: Councilmen None
- ABSTAINING: Councilmen Fay



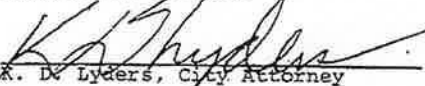
 MAYOR

ATTEST:



 City Clerk of the City of Ojai

Approved as to form:



 K. D. Lyders, City Attorney

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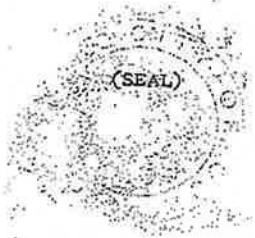
STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss
CITY OF OJAI)

I, HATTIE B. BOWIE, City Clerk of the City of Ojai, California, do hereby certify that the foregoing Resolution was duly adopted by the City Council of said City at an adjourned meeting of the City Council held on the 2nd day of March, 1971, by the following vote:

- AYES: Councilmen Hey, Loebel, Mitrany, Burr
- NOES: Councilmen None
- ABSENT: Councilmen None
- ABSTAINING: Councilmen Fay

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of said City this 2nd day of March, 1971.

Hattie B. Bowie
City Clerk of the City of Ojai





Administrative Report

TO: Honorable City Council

FROM: Ben Harvey, City Manager
Bethany Burgess, City Attorney

MEETING DATE: April 28, 2026

SUBJECT: Consideration of the City's Ability to Shift to At-Large Voting
(City Council Direction)

RECOMMENDATION

1. Consider information regarding the ability to shift from electing City Council Members "by-district" to an "at-large" method of selection.
2. Direct the City Attorney's Office to retain a consultant to conduct a demographic evaluation to be completed prior to the May 12, 2026, City Council meeting.
3. Provide direction to the City Attorney's Office as to whether to return to City Council with an ordinance repealing Ordinance No. 889 or an ordinance submitting a ballot question to the voters seeking voter approval to return to at-large elections.
4. Provide alternate direction to the City Attorney.

DISCUSSION

On December 11, 2018, the Ojai City Council adopted an ordinance (Ordinance No. 889) adding a new Chapter 6 ("Elections") to Title 2 ("Administration") of the OMC to change the City's City Council election method from at-large to by-district elections. This action followed the City's receipt of a letter from Shenkman & Hughes, PC, alleging that "voting within the City is racially polarized, resulting in minority vote dilution" and also that the City's at-large elections violated the California Voting Rights Act. The first by-district elections took place as part of the November 2020 general election, and since that time, further by-district elections have occurred in 2022 and 2024. The agenda report from the December 11, 2018, City Council meeting is included as Attachment "A" to this item.

Additionally, in November 2022, Ojai voters approved Ballot Measure M ("Measure M"), which asked:

Shall the voters authorize, at the discretion of the City Council, the use of ranked choice voting, also known as instant runoff voting and allowing voters to rank candidates for elected office in order of preference, to elect City offices at-large, thereby amending the Ojai Municipal Code to no longer elect City Council members by district, if the City Council implements it starting with the November 2024 general election?

Measure M passed by receiving 55.84% of the votes.

In an at-large system, Councilmembers are elected by voters throughout the City. In a by-district system, the City is divided into districts and each Councilmember is elected only by registered voters residing in that particular district. Ranked choice voting is a variation on at-large voting that allows voters to rank candidates by preference rather than casting a ballot for a single candidate. A candidate winning the majority of first-choice votes wins the election without any further steps. If no candidate wins a majority of first-choice votes, whoever receives the lowest number of votes is eliminated and another round of vote tallying begins. In this second round, ballots with the eliminated candidate as the first choice are tallied with the second-choice candidate. This process continues until a candidate receives 50% of the votes in a given round.

There is research that shows that in some communities, single member district elections increase representation of historically underrepresented populations. Consistent with this, the United States Supreme Court has stated that at-large voting generally poses greater threats to minority-voter participation in the political process than single member, by district voting does. However, there is also research that shows that in smaller communities, by-district voting may also result in voter dilution.

From a legal standpoint, the California Elections Code establishes the standards for local elections and the Government Code includes additional requirements related to local government elections. Relevant to this agenda item are the California Voting Rights Act, Elections Code Section 14025, *et seq.*, Elections Code Section 15452, and Government Code Section 34873.

Ability to Implement Ranked Choice Voting

Notwithstanding the outcome of Measure M, it is unlikely that the City would be able to implement ranked choice voting. The primary reason for this is that any change in voting system requires approval from the California Secretary of State. The California Secretary of State has taken the position that pursuant to Section 15452 of the Elections Code, a general law city may only elect its local officials through a plurality voting system. Because of the manner in which the ranking of candidates is applied under a ranked choice system, a candidate who receives a majority of votes may still receive the fewest number of “first choice” votes. For this reason, this form of voting for a general law city would likely be rejected by the California Secretary of State as being prohibited by Section 15452 of the Elections Code. Additionally, a plain reading of Measure M appears to require that the authorization to implement Measure M required that it be implemented in order to be effective for the November 2024 election, and so arguably any authorization provided by Measure M has expired.

Ability to Implement At-Large Voting

Though the City would likely be unsuccessful in moving to a voting system that involves ranked choice selection, the City could arguably shift back to at-large voting. In deciding whether this would be an appropriate option for the City of Ojai, based on California’s Election Laws and the California Government Code, the City Council should consider

whether the current voting system increases what is termed “racially polarized voting.” Elections Code Section 14027, within the California Voting Rights Act, prohibits use of an at-large system in cases where it results in an impairment of the right of a protected class to elect a candidate of its choice or alternatively, whether it would result in “racially polarized voting.”

There are technical definitions of what constitutes racially polarized voting in a particular situation. In the case of Ojai, the City’s overall small demographic size and its limited groups of minority voters, suggest that an at-large voting system may not unfairly impair the ability of any minority group to impact an election. In order to support a decision to move to at-large voting, the City Attorney’s Office recommends that the City retain an expert demographer, such as Douglas Johnson with the National Demographics Corporation, to evaluate the City’s most recent census data to ensure that there is no potentially adverse impact in an at large voting system to minority voting groups within the City.

If City Council desires to shift to at-large voting, it may do so by adopting an ordinance repealing or amending Ordinance No. 889. Though generally ordinances changing the method of election are required to be submitted to voters for approval, Government Code Section 34886 allows a city to adopt an ordinance requiring by-district elections without submission of the ordinance to the voters for approval where the change in the method of electing the City Council is being made “in furtherance of the purposes of the California Voting Rights Act of 2001.” Government Code Section 34873 further provides, “An ordinance enacted pursuant to this article may be amended or repealed in the same manner; provided, the term of office of any council member elected shall not be affected.” Because Government Code Section 34886 is part of the same article that includes Government Code Section 34873, there is an argument that Ordinance 889, which was adopted pursuant to Section 34886, may be repealed or amended by simple adoption of an ordinance by City Council so long as findings are included determining that it is in furtherance of the California Voting Rights Act, based on the consultant’s demographic analysis.

It should be noted that Section 34873 is typically utilized to amend ordinances adopted by ballot measure and for that reason, the only judicial decisions interpreting this provision have involved questions relating to ordinances that have been submitted to the voters. To the City Attorney’s knowledge, it has not been utilized to repeal an ordinance adopted under Section 34886 and so whether a repeal of an ordinance adopted under Government Code Section 34886 results in an immediate reversion to the prior voting system is an untested area of California law; however, there is a reasonable argument that it may be interpreted in this manner based on a plain reading of the Government Code. Alternatively, City Council could provide direction to the City Attorney’s Office to prepare an ordinance for submission to the voters seeking voter approval to return to an at large voting method.

Additionally, it is important to emphasize that the City Attorney’s office is unaware of any other general law city that has returned to at-large elections after shifting to by-district elections following a threat of litigation under the California Voting Rights Act. If the City proceeds in this direction, the City may be the first general law city to do so and may face a renewed threat from individuals who believe at-large voting will result in the dilution of

minority voting rights within the City of Ojai in violation of the Voting Rights Act. A more detailed analysis of the risks associated with such a threat is included in the agenda materials for Ordinance No. 889, including the potential requirement to pay a plaintiff's attorney's fees if they are successful. If the City were to be sued following such a threat, the outcome of that litigation would be uncertain.

In order to affect the November 2026 election, ideally an ordinance would be introduced on first reading no later than the City Council meeting scheduled for May 12, 2026, and approved on second and final reading no later than May 26, 2026. Because this is an ordinance relating to elections, it would be effective immediately upon its adoption pursuant to Government Code Section 36937(a).

CITY COUNCIL GOALS ALIGNMENT

Goal No. 9 - Communication and Relationships

OPTIONS

See above.

FISCAL IMPACT

If the City directs the City Attorney's Office to retain Douglas Johnson, the cost of his services is anticipated not to exceed \$10,000. Sufficient funds are available in the City Attorney budget for fiscal year 2025/26 for these services. Based on a preliminary discussion with Mr. Johnson, he has indicated he could complete his analysis within the timeframe needed to return to City Council for introduction and consideration of an ordinance in May. If the City adopts an ordinance reverting to an at-large voting system, the City could face one or more legal challenges that could result in extensive litigation defense costs and potentially require payment of a plaintiff's attorneys' fees.

Prepared by: Bethany Burgess, City Attorney

ATTACHMENT(S)

- A. Agenda Item for Ordinance No. 988



Administrative Report

PUBLIC HEARING

TO: CITY COUNCIL

FROM: Steve McClary, City Manager
Matthew Summers, City Attorney

DATE REPORT PREPARED: November 29, 2018

MEETING DATE: December 11, 2018

SUBJECT: Fourth Public Hearing to Receive Public Testimony Regarding Revised Draft District-Based Election Maps and to Consider Adoption of One of the Maps and an Ordinance Transitioning to District-Based Elections Pursuant to Elections Code Section 10010 and the California Voting Rights Act

Recommendation

1. Conduct a Public Hearing (the fourth of such hearings) to receive public testimony regarding the new draft district-based election maps and,
2. Consider adoption of an Ordinance of the City Council of the City of Ojai, California, Adding a New Chapter 6 ("Elections") of Title 2 ("Administration") to the Ojai Municipal Code to Change The City's Electoral System From At-Large To By-District Elections with respect to Electing Members of the City Council, Establishing District Boundaries, and Sequencing of Elections within the Districts and Declaring the Urgency Thereof in accordance with Government Code Sections 36934 and 36937.

Commission Recommendation

This item has not been considered by any City Commission.

Executive Summary

In 2002, California became the first state, and remains the only state, to adopt its own "voting rights act." The California Voting Rights Act ("CVRA"), modeled after the Federal Voting Rights Act ("FVRA"), focuses exclusively on at-large voting as the vehicle for alleged discrimination against racial, color, or language minority groups. (Elections Code §§ 14025, et seq.) The CVRA also reduces the evidentiary burden on plaintiff's attorneys, leading to sizable attorneys' fees awards against several cities.

In 2016, the Legislature created a "safe harbor" provision to permit cities to avoid costly litigation by quickly transitioning from "at-large" to "district-based" elections. For those cities

who move by the statutory deadline, the maximum attorneys' fees award to an entity who challenges the City's at-large voting system is capped at \$30,000.

On October 16, 2018, the City Council adopted a Resolution of Intention declaring the Council's intent to consider whether to transition from at-large to district-based elections. On October 23, 2018 and November 13, 2018, the City Council held two public hearings to receive community input on factors to consider in drawing draft district-based election maps. At the City Council's direction, the City's demographer created a set of draft maps. At the third public hearing on November 27, 2018, the City Council received public comment on the draft maps and directed revisions to the maps. The City's demographer then prepared two new draft district-based elections maps, attached to this report. Both the old and new maps are available on the City's website and its demographer's website.¹ The City Council will hold its fourth, and possibly final, public hearing on December 11, 2018 to receive public testimony regarding the new draft district-based election maps and to consider adoption of one of the draft district-based election maps and adoption of an ordinance transitioning to district-based elections. The City Council may adopt an ordinance transitioning to district-based elections and select one of the maps at its December 11, 2018 meeting, or may direct revisions to the maps and consider further revisions at a future meeting on or before January 14, 2019.

Background

The Federal Voting Rights Act of 1965 ("FVRA") requires a person alleging voter discrimination to show that: 1) a minority group is sufficiently large and geographically compact to form a majority of the eligible voters in a single-member district; 2) there is racially polarized voting; and 3) there is white bloc voting sufficient to prevent minority voters from electing candidates of their choice (*Thornburg v. Gingles* (1986) 478 U.S. 30). If all three of these "preconditions" are proven, the Court then considers whether, under the "totality of circumstances" the votes of minority voters are diluted.

However, the California Voting Rights Act ("CVRA") instead prescribes a light burden on the plaintiff to establish a violation. Under the CVRA, plaintiffs can prove a violation solely on evidence of racially polarized voting. (Elec. Code, §14027.) Racially-polarized voting occurs when there is a difference between the choice of candidates preferred by voters in a protected class and the choice of candidates preferred by voters in the rest of the electorate (Elec. Code, §14026(e).) The CVRA defines a "protected class" broadly as a class of voters who are members of a race, color, or language minority group. (Elec. Code, §14026(d).)

The CVRA eliminates two of the four requirements that plaintiffs claiming a violation of the FVRA would have show, lowering the standard for a state Voting Rights Act violation by requiring plaintiffs to only prove only racially polarized voting. The CVRA eliminates the first federal precondition that plaintiffs must prove that the minority group is sufficiently large and geographically compact to form a majority in a single member district. (Elec. Code, §14026(c).) The CVRA also eliminates the federal requirement that plaintiffs prove discrimination under the totality of circumstances test. (Elec. Code, §14028(e).) The most likely remedy in a successful CVRA actions would be to order a city with an at-large electoral system to change

¹ **The Revised Draft Ojai district-based election maps are available here:**

[<https://ndcresearch.maps.arcgis.com/apps/View/index.html?appid=81f074ad13ca4e898c99df8d6fbfac9f>].

to a district-based electoral system in which a minority group will be empowered either to elect its preferred candidates, or have a greater influence on the election outcome.² However, where minority race voters are spread relatively evenly throughout a city, as with Latino voters in Ojai, a district-based electoral system under the CVRA is equally likely to dilute the vote of a minority race unable to account for the majority of voters within any district boundaries. Additionally, voters in each district may only elect one candidate every four years, rather than electing two or three candidates every two years.

The following table is a visual representation of the Federal Voting Rights Act standard and lower California Voting Rights Act standard to prove racially polarized voting, necessary for a reviewing court to find that an at-large election system violates either law.

