



City of Costa Mesa

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY

Agenda

Tuesday, August 2, 2022

6:00 PM

City Council Chambers
77 Fair Drive

***Note: All agency memberships are reflected in the title "Council Member"**

The City Council meetings are presented in a hybrid format, both in-person at City Hall and virtually via Zoom Webinar. Pursuant to the State of California Assembly Bill 361(Gov. Code §54953(b)(3)) the City Council Members and staff may choose to participate in person or by video conference.

You may participate via the following options:

1. Attending in person: Attendees are encouraged to wear masks at their discretion. If you are feeling ill, or if you've been exposed to someone with COVID-19, you may still participate in the meeting via Zoom.

2. Members of the public can view the City Council meetings live on COSTA MESA TV (SPECTRUM CHANNEL 3 AND AT&T U-VERSE CHANNEL 99) or http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true and online at [youtube.com/costamesatv](https://www.youtube.com/costamesatv).

3. Zoom Webinar:

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/98376390419?pwd=dnpFelc5TnU4a3BKWVlyRVZMallZZz09>

Or sign into Zoom.com and “Join a Meeting”

Enter Webinar ID: 983 7639 0419/ Password: 905283

- If Zoom is not already installed on your computer, click “Download & Run Zoom” on the launch page and press “Run” when prompted by your browser. If Zoom has previously been installed on your computer, please allow a few moments for the application to launch automatically.
- Select “Join Audio via Computer.”
- The virtual conference room will open. If you receive a message reading, “Please wait for the host to start this meeting,” simply remain in the room until the meeting begins.
- During the Public Comment Period, use the “raise hand” feature located in the participants’ window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

Participate via telephone:

Call: 1 669 900 6833 Enter Webinar ID: 983 7639 0419/ Password: 905283

During the Public Comment Period, press *9 to add yourself to the queue and wait for city staff to announce your name/phone number and press *6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

4. Additionally, members of the public who wish to make a written comment on a specific agenda item, may submit a written comment via email to the City Clerk at cityclerk@costamesaca.gov. Comments received by 12:00 p.m. on the date of the meeting will be provided to the City Council, made available to the public, and will be part of the meeting record.

5. Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at (714) 754-5225 or cityclerk@costamesaca.gov and staff will attempt to accommodate you. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City’s website.

Note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information. All pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted, a direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats, .mp4, .mov or .wmv. Only one file may be included per speaker for public comments. Please e-mail to the City Clerk at cityclerk@costamesaca.gov NO LATER THAN 12:00 Noon on the date of the meeting.

Note regarding agenda-related documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5): Any related documents provided to a majority of the City Council after distribution of the City Council Agenda Packets will be made available for public inspection. Such documents will be posted on the city's website and will be available at the City Clerk's office, 77 Fair Drive, Costa Mesa, CA 92626.

All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.

Free Wi-Fi is available in the Council Chambers during the meetings. The network username available is: CM_Council. The password is: cmcouncil1953.

As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance.

En conformidad con la Ley de Estadounidenses con Discapacidades (ADA), aparatos de asistencia están disponibles y podrán ser prestados notificando a la Secretaria Municipal. Si necesita asistencia especial para participar en esta junta, comuníquese con la oficina de la Secretaria Municipal al (714) 754-5225. Se pide dar notificación a la Ciudad por lo mínimo 48 horas de anticipación para garantizar accesibilidad razonable a la junta. [28 CFR 35.102.35.104 ADA Title II]. Servicios de traducción de idioma están disponibles para esta junta llamando al (714) 754-5225 por lo mínimo 48 horas de anticipación.

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY**

AUGUST 2, 2022 – 6:00 P.M.

JOHN STEPHENS
Mayor

MANUEL CHAVEZ
Council Member - District 4

ANDREA MARR
Mayor Pro Tem - District 3

JEFFREY HARLAN
Council Member - District 6

LOREN GAMEROS
Council Member - District 2

ARLIS REYNOLDS
Council Member - District 5

DON HARPER
Council Member - District 1

KIMBERLY HALL BARLOW
City Attorney

LORI ANN FARRELL HARRISON
City Manager

CALL TO ORDER

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Mayor Stephens

MOMENT OF SOLEMN EXPRESSION

[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The City Council disclaims any intent to endorse or sponsor the views of any speaker.]

The Rev. Dr. George Okusi, St. John the Divine Episcopal Church

ROLL CALL

PRESENTATIONS:

NONE.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Comments are limited to 3 minutes, or as otherwise directed.

Comments on Consent Calendar items may also be heard at this time.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Each council member is limited to 4 minutes. Additional comments will be heard at the end of the meeting.

1. Council Member Gameros
2. Council Member Harlan
3. Council Member Harper
4. Council Member Reynolds
5. Council Member Chavez
6. Mayor Pro Tem Marr
7. Mayor Stephens

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR (Items 1-3)

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the City Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion.

1. [**PROCEDURAL WAIVER: APPROVE THE READING BY TITLE ONLY 22-829 OF ALL ORDINANCES AND RESOLUTIONS**](#)

RECOMMENDATION:

City Council, Agency Board, and Housing Authority approve the reading by title only and waive full reading of Ordinances and Resolutions.

2. [**ADOPTION OF WARRANT RESOLUTION**](#) [**22-830**](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2684.

Attachments: [1. Summary Check Register week of 7.11.22](#)
[2. Summary Check Register week of 7.18.22](#)

3. [SECOND READING AND ADOPTION OF AN ORDINANCE ENTITLED: 22-827 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA ADOPTING AN AB 481 EQUIPMENT USE POLICY OF THE CITY OF COSTA MESA, CALIFORNIA GOVERNING THE USE OF MILITARY EQUIPMENT](#)

RECOMMENDATION:

Staff recommends that the City Council give second reading and adopt: Ordinance No. 2022-03, entitled: An Ordinance of the City Council of the City of Costa Mesa, California adopting an AB 481 equipment use policy of the City of Costa Mesa, California governing the use of military equipment.

Attachments: [1. AB 481 Ordinance](#)
[2. 7-19-22 Agenda Report](#)
[3. Proposed AB 481 Equipment Use Policy](#)
[4. AB 481 Inventory List](#)

AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR

-----END OF CONSENT CALENDAR-----

PUBLIC HEARINGS:

(Pursuant to Resolution No. 05-55, Public Hearings begin at 7:00 p.m.)

1. [APPROVE CERTIFICATION OF SPECIAL ASSESSMENTS FOR THE 22-828 COLLECTION OF DELINQUENT CIVIL CITATIONS FOR MUNICIPAL CODE VIOLATIONS](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Conduct a Public Hearing.
2. Adopt Resolution 2022-xx approving the certification of special assessments for delinquent civil fines for municipal code violations in relation to unlicensed cannabis and other municipal code violations.

Attachments: [1. Resolution 2022-XX](#)
[2. Citations](#)

OLD BUSINESS: (Next Page)

1. [APPROVAL OF A CITY BALLOT INITIATIVE ENTITLED “THE CITY 22-833 OF COSTA MESA REVITALIZATION AND RESIDENTIAL NEIGHBORHOODS PROTECTION MEASURE”](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Provide direction on whether to place the proposed ballot initiative (Attachment 2) entitled “The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure” on the November 8, 2022 ballot by adoption of the following resolutions:
 - a. Adopt Resolution 2022-xx (Attachment 1): Ordering the submission to the qualified electors of the City of Costa Mesa “The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure” at the General Election to be held on Tuesday November 8, 2022, as called by Resolution No. 2022-27.
 - b. Adopt Resolution 2022-xx: Authorizing written arguments for or against the proposed initiative “The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure”, setting priorities for filing written arguments, determining the authors of the written arguments, and directing the City Attorney to prepare an impartial analysis (Attachment 4); and
 - c. Adopt Resolution 2022-xx: Authorizing the filing of rebuttal arguments for “The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure” (Attachment 5); and
 - d. Adopt Resolution 2022-XX: Authorizing the filing of a Notice of Exemption pursuant to the provisions of the California Environmental Quality Act (Attachment 6); and/or
2. Consider additional revisions to the ballot measure language and associated exhibits, e.g. additional corridors, as discussed in the report.

Attachments: [Agenda Report](#)

[1. Resolution - Ballot Measure 2022](#)

[2. Attachment A - Measure Language to Resolution](#)

[3. Exhibit A Maps](#)

[4. Resolution - Authorize Arguments and Impartial Analysis Ballot Measure 2022](#)

[5. Resolution - Rebuttals Ballot Measure](#)

[6. Resolution - CEQA 2022](#)

[7. Mayors proposed changes to the Ballot Measure](#)

NEW BUSINESS:

NONE.

**ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND
SUGGESTIONS**

ADJOURNMENT



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-829

Meeting Date: 8/2/2022

TITLE:

PROCEDURAL WAIVER: APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS

RECOMMENDATION:

City Council, Agency Board, and Housing Authority approve the reading by title only and waive full reading of Ordinances and Resolutions.



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-830

Meeting Date: 8/2/2022

TITLE:

ADOPTION OF WARRANT RESOLUTION

DEPARTMENT: Finance Department

PRESENTED BY: Carol Molina, Finance Director

CONTACT INFORMATION: Carol Molina at (714) 754-5243

RECOMMENDATION:

City Council approve Warrant Resolution No. 2684.

BACKGROUND:

In accordance with Section 37202 of the California Government Code, the Director of Finance or their designated representative hereby certify to the accuracy of the following demands and to the availability of funds for payment thereof.

FISCAL REVIEW:

Funding Payroll Register No. 22-15 On Cycle for \$ 2,876,896.82 and 22-14 "A" for \$0.00 and City operating expenses for \$3,224,225.68.

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|--------------|----------|--------|---|------------|-------------|
| 0238284 | 07/15/22 | O | AT & T <i>Line Description: Overflow</i> | 0000001107 | 0.00 |
| 0238322 | 07/15/22 | O | Galls LLC <i>Line Description: Overflow</i> | 0000002297 | 0.00 |
| 0238323 | 07/15/22 | O | Galls LLC <i>Line Description: Overflow</i> | 0000002297 | 0.00 |
| 0238352 | 07/15/22 | O | Southern California Edison Company <i>Line Description: Overflow</i> | 0000004088 | 0.00 |
| TOTAL | | | | | 0.00 |

0 *

64,915.00 +
2,990.68 +
1,765,070.26 +
003
1,832,975.94 *

Report ID: CCM2001

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

Page No. 1

Run Date Jul 15, 2022

Run Time 3:29:54 PM

Bank: CITY

Cycle: ANNUAL

| <u>Payment Ref</u> | <u>Date</u> | <u>Status</u> | <u>Remit To</u> | <u>Remit ID</u> | <u>Payment Amt</u> |
|--------------------|-------------|--------------------------|--------------------------------|-----------------|--------------------|
| 0238257 | 07/12/22 | V | Law Office of Victor Franco | 0000029726 | 0.00 |
| | | <i>Line Description:</i> | Money Seized-Narc Investigatio | | |
| | | | Money Seized-Narc Investigatio | | |
| 0238258 | 07/12/22 | P | Law Office of Victor Franco | 0000029726 | 64,915.00 |
| | | <i>Line Description:</i> | Money Seized-Narc Investigatio | | |
| | | | Money Seized-Narc Investigatio | | |
| TOTAL | | | | | \$64,915.00 |

End of Report

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|---|------------------------------------|------------|-------------|
| 0238259 | 07/15/22 | P | AFLAC | 0000012253 | 23,656.21 |
| | | <i>Line Description:</i> Cancer Insurance Premium-Jun22 Accident Insurance Premium-Jun22 STD Insurance Premium-Jun22 | | | |
| 0238260 | 07/15/22 | P | Allied Universal Security Services | 0000029524 | 42,256.95 |
| | | <i>Line Description:</i> Jail Svc-May 2022 | | | |
| 0238261 | 07/15/22 | P | Allstar Fire Equipment Inc | 0000000986 | 36,072.40 |
| | | <i>Line Description:</i> FIREFIGHTING PERSONAL PROTECTI FIREFIGHTING PERSONAL PROTECTI FIREFIGHTING PERSONAL PROTECTI Fire Gear FIREFIGHTING PERSONAL PROTECTI Scott - p/n 804723-01 / 60 Min FIREFIGHTING PERSONAL PROTECTI FIREFIGHTING PERSONAL PROTECTI FIREFIGHTING PERSONAL PROTECTI Sales Tax Scott - p/n 804722-01 / 45 Min | | | |
| 0238262 | 07/15/22 | P | CDW Government Inc | 0000005402 | 18,193.72 |
| | | <i>Line Description:</i> Sales Tax Apple 11-inch iPad Pro Wi-Fi + | | | |
| 0238263 | 07/15/22 | P | Care Ambulance Service Inc | 0000019807 | 147,250.00 |
| | | <i>Line Description:</i> Ambulance Svc 6/16-6/30/22 Ambulance Svc 6/1-6/18/22 | | | |
| 0238264 | 07/15/22 | P | City Net | 0000029222 | 15,443.52 |
| | | <i>Line Description:</i> CDBG-CV Street Outreach-May 22 | | | |

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------------------------|-----------------------------------|------------|-------------|
| 0238265 | 07/15/22 | P | Dell Computer Corp | 0000001962 | 22,979.86 |
| | | <i>Line Description:</i> | Sales Tax 7.75% | | |
| | | | Dell Ultra Sharp 24 Monitors | | |
| | | | Environmental Fee | | |
| | | | Sales Tax 7.75% | | |
| | | | Dell Ultra Sharp 24 Monitors | | |
| | | | Environmental Fee | | |
| | | | Premier Discount | | |
| 0238266 | 07/15/22 | P | Everett Dorey LLP | 0000026882 | 56,679.31 |
| | | <i>Line Description:</i> | Casa Capri | | |
| | | | Insight Psychology | | |
| | | | General Matters | | |
| | | | SoCal Recovery | | |
| | | | Windward Way | | |
| | | | Ohio House | | |
| 0238267 | 07/15/22 | P | Haaker Equipment Company | 0000002433 | 126,152.62 |
| | | <i>Line Description:</i> | Sales Tax 7.75% | | |
| | | | Madvac LS175 Compact Sweeper T | | |
| 0238268 | 07/15/22 | P | Horizons Construction Co Intl Inc | 0000022423 | 247,756.86 |
| | | <i>Line Description:</i> | JHSC Proj #21-05/700115 | | |
| | | | Retention Payable #700115 | | |
| 0238269 | 07/15/22 | P | Hoskins Equipment LLC | 0000029705 | 22,145.86 |
| | | <i>Line Description:</i> | Vertical Lift - JLGE18MML | | |
| 0238270 | 07/15/22 | P | Insight Public Sector Inc | 0000029706 | 97,650.00 |
| | | <i>Line Description:</i> | Extended Data Per Camera | | |
| | | | Standard Implementation Svc-On | | |
| | | | LPR Camera w/vehicle fingerpri | | |

