From: Priscilla Rocco <dementedgardensprite@gmail.com>

**Sent:** Monday, June 20, 2022 2:49 PM

To: CITY CLERK

**Subject:** Research Reports on the Effects of Recreational Cannabis Shops on Cities

Attachments: 2020, Effects of Marijuana Legalization on Law Enforcement, Crime.pdf; 2020 Impact of

Cannabis Shops on Property Values.pdf

# City Council,

Medical and recreational cannabis is a thorny issue. Unlicensed shops are a real problem. However, acting like 60 or more licensed shops will only produce positive outcomes in resident safety, neighborhood crime, and city revenue is just hopeful thinking rather than empirical fact. And selling this fantasy to the residents of Costa Mesa will only work if there are no metrics kept and reported to the public - like the last administration did with sober living homes. Whenever I've raised concerns - the exact concerns by the way that city council members have voiced in the past - I either get no response from the members of the city council or I am told we will have to wait and see what happens - a methodology that doesn't inspire much confidence in your process. Better to rely on data gathered and analysed by professionals in the field, rather than studies associated with the chambers of commerce or studies funded by the cannabis industry. I have compiled some recent studies - two from law enforcement - that identify the problems that will arise, the costs that will be incurred, and the harm that will come to residents because you have put no limit on the number of recreational cannabis shops allowed in Costa Mesa. I have noted only a few issues, although the studies have identified many more and I encourage you to read them. Some reports are links, others are attached at the bottom.

Without facts on which to base decisions, the city council will cause problems for the residents. Therefore, the first step should be to

adopt the suggestions made by Katrina Foley in 2014, if you haven't already done so. Require metrics to measure the ill effects of these businesses on crime, schools, and neighborhoods. Require an annual report to detail each shop's compliance with ordinances. Present this information annually at a city council meeting and put it on the city's cannabis page. This data would also be invaluable as evidence in the inevitable lawsuits brought by disgruntled cannabis shopkeepers. I wish this kind of information was also widely known on the tens of millions spent on the problems occurring from sober living homes importing adicts from other states that they then dumped on our streets every year.

At the Planning Commission meeting, shop owners admitted that they will be selling to 18-year olds with medical marijuana cards. These cards are easily attained online, so metrics on the effects on our kids and schools are necessary.

(Having had addiction problems in my own family, I have great empathy for the struggle, but I also am clear-eyed about the damage that can be done if the problem is ignored or swept under the rug.)

Effects of Marijuana Legalization on Law Enforcement and Crime: The Final Report (June 30, 2020) Funded by the U.S. Department of Justice

(This is adding to the tragic epidemic of accidents that occur daily on our street due to distracted and impared drivers. Especially egregious is the killing and injuring of pedestrians and cyclists that we are encouraging to take to the streets.)

"In virtually all focus groups and interviews with law enforcement there was widespread concern expressed about increased drugged

driving since legalization, and much discussion about the difficulty in detecting it and documenting impairment for successful prosecution. Law enforcement patrol officers and their supervisors tend to believe, based on their own experience and those of their colleagues, that there are many more drivers who are impaired by cannabis consumption on the road than there were before legalization. Research compiled by the Washington Traffic Safety Commission (e.g., See Grondel, Hoff, & Doane, 2018) indicates that there is good reason to be concerned, though whether there are more drugged drivers since legalization is not yet clear as there is also more testing for it than there was previously. Grondel and his colleagues (2018) found, through the administration of selfreported surveys, that there are a significant proportion of drivers who drive shortly after consuming THC, and even some chronic users of marijuana who believe, whether true or not, that its consumption improves their driving. In some jurisdictions DREs were widely used in cannabis-related cases, but in others, due to the need to be timely in extracting blood for laboratory testing, DREs have been rarely if ever used post legalization."