Federal Voting Rights Act standard to prove Racially Polarized Voting:	California Voting Rights Act standard to prove Racially Polarized Voting:
1) Can the protected class constitute the majority of a district?	Not applicable.
2) Does the protected class vote as a bloc?	1) Does the protected class vote as a bloc?
3) Do the voters who are not in the protected class vote in a bloc to defeat the preferred candidates of the protected class?	2) Do the voters who are not in the protected class vote in a bloc to defeat the preferred candidates of the protected class?
4) Do the “totality of circumstances” indicate race is a factor in elections?	Not applicable.

As a further guide to understanding this legal standard, below is a hypothetical example involving the blue and red residents of “City of Purple,” where racially polarized voting is apparent in the 2016 election, and racially polarized voting is not apparent in the 2018 election:

City of Purple	Percentage of Population	2016 Election: Candidate A Voter Preference	2016 Election: Candidate B Voter Preference	2018 Election: Candidate A Voter Preference	2018 Election: Candidate B Voter Preference
Blue Residents	60%	25%	75%	75%	25%
Red Residents	40%	75%	25%	50%	50%
2016 Winner: Candidate B, with 55%.				2018 Winner: Candidate A, with 61%.	

² League of California Cities Analysis regarding the California Voting Rights Act, prepared by Margeurite Mary Leoni and Christopher E. Skinnell, of Nielson, Merksamer, Parrinello, Mueller & Naylor, LLP, available at: [<https://www.cacities.org/getattachment/f736ba74-086a-4f5d-beb7-853d898691d8/LR-Leoni-Skinnell-THE-CALIFORNIA-VOTING-RIGHTS-ACT.aspx>].

In this hypothetical, racially polarized voting is apparent in 2016 as the minority “red” residents strongly preferred Candidate A over Candidate B, and Candidate B narrowly won with strong support from majority “blue” residents, overriding the minority’s preference for Candidate A. In contrast, in this hypothetical 2018 election, the results do not show racially polarized voting as the minority “red” residents had equal preference for Candidate A and Candidate B, and Candidate A won with strong support from majority “blue” residents.

Stated differently, under the California Voting Rights Act, a plaintiff challenging that an at-large election system is unlawful can win by convincing a reviewing court that there is evidence that the candidates preferred by members of the protected class, e.g. a racial minority group, are different than the candidates preferred by members of the rest of the electorate, e.g. by racial majority voters, and that the majority’s preferred candidates defeat the minority’s preferred candidates. This is often shown by comparing the voting results precinct-by-precinct for candidates in an election as precinct-level data shows both the racial composition of the precinct and how the precinct voted. As shown above in the table, this is a much lower standard than the Federal Voting Rights Act standard, as the plaintiff does not have to also show that the minority group is large enough that it could be the majority of at least one election district nor that the rest of the City’s circumstances show that race is a factor in elections.

Because of the low threshold established by the CVRA, cities and other jurisdictions throughout California have been facing challenges to their at-large electoral systems, with little or no regard to whether a district-based electoral system will actually dilute minority race voting power, rather than empower it. Many jurisdictions have voluntarily switched to district-based electoral systems instead of facing litigation. AB 350 amended Elections Code section 10010 to place a cap of a maximum of \$30,000 on attorneys’ fees that a plaintiff could recover if the target city, within 45 days of receipt of the plaintiff’s threat letter, voluntarily adopts a Resolution of Intent to consider an ordinance to establish a district-based electoral system, and then actually adopts such an ordinance within 90 days following the date it adopted the Resolution of Intent.

The CVRA contains an attorneys’ fees provision that entitles a prevailing plaintiff to an award of its reasonable attorneys’ fees and litigation expenses, including expert witness fees. A prevailing defendant may not recover any costs, unless the Court finds the action to be “frivolous, unreasonable, or without foundation,” an extremely high standard.

Cities that have attempted to defend their existing at-large electoral systems under the CVRA have incurred significant legal costs, and, to date, not a single one has succeeded, although several have not yet had their cases litigated. The cities of Palmdale, Santa Clara, and Santa Monica have all gone to trial on the merits of Mr. Shenkman’s claim. In *Jauregui v. City of Palmdale* (2014) 226 Cal.App.4th 781, Palmdale was forced to settle for \$4.7 million and incurred nearly \$1.8 million in its own attorneys’ fees. Santa Clara recently lost its suit in *Kaku v. City of Santa Clara* (Santa Clara County Superior Court Case No. 17CV319862). Litigation is pending in *Pico Neighborhood Association v. City of Santa Monica* (Los Angeles County Case No. BC616804), and, as of November 8, 2018, has lost the merits phase of its case, with the trial court issuing a tentative ruling that Santa Monica’s at-large election system violates the CVRA. Santa Monica has spent over \$5 million in defending its case to date.

Discussion

The City of Ojai currently elects its City Councilmembers and Mayor through an “at-large” electoral system in which each Councilmember and the Mayor can reside anywhere in the City and are elected by the voters of the entire electorate to provide citywide representation. All voters are afforded the opportunity to elect three or one Councilmembers every two years, and the Mayor every two years, resulting in a five-member City Council elected to serve the entire City.

A district-based electoral system is one in which a city is divided into separate districts, each with one Councilmember who resides in the district and is chosen by the voters residing in that district. In a district-based electoral system, voters within each district may only vote for one candidate every four years. If adopted, a district-based electoral system in Ojai would have four City Council districts and a Mayor elected at-large. The CVRA permits the office of Mayor to remain elected at-large.

Elections Code section 10010 provides an opportunity for cities to limit their exposure to legal liability for a pre-litigation plaintiff’s attorneys’ fees under the CVRA to \$30,000. Under Elections Code section 10010, a city must adopt a resolution of intention to transition to district-based elections, hold at least four public hearings over the course of ninety (90) days, and adopt an ordinance creating district maps and establishing district-based elections. A city does not admit any guilt or wrongdoing by taking advantage of the “safe harbor” provisions of Elections Code section 10010. Rather, it is an attempt to preserve a city’s resources and protect against potentially costly litigation.

Procedural Steps

On September 4, 2018, the City of Ojai received a letter via certified mail from attorney Kevin I. Shenkman of Shenkman & Hughes on behalf of his client Southwest Voter Registration Education Project. The letter contains unsubstantiated allegations that the City’s at-large electoral system prevents members of Ojai’s Latino community from electing their preferred candidate(s) and violates the California Voting Rights Act (“CVRA”). The letter threatens the City with litigation if the City declines to adopt a district-based electoral system.

On October 16, 2018, the City Council adopted the Resolution of Intention declaring the Council’s intent to consider whether to transition from at-large to district-based elections, and directing staff to analyze these matters in further detail as the process proceeds.

The adoption of the Resolution of Intent does not directly impact the upcoming November 6, 2018 elections. If the City Council adopts the ordinance approving a district-based electoral system, then the Council offices up for reelection in November 2020 would be elected from districts. The number of districts will be determined after November 6, 2018, once the electorate votes upon whether the Mayor will be elected or appointed. Depending on the results, the district-based electoral system will provide for an elected Mayor and four City Council districts or five City Council districts.

Elections Code section 10010, subdivision (a)(1), provides that before any map or maps of the boundaries for the proposed districts are drawn, the City must conduct two (2) Public Hearings over a period of no more than thirty (30) days from the adoption of the resolution of intention, at which time the public is invited to provide input regarding the composition of said districts.

The First Public Hearing took place on October 23, 2018. City staff informed the public about the CVRA, the difference between at-large and district-based elections, and the “safe harbor” process under Elections Code section 10010, and heard from the community regarding what factors to consider in creating district boundaries. At the Second Public Hearing on November 13, 2018, the City Council sought community input and provided its demographer with direction on “communities of interest” and the composition of districts. The City’s demographer created a set of draft maps, identified as Draft 101 and Draft 102, which were published online and in the newspaper for public review and evaluation at least 7 days in advance of the hearing. On November 27, 2018, the City Council held a Third Public Hearing during which City Council received public comment on the draft maps and directed revisions to the maps.

Fourth Public Hearing

The Fourth Public Hearing is scheduled during the City Council Meeting on December 11, 2018. The City’s demographer prepared two new draft district-based elections maps, Draft 101b and Draft 102b, which were published online and in the newspaper for public review and evaluation at least 7 days in advance of the hearing. The draft maps are also attached to this report. The draft maps take into consideration the following non-exclusive list of factors:

1. Topography;
2. Zoning designations;
3. Contiguity, integrity, and compactness of territory; and
4. Communities of interest.

Both revised draft district maps comply with federal and state-mandated criteria, including that:

1. Each district contain a nearly equal population, measured by natural persons.
2. Each district be drawn in a manner that complies with the Federal Voting Rights Act.
3. Each district not be drawn with race as a predominant factor in violation of the principles established by the U.S. Supreme Court in *Shaw v. Reno* (1993) 509 U.S. 630 and its progeny.

Staff recommends that the City Council seek public input on the composition of the draft district map(s) and sequence of elections. The City Council can adopt an ordinance transitioning to district-based elections and select one of the maps at its December 11, 2018 meeting, or may direct revisions to the maps and consider further revised maps at a future meeting on or before January 14, 2019.

Under Elections Code section 10010, subdivision (a)(2), this Fourth Public Hearing is the City Council’s second opportunity to consider and amend the draft maps. There are no further public hearings scheduled in this matter, although additional public hearings may be held as desired by the City Council. If the Council would like to make further edits to the draft maps, the

Page 6 of 7

Council can direct staff to hold an additional public hearing before the January 14, 2019 deadline to complete the transition to district-based voting under the Safe Harbor provisions, including at the next meeting on January 8, 2019. If the City Council has no further edits, it may consider adoption of one of the draft district-based election maps and adoption of an ordinance transitioning to district-based elections at this meeting.

Next Steps

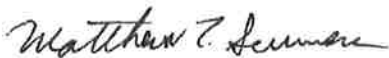
As noted above, the Elections Code section 10010 requires the City to hold four public hearings. The public hearing scheduled for December 11, 2018 will be the final statutorily-mandated hearing. The City Council may direct staff to hold additional public hearings at its discretion. At the December 11, 2018 meeting, the City Council may consider adoption of one of the maps and an ordinance transitioning to district-based elections, or continue its consideration of the mater to a later meeting.

City Council Goals

The City of Ojai is a sustainable and resilient City that preserves and protects its quality of life. Discussion of this item will allow the City Council, and members of the public, to discuss the composition of districts and their effect on residents' quality of life.

Fiscal Impact

The City has incurred the cost of a demographics consultant, National Demographic Corporation, to assist in drafting district maps. Staff estimates the final cost to total \$15,000-\$20,000. Should the City Council adopt an ordinance transitioning to a district-based electoral system, the City could have to reimburse the plaintiff for its attorneys' fees and costs up to \$30,000, but will not be exposed to additional legal fees in defense of a CVRA lawsuit if it completes the transition in compliance with Elections Code section 10010. These additional expenses will need to be considered and budgeted for at the expected mid-year budget adjustment.



Prepared by:
Matthew T. Summers, City Attorney



Submitted by:
Steve McClary, City Manager

Attachments

- A — Resolution No. 18-51
- B.— Proposed Ordinance
- C.— Revised Draft District Maps: Draft Map 101b and Draft Map 102b

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**City of Ojai
RESOLUTION NO. 18-51**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF OJAI DECLARING ITS INTENT TO TRANSITION
FROM AT-LARGE ELECTIONS FOR CITY COUNCIL TO
DISTRICT-BASED ELECTIONS FOR CITY COUNCIL
PURSUANT TO ELECTIONS CODE SECTION 10010**

WHEREAS, the Mayor and four members of the City Council of the City of Ojai (“City”) are currently elected in “at-large” elections, in which the Mayor and each City Councilmember are elected by the registered voters of the entire City; and

WHEREAS, Ojai has had a directly elected Mayor since 2016, when a ballot measure approved by a majority of the City’s voters in November 2014 took effect creating a directly elected at-large Mayor; and

WHEREAS, Government Code section 34886, in certain circumstances, authorizes the legislative body of a city of any population to adopt an ordinance to change its method of election from an “at-large” system to a “by-district” system in which each Councilmember is elected only by the voters in the district in which the Councilmember resides; and

WHEREAS, the City began evaluating the California Voting Rights Act’s implications for the City’s existing at-large electoral system in March 2018; and

WHEREAS, the City received a letter via certified mail on September 4, 2018, from Kevin I. Shenkman, Esq., on behalf of his client Southwest Voter Registration Education Project, containing unsubstantiated allegations that the City’s at-large electoral system prevents members of Ojai’s Latino community from electing their preferred candidate and violates the California Voting Rights Act (“CVRA”) and threatening litigation if the City declined to adopt a district-based electoral system; and

WHEREAS, despite Mr. Shenkman’s claims, the City has a history of inclusionary voting and supports the rights of all members of the City of Ojai community, including minority community members to elect the candidate of their choice; and

WHEREAS, the City denies that its at-large election system violates the CVRA or any other provision of law and asserts that Ojai’s election system is legal in all respects and further denies any wrongdoing whatsoever in connection with the manner in which it has conducted its Mayoral and City Council elections; and

WHEREAS, even with the City’s inclusionary voting and election record, the City Attorney has advised that, given the CVRA’s elimination of two elements of the U.S. Supreme Court’s requirements to establish a federal Voting Rights Act challenge under *Thornburg v. Gingles* (1986) 478 U.S. 30, a CVRA challenge is more easily made on the basis of an argument that “racially polarized voting” exists based solely on past voting records, regardless of whether

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racial minorities have successfully elected preferred candidates in the past under an at-large electoral system nor whether there is any history of racial discrimination in the electoral system based on the totality of the circumstances; and

WHEREAS, the City has a history of inclusive voting, including recent a Latino City Council Member having been elected to the City Council; and

WHEREAS, the cost of defending a challenge under the CVRA can exceed several hundred thousand dollars, no City has ever prevailed to date in defending a CVRA lawsuit challenging at-large electoral systems, and the risk of losing such a challenge includes the possible award of attorneys' fees to the plaintiffs by a court; and

WHEREAS, the City may voluntarily begin the transition process to district-based elections under the AB 350 "safe harbor" provisions in which any attorneys' fees, if owed, are capped at \$30,000; and

WHEREAS, although the demand letter cited above lacked any evidence of racially polarized voting, the City Council has concluded, with the advice of the City Attorney, that the public interest would be better served by considering a transition to a district-based electoral system pursuant to the "safe harbor" provisions of Elections Code section 10010 because of (1) the extraordinary cost to defend against a CVRA lawsuit, (2) the risk of losing such a lawsuit could result in a court order for the City to pay plaintiff's attorney's fees, and (3) reimburseable costs and plaintiff's attorneys' fees, if owed, are capped at a maximum of \$30,000 under the "safe harbor" provisions; and

WHEREAS, prior to the City Council's consideration of an ordinance to establish boundaries for a district-based electoral system, Elections Code Section 10010 requires all of the following:

1) Prior to drawing a draft map or maps of the proposed boundaries of the districts, the City shall hold at least two (2) Public Hearings over a period of no more than thirty (30) days, at which the public will be invited to provide input regarding the composition of the districts.