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| | | | <i>Line Description:</i> LMS consulting-Victor Kao Consulting Srvs-Michelle H | | |
| 0238277 | 07/15/22 | P | Specialized Pipe Technologies | 0000029366 | 71,660.40 |
| | | | <i>Line Description:</i> Small diameter Cast Iron Sewer Repair Sewer Line @ Wakeham Pa | | |
| 0238278 | 07/15/22 | P | Tyler Technologies Inc | 0000027279 | 26,337.50 |
| | | | <i>Line Description:</i> Project Mang Tasks Carl Eric N | | |
| 0238279 | 07/15/22 | P | Ware Disposal Inc | 0000000255 | 27,203.09 |
| | | | <i>Line Description:</i> BULKY ITEM COLLECTION SERVICES BULKY ITEM COLLECTION SERVICES BULKY ITEM COLLECTION SERVICES | | |
| 0238280 | 07/15/22 | P | A & A Wiping Cloth Inc | 0000018633 | 2,534.92 |
| | | | <i>Line Description:</i> Warehouse Stock | | |
| 0238281 | 07/15/22 | P | AGA Engineers Inc | 0000028838 | 125.00 |
| | | | <i>Line Description:</i> I-405 Imprv-May 2022 | | |
| 0238282 | 07/15/22 | P | AH Accounting LLC | 0000029518 | 3,425.00 |
| | | | <i>Line Description:</i> Temp Svc-Acct Supervisor Jun22 | | |
| 0238283 | 07/15/22 | P | AT & T | 0000001107 | 7,615.81 |
| | | | <i>Line Description:</i> DSL LineTraffic Operation 5/7- DID Trunk Line 5/4-6/3/22 PD Emergency Line 5/4-6/3/22 DRC Alarm 5/4-6/3/22 Small Wood Park 5/6-6/5/22 Outgoing Trunk Line 5/4-6/3/22 TeWinkle Park 5/7-6/6/22 | | |

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| | | | <i>Line Description:</i> Wakeham Park 5/10-6/9/22 Local Usage 5/15-6/14/22 Senior Center Fire Alarm Syste Senior Center Elevator Balearic Center Fax 5/15-6/14/ Fire Sta#1 Fire Alarm System Senior Center Fire Alarm Syste 2310 Placentia Irrigation 5/19 Red Phone Fire Sta#6 Red Phone Fire Sta#3 5/20-6/19 Metro Net 5/20-6/19/22 Fire Emergency Line 5/20-6/19 Jack Hammett Sports Complex PRI Circuit Inbound Trunk Lions Park 5/19-6/18/22 Red Phone Fire Sta#4 Red Phone Fire Sta#1 Red Phone Fire Sta#5 5/20-6/19 PD DSL Line 5/27-6/26/22 WSS Alarm 5/27-6/26/22 NCC Fire Alarm 5/24-6/23/22 Lions Park Baseball Field Sr Center Bldg Maint Staff Use DSL Line for Traffic Operation TeWinkle Park 6/7-7/6/22 Cool Line for PD 6/7-7/6 DiD Trunk Line 6/4-7/2/22 Outgoing Trunk Line 6/4-7/2/22 Cool Line for PD 5/7-6/6/22 IT Computer Room 5/7-6/6/22 Estancia Park 6/3-7/2/22 Red Phone Fire Sta#2 | | |
| 0238285 | 07/15/22 | P | AT & T | 0000001107 | 246.10 |
| | | | <i>Line Description:</i> Internet Srvs for Fleet Srvcs Intnt Camera Skate Park/Tennis | | |

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| 0238286 | 07/15/22 | P | AT & T | 0000001107 | 178.75 |
| | | | Line Description: 911 Cama Trunks 6/14-7/13/22 | | |
| 0238287 | 07/15/22 | P | AT & T Mobility | 0000001107 | 88.68 |
| | | | Line Description: Comm Cell Phones 4/12-5/11/22 | | |
| 0238288 | 07/15/22 | P | Active Network | 0000023845 | 5,000.00 |
| | | | Line Description: ACTIVENET SERVICE PACKAGE | | |
| 0238289 | 07/15/22 | P | Adam Ereth | 0000029232 | 400.00 |
| | | | Line Description: Planning Comm Mtng-Jun 2022 | | |
| 0238290 | 07/15/22 | P | Adamson Police Products | 0000014519 | 650.76 |
| | | | Line Description: Portable Scene Lights | | |
| 0238291 | 07/15/22 | P | Adlerhorst International | 0000000906 | 193.95 |
| | | | Line Description: Leather Hand Protector | | |
| 0238292 | 07/15/22 | P | Akeso Occupational Health | 0000029274 | 981.15 |
| | | | Line Description: Safety Physical | | |
| | | | DMV Physical | | |
| | | | DMV Physical | | |
| | | | DMV Physical | | |
| | | | Health Item | | |
| | | | Safety Physical | | |
| | | | Safety Physical | | |
| | | | Safety Physical | | |
| | | | Pre Employment Physical | | |
| | | | Pre Employment Physical | | |
| | | | Pre Employment Physical | | |
| | | | Pre Employment Physical | | |
| | | | Pre Employment Physical | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| | | | <i>Line Description:</i> Pre Employment Physical Pre Employment Physical Pre Employment Physical Pre Employment Physical Pre Employment Physical Pre Employment Physical Pre Employment Physical Pre Employment Physical | | |
| 0238293 | 07/15/22 | P | Aramark Correctional Services Inc | 0000013108 | 1,158.84 |
| | | | <i>Line Description:</i> Jail Food Svc 5/5-5/19/22 | | |
| 0238294 | 07/15/22 | P | Arrowhead Forensics | 0000018661 | 284.62 |
| | | | <i>Line Description:</i> Seal Guard | | |
| 0238295 | 07/15/22 | P | BC Traffic Specialist | 0000022225 | 1,223.50 |
| | | | <i>Line Description:</i> Treated Wood Post Delivery & Pick-Up Parking Lot Stops | | |
| 0238296 | 07/15/22 | P | Bee Busters Inc | 0000007572 | 540.00 |
| | | | <i>Line Description:</i> Bee Removal Bee Removal Bee Removal Bee Removal | | |
| 0238297 | 07/15/22 | P | Bound Tree Medical LLC | 0000011895 | 821.38 |
| | | | <i>Line Description:</i> EMS Supplies | | |
| 0238298 | 07/15/22 | P | Bracken's Kitchen Inc | 0000029468 | 6,702.05 |
| | | | <i>Line Description:</i> Shelter Food Svc 6/6-6/18/22 | | |
| 0238299 | 07/15/22 | P | BrightView Landscape Services Inc | 0000026055 | 11,392.40 |

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| | | | <i>Line Description:</i> Irrigation Repair Improvement at Tanager Park | | |
| 0238300 | 07/15/22 | P | Byron de Arakal | 0000012401 | 400.00 |
| | | | <i>Line Description:</i> Planning Comm Mtng-Jun 2022 | | |
| 0238301 | 07/15/22 | P | CALPELRA | 0000001556 | 2,250.00 |
| | | | <i>Line Description:</i> Trng Conf Reg-Acosta Trng Conf Reg-Garcia | | |
| 0238302 | 07/15/22 | P | CAPF | 0000004755 | 2,448.50 |
| | | | <i>Line Description:</i> Firefighter LTD-Jul 2022 | | |
| 0238303 | 07/15/22 | P | CDCE Inc | 0000019481 | 9,316.38 |
| | | | <i>Line Description:</i> Sales Tax 7.75% Digitizer Pen for CF-33JK2.2 B Sales Tax 7.75% Digitizer Pen for CF-33JK2.2 B Digitizer Pen for CF-33JK2.2 B Sales Tax 7.75% Contactless Smartcards Sales Tax 7.75% Digitizer Pen for CF-33JK2.2 B Sales Tax 7.75% | | |
| 0238304 | 07/15/22 | P | CLEA | 0000004754 | 3,267.00 |
| | | | <i>Line Description:</i> Police officer LTD-Jul 2022 | | |
| 0238305 | 07/15/22 | P | Cabco Yellow Inc | 0000028576 | 3,678.75 |
| | | | <i>Line Description:</i> SENIOR MOBILITY PROGRAM-May22 | | |
| 0238306 | 07/15/22 | P | Calero Software LLC | 0000024713 | 1,857.64 |

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| | | | <i>Line Description:</i> MAINTENANCE OF VERASMART | | |
| 0238307 | 07/15/22 | P | Canon Financial Services Inc | 0000023241 | 311.34 |
| | | | <i>Line Description:</i> COPIER LEASE 6/1-6/30/22 | | |
| 0238308 | 07/15/22 | P | Carl Warren & Company | 0000001578 | 4,845.00 |
| | | | <i>Line Description:</i> Subrogation Fee Wkrs Comp Claim Admin Fee-Jun | | |
| 0238309 | 07/15/22 | P | Center for Public Safety Excellence Inc | 0000029595 | 6,000.00 |
| | | | <i>Line Description:</i> Professional Services Agreemen | | |
| 0238310 | 07/15/22 | P | Data Ticket Inc | 0000010929 | 4,300.12 |
| | | | <i>Line Description:</i> Prkng Citation Process-May 22 | | |
| 0238311 | 07/15/22 | P | Dianne Russell | 0000011606 | 400.00 |
| | | | <i>Line Description:</i> Planning Comm Mtng-Jun 2022 | | |
| 0238312 | 07/15/22 | P | Donna Fagot | 0000013934 | 20.34 |
| | | | <i>Line Description:</i> Qtrly Retiree Med Ins Pymnt | | |
| 0238313 | 07/15/22 | P | Eagle Print Dynamics | 0000026736 | 2,674.16 |
| | | | <i>Line Description:</i> Promotional Items Promotional Items Promotional Items | | |
| 0238314 | 07/15/22 | P | Emergency Medical Services Authority | 0000002120 | 148.00 |
| | | | <i>Line Description:</i> EMT License Renewal-Apr 2022 | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------------------------|--|------------|-------------|
| 0238315 | 07/15/22 | P | Fed Ex | 0000002190 | 26.83 |
| | | <i>Line Description:</i> | Ground Delivery Ground Delivery | | |
| 0238316 | 07/15/22 | P | Federal Technology Solutions Inc | 0000024174 | 3,611.63 |
| | | <i>Line Description:</i> | Installation Svcs Install three customer provide Sales Tax 7.75% Wall Mount Bracket Install 1 category 6 4pr cable | | |
| 0238317 | 07/15/22 | P | Fire Information Support Services Inc | 0000006757 | 7,500.00 |
| | | <i>Line Description:</i> | Professional Services Agreemen | | |
| 0238318 | 07/15/22 | P | GBS Linens | 0000023879 | 911.29 |
| | | <i>Line Description:</i> | LAUNDRY SERVICE | | |
| 0238319 | 07/15/22 | P | GIT Satellite LLC | 0000019742 | 67.08 |
| | | <i>Line Description:</i> | Executive Global Connect-Jun22 | | |
| 0238320 | 07/15/22 | P | GMS Elevator Services | 0000028704 | 2,149.98 |
| | | <i>Line Description:</i> | Elevator Svc-May 2022 Elevatpr Svc-Jun 2022 Elevator Svc-Apr 2022 | | |
| 0238321 | 07/15/22 | P | Galls LLC | 0000002297 | 5,929.32 |
| | | <i>Line Description:</i> | Uniform-Grihalva Uniform-Scavo Uniform-Marino Uniform-Marino Uniform-Caom Uniform-Cain | | |

Report ID: CCM2001

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

Page No. 11

Run Date Jul 15, 2022

Run Time 2:46:38 PM

Bank: CITY

Cycle: AWKLY

| <u>Payment Ref</u> | <u>Date</u> | <u>Status</u> | <u>Remit To</u> | <u>Remit ID</u> | <u>Payment Amt</u> |
|--------------------|-------------|---------------|--------------------------|-----------------|--------------------|
| | | | <i>Line Description:</i> | | |
| | | | Uniform-Senger | | |
| | | | Uniform-Drapkin | | |
| | | | Uniform-Senger | | |
| | | | Uniform-Senger | | |
| | | | Uniform-Marino | | |
| | | | Uniform-Scavo | | |
| | | | Uniform | | |
| | | | Uniforms | | |
| | | | Uniform | | |
| | | | Uniform | | |
| | | | Uniform | | |
| | | | Uniform-McDowell | | |
| | | | Uniform-Nigh | | |
| | | | Uniform-Serrato | | |
| | | | Uniform-Raissdana | | |
| | | | Uniform-Raissdana | | |
| | | | Uniform-Drapkin | | |
| | | | Uniform-Drapkin | | |
| | | | Uniform-Stefand | | |
| | | | Uniform-Unger | | |
| | | | Uniform-Unger | | |
| | | | Uniform-Antonio | | |
| | | | Uniform-Stefan | | |
| | | | Uniform-Stefand | | |
| | | | Uniform-Stefand | | |
| | | | Uniform-Stefano | | |
| | | | Uniform-Stefano | | |
| | | | Uniform-Raissdana | | |
| | | | Uniform-Unger | | |
| | | | Uniform-Scavo | | |
| | | | Uniform-Cole | | |
| | | | Uniform-Cole | | |
| | | | Uniform-Cole | | |
| | | | Uniform-Meadows | | |
| | | | Uniform-Meadows | | |
| | | | Uniform-Meadows | | |
| | | | Uniform-Geiger | | |
| | | | Uniform-Grihalva | | |
| | | | Uniform-Fenton | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| | | | <i>Line Description:</i> Uniform-Grihalva Uniform-Ghihava Uniforms Uniform Uniform-Lemus Uniform-Sellinske | | |
| 0238324 | 07/15/22 | P | Grainger | 0000002393 | 634.06 |
| | | | <i>Line Description:</i> Supplies for Comm Supplies for Comm Supplies for Comm Supplies for Comm Comm Supplies Adjustable Handle LED Lights Supplies for Comm | | |
| 0238325 | 07/15/22 | P | Hirsch Pipe & Supply Company Inc | 0000026475 | 616.60 |
| | | | <i>Line Description:</i> Brass Nip Plumbing Supplies Plumbing Supplies Hose | | |
| 0238326 | 07/15/22 | P | Image Concepts | 0000026883 | 1,359.65 |
| | | | <i>Line Description:</i> Staff Uniforms Staff Uniform | | |
| 0238327 | 07/15/22 | P | Interwest Consulting Group Inc | 0000021505 | 1,170.00 |
| | | | <i>Line Description:</i> Storm Drain Imprv-July 2021 NPDES/WQMP Support-Jul 21 | | |
| 0238328 | 07/15/22 | P | Irvine Ranch Water District | 0000005112 | 1,236.38 |
| | | | <i>Line Description:</i> 106 Del Mar 5/11-6/8/22 3028 University Dr 5/11-6/9/22 | | |

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| | | | <i>Line Description:</i> 220 23tf St 5/10-6/9/22 258 Brentwood 5/10-6/8/22 261 Monte Vista 5/10-6/8/22 170 Del Mar 5/11-6/8/11 2603 Elden Ave 5/11-6/8/22 | | |
| 0238329 | 07/15/22 | P | Jimmy Vivar | 0000029412 | 400.00 |
| | | | <i>Line Description:</i> Planning Comm Mtng-June 2022 | | |
| 0238330 | 07/15/22 | P | Jonathan Zich | 0000026312 | 400.00 |
| | | | <i>Line Description:</i> Planning Comm Mtng-June 2022 | | |
| 0238331 | 07/15/22 | P | Jose Rojas | 0000029411 | 400.00 |
| | | | <i>Line Description:</i> Planning Comm Mtng-June 2022 | | |
| 0238332 | 07/15/22 | P | Kevin Vail | 0000023400 | 210.00 |
| | | | <i>Line Description:</i> Basketball Referee 4/25-6/27/2 | | |
| 0238333 | 07/15/22 | P | Kimley Horn & Associates Inc | 0000005251 | 7,496.30 |
| | | | <i>Line Description:</i> Professional Services Agreemen Professional Services Agreemen | | |
| 0238334 | 07/15/22 | P | LN Curtis & Sons | 0000002983 | 7,811.88 |
| | | | <i>Line Description:</i> Fightfighting Equipment (FFE) | | |
| 0238335 | 07/15/22 | P | La Z Boy Furniture Galleries | 0000018927 | 5,250.81 |
| | | | <i>Line Description:</i> SALES TAX SHIPPING JAY ROCKING RECLINER 5 YR PROTECTION PLAN - USL | | |