The Criminogenic Effect of Marijuana Dispensaries in Denver, Colorado: A Microsynthetic Control Quasi-Experiment and Cost-Benefit Analysis

Nathan Connealy, Eric Piza, Dave Matten, John Jay College, City University of New York,

Received 16 Oct 2019, Accepted 08 Nov 2019, Published online: 04 Dec 2019

(Considering the rise in property crime that occurs daily on every street in the city since hundreds of sober living homes were welcomed here, the residents should be warned that all data points to another uptick in crime directly related to the 60+ recreational cannabis shops you've invited into the city)

https://www.tandfonline.com/doi/full/10.1080/24751979.2019.1691934

The findings were summarized by the college: <a href="https://www.jjay.cuny.edu/news/sales-recreational-marijuana-denver-found-increase-some-nonviolent-crime">https://www.jjay.cuny.edu/news/sales-recreational-marijuana-denver-found-increase-some-nonviolent-crime</a>

"In 2014, Colorado began selling recreational cannabis to people older than 21, becoming the first state to legalize recreational marijuana. A new study - by researchers at John Jay College, the City University of New York (CUNY) - evaluated the effect of recreational and medical marijuana dispensaries on crime in Denver."

"Street segments with recreational dispensaries experienced no changes in violent, disorder, and drug crime, but did experience an 18% increase in property crime compared to segments of streets without dispensaries, the study found. Street segments adjacent to recreational dispensaries also experienced notably higher levels of crime related to drugs (17%) and disorder (28%) during the post-legalization period, but those changes did not differ substantively from the comparison street segments. On streets with or near medical dispensaries, there were no significant changes in crime."

"The researchers found that for sales alone, the revenue generated by the recreational dispensaries outweighed the cost of the local increase in property crime. But the significant revenue these dispensaries generated in Denver may lead other jurisdictions to ask whether the public will tolerate increases in nonviolent crime given the potential monetary benefits of legalizing recreational marijuana."

What do we know about opportunities and challenges for localities from Cannabis legalization?

Review of Policy Research, Volume 39, Issue 2, First published: 17 December 2021

# https://onlinelibrary.wiley.com/doi/full/10.1111/ropr.12460

"If consumers use cannabis irresponsibly, cannabis legalization may stress local public health services. Mair and coauthors (2015) found that one additional dispensary per square mile in a zip code was associated with a nearly 7% increase in hospitalizations in California, 2001–2012. In Colorado, hospitalizations involving potential cannabis exposure increased from 803 per 100,000 hospitalizations, 2001–2009 (pre-legalization), to 2413 per 100,000 in 2014–2015 (post-legalization) (Felix, 2018)."

"Emergency services may also be strained, and traffic safety reduced, to the extent that there are upticks in residents driving under the influence of cannabis. Fifteen percent of summons for DUIs issued by the Colorado State Police in 2015 involved cannabis (Felix, 2018)."

Impact of Recreational Marijuana Dispensaries on Property Values (March 31, 2020)

Danna Thomas, University of South Carolina Lin Tian, Center for Economic and Policy Research (CEPR), INSTEAD Business School of the World

"Our estimates indicate a marijuana dispensary decreases property values by 3%-4.5% for homes within 0.36 miles of the retailer, a decline of about \$10,000-\$15,000 based on the average home values in Washington. These results imply a high willingness to pay to avoid the local negative externalities. A hypothesized

mechanism driving the decline in property values is crime around dispensaries. To investigate this, we study changes in police reports after recreational dispensary entry in Seattle, WA. While we find limited evidence of a general decrease in overall crime and statistically significant."

Dismissing me and my opinions because I am passionate about issues is insulting. My opinions are usually based on facts and first-hand knowledge. I hope this helps in your further deliberations.

# Priscilla Rocco

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To: the City Council Date: June 20, 2022

Re: INTRODUCTION OF AN ORDINANCE TO APPROVE CODE AMENDMENT CO-2022-XX, AMENDING PORTIONS OF TITLE 10 OF THE COSTA MESA MUNICIPAL CODE PERTAINING TO PARKING BY PERMIT ONLY AND TO AUTHORIZE RELATED FEES Agenda Item 2, meeting of June 21, 2022.

#### **Preface**

I reside on the 400 block of Ogle Street, adjacent to Irvine Avenue the borderline with Newport Beach and across the street from the 1500 apartments located at 880 Irvine, formerly the Coronado, formerly Oakwood. Our neighborhood, which would include 16<sup>th</sup> place, Aliso St., and Lenwood, is comprised of mostly single story SFD mostly about 1600 square feet, and is mostly owner occupied. These are families with anywhere from 1-5 children, some of those children are also drivers. We are also across from NHHS, but we really have little to complain about with parking for football games, unless they decide to park across driveways.