2) After all draft maps are drawn, the City shall publish and make available for release at least one draft map and, if members of the City Council will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections shall also be published.

3) The City Council shall also hold at least two (2) additional Public Hearings over a period of no more than forty-five (45) days, at which the public shall be invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable.

4) The first version of a draft map shall be published at least seven (7) days before consideration at a Public Hearing. If a draft map is revised at or following a Public Hearing,

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it shall be published and made available to the public at least seven (7) days before being adopted.

WHEREAS, the City will be utilizing the services of a professional demographer to assist the City to develop a proposal for a district-based electoral system; and

WHEREAS, the number of districts will be determined after the November 6, 2018 elections, once the electorate has an opportunity to vote upon whether the Mayor will continue to be elected at large or will instead be appointed from among the five Council Members, as the CVRA permits a directly elected Mayor, if retained by the voters, to be elected at large; and

WHEREAS, the adoption of this Resolution will not affect the seats up for election nor the results of the November 6, 2018 elections; and

WHEREAS, the adoption of a district-based electoral system will not affect the terms of any sitting Councilmember or Mayor in office at the time of the adoption of an ordinance instituting a district-based voting system, each of whom will serve out his or her current term.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ojai that:

SECTION 1. The City Council hereby resolves to consider adoption of an ordinance to transition to a district-based electoral system as authorized by Government Code Section 34886 for use in the City's General Municipal Election beginning in November 2020 for Members of the City Council and the Mayor, if the voters decide on November 6, 2018 that the Mayor shall be appointed from among the members of the City Council and not directly elected. If the voters decide on November 6, 2018 to reject Measure J and retain a directly elected Mayor, then the City Council would consider adoption of an ordinance creating a district-based electoral system just for the four City Council Members and the Mayor would continue to be elected at-large.

SECTION 2. The City Council directs the City Clerk, City Manager, and City Attorney to work with a professional demographer, and other appropriate consultants as needed, to further investigate the history of voting in the City of Ojai and the feasibility of transitioning to districts, to provide a detailed analysis of Ojai's current demographics and any other information or data necessary to prepare a draft map that divides Ojai into voting districts in a manner consistent with the intent and purpose of the CVRA and the Federal Voting Rights Act. The City Council further directs staff to demand the basis for the Southwest Voter Registration Education Project's allegations.

SECTION 3. The City Council directs staff to finalize a timeline for conducting a public process to solicit public input and testimony on proposed district-based electoral maps before adopting any such map.

SECTION 4. The City Council directs the City Clerk to post information regarding the proposed transition to a district-based electoral system on the City's website including maps, notices, agendas and other information.

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SECTION 5. The City Clerk of the City of Ojai shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

PASSED, APPROVED and ADOPTED this 16th day of October, 2018 by the following vote:

AYES: Blatz, Francina, Haney, Johnston, Weirick
NOES: None
ABSENT: None
ABSTAIN: None

CITY OF OJAI, CALIFORNIA

John F. Johnston, Mayor

Date signed

ATTEST:

Cynthia Burell, City Clerk

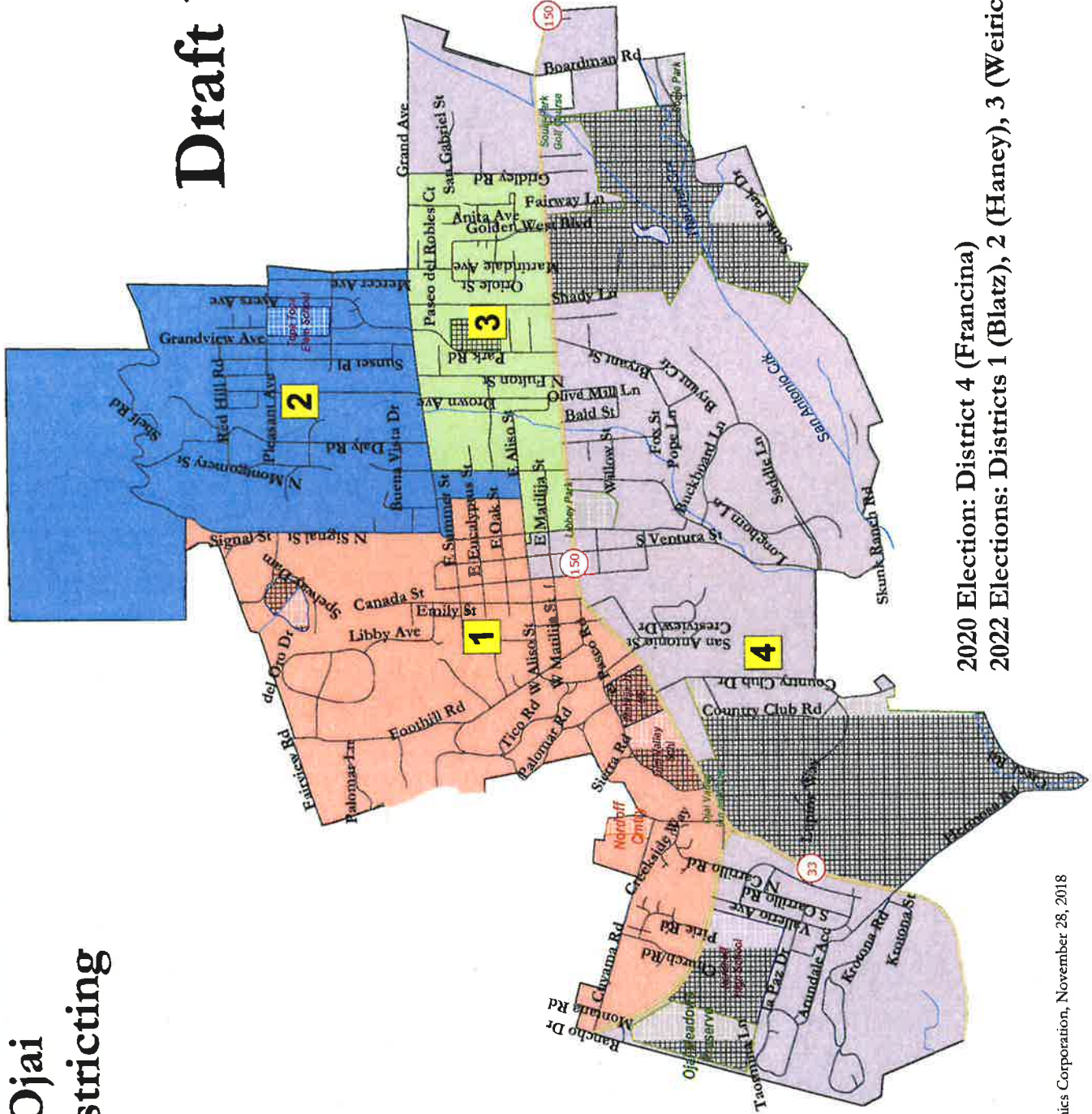
APPROVED AS TO FORM:

Matthew Summers, City Attorney

City of Ojai 2018 Districting

Map layers	
	101b Split
	Landmark Area
	Water Area
	River
	Streets

Draft 101b



2020 Election: District 4 (Francina)
2022 Elections: Districts 1 (Blatz), 2 (Haney), 3 (Weirick)

City of Ojai - Draft Map 101b

District		1	2	3	4	Total
Ideal	Total Pop	1,919	1,863	1,817	1,862	7,461
1,865	Deviation from ideal	54	-2	-48	-3	102
	% Deviation	2.90%	-0.11%	-2.57%	-0.16%	5.47%
Total Pop	% Hisp	14%	13%	28%	16%	18%
	% NH White	81%	82%	67%	78%	77%
	% NH Black	1%	0%	0%	1%	1%
	% Asian-American	3%	2%	2%	3%	3%
Citizen Voting Age Pop	Total	1,464	1,541	1,254	1,390	5,650
	% Hisp	11%	12%	21%	8%	13%
	% NH White	84%	87%	75%	88%	84%
	% NH Black	0%	0%	0%	2%	1%
	% Asian/Pac.Isl.	4%	1%	3%	0%	2%
Voter Registration (Nov 2016)	Total	1,249	1,326	1,112	1,343	5,030
	% Latino est.	9%	12%	13%	11%	11%
	% Spanish-Surnamed	8%	11%	11%	10%	10%
	% Asian-Surnamed	1%	1%	1%	2%	1%
	% Filipino-Surnamed	1%	0%	0%	1%	0%
	% NH White est.	81%	87%	86%	79%	83%
Voter Turnout (Nov 2016)	% NH Black	0%	0%	0%	2%	1%
	Total	1,082	1,098	926	1,129	4,235
	% Latino est.	8%	10%	11%	10%	10%
	% Spanish-Surnamed	7%	9%	10%	9%	9%
	% Asian-Surnamed	1%	1%	1%	2%	1%
	% Filipino-Surnamed	1%	0%	0%	0%	0%
Voter Turnout (Nov 2014)	% NH White est.	81%	88%	88%	80%	84%
	% NH Black	0%	0%	0%	2%	1%
	Total	739	937	378	758	2,812
	% Latino est.	5%	7%	7%	7%	6%
	% Spanish-Surnamed	4%	6%	6%	6%	6%
	% Asian-Surnamed	1%	1%	1%	1%	1%
ACS Pop. Est.	% Filipino-Surnamed	0%	0%	0%	0%	0%
	% NH White est.	86%	92%	92%	86%	89%
	% NH Black est.	0%	0%	0%	0%	0%
	Total	1,881	1,807	1,755	1,829	7,272
Age	age0-19	20%	21%	21%	20%	21%
	age20-60	43%	51%	54%	48%	49%
	age60plus	37%	29%	25%	31%	31%
Immigration	immigrants	14%	15%	15%	10%	13%
	naturalized	71%	56%	50%	43%	56%
Language spoken at home	english	84%	84%	84%	83%	84%
	spanish	8%	10%	11%	13%	10%
	asian-lang	1%	1%	2%	0%	1%
	other lang	7%	5%	4%	4%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	3%	5%	6%	6%	5%
Education (among those age 25+)	hs-grad	44%	44%	44%	49%	45%
	bachelor	27%	27%	27%	23%	26%
	graduatedegree	22%	20%	18%	18%	19%
Child in Household	child-under18	21%	24%	27%	17%	22%
Pct of Pop. Age 16+	employed	48%	55%	58%	55%	54%
Household Income	income 0-25k	19%	17%	16%	24%	19%
	income 25-50k	19%	17%	16%	15%	17%
	income 50-75k	16%	18%	20%	14%	17%
	income 75-200k	33%	33%	33%	31%	32%
	income 200k-plus	13%	15%	16%	16%	15%
Housing Stats	single family	77%	82%	86%	89%	83%
	multi-family	23%	18%	14%	11%	17%
	rented	41%	42%	42%	35%	40%
	owned	59%	58%	58%	65%	60%

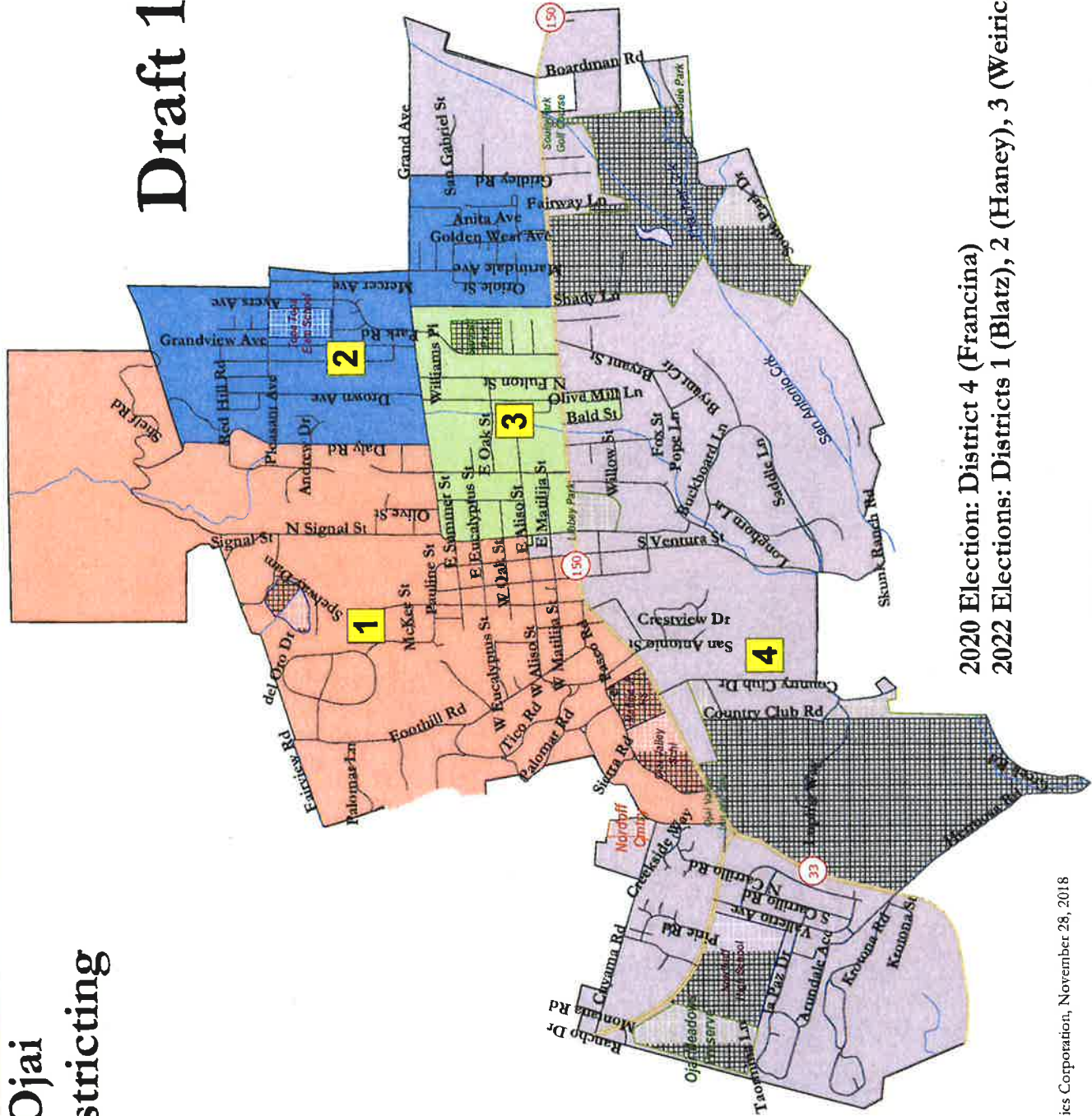
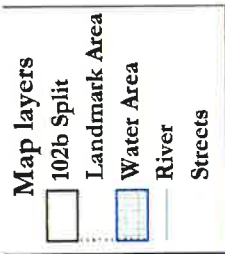
Total population data from the 2010 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2012-2016 American Community Survey and Special Tabulation 5-year data.