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| 0238336 | 07/15/22 | P | LineGear Fire & Rescue Equipment | 0000026007 | 274.76 |
| | | | Line Description: Athletic Fit Tacktical Pant | | |
| 0238337 | 07/15/22 | P | Linscott Law & Greenspan Engineers Inc | 0000010877 | 12,969.00 |
| | | | Line Description: On-Call Services 2021-2022 | | |
| | | | On-Call Services 2021-2022 | | |
| | | | On-Call Services 2021-2022 | | |
| 0238338 | 07/15/22 | P | Los Angeles Times | 0000003000 | 3,976.78 |
| | | | Line Description: 4/1-4/30/22 | | |
| 0238339 | 07/15/22 | P | Municipal Emergency Services Inc | 0000021524 | 2,727.74 |
| | | | Line Description: Shipping | | |
| | | | FirePro X | | |
| | | | Sales Tax | | |
| | | | SEEK TIC Gear Keeper with Alum | | |
| 0238340 | 07/15/22 | P | Naman Vinson Cobb | 0000029729 | 240.00 |
| | | | Line Description: Basketball Referee 4/22-5/16/22 | | |
| 0238341 | 07/15/22 | P | Napa Auto & Truck Parts | 0000012968 | 14,806.30 |
| | | | Line Description: Parts | | |
| | | | Credit | | |
| | | | Warehouse Stock | | |
| 0238342 | 07/15/22 | P | National Community Development | 0000003287 | 1,545.00 |
| | | | Line Description: Membership 7/1/22-6/30/23 | | |
| 0238343 | 07/15/22 | P | NeWave Construction Inc | 0000024108 | 5,443.84 |
| | | | Line Description: Installation of counters tops | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| 0238344 | 07/15/22 | P | Norwood Management LLC | 0000029243 | 12,500.00 |
| | | | Line Description: Rent for June 2022 | | |
| 0238345 | 07/15/22 | P | O Neil Storage | 0000018395 | 112.34 |
| | | | Line Description: Document Storage | | |
| 0238346 | 07/15/22 | P | Orange County Probation Department | 0000003491 | 3,353.00 |
| | | | Line Description: 4th Qtr OT for Probation Offcr | | |
| 0238347 | 07/15/22 | P | Orange County Treasurer Tax Collector | 0000003489 | 10,085.89 |
| | | | Line Description: Prkng Citation Process-May 22 | | |
| 0238348 | 07/15/22 | P | Orange County Treasurer Tax Collector | 0000003489 | 1,129.32 |
| | | | Line Description: Teletype Service June 2022 | | |
| 0238349 | 07/15/22 | P | Premier Security Services Inc | 0000002633 | 5,674.25 |
| | | | Line Description: Panic Button Installation | | |
| | | | Security Camera Offline Financ | | |
| | | | PIR Troubleshooting Bike Racks | | |
| | | | Alarm Trouble Shooting | | |
| | | | Trouble Shooting Elevator | | |
| | | | Malfunctioning Alarm Vault | | |
| | | | Panic Button Trouble Shooting4 | | |
| 0238350 | 07/15/22 | P | Russell Toler | 0000029127 | 400.00 |
| | | | Line Description: Planning Comm Mtng-Jun 2022 | | |
| 0238351 | 07/15/22 | P | Southern California Edison Company | 0000004088 | 14,671.05 |
| | | | Line Description: -3351 Sakioka 5/26-6/26/22 | | |
| | | | 1570 Adams 5/23-6/22/22 | | |
| | | | Park Maint 6/1-6/30/22 | | |

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| | | | <i>Line Description:</i> 1256 Adams 5/12-6/12/22 410 Merrimac 5/12-6/12/22 360 Ogle 5/12-6/12/22 2060 Harbor 4/26-6/23/22 2948 Bristol 05/17-6/15/22 308 University 5/13-6/13/22 Medians 4/7-6/13/22 2704 Harbor 5/23-6/23/22 3120 Manistree 5/24-6/22/22 2301 Harbor 3349 Sakioka 5/26-6/26/22 410 Merrimac 5/12-6/12/22 1040 Paularino 5/18-6/16/22 348 E 17th 5/26-6/26/22 555 1/2 Paularino 5/24-6/22/22 1071 Bristol 5/19-6/19/22 Sr Cntr 5/31-6/28/22 NCC 5/31-6/28/22 2885 Fairview 3/14-06/15/22 1860 Anaheim 5/31-6/28/22 | | |
| 0238353 | 07/15/22 | P | Southern California Gas Company | 0000004092 | 4,565.02 |
| | | | <i>Line Description:</i> DRC 5/23-6/22/22 DRC Pool 5823-6/22/22 FS #3 5/23-6/22/22 FS #5 5/24-6/23/22 2300 Placentia 5/24-6/23/55 Telecomm 5/24-6/23/22 2310 Placentia 5/24-6/23/22 PD 5/24-6/23/22 FS #4 5/24-6/23/22 Historical Soc 5823-6/22/22 FS #2 5/25-6/24/22 567 W 18th 5/23-6/22/22 FS #6 5/31-6/29/22 FS #1 5/26/22-6/27/22 BCC 5/26-6/27/22 NCC 5/23-6/22/22 | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| | | | Line Description: 721 James 5/23-6/22/22 717 James 5/23-6/22/22 | | |
| 0238354 | 07/15/22 | P | Spectrum Gas Products | 0000012653 | 1,570.43 |
| | | | Line Description: Medical Lg Cyl Rent Medical Lg&Sm Cyl Rent Medical Lg&Sm Cyl Rent Medical Lg Cyl Rent Medical Lg & SM Cyl Rent Misc. Parts Station 3 Medical Lg Cyle Rent Station 4 Hydrotest Medical Lg&Sm Cyl Rent | | |
| 0238355 | 07/15/22 | P | Sun Badge Company | 0000004183 | 2,321.55 |
| | | | Line Description: Badges | | |
| 0238356 | 07/15/22 | P | The Code Group Inc | 0000025073 | 13,209.50 |
| | | | Line Description: Inspection Srvs Mike Del Rio | | |
| 0238357 | 07/15/22 | P | Time Warner Cable | 0000011202 | 418.53 |
| | | | Line Description: Cable Box Upgrade 2nd Floor 2310 Plaentia Ave Bldg A Cable Cable Srvs for City Hall-CM Cable Srvs for City Hall-IT Cable Srvs for City Hall-PS Cable Srvs for City Hall-Fire Cable Srvs for City Hall-Dev S Cable Srvs for City Hall-Finan Cable Srvs for City Hall-Parks Cable Srvs for City Hall-CM Cable Srvs for City Hall-IT Cable Srvs for City Hall-PS | | |

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-----------------------------|
| | | | <i>Line Description:</i> Cable Srvs for City Hall-Fire Cable Srvs for City Hall-Dev S Cable Srvs for City Hall-Finan Cable Srvs for City Hall-Parks HVAC Alarm-Library | | |
| 0238358 | 07/15/22 | P | Turnout Maintenance Company LLC | 0000020182 | 157.15 |
| | | | <i>Line Description:</i> Turnout Pants Bartack Name Turnout Coat and Pant-Cathey M | | |
| 0238359 | 07/15/22 | P | Verizon Wireless | 0000008717 | 9,465.17 |
| | | | <i>Line Description:</i> Sales Tax 5/18-6/17/22 Ipads 5/18-6/17/22 Cell&Hot Spot Public Works Cell Phone New Subnet 5/18-6/17/22 | | |
| 0238360 | 07/15/22 | P | Verizon Wireless | 0000008717 | 810.91 |
| | | | <i>Line Description:</i> Broadband 5/31-7/12/22 | | |
| 0238361 | 07/15/22 | P | Vulcan Materials Company | 0000007403 | 225.66 |
| | | | <i>Line Description:</i> Asphalt for patching potholes Asphalt for patching sidewalk | | |
| 0238362 | 07/15/22 | P | Williams Data Management | 0000018803 | 444.06 |
| | | | <i>Line Description:</i> DATA STORAGE- June 2022 | | |
| 0238363 | 07/15/22 | P | Zoli Medical Corporation | 0000021290 | 2,371.77 |
| | | | <i>Line Description:</i> Resqpod ITD 10 Supplies for Training | | |
| | | | | | TOTAL \$1,765,070.26 |

Bank: DDP1

Cycle: ADIRDP

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| 013914 | 07/15/22 | P | Crystal Cordero | 0000023322 | 8.02 |
| | | | Line Description: ICI Sexual Assault | | |
| 013915 | 07/15/22 | P | Deborah Zimmerman | 0000023438 | 853.05 |
| | | | Line Description: Qtrly Retiree Med Ins Pymnt | | |
| 013916 | 07/15/22 | P | Donald Soldan | 0000018603 | 200.00 |
| | | | Line Description: The Fire Leadership Lab | | |
| 013917 | 07/15/22 | P | Jeff Bibler | 0000014662 | 250.00 |
| | | | Line Description: Paramedic Recertification | | |
| 013918 | 07/15/22 | P | Lori Ann Farrell Harrison | 0000029385 | 394.61 |
| | | | Line Description: Re-issue PR Chcek #21-25 | | |
| 013919 | 07/15/22 | P | Morgan Cain | 0000029624 | 800.00 |
| | | | Line Description: Rescue System 2 | | |
| 013920 | 07/15/22 | P | Ryan Kennedy | 0000027508 | 250.00 |
| | | | Line Description: Paramedic Recertification | | |
| 013921 | 07/15/22 | P | Steve Airey | 0000014747 | 235.00 |
| | | | Line Description: Firefighter Bill of Rights Trn | | |
| TOTAL | | | | | \$2,990.68 |

Bank: CITY
Cycle: APAY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| 0238468 | 07/22/22 | P | CalPERS Long-Term Care Program | 0000006287 | 147.43 |
| | | | Line Description: Payroll Deduction-2215 | | |
| 0238469 | 07/22/22 | P | Community Health Charities | 0000008015 | 10.00 |
| | | | Line Description: Payroll Deduction-2215 | | |
| 0238470 | 07/22/22 | P | County of Orange-Sheriff's Dept | 0000003451 | 200.00 |
| | | | Line Description: Payroll Deduction-2215 | | |
| 0238471 | 07/22/22 | P | Pamela Lilly | 0000025324 | 750.00 |
| | | | Line Description: Payroll Deduction-2215 | | |
| TOTAL | | | | | \$1,107.43 |

0. *

1,107.43 +
1,117,979.78 +
19,914.53 +
244,922.72 +
7,325.28 +
1,391,249.74 *

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| 0238365 | 07/22/22 | P | Architectural Engineering Technology Inc | 0000029448 | 47,824.04 |
| | | | Line Description: Baker-Placentia-Victoria-19th | | |
| 0238366 | 07/22/22 | P | Benefit Coordinators Corp | 0000029594 | 38,613.50 |
| | | | Line Description: Delta Dental | | |
| | | | VSP Premium | | |
| 0238367 | 07/22/22 | P | Black Rock Construction Company | 0000003627 | 49,752.04 |
| | | | Line Description: Retention Payment Proj 20-20 | | |
| 0238368 | 07/22/22 | P | BrightView Landscape Services Inc | 0000026055 | 19,216.66 |
| | | | Line Description: Replace Backflow @ 79 Fair Dr | | |
| | | | Replace Backflow at 3134 Bear | | |
| | | | Library Event Lawn Renovation | | |
| 0238369 | 07/22/22 | P | Dell Computer Corp | 0000001962 | 15,498.12 |
| | | | Line Description: COMPUTER EQUIPMENT | | |
| 0238370 | 07/22/22 | P | Environmental Systems Research Institute | 0000008184 | 17,104.11 |
| | | | Line Description: ARCGIS SOFTWARE | | |
| 0238371 | 07/22/22 | P | FARO Technologies Inc | 0000029659 | 69,596.62 |
| | | | Line Description: 3D Laser Scanner | | |
| | | | 3D Laser Scanner | | |
| 0238372 | 07/22/22 | P | GMS Elevator Services | 0000028704 | 42,322.50 |
| | | | Line Description: Retention Payable#20-03/200091 | | |
| | | | Elevator Modernization #20-0 | | |
| 0238373 | 07/22/22 | P | Hinderliter De Llamas & Associates | 0000002537 | 20,407.84 |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| | | | <i>Line Description:</i> Business License Software Various Application Reviews | | |
| 0238374 | 07/22/22 | P | Interwest Consulting Group Inc | 0000021505 | 41,763.50 |
| | | | <i>Line Description:</i> Staff Support/Augmentation Ser Staff Support/Augmentation Ser Staff Support/Augmentation Ser Staff Support/Augmentation Ser Staff Support/Augmentation Ser | | |
| 0238375 | 07/22/22 | P | Johnson Controls Fire Protection LP | 0000026089 | 20,143.00 |
| | | | <i>Line Description:</i> Comm - Fire Alarm Repairs PD-Fire Alarm Repairs/Test&Ins CH - Fire Alarm Repairs Snr Ctr-Fire Alarm Service Rep Fire Alarm Repairs DDL-Fire Alarm Service&Repairs Commnty Ctr-Fire Alarm Service FS6-Fire Alarm Service&Repairs FS5-Fire Alarm Repair/Test&Ins FS3 - Fire Alarm Repairs | | |
| 0238376 | 07/22/22 | P | LN Curtis & Sons | 0000002983 | 39,297.30 |
| | | | <i>Line Description:</i> Fightfighting Equipment (FFE) 38x32 Slim FC362G1 Gold 7.0 PB SALES TAX Fightfighting Equipment (FFE) | | |
| 0238377 | 07/22/22 | P | Pinnacle Petroleum, Inc | 0000029315 | 42,962.36 |
| | | | <i>Line Description:</i> CY- Unleaded Fuel PD- Unleaded Fuel | | |
| 0238378 | 07/22/22 | P | Sagecrest Planning & Environmental | 0000025748 | 64,370.00 |
| | | | <i>Line Description:</i> Consulting Srvs-Simin | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| | | | <i>Line Description:</i> Consulting Srvs- Michelle Hall Consulting Michelle Halligan Consulting Srvs- Simin Zakavan LMS Consulting- Victor Kao | | |
| 0238379 | 07/22/22 | P | Sigler Wholesale Distributors | 0000027089 | 81,996.98 |
| | | | <i>Line Description:</i> HVAC 19 Units & Equipment HVAC Units- FS6 High and Low Gas Heat-HVAC HVAC 19 Units & Equipment HVAC Units & Equipment Coating-HVAC Coating-HVAC Coating-HVAC Coating-HVAC | | |
| 0238380 | 07/22/22 | P | Southern California Edison Company | 0000004088 | 186,063.86 |
| | | | <i>Line Description:</i> DRC 6/1-6/29/22 702 Victoria 6/1-6/29/22 702 1/2 Victoria 6/1-6/29/22 Tennis Cntr 6/3-7/4/22 BCC 6/8-7/7/22 567 W 18th 6/8-7/7/22 Fac & Equip 5831-6/28/22 2590 Placentia 6/7-7/6/22 1624 Gisler 6/2-6/30/22 3129 Harbor 6/2-6/30/22 Sunflower/Plaza 6/1-6/30/22 19th/NPT 6/1-6/30/22 Baker/Royal Palm 6/1-6/30/22 NPT Fwy/Baker 6/1-6/30/22 SD Fwy On/Off 6/1-6/30/22 Street Lights 6/1-6/30/22 1560 Adams 6/14-7/13/22 2885 Fairview 6/16-7/17/22 2944 Bristol 6/16-7/17/22 Signals 4/7-6/30/22 | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|------|--------|----------|----------|-------------|
|-------------|------|--------|----------|----------|-------------|