We currently have posted but COMPLETELY UNENFORCED, permit parking only, due to the usurpation of our parking by 880 residents. This does not even have a uniform impact on the area as the end farthest from 880 is just too far for the youths of 880 to walk, so they park in the closest half of the block to 880- which is where I live. There is also a street sweeping which is occasionally enforced- at least enough that no one parks during street sweeping.

When we had active enforcement (see below) problems abated substantially. But CMPD went to a 9-5 enforcement practice, which did not really help much with overnight violations. One ticket was usually enough to prevent recidivism.

## Recent report about CM's "solution"

The Daily Pilot ran a report on a recent CM City council meeting regarding parking problems in this city. It referenced the Dixon "parking study" and "survey" that was purportedly taken, and had numerous comments from the council. This entire situation has become assbackwards. First, the survey did not cover the entire city, no one asked for any input from our area, which is impacted by high density housing across the street; in Zoom meetings for the study, CMPD was notably absent, so there were no discussions about enforcement; finally the council wants to impose a one size fits all solution to further tax the homeowner residents for parking at their own properties, erroneously concluding that this addresses the root of the problem.

Most incredible were the comments from Jeff Harlan, who represents the Eastside, who suggested that my neighbors and I should be pleased to pay a high fee for a permit for the privilege of paying to park in front of our own homes, in addition to our property taxes. It makes me wonder if parking in front of his own home is impacted by high density housing, nearby parks, schools or public services, such that he cannot park in front of his own home?

I have read the materials offered online with this agenda item.

#### One size does not fit all

First, the parking problems are not uniform throughout the city, but many share one common problem, high density housing creates parking problems. I attended the Zoom meetings and understand the frustration in certain areas of the city where commercial vehicles take up all the parking spots, by playing auto-roulette and shifting cars during the day. This requires a lot of analysis, because it appears that all the vehicles belong to Costa Mesa residents. But just because you are a resident does not give you the right to park 8 vehicles on the street, or use the street to store your commercial vehicle rather than park it at the business. Certainly this would be what Mr. Harlan referred to as privatization of a public resource. No permits should be issued to commercial vehicles, and it needs strict enforcement against unpermitted parking.

But when you come to the situation that the high density apartment complex has more resident vehicles than it provides parking for, this is a different problem and it needs to be addressed at the source. Apartments are for profit businesses, they will jam as many rentable apartments into the property as possible, without regard to how many vehicles will actually go with each apartment. Cars, motorhomes, boats and all type of rolling stock come with the residents. Personal and business vehicles also. The source of the problem is not in taxing people to park on the street, but for the City Council to consider parking as an environmental impact and to require the apartments to provide enough parking for all the residents, even if it means tearing down a block of the apartments and putting up a multi story parking structure, and the owners can charge for renting parking spaces.

### High density housing even causes problems in SFD areas

The problem in our area of single family homes is not that the residents are fighting over the parking spots, but we have vehicles not from Costa Mesa parking here, because we live across the border from the blight of Newport- 880 Irvine. Police and fire are there daily for domestic disturbances and drug problems. We petitioned for and obtained permit parking in 2018, at a time when the "no overnight" parking wasn't working and we did not have any parking available in then neighborhood. The \$114 ticket was an <u>effective</u> deterrent. The same situation occurs all up Irvine Ave., from 16<sup>th</sup> street to 19<sup>th</sup> street, with new high density apartments 3 stories high going up next to Mariner's school- across the border in Newport. These residents will continue to park across the street in Costa Mesa. Any permit area needs ENFORCEMENT.