City of Ojai 2018 Districting

Draft 102b



2020 Election: District 4 (Francina)
2022 Elections: Districts 1 (Blatz), 2 (Haney), 3 (Weirick)

National Demographics Corporation, November 28, 2018

©2016 CALIPER

City of Ojai - Draft Map 102b

District		1	2	3	4	Total
1,865	Ideal	1,802	1,922	1,783	1,954	7,461
	Total Pop	1,802	1,922	1,783	1,954	7,461
	Deviation from ideal	-63	57	-82	89	171
	% Deviation	-3.38%	3.06%	-4.40%	4.77%	9.17%
Total Pop	% Hisp	13%	15%	33%	12%	18%
	% NH White	83%	80%	62%	83%	77%
	% NH Black	1%	0%	0%	1%	1%
	% Asian-American	2%	3%	3%	3%	3%
Citizen Voting Age Pop	Total	1,357	1,571	1,191	1,531	5,650
	% Hisp	10%	12%	25%	6%	13%
	% NH White	86%	86%	71%	90%	84%
	% NH Black	0%	0%	0%	2%	1%
	% Asian/Pac.Isl.	4%	2%	3%	0%	2%
Voter Registration (Nov 2016)	Total	1,287	1,318	1,007	1,418	5,030
	% Latino est.	8%	13%	14%	10%	11%
	% Spanish-Surnamed	7%	11%	12%	9%	10%
	% Asian-Surnamed	1%	1%	1%	2%	1%
	% Filipino-Surnamed	1%	0%	0%	0%	0%
	% NH White est.	90%	86%	84%	74%	83%
	% NH Black	0%	0%	0%	2%	1%
Voter Turnout (Nov 2016)	Total	1,098	1,098	832	1,207	4,235
	% Latino est.	7%	11%	13%	10%	10%
	% Spanish-Surnamed	6%	10%	11%	9%	9%
	% Asian-Surnamed	1%	1%	1%	2%	1%
	% Filipino-Surnamed	1%	0%	0%	0%	0%
	% NH White est.	91%	88%	86%	74%	84%
	% NH Black	0%	0%	0%	2%	1%
Voter Turnout (Nov 2014)	Total	1,070	628	300	814	2,812
	% Latino est.	5%	7%	8%	6%	6%
	% Spanish-Surnamed	5%	6%	7%	6%	6%
	% Asian-Surnamed	1%	1%	1%	2%	1%
	% Filipino-Surnamed	0%	0%	0%	0%	0%
	% NH White est.	93%	92%	90%	79%	89%
	% NH Black est.	0%	0%	0%	0%	0%
ACS Pop. Est.	Total	1,770	1,856	1,730	1,916	7,272
Age	age0-19	20%	21%	21%	20%	21%
	age20-60	42%	54%	53%	47%	49%
	age60plus	38%	25%	26%	33%	31%
Immigration	immigrants	14%	15%	14%	11%	13%
	naturalized	74%	50%	50%	50%	56%
Language spoken at home	english	84%	84%	84%	83%	84%
	spanish	8%	11%	11%	12%	10%
	asian-lang	1%	2%	1%	0%	1%
	other lang	7%	4%	4%	4%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	2%	6%	6%	6%	5%
Education (among those age 25+)	hs-grad	44%	44%	44%	49%	45%
	bachelor	27%	27%	27%	23%	26%
	graduatedegree	22%	18%	19%	18%	19%
Child in Household	child-under18	20%	27%	26%	17%	22%
Pct of Pop. Age 16+	employed	46%	58%	57%	54%	54%
Household Income	income 0-25k	20%	16%	17%	24%	19%
	income 25-50k	19%	16%	15%	16%	17%
	income 50-75k	16%	20%	19%	14%	17%
	income 75-200k	33%	33%	32%	31%	32%
	income 200k-plus	12%	16%	16%	15%	15%
Housing Stats	single family	76%	86%	86%	87%	83%
	multi-family	24%	14%	14%	13%	17%
	rented	41%	42%	41%	36%	40%
	owned	59%	58%	59%	64%	60%

Total population data from the 2010 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2012-2016 American Community Survey and Special Tabulation 5-year data.

CITY OF OJAI
ORDINANCE NO. __

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, ADDING A NEW CHAPTER 6 (“ELECTIONS”) OF TITLE 2 (“ADMINISTRATION”) TO THE OJAI MUNICIPAL CODE TO CHANGE THE CITY’S ELECTORAL SYSTEM FROM AT-LARGE TO BY-DISTRICT ELECTIONS WITH RESPECT TO ELECTING MEMBERS OF THE CITY COUNCIL, ESTABLISHING DISTRICT BOUNDARIES, AND SEQUENCING OF ELECTIONS WITHIN THE DISTRICTS AND DECLARING THE URGENCY THEREOF IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 36934 AND 36937

WHEREAS, the Mayor and four members of the City Council of the City of Ojai (“City”) are currently elected in “at-large” elections, in which the Mayor and each City Councilmember are elected by the registered voters of the entire City; and

WHEREAS, Ojai has had a directly elected Mayor with a two-year term since 2016, when a ballot measure approved by a majority of the City’s voters in November 2014 took effect creating a directly elected at-large Mayor, a system recently reconfirmed by the voters at the November 2018 election; and

WHEREAS, Government Code Section 34886, in certain circumstances, authorizes the legislative body of a city of any population to adopt an ordinance to change its method of election from an “at-large” system to a “by-district” system in which each Councilmember is elected only by the voters in the district in which the Councilmember resides; and

WHEREAS, the City received a letter via certified mail on September 4, 2018, from Kevin I. Shenkman, Esq., on behalf of his client Southwest Voter Registration Education Project, containing unsubstantiated allegations that the City’s at-large electoral system prevents members of Ojai’s Latino community from electing their preferred candidate and violates the California Voting Rights Act (“CVRA”) and threatening litigation if the City declined to adopt a district-based electoral system; and

WHEREAS, despite Mr. Shenkman’s claims, the City has a history of inclusionary voting and supports the rights of all members of the City of Ojai community, including minority community members to elect the candidate of their choice; and

WHEREAS, the City denies that its at-large election system violates the CVRA or any other provision of law and asserts that Ojai’s election system is legal in all respects and further denies any wrongdoing whatsoever in connection with the manner in which it has conducted its Mayoral and City Council elections; and

WHEREAS, although the demand letter cited above lacked any evidence of racially polarized voting, the City Council has concluded, with the advice of the City Attorney, that the public interest would be better served by transitioning to a district-based electoral system under the “safe harbor” provisions of Elections Code Section 10010 because of (1) the extraordinary cost to defend against a CVRA lawsuit, (2) no City has ever prevailed to date in defending a CVRA lawsuit challenging at-large electoral systems, (3) the risk of losing such a lawsuit could result in a court order for the City to pay plaintiff’s attorney’s fees, and (4) reimburseable costs and plaintiff’s attorneys’ fees, if required to be paid, are capped at a maximum of \$30,000 under the “safe harbor” provisions; and

WHEREAS, at its regular meeting on October 16, 2018, the City Council adopted Resolution No. 18-51 declaring the Council’s intent to consider whether to transition from an at-large to district-based electoral system, thereby initiating the “safe harbor” period; and

WHEREAS, Elections Code Section 10010(a)(1), provides that before any map or maps of the boundaries for the proposed districts are drawn, the City must conduct two (2) Public Hearings over a period of no more than thirty (30) days from the adoption of the resolution of intention, at which time the public is invited to provide input regarding the composition of the districts; and

WHEREAS, the first public hearing took place on October 23, 2018 and the second public hearing on November 13, 2018, during which City staff informed the public about the CVRA, the difference between at-large and district-based elections, and the “safe harbor” process under Elections Code Section 10010, and heard from the community regarding what factors to consider in creating district boundaries; and

WHEREAS, Elections Code Section 10010(a)(2), provides that the City Council shall also hold at least two (2) additional Public Hearings over a period of no more than forty-five (45) days, at which the public shall be invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections; and

WHEREAS, the third public hearing took place on November 27, 2018 and the fourth public hearing took place on December 11, 2018, during which the City Council received public comment on the boundaries of draft district-based election maps; and

WHEREAS, if the CVRA is amended in a manner which qualifies the City to return to at-large elections, the City Council declares its desire for appropriate actions to be taken; and

WHEREAS, Government Code Section 36937, subdivision (b), authorizes the adoption of ordinances that take effect immediately if they relate to elections, provided such ordinances are approved by a majority vote of the City Council

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above set forth Recitals and findings are true and correct and incorporated herein by reference, as if set forth herein in full.

SECTION 2. Text Amendment. Ojai Municipal Code Chapter 6 (“Elections”) of Title 2 (“Administration”) is hereby added to read as follows:

“Chapter 6 ELECTIONS

Article 1. City Council Members Elected By-District

Section 2-6.101. Purpose

The City Council declares that this change in method of electing members of the City of Ojai City Council is enacted in furtherance of the California Voting Rights Act of 2001.

Section 2-6.102. By-District Elections

Beginning with the municipal election in November 2020, the four members of the City Council shall be elected in the electoral districts established by Section 2-6.103 and subsequently reapportioned as provided by State law. Elections shall take place by-district as that term is defined in California Government Code Section 34871, meaning one member of the City Council shall be elected from each district by the voters of that district alone. Each member of the City Council shall serve a four-year term.

Section 2-6.103. District Maps

Members of the City Council shall be elected on a by-district basis from the four (4) City Council districts hereby established. The boundaries and identifying number of each district shall be as described on the City Council District Map attached hereto as “Exhibit A” and incorporated by reference.

Section 2-6.104. Election Sequence

Commencing with the general municipal election in November 2020 and every four years thereafter the voters in District 4 shall elect a member of the City Council by-district for a full four (4) year term. At the general municipal election in November 2022 and every four years thereafter, the voters in Districts 1, 2, and 3 shall elect members of the City Council by-district for full four (4) year terms.

Section 2-6.105. City Council Residency

Each member of the City Council elected by-district must reside in that district and be a registered voter in that district, and any candidate for City Council must reside in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued pursuant to Government Code Section 34882 and Elections Code Section 10227. It is the intent of the City Council that no term of any member of the City Council that commenced on the same day as or before the effective date of this ordinance shall be affected by this Chapter. Any sitting City Council member elected at-large may reside anywhere within the City during the pendency of his or her term in effect on the effective date of this ordinance.

Section 2-6.106. Voter Residency

Registered voters signing nomination papers or voting for a member of the City Council shall be residents of the geographical area making up the district from which the candidate is to be elected.

Section 2-6.107. Termination of Residency

Termination of residency in a district by a member of the City Council elected by-district shall create a vacancy for that City Council District unless a substitute residence within the district is immediately declared and established within (30) days after the termination of residency. In the event that a vacancy is created as a result of termination of residency as provided herein, such vacancy shall be filled pursuant to the provisions of the Elections Code.

Section 2-6.108. Technical Amendments

If necessary to facilitate the implementation of this Article, the City Clerk is authorized to make technical adjustments to the district boundaries that do not substantively affect the populations in the districts, the eligibility of candidates, or the residence of elected officials within any district. The City Clerk shall consult with the City Manager and City Attorney concerning any technical adjustments deemed necessary and shall advise the City Council of any such adjustments required in the implementation of the districts.

Article 2. Mayor Elected At-Large

Section 2-6.201. Mayor Elected At-Large

The office of Mayor of the City of Ojai is a separate office with a term of two (2) years, which shall continue to be elected at-large, as approved by a majority of the City's electorate in November 2014 by adoption of Measures A and B, under the provisions of Government Code section 34900. The at-large electoral system for the Mayor may only be changed by a vote of the City's electorate.

SECTION 3. Urgency Findings. The City Council finds this Ordinance should take effect immediately as an "Urgency Ordinance" as it is an ordinance relating to the conduct of the City's elections pursuant to Government Code Section 36937, subdivision (a).

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

SECTION 5. Certification. Upon adoption of this Urgency Ordinance, the Mayor shall sign and the City Clerk shall attest to the passage of this Urgency Ordinance. The City Clerk shall cause this Ordinance to be published once, within fifteen (15) calendar days after its passage, in

Attachment C

Page 4 of 5

the *Ojai Valley News*, a newspaper of general circulation, printed, published and circulated in the City, and shall cause a copy of this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City.

SECTION 6. Effective Date. This Urgency Ordinance shall take effect immediately after its passage and adoption pursuant to California Government Code Section 36937, shall supersede any conflicting provision of any City of Ojai ordinance, and shall continue in effect until terminated by further action of the City Council in accord with applicable law.

CITY OF OJAI, CALIFORNIA

By _____
John F. Johnston, Mayor

ATTEST:

Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:

Matthew T. Summers, City Attorney

STATE OF CALIFORNIA)
COUNTY OF VENTURA)
CITY OF OJAI)

I, Gail Davis, Deputy City Clerk of the City of Ojai do hereby certify that the foregoing Urgency Ordinance was introduced at a regular meeting of the City Council of the City of Ojai held on December 11, 2018, and adopted by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Gail Davis
Deputy City Clerk for the City of Ojai

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Administrative Report

TO: Honorable City Council

FROM: Ben Harvey, City Manager

MEETING DATE: April 28, 2025

SUBJECT: Approval of a Resolution Adopting Revisions to the City of Ojai Council Protocols to Change Council Commission Assignments from Quarterly Rotation to Annual Rotation

RECOMMENDATION

Adopt Resolution No. 2026-XX approving revisions to the City Council Protocols to change City Council advisory commission assignments from a quarterly rotation to an annual rotation and provide direction to staff regarding the method for making assignments.

DISCUSSION

The Council Protocols document outlines the practice of assigning a City Council representative, or liaison, to City advisory commissions (City Commissions). The City Council has been following a quarterly rotation and role as liaison to each of the four (4) standing City Commissions. The fifth assignment has been to the Building Appeals Board on an “as needed” basis. Following feedback received on the quarterly length of time versus Council Members’ impact in the role, staff is recommending a change from a quarterly rotation to an annual rotation.

The recent creation of the Public Safety Commission will also impact this discussion. Staff is recommending Council now assign the five (5) members of the City Council to each of the five (5) City Commissions.

1. Planning Commission
2. Parks and Recreation Commission
3. Historic Preservation Commission
4. Arts Commission
5. Public Safety Commission

Two options for assignments are included in this administrative report.

1. Council may approve assignments via motion and minute order (similar to the annual Regional Boards assignments), or,
2. Council may direct the City Clerk’s Office to conduct a lottery of assignments for the five (5) members of the City Council to the five (5) City Commissions. (The City Clerk’s Office recently followed Council action to conduct a lottery of assignments

for selection of nominees for the inaugural Public Safety Commission, following Ordinance No. 972.)