Line Description: 707 W 18th 6/7-7/6/22
 734 James 6/7-7/7/22
 2293 Canyon 6/8-7/7/22
 1940 Placentia 6/8-7/7/22
 1990 Placentia 6/7-7/6/22
 717 & 721 James 6/8-7/7/22
 745 W 18th 6/8-7/7/22
 744 James 6/8-7/7/22
 711 W 18th 6/8-7/7/22
 740 James 6/7-7/7/22
 Volcom Skate Pk 6/3-7/4/22
 970 Arlington 6/3-7/4/22
 980 Arlington 6/3-7/4/22
 885 Junipero 6/3-7/4/22
 2750 Fairview 6/3-7/4/22
 1035 Park Crest 6/3-7/4/22
 Joann Bike Trail 6/1-6/30/22

| | | | | | |
|---------|----------|---|-------------------|------------|-----------|
| 0238382 | 07/22/22 | P | Time Warner Cable | 0000011202 | 22,713.65 |
|---------|----------|---|-------------------|------------|-----------|

Line Description: Internet (Bridge Shelter)
 Internet Services PD (Data)
 Internet Services City Hall
 Cable Srvs for Bridge Shelter
 3175 Airway Ave B Internet BS
 Internet Srvcs Fire Sta#4 6/13
 2310 Placentia Ave Internet/Ca
 Internet Fiber Srvs-Various Lo
 HVAC Alarm-Basement CH
 Cable Srvs at CH 6/22-7/21/22
 3175 Airway Ave B Ethernet 6/2
 NCC Internet 6/22-7/21/22
 Cable Box Upgrade 2nd Flr
 Internet Srvs for City Hall

| | | | | | |
|---------|----------|---|-----------|------------|-----------|
| 0238383 | 07/22/22 | P | Yunex LLC | 0000029573 | 67,053.00 |
|---------|----------|---|-----------|------------|-----------|

Line Description: Callout for April 2022
 Routine Maint. May 2022

Bank: CITY

Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| | | | <i>Line Description:</i> Extraordinary-19th St Globe Extraordinary-R3-4 Signs Routine Maintenance April 22 Fairview Fiber Repair Callout for May 2022 19 Pole&TS Cabinet Knockdown | | |
| 0238384 | 07/22/22 | P | 32nd District Agricultural Assn | 0000003432 | 200.00 |
| | | | <i>Line Description:</i> Motor Training 4/25-5/3/22 | | |
| 0238385 | 07/22/22 | P | ARC | 0000022726 | 1,352.37 |
| | | | <i>Line Description:</i> 4th July Firework Sign Fireworks Sings | | |
| 0238386 | 07/22/22 | P | Abraham Aguilar Jr | 0000025644 | 512.28 |
| | | | <i>Line Description:</i> Instructor SMART Camp | | |
| 0238387 | 07/22/22 | P | Advantec Consulting Engineers Inc | 0000021528 | 3,290.00 |
| | | | <i>Line Description:</i> Fairview Traffic Signal-May 22 | | |
| 0238388 | 07/22/22 | P | Arts Orange County | 0000008424 | 9,000.00 |
| | | | <i>Line Description:</i> Public Art Policy Development | | |
| 0238389 | 07/22/22 | P | Atkinson Andelson Loya Ruud & Romo | 0000027289 | 4,263.28 |
| | | | <i>Line Description:</i> 2) Litigation | | |
| 0238390 | 07/22/22 | P | BKF Engineers | 0000024944 | 5,935.00 |
| | | | <i>Line Description:</i> Replace Ped Bridge Wilson St P Design Service Placentia Ave S | | |
| 0238391 | 07/22/22 | P | Bee Busters Inc | 0000007572 | 330.00 |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| | | | Line Description: Bee Removal Bee Removal Bee Removal | | |
| 0238392 | 07/22/22 | P | Bridget Duffin | 0000014222 | 2,091.81 |
| | | | Line Description: Instructor SMART Camp | | |
| 0238393 | 07/22/22 | P | CBE | 0000015149 | 13.55 |
| | | | Line Description: COPIER MAINT 5/20-6/19/22 COPIER MAINT 6/5-7/4/22 | | |
| 0238394 | 07/22/22 | P | Celia Acuna | 0000029743 | 512.28 |
| | | | Line Description: Instructor SMART Camp | | |
| 0238395 | 07/22/22 | P | Central Orange County Emergency | 0000001629 | 95.00 |
| | | | Line Description: Veterinary Services-6/27/22 | | |
| 0238396 | 07/22/22 | P | Christopher J Ziebarth | 0000029345 | 2,305.26 |
| | | | Line Description: Instructor SMART Camp | | |
| 0238397 | 07/22/22 | P | Clearview AI Inc | 0000029702 | 6,000.00 |
| | | | Line Description: Facial Recognition Software - | | |
| 0238398 | 07/22/22 | P | Colin Hacker | 0000029734 | 2,177.19 |
| | | | Line Description: Instructor SMART Camp | | |
| 0238399 | 07/22/22 | P | County of Orange | 0000003473 | 501.29 |
| | | | Line Description: Disposal June 2022 | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| 0238400 | 07/22/22 | P | Cynthia Kaska | 0000025646 | 853.80 |
| | | | Line Description: Instructor SMART Camp | | |
| 0238401 | 07/22/22 | P | Fathering Development Inc | 0000029745 | 2,000.00 |
| | | | Line Description: Refund Permit PS22-00862 | | |
| 0238402 | 07/22/22 | P | Ford Fleet Care | 0000026262 | 1,171.93 |
| | | | Line Description: Ford Fleet Care for Repair Inv | | |
| | | | Ford Fleet Care for Parts Invo | | |
| 0238403 | 07/22/22 | P | Galls LLC | 0000002297 | 928.67 |
| | | | Line Description: Uniform for ACO L. Reeker | | |
| | | | Uniform for M. Clark | | |
| | | | Uniform for Officer R. Novikof | | |
| | | | Uniform for Record Tech M Mung | | |
| | | | Uniform for Comm Officer T Mil | | |
| 0238404 | 07/22/22 | P | Garrett Stryker | 0000022842 | 1,664.91 |
| | | | Line Description: Instructor SMART Camp | | |
| 0238405 | 07/22/22 | P | Grainger | 0000002393 | 697.15 |
| | | | Line Description: Shop Tools - Grease Gun | | |
| 0238406 | 07/22/22 | P | Harbor All Glass & Mirror Inc | 0000002453 | 2,443.84 |
| | | | Line Description: PD - Glass Replacement | | |
| 0238407 | 07/22/22 | P | Impex Technologies Inc | 0000029664 | 3,175.26 |
| | | | Line Description: ONLINE TRAINING COURSE SUBSCRI | | |
| 0238408 | 07/22/22 | P | Irv Seaver Motorcycles | 0000010272 | 575.34 |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| | | | Line Description: Batteries | | |
| 0238409 | 07/22/22 | P | Jami Construction | 0000029493 | 8,260.00 |
| | | | Line Description: Patch & Paint Restroom Ceiling | | |
| 0238410 | 07/22/22 | P | Jason Kacura | 0000027003 | 330.00 |
| | | | Line Description: Basketball Referee 7/18/22 | | |
| | | | Basketball Referee 5/23-6/27/22 | | |
| | | | Basketball Referee 7/11/22 | | |
| 0238411 | 07/22/22 | P | Joe Mar Polygraph & Investigation | 0000027462 | 2,250.00 |
| | | | Line Description: Polygraph Examinations | | |
| | | | Polygraph Examinations | | |
| | | | Polygraph Exam | | |
| | | | Polygraph Examinations | | |
| 0238412 | 07/22/22 | P | Kellys Pool Service | 0000013443 | 210.00 |
| | | | Line Description: Pool Service at DRC | | |
| 0238413 | 07/22/22 | P | Kevin Vail | 0000023400 | 30.00 |
| | | | Line Description: Basketball Referee 7/18/22 | | |
| 0238414 | 07/22/22 | P | Kimball Midwest | 0000006819 | 73.45 |
| | | | Line Description: Credit on Parts for Comm | | |
| | | | Supplies for Comm | | |
| 0238415 | 07/22/22 | P | Kirby L Piazza | 0000022847 | 3,009.65 |
| | | | Line Description: Instructor SMART Camp | | |
| 0238416 | 07/22/22 | P | Lauren Anderson | 0000023814 | 1,579.53 |
| | | | Line Description: Instructor SMART Camp | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| 0238417 | 07/22/22 | P | Loomis | 0000019082 | 433.44 |
| | | | <i>Line Description:</i> ARMORED CAR SERVICES- June 22 | | |
| 0238418 | 07/22/22 | P | Los Angeles Times | 0000003000 | 2,855.65 |
| | | | <i>Line Description:</i> Legal Publications June 2022 | | |
| 0238419 | 07/22/22 | P | Mark Taylor | 0000029715 | 150.00 |
| | | | <i>Line Description:</i> Basketball Referee 7/11/22 | | |
| | | | Basketball Referee 6/20/22 | | |
| 0238420 | 07/22/22 | P | Marx Brothers Fire Extinguisher Company | 0000003073 | 1,669.00 |
| | | | <i>Line Description:</i> Corp Yard- Fire Extinguisher | | |
| | | | Senior Center-Fire Extinguishe | | |
| | | | FS4-Fire Extinguisher Srvs | | |
| | | | FS3-Fire Extinguisher Srvs | | |
| | | | Fire Extinguisher Srvs | | |
| | | | Fire Extinguisher Srvs | | |
| | | | NHCC- Fire Extinguisher Srvs | | |
| | | | CH-Fire Extinguisher Srvs | | |
| | | | Comm.-Fire Extinguisher Srvs | | |
| 0238421 | 07/22/22 | P | Merrimac Energy Group | 0000021566 | 3,037.39 |
| | | | <i>Line Description:</i> Diesel-FS5 | | |
| 0238422 | 07/22/22 | P | Michael Balliet | 0000008858 | 4,505.00 |
| | | | <i>Line Description:</i> Consulting | | |
| 0238423 | 07/22/22 | P | Mike Linares Inc | 0000002969 | 477.50 |
| | | | <i>Line Description:</i> Services- May 2022 | | |
| | | | Services- April 2022 | | |
| | | | Services- June 2022 | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| 0238424 | 07/22/22 | P | Mike Raahauges Shooting Enterprises | 0000006853 | 443.00 |
| | | | Line Description: Range Fees March 2022 | | |
| 0238425 | 07/22/22 | P | Nikkis Flags | 0000003354 | 2,233.66 |
| | | | Line Description: Warehouse Floor Stock | | |
| | | | Warehouse Floor Stock | | |
| 0238426 | 07/22/22 | P | Nutrien AG Solutions Inc | 0000026392 | 605.00 |
| | | | Line Description: Soil Testire | | |
| 0238427 | 07/22/22 | P | OC Human Relations Council | 0000027032 | 5,607.00 |
| | | | Line Description: OC Huma Relations Council Dues | | |
| 0238428 | 07/22/22 | P | Office Depot | 0000003394 | 8,587.29 |
| | | | Line Description: Parks- Supplies | | |
| | | | Engineering-Supplies | | |
| | | | City Clerk-City Council Suppli | | |
| | | | Field Area Policing-Supplies | | |
| | | | Comms and Marketing-Supplies | | |
| | | | Police/Crime Scene-Supplies | | |
| | | | Police Operations-Supplies | | |
| | | | Records Police-Supplies | | |
| | | | Senior Center-Supplies | | |
| | | | Police Patrol-Supplies | | |
| | | | Finance Admin-Supplies | | |
| | | | City Manager- Supplies | | |
| | | | Police Jail- Supplies | | |
| | | | Police Admin-Supplies | | |
| | | | Supplies- Fire Admin | | |
| 0238429 | 07/22/22 | P | Orange County Council of Governments | 0000011417 | 12,929.96 |
| | | | Line Description: OC COG Membership Dues | | |

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City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

