

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COSTA MESA, CALIFORNIA, CERTIFYING SPECIAL
ASSESSMENTS FOR COLLECTING DELINQUENT CIVIL
FINES FOR VIOLATIONS OF THE COSTA MESA
MUNICIPAL CODE

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

WHEREAS, the City Council has adopted Chapter II of Title 1 of the Costa Mesa Municipal Code, which authorizes the issuance of civil citations that impose fines upon persons who violate the provisions of the Costa Mesa Municipal Code ("CMMC"); and

WHEREAS, certain civil citations have been issued and the civil fines imposed thereby have not been paid by the responsible persons who committed the CMMC violations; and

WHEREAS, Government Code section 38773.5 authorizes the City of Costa Mesa to collect delinquent fines, interest, and penalties as part of nuisance abatement procedures; and

WHEREAS, the City's procedures to collect delinquent fines, interest, and penalties are set forth in CMMC section 1-48, which procedures have been followed, including but not limited to providing notice to each of the owners of real property of the public hearing held by the City Council on August 2, 2022 for the purpose of certifying special assessments against properties where public nuisances have occurred; and

WHEREAS, the City Council wishes to certify those certain fines, interest, and penalties as delinquent and have them collected as special assessments against the real property involved pursuant to the provisions of Government Code section 38773.5.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Costa Mesa as follows:

1. The City Council held a public hearing on August 2, 2022, which was properly noticed as required by Government Code section 38773.5, for the purpose of certifying special assessments against properties where public nuisances have occurred.

2. The special assessments designated on Attachment 2, incorporated herein by this reference, are hereby certified as being delinquent civil fines, interest and penalties owing to the City of Costa Mesa and qualified for collection as special assessments under the Government Code.
3. The City Council orders that these delinquent fines, interest and penalties are to be collected as special assessments against the respective properties shown on Attachment 2 pursuant to the provisions of Government Code section 38773.5.
4. Pursuant to such authority, the City Treasurer is directed to take the requisite steps for recording notice of such assessments against the respective properties in the property records of the County of Orange and for obtaining the collection of such assessments by the Tax Collector of the County of Orange.
5. The City Treasurer is also authorized to take the necessary steps to have releases filed with the County Recorder when any such special assessments have been paid.

PASSED AND ADOPTED this 2nd day of August, 2022.

John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

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

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. xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 2nd day of August, 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

BRENDA GREEN, CITY CLERK

(SEAL)