After the initial assignment or lottery, the Clerk's Office would follow a simple rotation of the assignments with the Commissions #1-5, as listed previously in the report. The City Clerk's Office uses this numbering of Commissions as a standard for rotation and tracking purposes.

The initial year's assignment or lottery would be from April 2026 through December 2026, then rotating annually with the calendar year - to accommodate election years and the rotating leadership of the City Council.

The proposed change to the Council Protocols document is found in Exhibit A to the Resolution on page 16 of the document. The change would edit the language from a quarterly rotation of Commission Liaisons to an annual rotation.

The City Clerk's Office would continue to develop the informational sheet and track the annual rotation. An example of a quarterly rotation sheet is provided for reference.

CITY COUNCIL GOALS ALIGNMENT

Goal No. 9 - Communication and Relationships

OPTIONS

1. Take no action;
2. Provide alternative direction to staff.

FISCAL IMPACT

There is no fiscal impact as a result of this action.

Prepared by: Weston Montgomery, Chief Deputy City Clerk

ATTACHMENT(S)

- A. Resolution Adopting Revisions to the Council Protocols with Exhibit A (Revised Council Protocols)
- B. Example of Information Sheet re. Council Liaison Schedule

CITY OF OJAI

RESOLUTION NO. 2026-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, ADOPTING REVISIONS TO THE CITY OF OJAI COUNCIL PROTOCOLS IN ORDER TO REVISE THE TIME PERIOD FOR CITY COUNCIL COMMISSION ASSIGNMENTS

WHEREAS, pursuant to Section II.D.1 of the City of Ojai City Council Protocols City Council Members currently serve as Council representatives to City Commissions subject to a three-month rotation; and

WHEREAS, City Council has determined that longer Council assignments to City Boards and Commissions will provide greater continuity and facilitate more meaningful communication between each Board and Commission and City Council; and

WHEREAS, City Council desires to extend the period of Council assignments to City Boards and Commissions from quarterly assignments to annual assignments by modifying the Council Protocols in the manner attached hereto as Exhibit "A."

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The recitals set forth above are hereby incorporated by reference to the same extent as if restated herein.

SECTION 2. The City Council adopts the revised Council Protocols attached hereto as Exhibit "A."

SECTION 3. This Resolution shall be effective upon its approval.

PASSED, APPROVED AND ADOPTED on ____, 2026.

CITY OF OJAI, CALIFORNIA

Andy Gilman, Mayor

Date: _____

ATTEST:

Steve Quilici, City Clerk

APPROVED AS TO FORM:

Bethany A. Burgess, City Attorney

I, Weston Montgomery, Chief Deputy City Clerk of the City of Ojai, certify that Resolution No. 2026-___ was adopted at a regular meeting held _____, 2026, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Weston Montgomery, Chief Deputy City Clerk

City of Ojai

Council Protocols

Presented June 10, 2025,

rev. April 14, 2026





Presented June 10, 2025

Adopted by the Ojai City Council on June 10, 2025, Resolution No. 25-22

Andy Gilman, Mayor

Rachel Lang, Mayor Pro Tem, District 2

Leslie Rule, Council Member, District 1

Andrew Whitman, Council Member, District 3

Kim Mang, Council Member, District 4

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Purpose and Intent of Protocols

The residents of the City of Ojai are entitled to have fair, ethical and accountable local government. It is necessary that the public have confidence in the integrity of its government and in those who represent them. The purpose of these protocols is to set forth policies and provisions, including rules of decorum beyond those required by state law.

City Council Members bear responsibility to make decisions that are in the best interest of the City. The City Council must be independent, impartial and fair in its judgment and actions and will conduct public deliberations and processes openly, in an atmosphere of civility. All City Council deliberations shall be conducted respectfully.

Redevelopment Successor Agency

Ojai's City Council also serves as its Redevelopment Successor Agency; therefore, these protocols are intended for use by both the City Council and Redevelopment Agency Successor Agency.

I. Statutory Requirements/Regulatory Guidelines

Certain state laws and other established regulations exist which govern various responsibilities of the City Council.¹ Therefore, this protocol document is not intended to be comprehensive in scope, but contains those issues and topics generally not covered by other laws or statutes.

This document will grow to include new items as they are identified at the request of the Council. This protocol document is not intended to supersede any existing statutes or regulations, but does reiterate some requirements to increase its value as a tool for new Council Members.

These protocols may be amended by a majority vote of the Council Members. In the event of any conflict between these protocols and applicable state or federal law, the applicable state or federal law shall control.



¹ California Government Code § 54953(a).

A. The Brown Act

The Ralph M. Brown Act is a law which provides that all meetings of a legislative body, whether meetings of the City Council or its appointed commissions and committees, shall be open and public and all persons shall be permitted to attend.²

Notices of such meetings must be given 72 hours prior to the meeting for regular meetings and 24 hours prior to the meeting for special meetings.³

What is Considered a Meeting?

A "meeting" takes place whenever a quorum is present and subject matter related to the City's business is heard, discussed, or deliberated upon.⁴ The presence of more than two Council Members at any City commission meeting, a meeting of general interest to the public or a social event shall not be construed to be a violation of the Brown Act, so long as the Council Members present do not discuss, among themselves, issues within City Council jurisdiction.⁵

Non-public Meetings: Most are Prohibited under the Brown Act

The Brown Act prohibits non-public meetings, except for lawful closed sessions. It also prohibits a majority of the Council Members from using, "a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body."⁶

These prohibitions are to be kept in mind by Council Members when communicating via email. A Council Member's "reply all" to an e-mail related to City business and sent from a constituent to all Council Members, if it contains substantive discussion of the matter, could be construed as a "meeting" taking place with a quorum present outside of public view. To avoid this risk, Council Members should exercise caution when emailing the entire City Council.

B. Political Reform Act

The Political Reform Act states that public officials shall perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them. The Political Reform Act establishes regulations regarding Conflicts of Interests and Campaign Disclosure Provisions.⁷

Ojai's City Clerk provides forms and information to assist Council Members and candidates in complying with the Political Reform Act.

² California Government Code § 54954.2(a)(1).

³ California Government Code §§ 54954.2(a)(1), 54954.2(a)(1) and 54956(a) and (c).

⁴ California Government Code § 54954.2(a)(1).

⁵ Ibid.

⁶ California Government Code § 54952.2.

⁷ California Government Code §§ 81000-91015.

C. Ojai Municipal Code

The City of Ojai Municipal Code consists of those codified ordinances pertaining to the development of the City and its environs, and of general municipal regulations and laws, together with Secondary Codes adopted by reference.

Each and all of the provisions, terms and penalties of the Code are on file in the office of the City Clerk of the City of Ojai.

D. Rosenberg's Rules of Order

Section 2-1.202 of the City of Ojai Municipal Code states that all meetings of the Council shall be conducted in accordance with Rosenberg's Rules of Order. However, no ordinance, resolution, or other action of the City Council shall be invalidated or the legality thereof otherwise affected by the failure or omission of the City Council to observe or follow such Rules.⁸

⁸ City of Ojai Municipal Code § 2-1.202.

II. Council Powers and Responsibilities

A. General Council Powers and Responsibilities

The Council acts as a body. Policy or protocols are established by a majority vote; a decision of the majority binds the Council to a course of action. No Council Member has extraordinary powers beyond those of other Members except as specified for the Mayor or Mayor Pro Tem in the Ojai Municipal Code, these protocols, or applicable law.

1. Confidential Information

Council Members shall respect the confidentiality of information concerning City property, personnel or proceedings of the City. Council Members shall not disclose confidential information without proper legal authorization or use such information to advance their personal interests or the interests of other parties.

2. Handling of Litigation

Council Members shall keep all written materials and verbal information provided to them concerning litigation in complete confidence to ensure that the City's position is not compromised. No disclosure or mention of information in these matters shall be made to anyone other than Council Members, the City Attorney, City Manager or City Clerk, or as otherwise allowed by applicable law.

3. City Council Absences

If a City Council Member is going to be absent from a City Council meeting, the Member shall notify the City Manager, who shall advise the Mayor and City Clerk.

At the beginning of each City Council meeting there will be a roll call. Any absences will be recorded and absences from the City Council meeting for that evening will be deemed approved and excused, absent an objection by a fellow Council person, which shall be seconded and voted on by the entire City Council.

B. Council Organization

1. Mayor

In November of 2014, Ojai voters approved changing the Council's leadership structure from an appointed Mayor chosen via rotation from among Council Members, to having a directly elected Mayor.

Beginning November 2016, the Mayor is elected for a two-year term. The directly elected Mayor is a Member of the City Council and has all of the powers and duties as a Council Member, in addition to the powers and duties provided for by applicable law,⁹ the Ojai Municipal Code, and these protocols.



Additional Mayoral Powers

The Mayor's additional powers and duties beyond those of a Council Member are the following:

1. The power to call a Special Meeting of the Council.¹⁰
2. The power to add items to the Council agenda without the need for concurrence by another Member of the City Council, as provided by these protocols;
3. The power to make appointments to the various City commissions and boards, subject to approval by the Council and these protocols;¹¹
4. The duty to sign ordinances, resolutions, and contracts as approved by the Council,¹² the power to administer oaths and affirmations and to acknowledge the execution of any City contract or instrument.¹³
5. In coordination with the City Manager, provide advance approval of any special projects assigned to the City requiring 10 hours of work or more. These projects may be approved by the City Manager and the Council, or by the City Manager and the Mayor.¹⁴

⁹ California Government Code §§ 40601 through 40605.

¹⁰ California Government Code §§ 54956.

¹¹ California Government Code § 40605, Ojai Municipal Code § 4-16.101 [Arts Commission], §§ 10-1.01 & 10-104 [Planning Commission], § 2-4.102 [Parks and Recreation Commission] and § 4-8.03 [Historic Preservation Commission].

¹² California Government Code §§ 36932, 40602 and 40204.

¹³ California Government Code §§ 40603 and 40604.

¹⁴ Fourth Amendment to Legal Services Agreement with Colantuono, Highsmith & Whatley, PC, Exhibit A, Scope of Services and Applicable Billing Rates, effective August 1, 2024.

2. Newly Elected Members

Even before being sworn into office, newly elected Council Members are subject to the provisions of the Brown Act. Newly elected Council Members shall not be allowed to attend closed sessions of the Council before being sworn into office.¹⁵

Staff, including the City Manager, City Clerk, and City Attorney, shall provide newly elected Council Members with an orientation sufficient to familiarize them with the following:

- Subjects covered in these protocols
- The structure and organization of the City and its Departments
- The City's operative budget and financial characteristics
- The Brown Act
- The Public Records Act
- The Political Reform Act and other conflicts of interest laws
- Tasks and procedures Council Members will need to know to conduct their work as Council Members

The City Manager will also facilitate introductory meetings for newly elected Council Members and each department head, to allow Council Members the opportunity to meet the City's management staff and to begin to understand the work of each department.

3. Installation of New Council Members

The City of Ojai holds its municipal elections in even-numbered years. The terms are staggered so that in one election year, two Council Members are elected, and three are elected the next election year. This results in stability and experience for the Council, since the Council always includes at least two experienced Members.

City elections are usually consolidated with statewide elections. After a canvass of the votes cast and certification of the results, newly elected Council Members, as well as the elected Mayor, are installed at the first regularly scheduled Council meeting in December following a Council election.

Annually in December, the City Council shall re-organize with, if appropriate, the empaneling of the elected Mayor and any new Council Members.

4. Mayor Pro Tempore

At this time the Council selects the Mayor Pro Tempore (Mayor Pro Tem). The selection of Mayor Pro Tem is discretionary by the Council.

5. Presiding Officer of Meeting

The elected Mayor is the presiding officer of the City Council and shall facilitate Council meetings. In this role, the Mayor assists the Council to focus on the agenda, discussions and deliberations. In the absence of the Mayor, the Mayor Pro Tem presides over the meeting.

¹⁵ California Government Code § 54952.1.

6. Ceremonial Representative(s)

The Mayor is the official head of the City for all ceremonial purposes. Should an individual Council Member other than the Mayor be asked to make a ceremonial presentation that Member should redirect the request to the Mayor.

In the absence of the Mayor, the Mayor Pro Tern or another Council Member appointed by the Mayor shall assume these responsibilities.

7. Seating Order

At the time of the annual Council reorganization, the Mayor shall have the prerogative to designate the seating order for the Council dais.

C. Council Communications

1. Communications Representing the Council's Position or Policy

All Council Members when representing the Council should present the Council's position or policy, even if personal opinion is different on the item or issue and there was not a unanimous vote.

A. Stating Personal or Non-representative Opinions

Council Members should use caution in stating an opinion that is contradictory to or an expansion of the Council body's views. He or she should specifically state that the Council Member is offering a personal opinion and that the statements do not represent the position of the City Council.

Council Members should also remain mindful of the fact that a Council Member speaking before another panel is an act that is political in nature, regardless of whether the Council Member speaks personally or as a representative of the Council.

Additionally, legal questions could arise if a Council Member were to fail to act as directed by the Council. For example, if a Council Member sits on another panel as a representative of the Council and fails to vote as directed by the Council.¹⁶

Please refer to Section 2, below, *Representation by Council Members for Other Agencies or Groups*, for additional information.

B. Legislative and Quasi-judicial Questions

The residents of Ojai deserve Council Members who are neutral decision-makers, make decisions based solely on the evidence in the record, and not before a case is heard in full. Therefore Council Members should use extra caution when speaking before a City commission or another agency's panel, on issues that the City Council has not yet discussed or taken a position on.

¹⁶ See California Government Code § 36813 [Council may adopt rules for its members]. A Council action, lawfully taken, to direct the vote of one of its members who sits on another body as a representative of the City is enforceable under this provision.

Generic or General Questions

If a matter is legislative and lacks an applicant with a due process right—for example, if the topic in question is generic in nature such as a general discussion about a certain type of ordinance—then the Council Member may speak freely and state his or her preferred position.¹⁷

Questions Involving a Potential Applicant or Appellant

However, if a matter is legislative or quasi-adjudicative and involves an applicant or appellant on a specific matter, then the Council Member should refrain from stating an opinion before close of the public hearing.

Doing so preserves the Council Member’s role as a neutral decision maker and ensures that his or her decision is based solely and the evidence in the record, including the entire public hearing.

The legal risk is such that a Council decision could be overturned if a biased or pre-decided Council Member participated in it.¹⁸

Tools: Speak with Caution, Recuse if Necessary

To avoid such risks, Council Members should speak cautiously, if at all, on matters involving an individual where the matter may be appealed to the Council.

If a Council Member finds him- or herself in a situation where it is imperative to take a public position, the Council Member should later recuse him- or herself from any vote on the matter once it reaches the Council. Doing so protects the City by preventing an argument of bias or pre-decision being used to challenge the Council’s decision.¹⁹

C. Legislative and Quasi-judicial Matters and Council Electronic Communications

Also in the interest of neutrality, Council Members should avoid communicating via e-mail, social media or other forms of electronic communication, on quasi-judicial questions that might eventually come before the Council.