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Bank: CITY

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| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| 0238430 | 07/22/22 | P | Orange County Fire Chiefs Association | 0000003435 | 430.00 |
| | | | Line Description: OCFCA Membership Dues | | |
| 0238431 | 07/22/22 | P | Orange County Treasurer Tax Collector | 0000003489 | 14,296.24 |
| | | | Line Description: FY22-23 LAFCO Membership Dues | | |
| 0238432 | 07/22/22 | P | Orange County Treasurer Tax Collector | 0000003489 | 88.00 |
| | | | Line Description: Radio Repairs- May 2022 | | |
| 0238433 | 07/22/22 | P | Paul's Pet Food Express | 0000026626 | 57.76 |
| | | | Line Description: Food for PSD Aran | | |
| 0238434 | 07/22/22 | P | Peace of Mind Financial Consulting Inc | 0000029150 | 10,620.00 |
| | | | Line Description: Consulting June 2022 | | |
| 0238435 | 07/22/22 | P | Procure America Inc | 0000025663 | 1,000.85 |
| | | | Line Description: Cst Reduct Srvs Telecomm Apr22 | | |
| | | | Cost Reduct SrvsTelecomm Apr22 | | |
| 0238436 | 07/22/22 | P | Ralph Andersen & Associates | 0000005601 | 7,500.00 |
| | | | Line Description: Recruitment for Asst. Fnce Dir | | |
| 0238437 | 07/22/22 | P | Rincon Truck Center Inc | 0000013236 | 536.39 |
| | | | Line Description: Stock - Battery | | |
| | | | 555 - Pulley | | |
| | | | 794 - Switch | | |
| | | | Stock - Key | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| 0238438 | 07/22/22 | P | Roadline Products Inc USA | 0000003830 | 647.95 |
| | | | Line Description: Graco Repair Kit, 20in Ext. | | |
| 0238439 | 07/22/22 | P | SHI International Corp | 0000016007 | 624.18 |
| | | | Line Description: Monitors | | |
| 0238440 | 07/22/22 | P | Santa Ana College | 0000003752 | 8,112.00 |
| | | | Line Description: MATERIAL FEE CLASS REGISTRATION FEES | | |
| 0238441 | 07/22/22 | P | Santa Ana College | 0000003752 | 1,472.00 |
| | | | Line Description: Post Training Post Training | | |
| 0238442 | 07/22/22 | P | Sarah Anderson Partwood | 0000029332 | 853.80 |
| | | | Line Description: Instructor SMART Camp | | |
| 0238443 | 07/22/22 | P | Sharon Uhl | 0000029741 | 2,134.50 |
| | | | Line Description: Instructor SMART Camp | | |
| 0238444 | 07/22/22 | P | Shaw HR Consulting Inc | 0000021706 | 540.00 |
| | | | Line Description: Safety Physical-Reasonable Acc | | |
| 0238445 | 07/22/22 | P | Siemens Industry Inc | 0000002904 | 5,456.14 |
| | | | Line Description: Descale Chiller | | |
| 0238446 | 07/22/22 | P | Skyhawks Sports Academy LLC | 0000004040 | 750.75 |
| | | | Line Description: Instructor Payment-Winter 2022 | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| 0238447 | 07/22/22 | P | South Coast Emergency Vehicle Services | 0000003643 | 651.50 |
| | | | Line Description: Annual Price Agreement | | |
| 0238448 | 07/22/22 | P | Southern California Shredding Inc | 0000025605 | 90.00 |
| | | | Line Description: Records Destruction June 2022 | | |
| 0238449 | 07/22/22 | P | Sparkletts | 0000015725 | 724.46 |
| | | | Line Description: Water Delivery- CM | | |
| | | | Water Delivery Service-June 22 | | |
| | | | Water Delivery-Public Serv. | | |
| | | | Water Delivery-City Council | | |
| | | | Water Delivery- HR | | |
| | | | Water Delivery-Parks | | |
| | | | Water Delivery-Maint. | | |
| | | | Water Delivery- Finance | | |
| | | | Water Delivery-Corp Yard | | |
| | | | Water Delivery-City Clerk | | |
| | | | Water Delivery- Dev. Serv. | | |
| 0238450 | 07/22/22 | P | Stancil Corporation | 0000021230 | 7,096.48 |
| | | | Line Description: Sales Tax 7.75% | | |
| | | | Upgraded Voice Recorder | | |
| | | | Installation & Training | | |
| 0238451 | 07/22/22 | P | Staples Advantage | 0000024532 | 8,941.90 |
| | | | Line Description: Supplies-CDBG | | |
| | | | Supplies-IT | | |
| | | | Supplies-HR | | |
| | | | Supplies-Fire | | |
| | | | Supplies-P&R Balearic Yth Sprt | | |
| | | | Supplies-Police Records | | |
| | | | Supplies-PS Maintenance | | |
| | | | Supplies-PS Engineering | | |
| | | | Supplies-Devlpment Svs | | |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| | | | <i>Line Description:</i> Supplies-City Clerk P&R Balearic Rocks Supplies-Dev Svcs Supplies-Dev Svs Supplies-Finance | | |
| 0238452 | 07/22/22 | P | Susan Saxe Clifford PHD | 0000003932 | 450.00 |
| | | | <i>Line Description:</i> Pre-Employment Psychological | | |
| 0238453 | 07/22/22 | P | Tara Ruehling | 0000027797 | 1,024.56 |
| | | | <i>Line Description:</i> Instuctor SMART Camp | | |
| 0238454 | 07/22/22 | P | The Counseling Team International | 0000026352 | 300.00 |
| | | | <i>Line Description:</i> Counseling | | |
| 0238455 | 07/22/22 | P | The Portable Bar Company | 0000029645 | 3,163.45 |
| | | | <i>Line Description:</i> PORTABLE BAR SALES TAX (7.75%) SHIPPING FEE | | |
| 0238456 | 07/22/22 | P | Turnout Maintenance Company LLC | 0000020182 | 211.49 |
| | | | <i>Line Description:</i> Coats, Pen Pocket, Misc | | |
| 0238457 | 07/22/22 | P | US Bank | 0000002228 | 6,854.14 |
| | | | <i>Line Description:</i> PAR Deduction Ck-2213 PAR Deduction Ck-2212 | | |
| 0238458 | 07/22/22 | P | US Postal Service | 0000004376 | 10,000.00 |
| | | | <i>Line Description:</i> Postage Meter- July 2022 | | |
| 0238459 | 07/22/22 | P | Verizon Wireless | 0000008717 | 5,177.94 |

Bank: CITY
Cycle: AWKLY

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|---|------------|-------------|
| | | | <i>Line Description:</i> PD Broadband Svcs 5/24-6/23/22 | | |
| 0238460 | 07/22/22 | P | Vulcan Materials Company | 0000007403 | 336.99 |
| | | | <i>Line Description:</i> Asphalt Patching Pothole Ramps Asphalt Patching Potholes Ramp Asphalt Patching Potholes Ramp | | |
| 0238461 | 07/22/22 | P | Ware Disposal Inc | 0000000255 | 8,883.43 |
| | | | <i>Line Description:</i> Bulky Item Pick Up | | |
| 0238462 | 07/22/22 | P | Waterline Technologies Inc | 0000014520 | 344.80 |
| | | | <i>Line Description:</i> DRC Pool Treatment | | |
| 0238463 | 07/22/22 | P | Waxie Sanitary Supply | 0000004480 | 62.41 |
| | | | <i>Line Description:</i> Warehouse Floor Stock | | |
| 0238464 | 07/22/22 | P | West Coast Fence Co | 0000021495 | 450.00 |
| | | | <i>Line Description:</i> FS3-8" Chain | | |
| 0238465 | 07/22/22 | P | Wet Okole Hawaii Inc | 0000029644 | 705.76 |
| | | | <i>Line Description:</i> Sales Tax 7.75% Center Console Arm Rest Cover Driver Seat Cover-Chevy Tahoe Driver Seat Cover-Park Ranger Driver Seat Cover-Police Explo | | |
| 0238466 | 07/22/22 | P | Xerox Financial Services | 0000010450 | 902.06 |
| | | | <i>Line Description:</i> Xerox Copier Lease 6/3-7/2/22 | | |
| 0238467 | 07/22/22 | P | Zoll Data Systems | 0000018425 | 8,422.04 |
| | | | <i>Line Description:</i> FIRE RMS CAD INTERFACE | | |

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City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

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Bank: CITY

Cycle: AWKLY

| <u>Payment Ref</u> | <u>Date</u> | <u>Status</u> | <u>Remit To</u> | <u>Remit ID</u> | <u>Payment Amt</u> |
|--------------------|-------------|---------------|-----------------|-----------------|--------------------|
|--------------------|-------------|---------------|-----------------|-----------------|--------------------|

Line Description: FIRE RMS ENTERPRISE LICENSES

TOTAL \$1,117,979.78

End of Report

Bank: DDP1

Cycle: ADIRDP

| Payment Ref | Date | Status | Remit To | Remit ID | Payment Amt |
|-------------|----------|--------|--|------------|-------------|
| 013923 | 07/22/22 | P | Alma Reyes | 0000021563 | 123.61 |
| | | | Line Description: ICSC Conf 5/23-5/24/22 | | |
| 013924 | 07/22/22 | P | Costa Mesa Employees Association | 0000006284 | 3,009.56 |
| | | | Line Description: Payroll Deduction-2215 | | |
| 013925 | 07/22/22 | P | Costa Mesa Executive Club | 0000006286 | 75.00 |
| | | | Line Description: Payroll Deduction-2215 | | |
| 013926 | 07/22/22 | P | Costa Mesa Firefighters Association | 0000001812 | 7,800.27 |
| | | | Line Description: Payroll Deduction-2215 | | |
| 013927 | 07/22/22 | P | Costa Mesa Police Association | 0000001819 | 7,200.00 |
| | | | Line Description: Payroll Deduction-2215 | | |
| 013928 | 07/22/22 | P | Costa Mesa Police Management Assn | 0000005082 | 200.00 |
| | | | Line Description: Payroll Deduction-2215 | | |
| 013929 | 07/22/22 | P | Lori Ann Farrell Harrison | 0000029385 | 156.09 |
| | | | Line Description: League of CA Cities 9/22-9/24 | | |
| 013930 | 07/22/22 | P | Omar Amaya | 0000027488 | 300.00 |
| | | | Line Description: Intermediate ICS 6/21-6/23/22 | | |
| 013931 | 07/22/22 | P | Ryan Bohr | 0000027031 | 250.00 |
| | | | Line Description: City Mgr Leadership Award-Jun | | |
| 013932 | 07/22/22 | P | Ryan Kennedy | 0000027508 | 800.00 |
| | | | Line Description: Rescue Systems II 6/13-6/17/22 | | |

Report ID: CCM2001

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

Page No. 2

Run Date Jul 21, 2022

Run Time 3:41:38 PM

Bank: DDP1

Cycle: ADIRDP

| <u>Payment Ref</u> | <u>Date</u> | <u>Status</u> | <u>Remit To</u> | <u>Remit ID</u> | <u>Payment Amt</u> |
|--------------------|-------------|---------------|-----------------|-----------------|--------------------|
| TOTAL | | | | | \$19,914.53 |

End of Report

Report ID: CCM2001

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

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Run Date Jul 15, 2022

Run Time 3:28:39 PM

Bank: DDP1

Cycle: ADIRDP

| <u>Payment Ref</u> | <u>Date</u> | <u>Status</u> | <u>Remit To</u> | <u>Remit ID</u> | <u>Payment Amt</u> |
|---|-------------|---------------|-------------------|-----------------|---------------------|
| 013922 | 07/18/22 | P | Travel Costa Mesa | 0000024750 | 244,922.72 |
| <i>Line Description:</i> BIA Receipt- June 2022 | | | | | |
| TOTAL | | | | | \$244,922.72 |

End of Report

Report ID: CCM20010

City of Costa Mesa Accounts Payable
CCM OVERFLOW CHECK LISTING

Page No. 1

Run Date Jul 21, 2022

Run Time 3:39:22 PM

Bank: CITY

Cycle: AWKLY

| <u>Payment Ref</u> | <u>Date</u> | <u>Status</u> | <u>Remit To</u> | <u>Remit ID</u> | <u>Payment Amt</u> |
|--------------------|-------------|---------------|---|-----------------|--------------------|
| 0238381 | 07/22/22 | O | Southern California Edison Company <i>Line Description: Overflow</i> | 0000004088 | 0.00 |
| TOTAL | | | | | 0.00 |

End of Report



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-827

Meeting Date: 8/2/2022

TITLE:

SECOND READING AND ADOPTION OF AN ORDINANCE ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA ADOPTING AN AB 481 EQUIPMENT USE POLICY OF THE CITY OF COSTA MESA, CALIFORNIA GOVERNING THE USE OF MILITARY EQUIPMENT

DEPARTMENT: Police Department

PRESENTED BY: Jason Chamness, Lieutenant

CONTACT INFORMATION: Jason Chamness, Lieutenant, 714-754-5292

RECOMMENDATION:

Staff recommends that the City Council give second reading and adopt:

Ordinance No. 2022-03, entitled: An Ordinance of the City Council of the City of Costa Mesa, California adopting an AB 481 equipment use policy of the City of Costa Mesa, California governing the use of military equipment.

BACKGROUND:

At its regular meeting on July 19, 2022, the City Council gave first reading to and introduced Ordinance No. 2022-03 by a 7-0 vote.

ANALYSIS:

The Ordinance is being presented for second reading and final adoption. If approved, the Ordinance would become effective 30 days after the second reading.

PUBLIC NOTICE:

Pursuant to Government Code 36933, a summary of the proposed Ordinance was published once on the City of Costa Mesa's website no less than 5 days prior to the August 2, 2022 second reading. A summary of the adopted ordinance will be published within 15 days after the adoption.

As of this report, no additional written public comments have been received. Any additional written comments received will be forwarded.

ALTERNATIVES:

There are no reasonable alternatives to approval of the ordinance. CMPD has not discovered alternative items that can achieve the same objectives of civilian and officer safety. Failure to adopt the ordinance and policy will preclude CMPD's use of all the identified equipment.

FISCAL REVIEW:

This item does not have a financial impact.

LEGAL REVIEW:

The City Attorney's Office prepared the ordinance and has reviewed this report and approved it as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the City Council Goal:

- Strengthen the public's safety and improve the quality of life

CONCLUSION:

Staff recommend that the City Council give second reading to and adopt Ordinance No. 2022-03. The adoption of the proposed Ordinance will establish the AB 481 Equipment Use Policy.

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING AN AB 481 EQUIPMENT USE POLICY OF THE CITY OF COSTA MESA, CALIFORNIA GOVERNING THE USE OF MILITARY EQUIPMENT

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

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 (“AB 481”), adding Chapter 12.8, “Funding, Acquisition and Use of Military Equipment”, to Division 7 of Title 1 of the Government Code (sections 7070 – 7075), relating to the use of equipment identified by the state as “military equipment” (hereinafter referred to as “AB 481 equipment”) by California law enforcement agencies;

WHEREAS, AB 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how AB 481 equipment is funded, acquired, or used;

WHEREAS, the Costa Mesa Police Department is in possession of certain items of equipment that qualify as “military equipment” under AB 481 and further intends to acquire other items that fall under this definition;

WHEREAS, AB 481 requires, inter alia, that a law enforcement agency possessing and using such qualifying equipment must prepare a publicly released, written, military equipment use policy document (hereinafter referred to as the “AB 481 Equipment Use Policy”) covering the, description, quantity, purpose, capabilities, use, lifespan, acquisition, maintenance, authorized use, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the Department’s use of such equipment;

WHEREAS, the policy must be approved by the City Council by ordinance, and reviewed annually thereafter; and

WHEREAS, the AB 481 equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety;

WHEREAS, the proposed AB 481 Equipment Use Policy (“Policy”) will safeguard the public’s health, welfare, safety, civil rights, and civil liberties;

WHEREAS, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety;

WHEREAS, prior AB 481 equipment use complied with the applicable equipment use policy (which included equipment now defined as military equipment) that was in effect at the time;

WHEREAS, the Police Department has submitted the proposed Policy to the City Council and thereafter has made those documents available on the Police Department's website for at least 30 days prior to the public hearing concerning the AB 481 equipment at issue;

WHEREAS, the Policy satisfies the requirements of Government Code Section 7070(d);

WHEREAS, the City Council of the City of Costa Mesa, having received the information required under AB 481 regarding the Costa Mesa Police Department's use of AB 481 equipment as defined in said law, deems it to be in the best interest of the City to and hereby does approve the AB 481 Equipment Use Policy.

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA HERBY ORDAINS AS FOLLOWS:

Section 1: Recitals. The City Council finds that all the recitals, facts, findings, and conclusions set forth above in the preamble of this Ordinance are true and correct.

Section 2: Approval of AB 481 Equipment Use Policy.

AB 481 Equipment Use Policy.

- (a) The AB 481 Equipment Use Policy shall govern the use of AB 481 equipment by the Costa Mesa Police Department.
- (b) The Policy shall be made publicly available on the Police Department's website for as long as the AB 481 equipment is available for use or as otherwise ordained by the City Council.
- (c) The Police Department shall submit an annual AB 481 equipment report to the City Council containing the information required by Government Code Section 7072 and the City Council shall thereafter determine whether each type of AB 481 equipment identified therein complied with the standards for approval set forth in Government Code Section 7071(d).

(d) The City Council shall on an annual basis and at a regular meeting thereof review this ordinance and vote on whether to renew it pursuant to Government Code Section 7071(e)(2).

(e) The definitions set forth in Government Code section 7070 shall apply to this ordinance. Any provision of state law referred to herein shall mean and include any amended or successor provision thereof.

Section 3: Compliance with CEQA. Adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) (General Rule) of the CEQA Guidelines because it is not a “project” and because it can be seen with certainty that there is no possibility that the passage of this Ordinance will have a significant effect on the environment.

Section 4: Inconsistencies. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

Section 5: Uncodified Ordinance. This Ordinance shall not be codified in the Costa Mesa Municipal Code unless and until the City Council so ordains.

Section 6: Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional. No portion of this Ordinance shall supersede any local, state, or federal law, regulation, or codes dealing with life safety factors.