#### Tax the violators with \$100 tickets, not the property owners to have permits

A BIG problem is enforcement. CMPD stopped all enforcement during the pandemic, well that is over now and the parking problems have returned, everywhere, to pre-pandemic levels. But even before that occurred, CMPD entered into a new phase of enforcement- absentia. Enforcement stops at 4:00 PM. Calls were deferred to the "parking hot line" normally used for abandoned vehicles, and I have been informed the hot line is only monitored until 4:00 PM- probably because abandoned cars are addressed during 9-5 working hours. The parking hot line has not yielded any responses to reports of overnight parking since 2019. If we still had "no overnight" parking, there would be **no enforcement**. As far as I know, CMPD did not participate in the

study or the survey. They have neither made their problems and concerns known to the residents nor have they offered any solutions or explanations about current practices. We have been told: "Its up to the City Council to resume enforcement." I have written several times to request a resumption of enforcement and never received a substantive response about it.

I must note that the May 3, 2022 guidelines do not involve CMPD or have any discussion about enforcement or financial impact of enforcement, it only wants to charge for the permits and makes no comment about potential income from the \$114 ticket or even if that should be increased to cover costs.

The lack of enforcement creates a dangerous situation for residents who try to dissuade out-of-area vehicles from parking by calling to driver's attention the posted signs or leaving notes. No only are the drivers 'unreceptive' to say the least, but it exposes the residence to retaliatory vandalism. Picture the boys from the "mosh pit" at a punk rock concert, this is what we usually deal with. CMPD recommends against it but then they are not issuing tickets either. On one occasion I was physically assaulted while taking down license numbers to report to CMPD, fortunately not injured.

## The City needs a whole City parking study not a half the City parking study

My neighbors and I pay hundreds of thousands of dollars annually in property taxes, which pay for the meager salaries of the council. It is an insult to these taxpayers to hear our city council suggest that: desiring to park in front of our own single family residences is contra to the philosophy of CM and "privatization of a public resource". We pay taxes to maintain these streets and to keep them swept, for the privilege of parking our own car, or having a place for a guest, and we elected the Council to protect those rights, not grant them to someone else, living in Newport high density housing, that don't want to pay extra for the extra parking space for their apartment. But our voices and our concerns were not included in the parking study, only the North and West sides.

The same applies to the apartment dwellers that are displaced because they have neighbors that can shuffle cars into holding spots for their work vehicles, during the day when the other residents are out working, too.

In addition there are the problems with the mixed residency areas with both apartments and SFD, as noted by Mr. Chavez, where renters cannot qualify for a permit. This I don't understand, they should be able to qualify with a rental agreement and a utility bill. According to the Attorney General's opinion 14-434, renters qualify for permits.

## Recoup costs through enforcement

Our area has restricted parking under the current program. The half of the blocks closest to Irvine Ave. suffer the greatest impact from the 1500+ units across the street, the other half does not have as much of a problem because the renters don't want to walk that far. Currently, the permit program is only slightly inconvenient, every 2 years we have to go to city hall with ID,

and get our permits. But if you now charge the people that have a minor impact from the renters parking, they will be less likely to want to participate in the permit process you propose. So much for love thy neighbor. The costs of the permit program can best be recouped from the high dollar ticket, which can often be issued to multiple vehicles at a time, the most I have seen on the street is 8- that is \$912 in one shot. You would need to issue 36 permits to get that in a year @ \$25 per permit.

By charging a fee, you are burdening the people that have the right to park on the street, when you should be burdening the people that are there improperly. Privatization of a public resource? The homeowners are the public, too; you are taking away their resource to give it to-Who??

I note the AG opinion does not prevent the city from adopting different permit parking zones, only that the residents are not discriminated against in obtaining permits by virtue of the type of housing. A study should determine if a different type of permit zone is needed where there is SFD versus High Density housing.

### The 2,000 foot minimum (four block area) is to great for some areas

The 400 block of the streets of Ogle, 16<sup>th</sup> Place and 16<sup>th</sup> Street are heavily impacted by the 880 overflow. Aliso and the 300 block, along with Ogle Circle are much less impacted by non resident parking. You will soon see the same problem arising from the 400 block of Cabrillo, 18<sup>th</sup> St., and Magnolia, when the newly constructed apartments become fully occupied. The proposal to ONLY consider petitions from a 4 square block area. Why are you disenfranchising the residents with more localized heavy impact? When Ogle got permit parking, there were several heavily impacted residents who got the entire block to support, and it included 16<sup>th</sup> place.