As noted above, Council Members should stay aware of the nature of matters as they arise, and tailor their comments depending upon whether the matter is general or generic government and legislative in nature, or whether an individual’s potential due process rights might be at stake.

2. Communications Representing the Council to Other Agencies or Groups

Council Members should serve as representatives of the Council body and as such should reflect the official policies and positions of the City Council.

¹⁷ *Nasha LLC v. City of Los Angeles* (2004) 125 Cal.App.4th 470, 482 [“Quasi-legislative acts are not subject to procedural due process requirements while those requirements apply to quasi-judicial acts regardless of the guise they may take.”][citations omitted].

¹⁸ *Nasha LLC v. City of Los Angeles* (2004) 125 Cal.App.4th 470, 483-484 [Planning Commission decision overturned due to article authored by Planning Commissioner that stated negative opinion regarding a project].

¹⁹ *Nasha LLC v. City of Los Angeles* (2004) 125 Cal.App.4th 470, 482 [“Procedural due process in the administrative *setting* requires that the hearing be conducted before a reasonably impartial, noninvolved reviewer.”].

If a Council Member appears before another governmental agency or organization to give a statement on an issue affecting the City, the Council Member should indicate whether the Council has taken a vote on the matter, whether that position is extant, and whether the Council Member is speaking as a representative of the Council or is instead speaking as an individual Council Member.

This is particularly important if a Council Member was in the minority on a matter, to ensure that the other agency is told the majority position of the Council.

For example, say a Member of the Council were to speak before the Ventura County Transportation Commission on a transportation issue that affects residents of the City of Ojai. The Council Member should state the Council's view on the matter if the Council has adopted a majority position, in addition to stating the Council Member's views.

3. Ex Parte Communications

Ex parte communications are defined as: written or oral statements that are unilateral, which do not allow all officials to have an equal opportunity to receive the information.²⁰ This includes electronic communications, such as emails and text messages.

Council Members are expected to communicate and receive information from their constituents regarding City matters. The receipt of information alone on a matter does not necessitate recusal or disqualification from considering a matter.

Council Members may consider information from any source when evaluating legislative matters.

Council Members must base decisions on quasi-judicial matters, including the findings supporting that decision, on the information available in the record of that proceeding, such as the application, written and oral comments at the public hearing, and the staff report.²¹

Ex parte communications designed to influence an official decision or to obtain a more favored treatment or special consideration should not be encouraged by the Council.

It is the responsibility of Council Members to publicly share specific substantive information that is relevant to a matter under consideration that they have received from sources outside the decision-making process. This is particularly true for quasi-judicial



²⁰ See *English v. City of Long Beach* (1950) 35 Cal.2d 155, 158 [“Administrative tribunals which are required to make a determination after a hearing cannot act upon their own information, and nothing can be considered as evidence that was not introduced at a hearing of which the parties had notice or at which they were present.”].

²¹ See *Topanga Association for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 511.

matters if the Council Member relies on that information derived from an ex parte source as part of the basis of a quasi-judicial decision.²²

For example, on a land-use appeal, the Council is required by law to decide based solely on the evidence in the record.²³ The Council's decision on such a quasi-adjudicative matter could be subject to litigation and over-turning if a challenger could prove the decision was made using ex parte communications as described above.

Specifically, the decision could be overturned if a challenger proved it was based on information that was not within the record and was instead acquired via an ex parte communication outside the public hearing and which all Council Members did not receive and the applicant or appellant did not have a chance to respond to.²⁴

To minimize this risk, Council Members should disclose ex parte communications on any matter subject to due process, for example, a land use permit hearing, on the record by stating, briefly, who they communicated with and a synopsis of the substance of the communication.²⁵

A. Correspondence from the Public and Ex Parte Communication

A correspondence concerning only the status of a pending matter shall not be regarded as an ex parte communication. While communication from the public to Council is encouraged, ex parte communications received by one Council Member should be shared with all Council Members and the public before or during the public discussion on the matter.

B. Tools for Ensuring Open Communication

If a Council Member is unsure about the availability of information they have received to the entire Council; the Council Member should ask that staff assist in disseminating such communications to the entire Council and to the public, via inclusion in the packet or on the dais as public communications received.

Council Members should be cautious in their replies to constituent communications sent to the entire Council, ensuring that responses from a Council Member to those communications do not inadvertently become a serial meeting with substantive discussion of a matter by a majority of the Council outside of a public meeting.²⁶

²² Compare *Todd v. City of Visalia* (1967) 254 Cal.App.2d 679, 692 [City Council members are expected to receive information from constituents regarding City issues; absent evidence that Council member relied on specific information outside the record the decision was affirmed], with *Clark v. City of Hermosa Beach* (1996) 48 Cal.App.4th 1152, 1171 [land use decision reversed, in part, because Council Members' concerns with project were raised based on information outside record and after public hearing closed, depriving applicant of chance to respond to that additional information].

²³ *Topanga Association for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 511.

²⁴ *Clark v. City of Hermosa Beach* (1996) 48 Cal.App.4th 1152, 1171.

²⁵ See The California Municipal Law Handbook (Cal CEB) § 10.420 [Recommending disclosure of ex parte contacts and information received in quasi-judicial matters, allowing interested parties and public opportunity to comment on that information].

²⁶ California Government Code § 54952.2, subdivision (b)(1).

4. Communications Using City Stationery – Physical and Electronic

A. Definition of City Stationery, Letterhead or Logo

The City’s stationery refers to the City’s letterhead or simply the City logo displayed on paper or digital correspondence. The City’s “letterhead” refers to a heading at the top of a correspondence that includes the City’s logo and contact information. The City’s logo is also sometimes used alone in correspondence.

B. Importance of City Stationery

City stationery is more than merely a means of correspondence. It is a physical and digital representation of the City or the Council. Use of the letterhead or logo connotes official City business and City endorsement.

Council Members may use City stationery if directed by the Council on a particular matter of Council business. All such correspondence using City resources and City stationery shall be copied to the full Council.

C. Personal use of City Stationery or Logo is Prohibited

No Council Member shall use City stationery or the City logo, whether in hard-copy or in electronic form, for personal business or to offer a personal endorsement of any service, product or candidate. It is also inappropriate for a Council Member to offer a letter of referral or personal reference using City stationery, except as authorized by the Council.

5. Communications Regarding Staff Performance

Any concerns by a Council Member over the behavior or work of a City employee should be directed to the City Manager privately. Council Members shall not reprimand employees directly, or communicate their concerns to anyone other than the City Manager.²⁷

²⁷ Ojai Municipal Code § 2-3.07.

D. Council Commissions and Committees

City commissioners serve as advisory bodies to facilitate public input and citizen participation in the determination of public policies. This is accomplished by formulating recommended courses of action and policy to the City Council with whom final determination rests. City commissions are established by ordinances that are part of the City of Ojai Municipal Code.²⁸

1. Representation by Council Members at City Commission Meetings

Council Members serve as Council representatives for City commissions ~~with~~ on a ~~three-month~~ an annual rotation. This provides the Council with an overview of the issues and methodologies used by City commissions to make recommendations to the Council.

Typically Council Member liaisons attend commission meetings in person but are not required to.

Council Members, in this liaison capacity, should remain neutral in any actions and should refrain from stating opinions that might influence an action or decision by the commission. Appeals of commission decisions are heard by the City Council which should remain unbiased.

Generally, no more than two Council Members should attend commission or committee meetings due to potential violations of the Brown Act. However, if more than two Council Members do attend a noticed meeting of a City commission or committee, they shall not discuss, among themselves, any subject matter under City Council jurisdiction.

2. Appointments to Commissions, Committees and Citizen Advisory Groups

City commissions, committees and citizen advisory groups are comprised of residents of the Ojai Valley and are appointed by the City Council. When a vacancy occurs or a term expires, the following steps are taken to fill the vacated seat:

- When a vacancy or term expiration occurs for City commissions, committees and citizen advisory groups or for local and regional groups for which the City fills vacancies, such as County of Ventura citizen commissions, the City Clerk department shall advertise for open positions in the local newspaper, the City's web site, and by posting notice on a bulletin board at City Hall.
- The City Clerk department shall advertise vacancies and term expirations according to the following timeline:
- For unexpected vacancies, advertisements should be posted as soon as possible, following notification of the pending vacancy.
- For vacancies due to term expiration of active commissioners or committee members, the City Clerk Department shall post as soon as possible following the meeting immediately prior to the term expiration date.

²⁸ California Government Code § 40605, Ojai Municipal Code § 4-16.101 [Arts Commission], §§ 10-1.01 & 10-2.104 [Planning Commission], § 2-4.102 [Parks and Recreation Commission] and § 4-8.03 [Historic Preservation Commission].

- The City Clerk Department will list the application deadline with the objective of providing as much lead time as anticipated to give residents time to respond and for the City to obtain a reasonable applicant pool.
- Residents who desire to be considered for appointment to a commission, committee or citizen advisory group should contact the City Clerk department to receive an application or download an application from the City's website.
- Commissioners whose terms have expired will receive notification from the City Clerk department. If a commissioner wishes to be reappointed, the City Clerk department shall have the commissioner confirm this request in writing.
- The City Clerk department shall receive applications and confirm applicants meets any applicable residency requirements to fill the vacancy. The Ojai Municipal Code outlines the number of City residents and non-residents who can serve at one time on each commission.²⁹
- The City Clerk department will notify the Mayor, the City Council and pertinent commission Chair of any vacancies and number of received applications.
- Commission interviews and appointments shall be made under the applicable provisions of the Ojai Municipal Code as it reads at the time of the vacancy.
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3. City Commission and Committee Recognitions upon Leaving Office

The City of Ojai recognizes that commissioners and committee members put in long hours on a volunteer basis working in the interests of the public and the City for the betterment of the community. Some serve on their commission for years or even for decades.

It is important and appropriate that these dedicated volunteers' dedication be recognized.

Therefore, upon leaving office, the City honors commissioners and committee members who have served for certain time periods via the following:³⁰

- Commissioners and committee members who have completed less than five



²⁹ Ojai Municipal Code § 4-16.101 [Arts Commission], §§ 10-1.01 [Planning Commission], § 2-4.102 [Parks and Recreation Commission] and § 4-8.03 [Historic Preservation Commission].

³⁰ Added April 12, 2011 via City Council Resolution No. 11-15.

years of office shall be presented with a certificate of commendation.

- Commissioners and committee members who have completed at least five years but less than ten years will be presented with a proclamation.
- Commissioners and committee members who have completed at least ten years or more of service will be presented with a City tile plaque containing name, commission name, and dates of service and placement of a brass plate containing name, commission name, and dates of service on the City's "Wall of Honor."

III. City Council Meetings

Meetings of the Council are open to the public and shall be conducted in accordance with the laws of the State of California and the City of Ojai. The proceedings shall be guided by Rosenberg's Rules of Order (latest revised edition), but failure or omission to observe or follow such Rules will not deem invalid or otherwise affect the outcome or action of the City Council.³¹

Council Members shall conduct themselves in an orderly and business-like manner, to ensure that the business of the City is attended to efficiently and thoroughly, and to ensure that the integrity of the deliberative process is maintained at all times.

A. Regular Meetings

1. Time, Location and Length of Regular Meetings

Regular meetings of any statutory city council are held at times established by that council. Regular meetings of the Ojai City Council shall be held on the second and fourth Tuesdays of each month commencing at 6:00 p.m. in the City Council Chambers, located at Ojai City Hall, 401 S. Ventura Street, Ojai, California. Meetings shall be adjourned by 9:30 p.m., or upon completion of agenda matters under consideration at time for adjournment. Other meetings of the Council are not considered regular meetings.

The exception to the 9:30 p.m. adjournment rule is that closed sessions may continue past this hour. Any agenda item remaining to be considered shall be automatically continued to the next regular City Council Meeting unless otherwise directed by the City Council.³²

2. Other Locations

The Council may elect to meet at other locations within the City as practical. Any meeting held at an alternative location shall be publicized by means of a public notice printed in the local newspaper and in accordance with the Government Code.³³

3. Canceled Meetings

Any meeting of the Council may be canceled by a majority vote of the Council, or because of a lack of a quorum.

³¹ Ojai Municipal Code § 2, Ord. 212.

³² Ojai Municipal Code § 2-1.201.

³³ California Government Code § 54952.2(c).

B. Special Meetings, Emergency Meetings and other types of Council Meetings

Special meetings of the Council may only be called and held as deemed necessary by the presiding officer or a majority of the Council, pursuant to the procedures set forth in the Ralph M. Brown Act.³⁴ Emergency meetings of the Council may be called as held as deemed necessary by the Mayor, a majority of the Council, or the City Manager under the Brown Act's procedures.³⁵

1. Location during a Local Emergency

If, by reason of fire, flood or other emergency, it shall be unsafe to meet in Ojai City Hall, then Council meetings maybe be held for the duration of the emergency at such other place as may be designated by the Mayor, or if the Mayor does not so designate, by the City Manager or the Mayor Pro Tem.³⁶

2. Adjourned Meetings

The Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Ralph M. Brown Act.^{37 38}

3. Study Sessions/Workshops

Study sessions or workshops are information-gathering opportunities the Council may set from time to time, to allow for a detailed review or discussion of a specific matter or topic.

These sessions are usually informal, though public, and may be conducted as a separate, special meeting of the Council, or as a segment of a regular meeting. Study sessions and workshops may also be held at a place other than the Council chambers.

They may be conducted jointly with another City commission or committee or another governmental agency.³⁹

Formal action is typically not taken at a study session or workshop unless the agenda indicates that action may be taken. All study session meetings are open to the public.

A study session or workshop may be called by a majority of the Council. During such sessions, Council Members may ask questions of staff. Council may also choose to hear comments from the public. Should staff be unable to answer a question, the question will be recorded by staff, so that staff might provide a written answer for submission to the Council at a later time or subsequent meeting.

C. Meeting Components

Council Meetings are the Council's primary means of conducting City business. As such, Council Members should be aware of the meeting components, from the meeting agenda to the meeting

³⁴ California Government Code § 54956.

³⁵ California Government Code § 54956.5.

³⁶ California Government Code § 54956.5.

³⁷ California Government Code § 54956.

³⁸ California Government Code §§ 54950, et seq.

³⁹ "The Brown Act," California Attorney General (2003), p. 10.

itself, so as to ensure an effective process.

1. Agenda Development, Content, Posting and Packet Distribution

The purpose of an agenda is to provide a framework within which a meeting can be conducted. An agenda for each Council Meeting is prepared by the City Manager's Department in advance of the meeting. At the beginning of the meeting the presiding officer or a majority of the Council may rearrange the order of the agenda.