Section 7: Effective Date. This Ordinance shall become effective thirty (30) days following its adoption.

Section 8: Certification. The City Clerk shall certify the adoption of this Ordinance and shall cause the same to be posted or published in the manner as required by law.

APPROVED AND ADOPTED on this __ day of ____, 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 California, do hereby certify that the foregoing ordinance was regularly introduced at a regular meeting of the City Council held on the 19th day of July, 2022, and adopted by the City Council of the City of Costa Mesa, California, at a regular meeting thereof held on the ____ day of ____, 2022, by the following vote of the City Council:

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



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-809

Meeting Date: 7/19/2022

TITLE:

AN ORDINANCE TO ADOPT AN EQUIPMENT USE POLICY GOVERNING THE USE OF SPECIFIED EQUIPMENT PURSUANT TO CALIFORNIA ASSEMBLY BILL (AB) 481.

DEPARTMENT: POLICE DEPARTMENT

PRESENTED BY: RONALD LAWRENCE, CHIEF OF POLICE

CONTACT INFORMATION: JASON CHAMNESS 714-754-5354

RECOMMENDATION:

Staff recommends the City Council to:

1. Hold a public hearing and introduce and give first reading to an Ordinance approving an amended AB 481 Equipment Use Policy.
2. Authorize the City Manager, or her designee, to work with the City Attorney's Office to execute any and all documents necessary to acquire and finance/purchase a new armored rescue vehicle for the Police Department approved in the FY 2022-23 Budget.

BACKGROUND:

Assembly Bill 481 (AB 481), codified at Government Code sections 7070 through 7075 requires a law enforcement agency to obtain approval from the applicable governing body via ordinance, adopting a "military equipment" use policy, prior to the agency funding, acquiring, or using equipment identified under AB 481.

AB 481 became law as of January 1, 2022. Per AB 481, law enforcement agencies are now required to first obtain approval for the policy content from their respective governing body. After enacting the ordinance adopting the policy, law enforcement agencies are further required to submit an annual report to the governing body for as long as the equipment is available for use. Agencies must also hold at least one community engagement meeting within 30 days of submitting and publicly releasing the annual report. Finally, agencies are required to attach an AB 481 equipment inventory to the policy. Agencies seeking to continue using AB 481 equipment acquired prior to January 1, 2022, had until May 1, 2022 to commence the governing body approval process described by the statute.

Staff commenced this process in March 2022 and the AB 481 Equipment Use Policy was submitted to the City Council and posted on the Costa Mesa Police Department's (CMPD) website for public review on April 21, 2022. City Council conducted a first reading, with a public hearing, of an Ordinance adopting the AB 481 Equipment Use Policy on June 7, 2022. Subsequent to this first reading and public hearing, the CMPD determined that there was a need to amend the policy with

respect to certain equipment.

CMPD submitted the amended AB 481 Equipment Use Policy to City Council and posted it on the CMPD website for public review on June 15, 2022. The CMPD requests that City Council introduce and give first reading to the attached Ordinance approving the amended AB 481 Equipment Use Policy - Policy 706, in order to allow CMPD to continue to use the vital equipment specified therein.

ANALYSIS:

Items deemed to be AB 481 equipment are used as a component of overall best practices for law enforcement agencies throughout the country. These tools have been tested in the field and are used by law enforcement agencies to enhance both citizen safety and officer safety. Loss of these items would jeopardize the welfare of citizens and peace officers within the CMPD.

The term “military equipment,” as used in AB 481, in fact does not necessarily indicate equipment that has been used by, or obtained from, the military. Pursuant to AB 481, items deemed to be “military equipment” include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, specialized firearms and ammunition to include assault weapons, less lethal 40mm projectile launchers, long range acoustic devices, flashbangs, “tear gas,” and pepper balls.

CMPD is committed to using the most up to date tools and equipment to safeguard the citizens of Costa Mesa. Many of the items deemed to be AB 481 equipment are in fact employed by CMPD, and law enforcement agencies across the country, in order to specifically reduce risk to community members. These items provide peace officers with the ability to safely resolve volatile situations which otherwise might rise to the level of a lethal force encounter. To that end, the items at issue in this report, and accompanying AB 481 Equipment Use Policy, also provide CMPD’s peace officers with vital tools that facilitate compliance with its stringent use of force policy.

Other items deemed to be AB 481 equipment include foundational equipment such as rifles. These rifles allow peace officers to address lethal threats from a greater distance and with greater precision.

There is significant interest in ensuring that law enforcement continues to have access to equipment that will provide peace officers as many options as possible to safeguard lives, ensure safety, and protect civil liberties. The use of the tools identified below are vital to CMPD’s mission and will continue to be strictly regulated through internal processes and oversight.

The proposed ordinance seeks to approve the CMPD’s Policy 706 which constitutes CMPD’s AB 481 Equipment Use Policy. Policy 706 outlines each item responsive to Government Code section 7070. Policy 706 also includes a list of equipment deemed “military” under AB 481, including information regarding the description, cost, quantity, capabilities, purpose, authorized use, lifespan, fiscal impact, training, and legal and procedural rules for each item. A majority of these particular items, and their stated uses, have been in place prior to the implementation of AB 481. Future acquisitions of any item deemed to be “AB 481 Equipment” not contained in this policy will require a further public meeting, policy update, and council approval.

Each item’s necessity is further described below:

Unmanned remotely piloted powered aerial vehicle: Unmanned aerial systems (UAS) are necessary

as they provide visibility to high-risk locations. Without the use of a UAS, peace officers would have to physically deploy to high-risk locations which would increase the risk to the officers and members of the public. The UAS system is designed to enter small spaces, such as enclosed structures, as well as to provide overhead observations of wooded areas and other structures located in often times crowded spaces. There are no known alternatives which could be used to safely access these locations.

Unmanned remotely controlled ground vehicle: Unmanned ground robots are used for reconnaissance during critical incidents to assist in providing visibility in areas where it would be unsafe to send a peace officer. This system can also be used to defuse or move potentially hazardous items. Not having access to this item would require the use of peace officers to engage in high-risk tasks. There is no known alternative to this system.

Armored Rescue Vehicles (ARV): Armored Rescue Vehicles are used to provide ballistic protection to officers and citizens during rescue, critical incidents, and other hazardous situations. These vehicles allow officers closer access to high-risk situations while substantially reducing the physical risk to the officers and citizens. These vehicles are built on commercial vehicle chassis and are primarily a reinforcement of civilian commercial vehicles. As such, there are no reasonable alternatives to providing the same level of ballistic protection.

Command and control vehicles: The mobile command vehicle (MCV) is an unarmored vehicle equivalent to a commercial recreational vehicle. It is equipped with specific communication and audio-visual devices to assist in command and control of a critical incident. This vehicle allows for mobile incident command and use of the Incident Command Systems facilitating the best possible on scene decision-making by key leaders. It provides for mobility, sheltering, and logistical support. There is no known alternative for the MCV which provides the same amount of mobility and support at one location in a quick deploying package.

Breaching shotgun and slugs: Breaching shotguns are used to defeat locked, barricaded, or fortified locations allowing officers to conduct rescues or high risk forcible entries. This includes but is not limited to, rescuing hostages. These items allow peace officers to quickly enter a structure when time is of the essence. This may include but is not limited to, an active shooter or kidnapping situation. In such situations, time is of the essence and it would not be feasible to delay access to the structure. There are alternatives which are used for low risk and/or non-fortified situations. This includes handheld battering rams. However, this alternative does not afford the same level of protection or speed that such equipment provides when necessary. As such, there is no reasonable alternative to these items when they are used and required.

Specialized firearms and ammunition including assault weapons: Patrol rifles, and Special Weapons and Tactics (SWAT) rifles enable officers, when in compliance with the CPD's Use of Force Policy, to address medium to long distance threats, or those threats who are heavily armed, armored or both. Further, in both short and long-distance deployments, they allow officers' precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance or precision.

Noise Flash Diversionary Device (NFDD): NFDDs are used as a distraction device in order to disorient or divert the suspect's attention away from officers. This can allow officers to gain safer access to a high-risk situation, giving extra time to assess and analyze existing threats. This can

prevent injury to officers and citizens. These devices can often lead to a safer resolution and allow officers to take a citizen into custody without force. There is no known alternative to a flashbang when it is necessary.

Tear gas and pepper ball: Tear gas and pepper ball are less lethal methods used to address violent or riotous crowds when there is a risk of physical safety. They are also used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Tear gas allows peace officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. These weapons are less lethal and afford peace officers an added option to avoid lethal force encounters. When these items are reasonable and necessary for use, there is no other alternative.

Long Range Acoustic Device (LRAD): The LRAD is used in situations necessary to address the public. It can also be used as a safe deterrent against hostile crowds or individuals. This device is only used when standard sound amplification equipment is not sufficient to provide adequate range or capability needed. There is no reasonable alternative that would suffice in situations where the LRAD is necessary.

40mm projectile launchers and munitions: The 40mm launcher and munitions affords the ability to use less lethal impact and chemical munitions. This allows officers to address a threat from a greater distance and provides an alternative option for deadly force when reasonable. The beanbag shotgun also allows officers to confront a potentially armed or dangerous suspect at a longer distance. This can potentially prevent a deadly force encounter. When necessary, there is no alternative to these less lethal weapon systems.

POLICE SWAT VEHICLE ACQUISITION AND LEASE AGREEMENT

The FY 2022-23 Adopted Budget includes an estimated debt service payment for the acquisition of one Police SWAT Vehicle. Staff is requesting City Council approval to enter into a purchase agreement of one (1) BearCat swat vehicle with Lenco Armored Vehicles, and authorize the City Manager, or her designee, to enter into any and all documents necessary to finance the purchase of the police vehicle to enhance and modernize the public safety and emergency response.

The annual debt service payment for the lease of the BearCat vehicle is included in the FY 2022-23 Non-Departmental budget. Interest rates fluctuate on a daily basis and final lease financing rates and costs will be determined prior to the close of escrow. Staff recommends the lease purchase of the police vehicle plus required equipment and fixtures totaling an estimated \$400,000 through a five-year lease agreement. Based on the current estimated interest rate of 2.00 percent, the annual debt payment is estimated at \$84,000. Please note the interest rate may be subject to change based on market conditions at the time of close of escrow.

City Council authorization is requested to authorize the City Manager, or her designee, to work with the City Attorney to enter into a Master Lease Agreement to finance the purchase of the new apparatus in terms favorable to the City. The new BearCat is expected to be delivered to the City in mid-2023 given the minimum 12-month time period that is required to construct a vehicle of this type.

ALTERNATIVES:

There are no reasonable alternatives to approval of the ordinance. CMPD has not discovered alternative items that can achieve the same objectives of civilian and officer safety. Failure to adopt the ordinance and policy will preclude CMPD's use of all the identified equipment.

FISCAL REVIEW:

This item does not have a financial impact.

LEGAL REVIEW:

The City Attorney's Office prepared the ordinance and has reviewed this report and approved it as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council Goal:

- Strengthen the public's safety and improve the quality of life.

CONCLUSION:

Staff recommends the City Council:

1. Hold the required public hearing and introduce and give first reading to an Ordinance approving an amended AB 481 Equipment Use Policy.
2. Authorize the City Manager, or her designee, to work with the City Attorney's Office to execute any and all documents necessary to acquire and finance/purchase a new BearCat vehicle for the Police Department approved in the FY 2022-23 Budget.

Policy
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Costa Mesa
Police Department
Costa Mesa PD Policy Manual

Assembly Bill (AB) 481 Equipment Use Policy

706.1 PURPOSE AND SCOPE

This policy provides guidelines to comply with State law for the approval, acquisition, and reporting requirements of specific equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

706.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Specified equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms and ammunition.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- “Flashbang” grenades and explosive breaching tools.
- Munitions containing, “tear gas,” and pepper balls, excluding standard, service-issued handheld pepper spray

- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

706.2 POLICY

It is the policy of the Costa Mesa Police Department that members of this department comply with the provisions of Government Code § 7071.

706.3 AB 481 EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the coordinator of all equipment mandated by State law to be approved under this policy.

The responsibilities of the coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as AB 481 equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all AB 481 equipment at least annually.
- (d) Collaborating with any allied agency that may use AB 481 equipment within the jurisdiction of Costa Mesa Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 1. Publicizing the details of the meeting.
 2. Preparing for public questions regarding the department’s funding, acquisition, and use of equipment.
- (f) Preparing the annual AB 481 equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond.

706.4 AB 481 EQUIPMENT CONSIDERATIONS

- (a) The AB 481 equipment acquired and authorized by the Department is:

1. Necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
 2. Reasonably cost-effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- (b) AB 481 equipment shall be used by a Department employee only after applicable training, including any course required by the Commission on Peace Officer Standards and Training, has been completed unless exigent circumstances arise.

706.5 AB 481 EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

[See attached: AB 481 Equipment Inventory.pdf](#)

706.6 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the AB 481 equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed AB 481 equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the AB 481 equipment at issue (Government Code § 7071). The AB 481 equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting AB 481 equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for AB 481 equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring AB 481 equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of AB 481 equipment within the jurisdiction of this department.
- (e) Using any new or existing AB 481 equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of AB 481 equipment.
- (g) Acquiring AB 481 equipment through any means not provided above.

706.7 COORDINATION WITH OTHER JURISDICTIONS

AB 481 equipment "military equipment" used by any member of this department shall be in accordance with this policy and all applicable department policies. AB 481 equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective policies in rendering mutual aid. Situations may arise where Costa Mesa Police Department may deploy or use equipment owned by other law enforcement agencies.

The Costa Mesa Police Department hereby adopts the AB 481 equipment use policy as is approved, and may be amended from time to time, under Government Code section 7070, et seq., for jurisdictions that the Costa Mesa Police Department may engage with to provide mutual aid. This section is in no way a limitation to the ability of the Costa Mesa Police Department to deploy or use the equipment identified in AB 481 of another jurisdiction.

706.8 ANNUAL REPORT

Upon approval of an AB 481 equipment use policy, the Chief of Police or the authorized designee should submit an AB 481 equipment report to the governing body for each type of AB 481 equipment acquired within one year of approval, and annually thereafter for as long as the AB 481 equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual AB 481 equipment report publicly available on the department website for as long as the AB 481 equipment is available for use. The report shall include all of the following information:

- (a) A summary of how the equipment was used and the purpose of its use.
- (b) A summary of any complaints or concerns received concerning the equipment.
- (c) The results of any internal audits, any information about violations of the AB 481 equipment use policy, and any actions taken in response.
- (d) The total annual cost for each type of equipment in the policy, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the AB 481 equipment in the calendar year following submission of the annual report.
- (e) The quantity possessed for each type of AB 481 equipment.
- (f) If the Department intends to acquire additional equipment mandated by the State for approval in the next year, the quantity sought for each type of equipment.

706.9 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of AB 481 equipment.

706.10 COMPLAINT PROCEDURE

This procedure is to ensure compliance with the military equipment use policy. All complaints, concerns, or questions regarding this policy will be handled pursuant to the Department's normal complaint process.