I note that the NB area around NHHS has permit parking both across Irvine and in the St. Andrews area.

## This study and proposal makes no provision for the City to construct public parking

Many cities, Long Beach, Beverly Hills, and others, construct City owned and operated parking lots where there is limited street parking and high demand by visitors. The study said NOTHING about constructing multi level parking by the city in the areas where there are high density housing but the properties fail to accommodate the vehicles of residents.

Because of the absence of this, the study is incomplete and the proposed ordinance is completely inadequate to put before the Council for adoption.

I would request the Council take the following actions:

- 1. Decline to adopt the ordinance as proposed.
- 2. Direct Dixon to make a proper study of the needs of the entire city, include issues of different needs of different housing areas, include whether the city should construct parking structures for

the residents, determine what the financial impact of violation fines are, and make complete recommendations.

- 3. Obtain input from CMPD about enforcement and their concerns.
- 4. Restrict permits to non-commercial vehicles.
- 5. Determine what effect the enforcement of current restrictions and policies would do.

None of these have been considered in the report or in the proposed Ordinance.

Maurice Mandel MMANDEL2@AOL.COM From: Roberto Herrera <roberto@resilienceoc.org>

**Sent:** Tuesday, June 21, 2022 1:09 PM

To: CITY CLERK
Cc: Gerardo Lopez

**Subject:** Follow Up to Rental Assistance Fund

**Attachments:** Letter to City Manager\_LoriHarrison\_RentalAssistance.pdf

Hello City Manager Lori Ann Farrell Harrison,

We hope you are well. Since the last budget meeting, we have continued engaging the Latino community in Costa Mesa who asked us to prepare the following information in preparation for the next City Council meeting where the rental assistance program will be discussed. Below are some of the narratives that emerged from our conversation where we have also outlined these narratives into sections as well.

- 1. Residents identified and shared gaps in the City's rental assistance program to reach the Latino community.
- 2. Residents highlighted what they see as limitations of the City's rental assistance program.
- Residents shared the difficulties residents face when trying to connect with the current service provider.
- 4. Residents shared questions and information they would like presented at the next City Council meeting where the rental assistance program will be discussed
- 5. Residents shared their desire for the City of Costa Mesa to document the annual prices residents are paying to live in the City.
- 6. Residents are requesting Spanish live interpretation and equipment for Tuesday's meeting. They anticipate 20-30 Spanish speaking residents to attend and need this service.
- 7. Residents shared their support for the City to invest funding to supplement and support the legal non-profits to come to Costa Mesa to more efficiently offer legal services and resources to Costa Mesa residents.

Best,

#### **Roberto Carlos Herrera**

Pronouns (They/Them/Theirs)

Loadership Development Director

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This **first section** outlines our conversations with community members where they identified a need for a more <u>comprehensive outreach strategy</u> to make the City's services <u>more accessible</u> for the residents applying to the rental assistance program.

- Community members mentioned that for many of them the best time to connect with the City and city resources would be during the **evening and weekends** as some renters may need support and services outside of regular business hours to meet their needs.
- The residents we spoke to agreed with the City sending out **informational mailers and promotional material** regarding the rental assistance program and wanted to make sure that the information was available **in Spanish**.
- They requested the **City also have printed flyers available** so residents can pick them up and distribute them to their friends and neighbors.
- They supported working with the **school district** in a joint effort to host and share information to the public.
- They recommended hosting multiple **community forums in Spanish** throughout the City of Costa Mesa, especially areas with high concentration of Latino residents.
- They would like to see the City create **videos in Spanish** like "El Minuto" to include topics like
  - Providing a live example of how to navigate the City's website to access information on the rental assistance program
  - Animating a conversation between a resident calling the service provider. In these scenarios they can share