The agenda packet consists of the agenda itself, which lists the business of the meeting in summary form, much like a table of contents, followed by the staff reports and attachments for each agenda item, in the order they are listed on the agenda.

Agenda Development

The City Manager determines, in consultation with the Mayor, which items are placed on the Council agenda and the timing for scheduling such items.

Staff Presentations/Reports

Staff presentations addressing agendized items should be brief - preferably not longer than 10 minutes. It is unnecessary and undesirable for staff to offer a verbal report to the Council that merely restates the information found in a staff report furnished in the Council's packet. Staff reports will contain a recommendation for the Council's consideration, except in information- only reports and reports placed on the agenda for discussion at the request of two or more members of the Council.

In order for the Council to become fully informed, contents of agendized items other than routine matters such as minutes and information-only items should, when possible, include the following information:

- A complete administrative report, which lists staff recommendations and, when possible, at least two decision options
- Commission or committee recommendations, if any
- Documentation of any required noticing
- Information on how the agenda item advances the City Council's goals, as applicable.

Requests by Council Members to Place an Item on Agenda

Should two or more City Council Members request—in writing ahead of a meeting or orally during a meeting—that an item be agendized, the City Manager will place the item on the agenda in a reasonable timeframe as staff workload permits.

Agenda Content

The agenda lists meeting activities in the order they are expected to occur. See Section 4, *Order of Business*, below for this information.

Agenda Posting

The Brown Act, California Government Code § 54-9542, requires that agendas containing a brief general description of each item of business be posted 72 hours before a regular meeting and 24 hours before a special meeting. Staff will post the agenda as required in

the Brown Act.⁴⁰

Agenda Packet Distribution

Hard-copy agenda packets are printed for the City Council and designated department representatives. A courtesy copy is also produced for the Ojai Library. Staff will deliver the Ojai Library's hard-copy; all other hard copies will be left in each Council Member's and department representative's in-box at City Hall.

Council Members and designated department representatives using electronic tablet devices may obtain an electronic link to a digital, bookmarked copy of the agenda packet from the City Clerk Department upon request.

The agenda packet is also made available to the public electronically on the City's website prior to Council meetings. Notification of the website posting is sent via e-mail to all persons who have signed up for the City's mailing list for City Council agenda notification. In addition, a hard-copy packet is placed on the front counter at City Hall that is available for review by the public.

2. Public Attendance at Meetings

As stated in the Brown Act, no meeting can be held in a facility that prohibits attendance based on race, religious creed, color, national origin, ancestry or sex, or which is inaccessible to the disabled.⁴¹

There can be no "semi-closed" meetings which some members of the public are permitted to attend as spectators while others are not; meetings are either open or closed.⁴²

Please also refer to Section D.1. below, *Addressing the Council*, for more information.

3. Closed Meetings (Closed Sessions)

Meetings may be closed only by specific authority in the Brown Act. In general, the most common purpose of a closed session is to avoid revealing confidential information that may, in specified circumstances, prejudice the legal or negotiating position of the Council or compromise the privacy interests of employees.

It is not enough that a subject is sensitive, embarrassing or controversial. Without specific



⁴⁰ California Government Code § 549542(a)(1) and 54954.2(d).

⁴¹ California Government Code § 54952.2(c)(2) and 54953(a).

⁴² Ibid.

authority in the Brown Act for a closed session, a matter must be discussed in public.⁴³

The Council may adjourn to a closed session during a meeting but more often it will attend to closed session-related business at a separate closed meeting, typically held one hour before a regular meeting.

As first step in closed session and prior to discussion of any agenda items, the City Manager or City Attorney shall provide a concise briefing to the Council detailing the legal and factual basis for convening in closed session, citing the specific exemptions under the Brown Act. Following this briefing, the Council shall vote on whether to proceed with the closed session as proposed. A majority vote is required to hold the closed session and continue any discussion.

4. Order of Business

The usual order of business for the City Council shall be as follows:

- Roll Call
- Absences
- Pledge of Allegiance
- Moment of Silence (when appropriate due to circumstances)
- Approval of the Agenda
- Presentations /Proclamations
- Public Comments (not required for Special Meetings)
- Consent Calendar
- Public Hearings
- Discussion Items
- Closed Session (if necessary)
- Reports from Council Members
- Reports from the City Managers
- Proposals for Future Agenda Items
- Adjournment

5. Scheduling Presentations by Individuals or Groups

All presentations will be calendared through the City Manager's Department. Generally, presentations shall be no more than 10 minutes unless approved in advance by the City Manager, or unless the Mayor grants additional time at the meeting. Only one presentation shall be made per meeting unless prior approval is granted by the City Manager and the Mayor.

Use of City Multi-Media Equipment

All presentations requiring multi-media use, such as PowerPoint presentations to be projected over the chambers' television monitors, must be scheduled in advance through the City Manager's Department. Presenters must provide City staff with their multi-media materials at least 24 hours in advance.

⁴³ California Government Code § 54962.

This is to ensure that meetings are conducted without unnecessary interruption and to allow enough advance time for staff to test electronic presentation materials to ensure that they play properly on City equipment.

Additionally, it is vital that staff have adequate time to transfer data securely, to protect the City's technical equipment from computer viruses and other complications, unintended or otherwise, which might arise from data-transfer devices and data from an outside source.

For this reason, it is also imperative that no impromptu requests for multi-media use be allowed during meetings.

6. Proclamations and Resolutions of Appreciation

Ceremonial in nature, proclamations are presented by the Mayor on behalf of the Council to recognize a variety of special programs, events or people. These ceremonial materials are prepared by the City Manager's Department and shall be read by the Mayor or the Mayor's designee at the appropriate time.

Upon approval by the Mayor, proclamations and/or resolutions of appreciation may be requested by other Council Members, on behalf of the Council, for presentation at venues other than at City Council meetings.

For example, if a Council Member wishes to present, on behalf of the Council, a proclamation acknowledging the volunteer work of a resident or organization at an event, the Council Member may do so with the Mayor's permission. Said proclamations or resolutions of appreciation must still be prepared by the City Manager's department.

7. Consent Calendar

In an effort to conduct more efficient meetings, City Council and commission meeting minutes and disbursements from the Finance Department are placed on the Consent Calendar.

The City Manager may also elect to place routine matters such as authorization for the City Manager or other management to sign simple agreements or contracts for services.

The Consent Calendar is generally approved in one motion, although items can be pulled from the Consent Calendar for discussion as a stand-alone item and moved to the Discussion (action) portion of the agenda at the request of Council).

Items appropriate for placement on the Consent Calendar include those that implement work programs and objectives previously approved by the Council as a part of the budget and, in some instances, final adoption of ordinances.

Matters to be set for a public hearing at a later date may also be placed on the Consent Calendar. Items of significant neighborhood or community public interest should not be placed on the Consent Calendar.

8. General Public Comments

At this point in the meeting, members of the general public are allowed to address the Council on any subject for a period of three minutes or less. Those wishing to speak should complete a Speakers Card and present it to the City Clerk prior to the meeting or before the call of the item.

The Clerk shall pass the cards to the Mayor who will recognize speakers by inviting them to the podium. Although the Council has the right to extend the speaking time of a member of the public, regulations regarding time limits should be enforced fairly, consistently, and without regard to speakers' viewpoints.

Please also refer to Section D.1. below, *Addressing the Council*, for more information.

9. Public Hearings

In general, a public hearing is an open consideration of an issue for which special notice has been given and may be required. Public hearings are generally required by state and/or local law for all quasi-judicial matters.⁴⁴

Parties with an interest at stake in the Council's decision must be granted the right to be heard before a decision is rendered by the Council. Examples of quasi-judicial matters include the issuance of discretionary land use permits and other similar actions in which a property interest is at stake and the Council is charged with applying legal standards to a specific situation. Quasi-judicial proceedings shall be conducted in accordance with the City Council Policy for Quasi-Judicial Hearings. That policy is attached to these protocols as Attachment "A".

Certain legislative acts, such as the adoption of a general or specific plan, broad policies, or zoning ordinances and related resolutions of general application, also require a public hearing.⁴⁵ In addition, certain federal and state programs require a public hearing (i.e., transit problems, Community Development Block Grant funding and law enforcement grants).⁴⁶

10. Discussion Items

At the heart of Council meetings are discussion items. These items require an action by the Council. Discussion items include a recommendation from City Staff and should include alternatives for the Council's consideration. Also, the Council may direct staff to perform or take action that is outside of or in some contradiction to a recommendation. Public comments are allowed on Discussion items.

⁴⁴ California Government Code §§ 65090, et seq. [public hearing noticing requirements]; Ojai Municipal Code § 10-2.2902 [City public hearing noticing requirements].

⁴⁵ See, e.g., California Government Code §§ 65353, 65355 [Planning Commission and City Council public hearings required for General Plan adoption and amendments], §§ 65853, et seq. [Planning Commission and City Council public hearings required for zoning ordinance amendments].

⁴⁶ See, e.g., 42 USC § 5306, subdivision (d)(5)(C) [requiring hearings for CDBG fund allocation decisions].

11. Reports from Council Members

This time is offered for verbal and/or written reports in order to inform other Council Members and the public of newsworthy events, problems or issues.

12. Report from the City Manager

This time is for the City Manager to provide verbal and/or written information to the Council and the public of newsworthy events, problems or issues.

13. Future Agenda Items

This is a time when Council Members discuss items they wish to be placed on a future agenda.

D. Meeting Conduct

To ensure a successful meeting, the following rules for orderly conduct should be followed:

1. The Public: Addressing the Council

Comments from the public are an important part of any Council meeting. Members of the public may address the Council during a public comments section of each agenda item, as well as during the Public Comments portion of the agenda, which is reserved for general comments or for comments on items not on the agenda.

The Mayor shall announce the opening of the time for public comments and then will close the public comment period. Comments are generally limited to three minutes per person, per agenda item.

Tool for Multiple Members of the Public wishing to express the Same Viewpoint

In order to expedite matters and to avoid repetitious presentations or viewpoints, whenever any group of persons wishes to address the Council on the same subject matter, it is proper for the Mayor to request that a spokesperson(s) be chosen from the group to address the Council.

If additional matters are to be presented by any other members of the group, the Mayor may limit the number of such speakers and limit the comments to information not already expressed by the group spokesperson. However, no individual wishing to address the Council shall be denied that opportunity during this portion of the meeting.

Any of the foregoing rules may be waived by majority vote of the Council Members when it is deemed that there is good cause to do so based upon the particular facts and circumstances involved.

These rules are not exclusive and do not limit the inherent power and general legal authority of the Council, or its presiding officer, to govern the conduct of the Council or Redevelopment Successor Agency for purposes of orderly and effective conduct of the affairs of the City.

2. The Council: Council Deliberations Prohibited during Public Comments

In compliance with the Brown Act, the Council may not deliberate or vote on any matter raised during Public Comments. The Mayor or any Council Member may, however, request

that the City Manager provide additional information on a matter of general interest to the full Council or the public at large.⁴⁷

3. Council Interaction with the Public

If a Council Member believes that a material misstatement of fact has been made by a person during the Public Comment portion of the agenda, the Council Member may ask the City Manager or City Attorney to correct or otherwise clarify the matter. Alternately, the Council Member may provide a direct response at that time through the Chair.

If a spontaneous response is not possible, correction or clarification may be provided at the earliest opportunity during the meeting or at the next regular meeting of the Council.

4. Council Member Procedures for Obtaining the Floor

Any Council Member wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Council Member who seeks the floor when appropriately entitled to do so.

5. Council Member Procedures for Motions

Making and acting on motions are the primary means by which the Council conducts its business. Council Members may make motions, second motions, vote for them, against them, abstain or recuse themselves, depending on the situation.

A. Original Motions

Motions may be made by any Council Member including the Mayor, provided that before the Mayor—acting as presiding officer—offers a motion, the opportunity to make a motion should be offered to other Council Members.

B. Seconding Motions

Any Council Member may second a motion. Before a motion can be considered, it must be seconded. A motion must be seconded before it can be discussed.

C. Abstention and Recusal

To abstain is to formally decline to vote either for or against a proposal or motion. To recuse oneself is to excuse oneself from acting on a motion because of a possible conflict of interest or lack of impartiality.

Council Members should declare their intention to abstain or recuse on an item on the agenda as soon as the agenda item is announced.

Abstention

If a Council Member intends to abstain from a decision for a reason other than a conflict of interest, then the Council Member may remain on the dais for the matter.

A Council Member may state that he or she intends to abstain from a decision due to a conflict of interest that does not require recusal. For example, a past financial relationship that is outside the purview of the Political Reform Act, but which creates the impression of a potential conflict. In this case, the Council Member should leave the dais but may remain

⁴⁷ California Government Code § 54954.2, subd. (a)(3).

in the chamber.

Recusal

A Council Member may state that he or she intends to recuse him- or herself from a decision due to a financial conflict of interest required by the Political Reform Act. In this case, the Council Member must leave the dais *and* chamber, unless a specific exception applies. For example, if the agenda item pertains to a project on which the Council Member is the applicant, the Member may speak to the Council regarding the Member's application.⁴⁸

If a Council Member must recuse from a matter due to a financial conflict of interest under the Political Reform Act and the matter is on the consent calendar, then the Council Member must recuse from voting on that item and disclose the nature of the conflict, but may remain on the dais and vote on the other consent calendar items.⁴⁹

6. Precedence of Motion

When a motion is before the City Council, no motion shall be entertained except as follows:

A. To Adjourn (not debatable)

A motion to adjourn shall be in order at any time, except as follows:

- 1) When repeated without intervening business or discussion
- 2) When made as an interruption of a Member while speaking
- 3) When the previous question has been ordered
- 4) While a vote is being taken.

A motion to adjourn "to another time" is debatable only as to the time to which the meeting is to be adjourned.

B. To Fix the Hour of Adjournment

The purpose of this motion is to set a definite time at which to adjourn. Undebatable and unamendable except as to the time set, which shall not be beyond the time and date of the next regular meeting.

C. To Table a Motion

The purpose of tabling a motion is to temporarily by-pass the subject. A motion to "lay on the table" is undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the meeting, or the next regular meeting, if the item is listed on the agenda for the next regular meeting.

D. For the Previous Question

This motion is used to close debate on main motion and is undebatable. Just indicating "question" does not accomplish the same thing. If the motion fails, debate is reopened; if the motion passes, a vote on the main motion is in order.

E. To Amend (debateable only as to amendment)

This motion is made when a motion to amend an amendment is in order, but a motion to

⁴⁸ California Government Code §§ 87105; 2 Cal. Code Regs, § 18707.

⁴⁹ 2 Cal. Code Regs, § 18707, subdivision (a)(3)(A).

amend an amendment to an amendment is not.

An amendment modifying the intention of a motion is in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject is acceptable.

Motions to amend are voted on first, then the main motion as amended or not.