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Costa Mesa PD Policy Manual

**706.5 AB 481 EQUIPMENT INVENTORY
VEHICLES**

- (A) **Mobile Command Vehicle (MCV):** A vehicle used during critical incidents as a field- based command post, providing Incident Commanders with access to Department computer systems and dispatch center.
1. **Description, cost, quantity, and capabilities:** 2021 Freightliner MT-55 chassis (custom built) vehicle, approximate cost: \$1.2 Million, quantity: not to exceed 1. The MCV can also be utilized for SWAT/CNT and other critical incidents, significant, preplanned events, searching for missing persons, natural disasters, and community events. The MCV has redundant and supplemental communications capabilities increasing public safety interoperability during complex incidents or those requiring supplemental communications capabilities for coordination.
 2. **Purpose:** Used for critical incidents based on the circumstances of a specific event, large event, or natural disaster to effectively and efficiently serve the community.
 3. **Authorized Use:** Only officers trained in the use and deployment of the MCV shall drive the vehicle under the direction of the Chief of Police, Field Operations Captain, Support Services Captain, SWAT Commander, Watch Commander, or their designee. Situations where the MCV may be deployed include but are not limited to critical incidents, natural disasters, special events, training, and emergencies.
 4. **Lifespan:** The MCV has an estimated lifespan of approximately 20-years; however, upgrades are required annually to maintain communications and IT systems.
 5. **Fiscal Impact:** The MCV was authorized in 2021 and purchased in 2022. Annual maintenance costs are estimated to be approximately: \$6,000. Annual communication licensing, subscriptions, and required upgrades are estimated to be approximately: \$6,000
 6. **Training:** Drivers/Operators shall receive safe handling and maneuvering training on a closed training course. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle with an experienced driver throughout the city.
 7. **Legal and Procedural Rules:** It is the policy of the Department to use the MCV in accordance with State and Federal law and department policy.
- (B) **Armored Rescue Vehicles (ARVs):** Commercially-produced, ballistic protected, wheeled vehicles designed for law enforcement purposes.

1. **Description, cost, quantity, and capabilities:**
 - (a) Armored Rescue Vehicle (ARV), cost: \$1, quantity: not to exceed 1. The current ARV is a retrofitted, 1985 GMC C7000, armored bank car that provides its occupants with ballistic protection beyond ballistic shields or personal body armor. It offers greater safety to community members and officers during high-risk incidents. It is capable of seating a driver and 7 passengers.
 - (b) Lenco BearCat, cost approximately: \$311, 000, quantity: not to exceed 1. The Lenco BearCat is an armored rescue vehicle that provides its occupants with ballistic protection beyond ballistic shields or personal body armor. It offers greater safety to community members and officers during high-risk incidents. It is capable of seating a driver and approximately 7 passengers.
2. **Purpose:** Used in response to critical incidents to enhance officers and community safety, improve scene containment and stabilization, and assist in resolving critical incidents. Additionally, ARVs may be deployed as displays for community outreach events.
3. **Authorized Use:** The ARVs use shall be authorized by the Chief of Police, Division Commander, Watch Commander or SWAT Commander based on the specific circumstances of a given critical incident. ARVs shall only be used by personnel trained in their deployment and in a manner consistent with Department policies/procedures. Situations where the ARVs may be deployed include but are not limited to critical incidents, natural disasters, special events, training, and emergencies.
4. **Lifespan:** Both ARVs have an estimated lifespan of approximately 20 years.
5. **Fiscal Impact:**
 - (a) GMC C7000 ARV: The ARV was purchased from Newport Beach PD in 1998 for \$1. Annual maintenance cost: approximately \$1,500
 - (b) Lenco BearCat: Annual maintenance cost approximately: \$4,000
6. **Training:** All drivers/operators shall attend formalized instruction in vehicle operations, practical driving instruction, and deployment procedures.
7. **Legal and Procedural Rules:** It is the policy of the department to use the ARV in accordance with State and Federal law and department policy.

SPECIALIZED TACTICAL EQUIPMENT

- (A) **Tactical Robot:** A remotely controlled, tracked, robot equipped with cameras and two-way audio communication capabilities.
 1. **Description, cost, quantity, and capabilities:** IROBOT FASTPAC PACKBOT TACTICAL ROBOT, cost: on loan from US military, quantity: not to exceed 2. A remotely operated tactical robot providing officers with the ability to observe the interior of a structure without entering. This capability increases the safety of community members, officers, and suspects by providing the operator with the ability to observe and locate

subjects without the risk of a face-to-face confrontation. Additionally, the remote, two-way, communication capability allows operators to de-escalate situations by negotiating the surrender of barricaded subjects.

2. **Purpose:** To be used during tactical incidents to safely search a structure without exposing officers and/or community members to the risk of a face-to-face confrontation.
 3. **Authorized Use:** The tactical robot shall only be deployed by Department personnel trained in its use, and with the approval of the SWAT Commander, Watch Commander, or their designee. Situations where the robots may be deployed include but are not limited to critical incidents, natural disasters, special events, training, and emergencies.
 4. **Lifespan:** The robot's lifespan is approximately 10 years.
 5. **Fiscal Impact:** The iRobot FASTPAC Packbot was loaned to the Department in 2021. The Department paid approximately \$500 in shipping costs. Annual maintenance cost of approximately: \$200.
 6. **Training:** All operators shall receive initial training before deploying the robot in the field.
 7. **Legal and Procedural Rules:** The Department shall only use the robot pursuant to State and Federal Law and department policy.
- (B) **Unmanned Aerial System (UAS):** An unmanned aircraft and the associated equipment necessary to control it remotely.
1. **Description, cost, quantity, and capabilities:**
 - (a) DJI Mavic Mini 2, approximate cost: \$875 each, quantity: not to exceed 15. Utilizing DJI's OcuSync 2.0 2.4/5.8 GHz wireless transmission technology, the Mini 2 can be operated from up to 6.2 miles distance from the operator while still providing video of what the drone records. The Mini 2 can also be flown as high as 2.5 miles and withstand 19 to 24 mph winds.
 - (b) Autel EVO II 640T, approximate cost: \$9,900, quantity: not to exceed 4. The EVO II 640T features a high-resolution thermal camera, which enables the ability to capture incredible detail in dark environments, not previously possible on an aerial drone of this size. Thermal vision capabilities can be combined with the 8K/49MP visual camera for visual intelligence. 12 visual sensors provide omnidirectional obstacle avoidance.
 - (c) Autel EVO II Pro, approximate cost: \$4,050 each, quantity: not to exceed 5. The EVO II Pro features a high resolution camera with the ability to capture incredible video and photo details. Twelve visual sensors provide omnidirectional obstacle avoidance.
 - (d) LOKI MK2, approximate cost: \$6,500, quantity: not to exceed 3. LOKI is the world's first purpose-built tactical UAS. Designed and built in conjunction with several of the world's top counter-terror units, LOKI Mk2 solves virtually all of the problems associated with the tactical use of commercial UAS systems. LOKI is intended for close-quarter,

indoor, and outdoor tactical scouting missions, and features a highly sensitive Night-Day + IR sensor camera giving it the ability to fly and see in complete darkness.

2. **Purpose:** To be deployed when its capabilities would assist officers or incident commanders with the following situations, which include but are not limited to:
 - (a) Major collision investigations.
 - (b) Search for missing persons.
 - (c) Natural disaster management.
 - (d) Crime scene photography.
 - (e) SWAT, tactical, or other public safety and life preservation missions.
 - (f) In response to specific requests from local, State, or Federal fire authorities for fire response and/or prevention.
 3. **Authorized Use:** Only assigned operators who have completed the required training shall be permitted to operate any UAS during approved missions. Situations where UASs may be deployed include but are not limited to critical incidents, natural disasters, special events, training, and emergencies.
 4. **Lifespan:** All UAS equipment has an estimated lifespan of approximately 3-5 years.
 5. **Fiscal Impact:** The Department is in the process of identifying a funding source for the UAS program, including an application for grant funding. The estimated annual cost of the UAS program maintenance is approximately \$10,000.
 6. **Training:** All Department UAS operators will be licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must attend ongoing monthly training.
 7. **Legal and Procedural Rules:** The Department will only deploy the UAS for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law and department policy.
- (C) **NIGHT VISION (NVGs):** Optical device to increase an officer's ability to see at night or in low-light conditions.
1. **Description, cost, quantity, and capabilities:** MUM-14XR-5night vision monocular, cost: on loan from US military, quantity: not to exceed 40. The MUM-14XR-5 is a high performance modular, hand-held passive night vision monocular device that utilizes a single Generation III intensifier tube to provide crisp, clear images under the darkest conditions. The monocular "single tube / single eyepiece" approach to night vision missions is based upon the proven concept that independent use of each eye maximizes the ability of the user to operate under a wide range of low light conditions and maintain maximum situational awareness.

2. **Purpose:** To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:
 - (a) Search for missing persons.
 - (b) Natural disaster management.
 - (c) SWAT, tactical, or other public safety and life preservation missions.
 3. **Authorized Use:** NVGs shall only be used by trained members of the Department's SWAT Team during situations that include but are not limited to the following:
 - (a) By officers who have been trained in their proper use
 - (b) In hostage and barricaded subject situations
 - (c) In high-risk warrant (search/arrest) services where there may be extreme hazards to officers
 - (d) During other high-risk situations where their use would enhance officer safety and the safety of community members
 - (e) During training exercises
 4. **Lifespan:** Is approximately 10 years
 5. **Fiscal Impact:** Loaned from US military. No annual maintenance costs.
 6. **Training:** All Department members who have been issued NVG's will train with them on an annual basis.
 7. **Legal and Procedural Rules:** The Department will only utilize NVGs for official law enforcement purposes and pursuant to State and Federal law and department policy.
- (D) **Long Range Acoustic Device (LRAD):** The LRAD is a high-intensity directional acoustical array for long-range, crystal clear hailing, notification, and an unmistakable warning tone. The LRAD is primarily used as a communication device.
1. **Description, cost, quantity, and capabilities:** LRAD 100x, approximate cost: \$10,703.56, quantity: not to exceed 1. Self-contained, portable, and featuring an extended voice broadcast range out to 600 meters, the LRAD 100X ensures voice messages are clearly heard and understood. LRAD's optimized driver, waveguide, and power efficiency technologies enable the LRAD 100X to provide several hours of clear, continuous communication from a single battery charge.
 2. **Purpose:** To be used to issue dispersal orders during crowd and riot control situations or to address the public in the event of civil emergencies, natural disasters, evacuations, and police incidents (e.g., missing persons, perimeters for wanted suspects/K9 deployments, etc.). The LRAD may also be used to issue a warning tone.
 3. **Authorized Use:** LRADs shall only be used by personnel trained in its deployment and used in a manner consistent with State and Federal law and

training.

4. **Lifespan:** LRADs have an estimated lifespan of approximately 25 years.
5. **Fiscal Impact:** Annual maintenance cost of approximately \$300.
6. **Training:** All operators receive training before operating any LRADs in the field.
7. **Legal and Procedural Rules:** The Department shall only utilize the LRAD for official law enforcement purposes and pursuant to State and Federal law and department policy.

LESS-LETHAL DEVICES

- (A) **40MM Launchers and Munitions:** 40MM launchers are utilized by Department personnel as a less-lethal tool to deploy less-lethal impact munitions and chemical agents.
1. **Description, cost, quantity, and capabilities:**
 - (a) DEFENSE TECHNOLOGY Single Shot 40MM Launcher, #1300, approximate cost: \$1,000, quantity: not to exceed 100. The 40MM Single Launcher is a tactical single-shot launcher that has an Integrated Front Grip (IFG), equipped with an EOTech holographic sight system. It will fire standard 40mm less-lethal ammunition, up to 4.8 inches in cartridge length. It will launch a 40MM less-lethal round up to 131 feet.
 - (b) DEFENSE TECHNOLOGY Tactical 4-Shot 40MM Launcher, #1440. Cost approximately \$1,800. Quantity: not to exceed 6. Designed for riot and tactical situations, the Defense Technology 1440 40mm Tactical 4-Shot Launcher is low-profile and lightweight, providing multi-shot capability in an easy to carry launcher. It features the Rogers Super Stoc expandable gun stock, an adjustable Picatinny mounted front grip, and a unique direct-drive system to advance the magazine cylinder. It is equipped with a EOTech holographic sight system.
 - (c) DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE, #6325, cost approximately: \$20, quantity: not to exceed 500. A less lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose-built 40mm launcher with a rifled barrel at 325 FPS. The 30-gram foam projectile delivers 120 ft/ lbs. of energy on impact. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance of not less than ten (10) feet and as far as 131 feet from the target.
 - (d) DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT CS CRUSHABLE FOAM ROUND, #6320, cost approximately: 18, quantity: not to exceed 60. A less lethal 40MM lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm launcher with a rifled barrel at 295 FPS. The 39-gram crushable foam projectile delivers 120 ft./lbs. of energy upon impact in addition to the dispersion of 5 grams of CS irritant. The 40mm Direct Impact CS Round provides accurate and effective performance when fired from the approved

distance of not less than ten (10) feet and as far as 120 feet from the target. Only trained members of the Department's SWAT Team are authorized to deploy the 40mm Direct Impact CS round.

- (e) DEFENSE TECHNOLOGY, DIRECT IMPACT MARKING CRUSHABLE FOAM ROUND, # 6326, cost approximately: \$21, quantity: not to exceed 50. A less lethal 40MM lightweight plastic and foam projectile with a green marking agent, fired from a single or multi-round purpose built 40MM launcher with a rifled barrel at 325 FPS. The 30-gram foam projectile delivers up to 120 ft./lbs. of energy upon impact. The 40MM Direct Impact Marking Crushable Foam Round provides accurate and effective performance when fired from the approved distance of not less than then (10) feet and as far as 131 feet from the target. Only trained members of the Department's SWAT Team are authorized to deploy the 40mm Marking Round.
- (f) DEFENSE TECHNOLOGY, EXACT IMPACT LE 40MM EXTENDED RANGE SPONGE ROUND, #6325LE, cost approximately: \$25, quantity: not to exceed 50. A less lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose-built 40mm launcher with a rifled barrel at 400 FPS. The 40mm Exact Impact Extended Range Sponge Round provides accurate and effective performance when fired from the approved distance of not less than 33 feet, and as far as 230 feet from the target. Only trained members of the Department's SWAT Team are authorized to deploy the 40mm Extended Range Sponge Round.
- (g) DEFENSE TECHNOLOGY, 40MM FERRET POWDER BARRICADE ROUND, CS, #1292, cost approximately: \$25, quantity: not to exceed 50. The Ferret 40 mm Barricade Penetrating Round is filled with a CS powder chemical agent. It is a frangible projectile that is spin-stabilized, utilizing fins and barrel rifling. It is non-burning and used by tactical teams to penetrate barriers and deliver a chemical agent. Only trained members of the Department's SWAT Team are authorized to deploy the 40mm Ferret Powder Barricade Round.
- (h) DEFENSE TECHNOLOGY, 40MM FERRET LIQUID BARRICADE ROUND, CS, #1262, cost approximately: \$25, quantity: not to exceed 20. The Ferret 40 mm Barricade Penetrating Round is filled with a CS liquid chemical agent. It is a frangible projectile that is spin-stabilized, utilizing fins and barrel rifling. It is non-burning and used by tactical teams to penetrate barriers and deliver a chemical agent. Only trained members of the Department's SWAT Team are authorized to deploy the 40mm Ferret Liquid Barricade Round.
- (i) DEFENSE TECHNOLOGY Single Shot 40MM Launcher, #1425, cost approximately: \$1,000, quantity: not to exceed 100. The 40MM Single Launcher is a tactical single-shot launcher that features an expandable Rogers Super Stoc and adjustable Integrated Front Grip (IFG), equipped with an EOTech holographic sight system. It will fire standard 40mm less-lethal ammunition, up to 4.8 inches in cartridge length. It will

launch a 40MM less-lethal round up to 131 feet.