- Information and documentation applicants should have readily available
- What to expect during the appointment?
- What to do do after your appointment
- What to do if you are denied? What other resources exist?
- Other FAO
- The residents also shared their interest in seeing the City of Costa Mesa and City staff share resources and information at **in-person events** including:
  - Pop events and workshops to provide technical assistance to help community members apply to the rental assistance program
  - Connect and meet with local faith groups
  - Attend school-sponsored events and programs to engage directly with parents, youth and families
  - Another example included setting up a booth at the local swap meet to share information about the rental assistance fund.
- The residents expressed their desire for the City to conduct a **self-assessment of its outreach strategy** in informing the Latino community about the rental assistance program. Part of these solutions include the City taking bigger strides to build trust and connect with the Latino community in Costa Mesa.
- outlines our conversation where community members shared their desire for the City to
  conduct an assessment of the City's current efforts in addressing housing insecurity. Residents
  hope these efforts lay out where there may be gaps in meeting the needs of residents as the rent
  continues to rise.

This **second section** outlines our conversations where residents shared a familiarity with the limitations of the City's rental assistance program, where they have heard directly from friends and neighbors who have applied to the City's rental assistance program in the past and were not able to benefit from this resource for a variety of reasons. Several stories surfaced around residents being denied because they did not meet the requirements, others mentioned hearing that the program was no longer available, while others could not reach the service provider because they were not answering or returning calls.

This **third section** outlines residents mentioning the difficulty in reaching out to the service providers because they are only available during business hours. Overall, the community shared their understanding of the current rental assistance program, but shared there were barriers that limited the Latino community's ability to apply to the program, including their distrust and misunderstanding of the program's ability to meet their needs to meet the rising rent.

**Section four** outlines some questions and information the residents shared with us they would like to know more about and presented to the public at the next City Council meeting.

- How many eviction notices have been given to City residents since 2020?
- What are the average rents and how often do they go up? They would like to see this measured over the last decade, or at minimum since 2020.
- How many people have applied to the City's rental assistance fund?

- How many were approved? How many were denied?
  - If denied, what are the top three reasons for denial?
- In what districts do those residents who have applied and have received rental assistance funds live?
- Can undocumented community members apply to the rental assistance program? If not, how can the City supplement this support?

**Section five** outlines residents' desire for the City of Costa Mesa to document the annual prices residents are paying to live in the City. They shared their desire for the City to document this information as public records for all residents in Costa Mesa to have for reference.

- One bedroom costs between \$1,900-\$2,100. Another resident shared a one bedroom apartment that cost \$2,200 to \$2,500.
- Another resident shared that Two bedroom apartments costs between \$3,300 to \$3,500

**Section six** outlines the community's request for Spanish live interpretation to be available during regularly scheduled public meetings, both virtually and in-person. The residents shared with us that they appreciated the City translated their comments from Spanish to English at the last meeting and wished for that to continue to happen, but they also shared their desire for the City to regularly provide equipment for live interpretation of City Council meetings that would help them listen and follow along the important conversations that are going on. For Tuesday's upcoming meeting specifically, the residents anticipate 25-30 community members attending City Hall to provide public comment in Spanish.

**Section seven** details the Latino community's support for the City to connect with legal service providers like the Public Law Center and Legal Aid in an attempt to meet the needs of tenants who may need legal support relating to housing issues. Residents shared their support for the City to invest funding in an effort to supplement and support legal non-profits to come to the City of Costa Mesa to bring these much needed legal resources to Costa Mesa. Some legal questions that came up for residents include:

- What efforts are being made to keep landlords from committing similar violations to those seen on Wallace St?
- What steps is the City taking to ensure that landlords and property managers abide by the state and local laws that protect tenants from unsafe living conditions and retaliation?

Other information and resources important to residents include:

- Subsidized Housing Terminations (Section 8 Vouchers)
- Unlawful Detainer/Eviction Defense
- Security Deposit Refunds
- Housing Conditions
- Foreclosure Prevention
- Homelessness Prevention

In summary, while critical of the eligibility requirements of the rental assistance program, Latino community members shared that they were **willing to re-engage the City** with the rental assistance

program to see if this is something that can improve their situation or address their needs. To close, they shared the importance of the Latino community accessing the rental assistance funds as it was something they mentioned they were very supportive of but were **doubtful of the program** because of **real and perceived barriers** and limitations to applying (and getting approved). Overall, residents urged the importance of building relationships and trust between the Latino community and the City of Costa Mesa.

Thank you so much for your time and consideration.