

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING REGULATION NOS. 5 AND 7 ISSUED BY THE CITY MANAGER AS DIRECTOR OF EMERGENCY SERVICES AND RATIFIED BY THE CITY COUNCIL REGARDING TEMPORARY SUSPENSION OF ENFORCEMENT OF CERTAIN PARKING RESTRICTIONS IN RESIDENTIAL NEIGHBORHOODS

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Costa Mesa Municipal Code Section 6-6 empowers the City Manager, as the Director of Emergency Services, to declare the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, Government Code Section 8550, *et seq.*, including Section 8558(c), authorize the City Council to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, on March 12, 2020, pursuant to Proclamation No. 2020-01, the City Manager did proclaim the existence of a local emergency pursuant to Title 6 of the Costa Mesa Municipal Code; and

WHEREAS, on March 13, 2020 the City Council pursuant to Resolution No. 2020-09 did ratify Proclamation No. 2020-01; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency; and

WHEREAS, throughout the COVID-19 pandemic various emergency regulations relating to parking restrictions in the City have been issued by the Emergency Services Director and ratified by the City Council;

WHEREAS, on December 23, 2020, the City Manager, acting as the City's Emergency Services Director issued Regulation No. 5 pursuant to Proclamation No. 2020-01 and Resolution No. 2020-09, temporarily suspending enforcement of parking regulations relating to street sweeping and residential parking permits in residential neighborhoods; and

ATTACHMENT 3

WHEREAS, on January 19, 2021, by Resolution No. 2021-01, the City Council ratified Regulation No. 5; and

WHEREAS, the lack of street sweeping enforcement and obstructions caused by vehicles parked on City streets impacted street sweeping operations, resulting in a significant buildup of trash on City streets; and

WHEREAS, on August 24, 2021, the City Manager, acting as the City's Emergency Services Director issued Regulation No. 7, to allow enforcement of street sweeping regulations Citywide only when the street sweeper is present and engaged in street sweeping operations and ensure that the enforcement is implemented Citywide; and

WHEREAS, on September 7, 2021, the City Council approved Resolution No. 2021-resolution ratifying Regulation No. 7; and

WHEREAS, in addition to street sweeping during the posted hours, the City regularly does maintenance work on the streets and sidewalks during the posted hours, typically when the street sweepers are not present; and

WHEREAS, staff has determined that enforcing street sweeping violations only while the sweeper is present is impractical and requires significantly greater employee time than is available, preventing street sweeping from occurring in some areas and leading to potential NPDES permit violations; and

WHEREAS, enforcing the parking restrictions only while street sweepers are present prevents normal maintenance activities, requiring City crews to do maintenance work during other hours, which negatively affects residents' parking and public safety.

NOW, THEREFORE, IT IS ORDERED by the City Council of the City of Costa Mesa that Section 2 of the Director of Emergency Services' Regulation No. 5, issued on December 23, 2020 and Section 2 of Regulation No. 7 issued on August 24, 2021, are revised to reflect that parking regulations related to street sweeping may be enforced during all posted hours on any City street. Suspension of enforcement of parking restrictions related to permit requirements in residential neighborhoods of the City of Costa Mesa will continue except as otherwise ordered by the City Council.

ATTACHMENT 3

PASSED, APPROVED AND ADOPTED this 19th day of July, 2022:

John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF COSTA MESA) ss

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2022-__ and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on ____ day of _____, 2022, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this ____ day of _____, 2022.

BRENDA GREEN, CITY CLERK