F. To Postpone to a Certain Day or Indefinitely

A motion to postpone indefinitely is fully debatable. Motions to postpone to a definite time are amendable and debatable as to propriety of postponement and time set.

G. No Explanations of Vote

Discussion or debate regarding an item must be made prior to a vote. Council Members are encouraged to express their reasoning for a position (during discussion of a matter), especially when it is contrary to a position set forth by staff. However, no Council Member may explain his or her vote or attempt to show support or objection to a vote during the voting action.

For example it is inappropriate for a voting Member to respond, "Reluctantly, Yes" or, "Yes, but I agree with the concerns voiced by Council Member X."

H. Failure to Vote

Every Member should vote unless disqualified for cause or by opinion of the City Attorney.

7. Agenda Language for Introduction and Adoption of Ordinances.

A standing motion shall be placed in the Consent Calendar as follows:

"Waiver of Reading in Full of Any and All Ordinances Listed on this Agenda and Provide that they be Read by Title Only and Directing the City Clerk to Assign an Ordinance Number Upon Successful Introduction".

Agenda Language for Recommendations for the Introduction and Adoption of Ordinances shall be as follows:

- a. Introduce an ordinance which (brief description of purpose), and ask the City Clerk to read the title of the ordinance.
- b. Adopt Ordinance No. _____.

In Closing

As stated at the beginning of this document, these protocols establish policies and provisions to help the Council conduct its business and best serve the public.

This is a living document. Should the needs of the Council change, it should not hesitate to update these protocols so that the right tools are always at hand for the Council to guide the City and effectively serve the people of Ojai.





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Current Ojai City Council Commission Liaison Schedule

*1st Quarter 2026 Rotation
January – February - March*

<p>PLANNING COMMISSION (1st & 3rd Wednesday)</p> <p>Mayor - Gilman</p>	<p>PARKS & RECREATION COMMISSION (1st Thursday)</p> <p>District 3 - Whitman</p>	<p>ARTS COMMISSION (3rd Thursday)</p> <p>District 2 - Lang</p>	<p>HISTORIC PRESERVATION COMMISSION (2nd Thursday)</p> <p>District 4 - Mang</p>
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Building Appeals Board meets on an as-needed basis. For the 1st quarter of 2026, District 1 – Rule will serve as the liaison to the board. *(Note: A separate and distinct City Council discussion regarding the Building Appeals Board is scheduled for a future City Council meeting.)*

Council Members may provide reports regarding their assigned Commission to observe during the "Council Member's Reports" agenda item placed on every Regular Meeting agenda.



Administrative Report

TO: Honorable City Council

FROM: Ben Harvey, City Manager

MEETING DATE: April 28, 2026

SUBJECT: Quarterly Update on City Council Goals & Tactics (*City Council Direction*)

RECOMMENDATION

Receive and file

DISCUSSION

Please note that this report was carried over from the April 14, 2026, City Council meeting.

This quarterly update provides a comprehensive overview of the City's progress toward the City Council Goals & Tactics, reflecting data through March 31, 2026, as captured in the consolidated goals matrix and the *Goals and Tactics_03.31.2026* (Attachment A).

Over the past quarter, staff continued to advance Tier 1 and Tier 2 priorities while also making meaningful progress across all [Goals and Tactics](#), demonstrating the City's commitment to long-range planning, cross-departmental collaboration, and steady implementation of Council direction. Although staffing and budget capacity naturally influence the pace of some items, the City continues to maintain forward momentum across all nine Council goals.

Within *Affordable Housing*, staff sustained positive movement on two foundational initiatives. The City's work to explore a housing trust, intended to support rental assistance and housing allotment strategies, remains in progress, buoyed by the ongoing partnership with Help of Ojai for rental assistance program delivery. Staff also continues ongoing work to identify workforce housing opportunities and live/work strategies, positioning the City to respond proactively to housing needs. The exploration of a Housing Commission, while not yet started, remains poised for future progress pending Council direction.

The City also continued to strengthen its efforts in *Wildfire Safety & Risk Mitigation*, a top-tier community priority. Work on the multi-faceted partnership with the Ojai Valley Fire Safe Council remains strongly in progress under the previously approved professional services agreement. A notable achievement this quarter is the advancement of Tactic 2.2, the exploration of local warning systems, including sirens, reverse 911, and backup communications systems, which officially moved into in-progress status. Importantly, the City has submitted a Community Project Funding request to help support this critical emergency preparedness initiative. Meanwhile, the micro-grid and undergrounding

research component remains not started, with anticipated consultant involvement as this next phase is defined.

In *Arts, Culture, and Recreation*, staff continued to build on prior successes. A significant milestone is the forward progress on the Soule Park bike path extension, where the City is actively working with the office of Ventura County Supervisor Matt LaVere's office to develop alignment, partnership structure, and future design considerations, marking a positive step for regional connectivity and recreation. While the Kent Hall mural and Arts Commission design work remain not yet initiated, the City celebrates the completion of the Arts Grants Program, which awarded 25 grants totaling \$100,000, an investment that directly supports Ojai's vibrant arts and cultural community.

Progress in *Infrastructure Maintenance & Improvement* reflects both movement on foundational research and planning for future capital investments. Research into alternative paving and hardscape materials remains in progress, and staff continued analysis of opportunities to advance the paving schedule to reduce long-term expenditures, another in-progress Tier 1 initiative. Larger studies—including the County land use agreement on the Ojai Bike Trail and the citywide parking study—are not yet started, but preliminary scoping and consultant coordination continue to position these items for future advancement.

In *Public Safety*, the City completed the citywide speed study, marking a major completed milestone that will inform future speed management and safety infrastructure. Recruitment for the Traffic Safety Commission is actively in progress, laying the groundwork for policy development and community engagement in transportation safety. The speed hump policy, appropriately sequenced to follow Commission formation, remains not started but ready for development in the next phase.

The City also achieved meaningful advancement in *Diversifying the Economy & Tourism Management*. The Economic Action Plan was approved by the City Council earlier this year, providing a forward-looking framework for economic sustainability. Research related to incubator-style business investments is in progress, while the broader revenue options review, such as sales tax analysis and fee structures, remain not yet started but is anticipated to require consultant and legal input.

In *Climate Resiliency*, staff moved forward with implementing the FlexPath ordinance, with community workshops planned for 2026, marking this tactic as solidly in progress. Research into alternative paving materials also continues as part of broader infrastructure studies. Habitat restoration and re-wilding efforts remain not started, but options for grants and regional partnerships are being explored as part of future planning.

Financial Stability work continued through preparation for the upcoming review of the Sheriff's Contract and the development of a policy on reserve surplus utilization, both currently not started but scheduled for review in the coming months. Staff also continue researching options for public-facing budget reporting software, another not yet started Tier 2 item expected to enhance financial transparency once implemented.

In *Communications and Relationships*, the City completed staffing of the Public Information

Officer and Special Events functions, strengthening the City's capacity for outreach and engagement. While the website evaluation and community town halls remain not started, staff anticipates opportunities to advance these efforts as workload capacity improves. The community survey on Council progress remains tabled but may be revisited at a future date.

Overall, the City's progress this quarter reflects a positive, steady, and strategically aligned effort across all nine Council goal areas. Staff continues to dedicate resources to high-priority initiatives while ensuring incremental advancement on longer-term goals, demonstrating the City's commitment to accountability, quality public service, and effective execution of Council's vision.

CITY COUNCIL GOALS ALIGNMENT

Goal No. 1 - Affordable Housing

Goal No. 2 - Wildfire Safety and Risk Mitigation

Goal No. 3 - Arts, Culture and Recreation Funding

Goal No. 4 - Infrastructure Maintenance and Improvement

Goal No. 5 - Public Safety

Goal No. 6 - Diversifying Economy/Tourism Management

Goal No. 7 - Climate Resiliency

Goal No. 8 - Financial Stability

Goal No. 9 - Communication and Relationships

This report directly supports all nine City Council Goals.

OPTIONS

1. Take no action;
2. Provide alternative direction to staff.

FISCAL IMPACT

There is no fiscal impact associated with receiving and filing this quarterly update. All project specific fiscal impact, including appropriated funds, projected costs, and consultant needs, are detailed in the City Council Goals & Tactics matrix and have been appropriated by prior Council action or will return to Council as needed for budget appropriations.

Prepared by: Norma Cervantes, Assistant to the City Manager

ATTACHMENT(S)

- A. Goals and Tactics_03.31.2026

GOAL #	GOAL TITLE	TACTIC #	PRIORITY	TACTIC DESCRIPTION	STATUS	DEPARTMENT	PROJECTED COSTS	APPROPRIATED	NOTES
1	Affordable Housing	1.1		Research establishment of a housing trust and potential budget allocation to support housing goals including rental assistance* and housing allotment	In-Progress	Community Development	\$ 100,000	YES	*Rental Assistance Program established through Help of Ojai
1	Affordable Housing	1.2		Identify opportunities to create workforce housing and potential live/work strategies.	On-going	Community Development	\$ 15,000	YES	Possible use of consultant and/or City Attorney
1	Affordable Housing	1.3	2ND TIER	Explore creation of housing Commission, addressing affordable housing and homelessness.	Not Started	Community Development	\$ 15,000	NO	Possible use of consultant and/or City Attorney
2	Wildfire Safety & Risk Mitigation	2.1	2ND TIER	Pursue partner agreements in cooperation with providers/regional partners to further efforts that will reduce hazardous conditions and fuel sources, Wildfire Prevention Grants, include land clearing, educational outreach program regarding defensible space, and home hardening measures, and provide assessment tool(s).	In-Progress	City Manager's Office	\$ 386,025	YES	\$386,025 Professional Services Agreement with Ojai Valley Fire Safe Council
2	Wildfire Safety & Risk Mitigation	2.2	1ST TIER	Explore feasibility and cost to implement local warning systems such as warning sirens, reverse 911, and back-up systems for communications. Promote participation in "VC Alert" and promote programs such as "Ready, Set, Go"	In-Progress	City Manager's Office	\$ 500,000	NO	City has requested funding under the Community Project Funding for funding for this project.
2	Wildfire Safety & Risk Mitigation	2.3		Research initiative to create micro-grid(s) and initiative to underground utility lines.	Not Started	City Manager's Office	\$ 15,000	NO	Possible use of consultant and/or City Attorney
3	Arts, Culture and Recreation Funding	3.1	1ST TIER	Extend bike path to Soule Park with County partnership	In-Progress	Public Works	\$ 15,000	NO	PW and CMO are working w/County
3	Arts, Culture and Recreation Funding	3.2		Explore design options for area behind the Council dais. Engage Arts Commission to place a mural in Kent Hall City Council Chambers	Not Started	City Manager's Office	\$ 15,000	NO	Possible use of consultant and/or staff
3	Arts, Culture and Recreation Funding	3.3	2ND TIER	Consider Ojai Cultural Contribution, dedication a portion of the TOT to non-profit applicants influencing the arts, culture, and recreation.	Not Started	City Manager's Office		NO	
3	Arts, Culture and Recreation Funding	3.4		Increase funding the Arts Grant Program to support programming and services, helping to strengthen the local arts and cultural community	Completed	City Manager's Office	\$ 100,000	YES	25 grants allotted totaling \$100k

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4	Infrastructure Maintenance and Improvement	4.1		Explore Land use agreement with the County regarding Ojai Bike Trail to include a maintenance program, directing the City Manager to enter into negotiations with County.	Not Started	City Manager's Office	\$ 15,000	NO	Possible use of consultant and/or City Attorney
4	Infrastructure Maintenance and Improvement	4.2		Parking concept review - multiple topics 6F. Commission parking study (including locations, metering and enforcement) to determine needs and potential revenue options. (Cross-referenced in Goal 4H)	Not Started	Community Development	\$ 15,000	NO	Possible use of consultant and/or City Attorney
4	Infrastructure Maintenance and Improvement	4.3		Research Road and Hardscape Alternative Materials with potential demonstration project.	In-Progress	Public Works	\$ 15,000	NO	Possible use of consultant and/or City Attorney
4	Infrastructure Maintenance and Improvement	4.4	1ST TIER	Research advancing road paving timeline to reduce expenditures.	In-Progress	Public Works		NO	
5	Public Safety	5.1		Create traffic safety commission	Completed	Public Works		YES	Recruitment for Commissioners in progress
5	Public Safety	5.2		Conduct Citywide speed study with goal to establish citywide 25 MPH speed limit	Completed	Public Works	\$ 51,000	YES	
5	Public Safety	5.3		Develop speed hump policy	Not Started	Public Works		NO	Traffic Safety Commission will work on this
6	Diversifying Economy/Tourism Management	6.1		Commission Economic Action Plan, especially to better capitalize on visitor population.	Completed	City Manager's Office	\$ 52,000	YES	Approved by City Council 01/28/2026
6	Diversifying Economy/Tourism Management	6.2	1ST TIER	Explore other potential revenue options, including sales tax increase, paid parking, bus visitation fees, non-residential ownership tax	Not Started	City Manager's Office	\$ 15,000	NO	Possible use of consultant and/or City Attorney
6	Diversifying Economy/Tourism Management	6.3	2ND TIER	Investigate and return with report on 'incubator business investments' used in City of Ventura or other agencies	In-Progress	City Manager's Office	\$ 15,000	NO	

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7	Climate Resiliency	7.1	2ND TIER	Habitat restoration and 're-wilding' - investigate programs and funding available for Council consideration	Not Started	City Manager's Office		NO	
7	Climate Resiliency	7.2		Educate builders in energy efficient construction and incentivize through a grant program for both new construction and existing home improvements.	In-Progress	Community Development		NO	Flexpath Ordinance adopted, go live 2026 w/Community Workshops
7	Climate Resiliency	7.3		Research alternative paving materials	In-Progress	Public Works		NO	
8	Financial Stability	8.1	1ST TIER	Evaluate Sheriff's Contract	Not Started	City Manager's Office		NO	
8	Financial Stability	8.2		Assess potential surplus from our reserve policy and develop a policy on how to utilize that surplus	Not Started	Finance		NO	Draft policy to go before Finance & Budget Committee - Summer 2026
8	Financial Stability	8.3	2ND TIER	Procure public facing interactive budget reporting software.	Not Started	Finance	\$ 100,000	NO	Finance Director to provide examples for City Council consideration and testing.
9	Communications and Relationships	9.1		Community Survey on Council Progress	Not Started	City Manager's Office		NO	Indefinitely tabled by City Council
9	Communications and Relationships	9.2	1ST TIER	Evaluate the City's website to improve ease of use for the public	Not Started	City Manager's Office		NO	
9	Communications and Relationships	9.3		Fill the vacant Events and PIO position	Completed	City Manager's Office		YES	Norrma Cervantes serving as PIO and Kristy Rivera serving as Recreation Manager over Special Events
9	Communications and Relationships	9.4		Bi-monthly townhalls to hear from the community	Not Started	City Manager's Office		NO	