2. **Purpose:** To limit the escalation of conflict where the employment of lethal force is prohibited or undesirable.
 3. **Authorized Use:** Situations where the deployment of less-lethal impact or chemical munitions are authorized include but are not limited to:
 - (a) Self-destructive, dangerous, and/or combative individuals
 - (b) Riot/crowd control and civil unrest incidents where the criminal behavior involved exceeds a failure to disburse or curfew violation.
 - (c) Circumstances where a tactical advantage can be obtained
 - (d) Vicious animals
 - (e) Training exercises or approved demonstrations
 - (f) Tactical situations involving the deployment of the Department's SWAT Team including, but not limited to barricaded subjects.
 4. **Lifespan:**
 - (a) DEFENSE TECHNOLOGY Single Shot Launcher is approximately 20 years
 - (b) DEFENSE TECHNOLOGY Tactical 4-Shot Launcher is approximately 20 years
 - (c) All munitions listed above are approximately 5 years
 5. **Fiscal Impact:** Annual maintenance for the 40MM launchers is approximately \$50 each.
 6. **Training:** Personnel deploying less-lethal or chemical agents will be trained in their use and deployment before using them in the field. All training will be conducted by a POST-certified less-lethal or chemical agent instructor.
 7. **Legal and Procedural Rules:** It is the department's policy to use all less-lethal devices and associated munitions in accordance with State and Federal law and department policy.
- (B) **PepperBall Launcher and Munitions:** A less-lethal device that discharges projectiles designed to breach glass or projectiles containing chemical agents
1. **Description, cost, quantity, and capabilities:**
 - (a) PepperBall FTC Launcher, cost approximately: \$510 each, quantity: not to exceed 10. Semi- automatic launcher system with a firing rate of 10-12 RPS. Compact lightweight modular design. Ambidextrous rotational safety switch. 30 cubic inch high capacity high-pressure air system. Designed for use with high-pressure air.
 - (b) PepperBall INERT Powder Projectiles, cost approximately: \$300 for a case of 375, quantity: not to exceed 6 cases. Inert projectiles used for training purposes.

- (c) PepperBall LIVE-X PAVA / Oleoresin Capsicum (OC), cost approximately: \$1,100 for a case of 375, quantity: not to exceed 4 cases. Contains a powerful concentration of PAVA pepper powder. One round of LIVE-X™ contains the equivalent to 10 regular PepperBall rounds.
 - 2. **Purpose:** To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of PepperBall may include, but are not limited to:
 - (a) Tactical situations involving the deployment of the Department's SWAT Team
 - (b) Training exercises or approved demonstrations
 - (c) Potentially vicious animals
 - (d) Circumstances where a tactical advantage can be obtained
 - (e) Riot/crowd control and civil unrest incidents
 - (f) Self-destructive, dangerous, and/or combative individuals
 - 3. **Authorized Use:** Only officers who have received certification in the use of PepperBall are authorized to use PepperBall. Situations where the Pepperball may be deployed include but are not limited to critical incidents, emergencies, and training.
 - 4. **Lifespan:**
 - (a) PepperBall FTC Launcher approximately 20 years
 - (b) All PepperBall projectiles have a lifespan of approximately 3 years.
 - 5. **Fiscal Impact:** Annual maintenance for the PepperBall launchers is approximately \$50.
 - 6. **Training:** Only officers who have been properly trained will be permitted to deploy and use Pepperball.
 - 7. **Legal and Procedural Rules:** The Department will only deploy PepperBall for law enforcement purposes and in accordance with State and Federal law and department policy.
- (C) **Chemical Agent and Smoke Canisters:** Canisters that disburse chemical agents and/or smoke when deployed.
- 1. **Description, cost, quantity, and capabilities:**
 - (a) DEFENSE TECHNOLOGY, RIOT CONTROL CS gas, #1082, cost approximately: \$41, quantity: not to exceed 100. The Riot Control CS is a continuous discharge canister. This canister can be hand thrown or launched from a fired delivery system. The canister is 6.0in. by 2.35 in. and holds an approximately 2.7 oz. of active agent payload. It has an approximate burn time of 20-40 seconds.
 - (b) DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER CS CANISTER, #1032, cost approximately; \$32, quantity: not to exceed 10. The Tri-Chamber Flameless CS canister design allows the contents

to burn within an internal can and disperse the agent safely with reduced risk of fire. The canister is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. This canister will deliver approximately .70 ounces of agent during its 20-25 seconds burn time. The Tri-Chamber Flameless canister can be used in crowd control and tactical deployment situations by Law Enforcement and Corrections but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. The purpose of the Tri-Chamber Flameless canister is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The Tri-Chamber Flameless canister provides the option of delivering a pyrotechnic chemical device indoors, maximizing the chemicals' effectiveness via heat and vaporization while minimizing or negating the chance of fire to the structure.

- (c) DEFENSE TECHNOLOGY, POCKET TACTICAL CANISTER, CS, #1016, cost approximately: \$23, quantity: not to exceed 100. The Pocket Tactical CS Canister is small and lightweight. The 0.9 oz. of active agent will burn approximately 20-40 seconds. At 4.75 in. by 1.4 inches in size, it easily fits in most tactical pouches. Though this device is slightly over four inches in length, it produces a smoke cloud so fast it appears to be an enveloping screen produced by a full-size tactical canister.
 - (d) DEFENSE TECHNOLOGY, MAXIMUM SMOKE CANISTER, #1073, cost approximately: \$35, quantity: not to exceed 25. The Maximum Smoke canister is specifically designed for outdoor use in a crowd control capacity with a high volume of continuous burn that expels its payload in approximately 1.5 minutes through four gas ports located on top of the canister. This can be used to conceal tactical movement or re-route a crowd.
2. **Purpose:** To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for the use of the less-lethal canisters may include, but are not limited to:
 - (a) Self-destructive, dangerous, and/or combative individuals
 - (b) Riot/crowd control and civil unrest incidents
 - (c) Circumstances where a tactical advantage can be obtained
 - (d) Potentially vicious animals
 - (e) Training exercises or approved demonstrations
 - (f) Tactical situations involving the deployment of the Department's SWAT Team
 3. **Authorized Use:** Only SWAT officers who have received POST certification in the use of chemical agents are authorized to use chemical agents. Situations where the chemical agents may be deployed include but are not limited to critical incidents, emergencies, and training.

4. **Lifespan:** Approximately 5 years from manufacturing date.
5. **Fiscal Impact:** No annual maintenance costs
6. **Training:** SWAT Team members utilizing chemical agent canisters are certified by POST less lethal and chemical agents instructors.
7. **Legal and Procedural Rules:** The Department will only deploy chemical agents for law enforcement purposes and in accordance with State and Federal law and department policy.

SPECIALTY MUNITIONS

- (A) **Breaching Shotguns and Munitions:** Shotguns and specialty munitions utilized to access secured structures when no other means have proven successful.
1. **Description, cost, quantity, and capabilities:**
 - (a) REMINGTON 870 BREACHING SHOTGUN, cost approximately: \$500, quantity: not to exceed 2. The breaching shotgun is a standard patrol issue shotgun that is shortened to improve maneuverability in a tactical environment.
 - (b) DEFENSE TECHNOLOGY, TKO 12-GAUGE BREACHING ROUND, cost approximately: \$7, quantity: not to exceed 100. The 12-Gauge TKO Breaching Round is a 12-Gauge shell loaded with a compressed zinc slug, utilizing smokeless powder as a propellant. It is a widely used method to breach door locks or hinges for entry during tactical operations. When properly deployed, the TKO can defeat door lock mechanisms, doorknobs, hinges, deadbolts, safety chains, and padlocks on both wooden and hollow core doors. Upon impact with the target, the zinc slug disintegrates into a fine powder eliminating fragmentation.
 2. **Purpose:** Used to defeat locking mechanisms on doors or gates when mechanical breaching is ineffective or not feasible due to environmental factors.
 3. **Authorized Use:** Breaching shotguns and munitions shall only be utilized by trained members of the Department's SWAT Team and only with the approval of the Incident Commander, SWAT Commander, or their designee during tactical incidents or training exercises.
 4. **Lifespan:**
 - (a) Remington Breaching Shotguns approximately 25 years
 - (b) TKO 12-Gauge Breaching Round approximately 5 years
 5. **Fiscal Impact:** Annual maintenance of shotguns, approximately \$100
 6. **Training:** All SWAT Team members deploying breaching shotguns and munitions shall receive initial training before utilizing them in the field.
 7. **Legal and Procedural Rules:** The Department will only utilize breaching shotguns and munitions for official law enforcement purposes in accordance with State and Federal law and department policy.

- (B) **Noise Flash Diversionary Devices (NFDD):** A device used to distract or divert a person's attention.
1. **Description, cost, quantity, and capabilities:** DEFENSE TECHNOLOGY LOW-ROLL NON-RELOADABLE DISTRACTION DEVICE, #8902NR cost approximately: \$42, quantity: not to exceed 100. A non-bursting, non-fragmenting single-bang device that produces a thunderous bang with intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry, or other high-risk arrest situations.
 2. **Purpose:** A diversionary device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry, or other high-risk arrest situations. To produce atmospheric overpressure and brilliant white light and, as a result, can cause short-term (6 - 8 seconds) physiological/psychological, sensory deprivation to give officers a tactical advantage.
 3. **Authorized Use:** Diversionary Devices shall only be used by trained members of the Department's SWAT Team during situations that include but are not limited to the following:
 - (a) By officers who have been trained in their proper use
 - (b) In hostage and barricaded subject situations
 - (c) In high-risk warrant (search/arrest) services where there may be extreme hazards to officers
 - (d) During other high-risk situations where their use would enhance officer safety
 - (e) During training exercises
 4. **Lifespan:** Until deployed
 5. **Fiscal Impact:** No annual maintenance
 6. **Training:** Prior to use, officers must attend diversionary device training conducted by Post certified instructors.
 7. **Legal and Procedural Rules:** The Department will only utilize NFDDs for official law enforcement purposes and pursuant to State and Federal law and department policy.

FIREARMS AND AMMUNITION

- (A) **Rifles:** Shoulder-fired firearms, with long spirally grooved barrels, intended to cause projectiles to spin, improving accuracy over a long distance.
1. **Description, cost, quantity, and capabilities:**
 - (a) COLT LAW ENFORCEMENT CARBINE 5.56mm (.223 Rem) PATROL RIFLE (6920) equipped with an EO-Tech Holographic sight, tactical light, and sling, cost approximately: \$1,588, quantity: not to exceed 100. Action: Gas Operated Semi-Auto, Caliber: 223 Remington/5.56 NATO, Barrel Length: 16.1", Capacity: 30+1, Trigger: Standard, Safety: Reversible Safety Selector, Weight: 6.95 lbs, Stock: Black 4-Position Collapsible, Metal Finish: Black, Muzzle: A2 Flash Hider, Receiver Material: 7075-T6 Aluminum, Sights: A2 Front, Barrel Description:

Chrome-Lined, Twist: 1:7" Purpose: Duty \ Range, Finish: Black, Overall Length: 32" to 35" Features: Front Barrel Lug/ Ejection Port Cover, Effective Range: 400m

- (b) COLT M4 CARBINE COMMANDO (R0933) / CQB (LE6946) 5.56mm (.223 Rem) SWAT RIFLE equipped with an EO-Tech holographic sight, tactical light, and sling, cost approximately: \$1,300, quantity: not to exceed 30. Action: Gas Operated Full-Auto, Caliber: 223 Remington /5.56 NATO, Barrel Length: 10.3" or 11.5", Capacity: 30+1, Trigger: Standard, Safety: Reversible Safety Selector, Weight: 6.25 lbs, Stock: Black 4-Position Collapsible, Metal Finish: Black, Muzzle: A2 Flash Hider, Receiver Material: 7075-T6 Aluminum, Sights: A2 Front, Barrel Description: Chrome-Lined, Twist: 1:7" Purpose: Duty \ Range, Finish: Black, Overall Length: 26" to 29.5" Features: Front Barrel Lug/ Ejection Port Cover, Effective Range: 400m.
 - (c) SIG SAUER MPX SWAT 9mm SUBMACHINE GUN equipped with EO-Tech holographic sight, tactical light, and sling. Cost approximately: \$1,800, Quantity: not to exceed 20. Action: Short Stroke Piston, Full-Auto, Caliber: 9mm NATO (9x19mm), Barrel Length: 8", Capacity: 30+1, Trigger: Standard, Safety: Ambidextrous Safety Selector, Weight: 5.6 lbs, Stock: Folding or 5 Position telescoping, Metal Finish: Black, Muzzle: A1 Flash Hider, Receiver Material: 7075-T6 Aluminum, Sights: folding front and rear, Barrel Twist: 1:10" Purpose: Duty \ Range, Finish: Black, Overall Length: 26" Effective Range: 200m.
 - (d) COLT LE6943 5.56 (.223 Rem.) TRAFFIC / PATROL RIFLE equipped with EOTech holographic sight and sling, cost approximately: \$1,700, quantity: not to exceed 20. The LE6943 displays fresh ingenuity with Mil-Spec hammer and trigger pivot pins, 11.5-inch barrel, a Magpul MBUS backup sight and a folding front sight for enhanced optical solutions, and a straight gas tube and a removable lower rail, which provides modularity for under mounting accessories. The patented one-piece monolithic upper receiver incorporates a continuous Mil-Spec rail from the rear of the upper receiver to the front sight. This feature affords unmatched repeatability for mounting optical systems, not found with separate handguard rail systems. Designed with accuracy in mind, its true free-floating barrel provides the enhanced accuracy necessary for long-range acquisition capability.
2. **Purpose:** Used as precision weapons to address threats that exceed the capability of the Department's standard-issue handgun.
 3. **Authorized Use:** Only members POST certified in the use of the rifle are authorized to deploy them in the field. Situations where rifles may be used include to prevent serious bodily injury or death to self or others and during training.
 4. **Lifespan:**
 - (a) COLT LAW ENFORCEMENT CARBINE PATROL RIFLE approximately: 15 years

- (b) COLT M4 CARBINE COMMANDO / CQB SWAT RIFLE approximately: 10 years
 - (c) SIG SAUER MPX SWATSUBMACHINE GUN approximately: 10 years
 - (d) COLT LE6943 TRAFFIC PATROL RIFLE approximately: 15 years
5. **Fiscal Impact:** Annual maintenance for each rifle is approximately \$50
 6. **Training:** Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification two times a year.
 7. **Legal and Procedural Rules:** The department will use rifles in accordance with State and Federal law and department policy. .
 8. **Description, cost, quantity, and capabilities:**
 - (a) WINCHESTER .223/5.56 55-grain RANGER SOFT-POINT RIFLE ROUND, cost approximately: \$607 per case of 1000, quantity: not to exceed 30 cases. Winchester ammunition features a lead core 55-grain non-corrosive, soft-point bullet in a reloadable brass casing.
 - (b) WINCHESTER .223/5.56 55-grain NATO M193 RIFLE ROUND, cost approximately: \$378 per case of 1000, quantity: not to exceed 30 cases. Winchester ammunition features a lead core 55-grain full metal jacket, non-corrosive boxer primer, in a reloadable brass casing.
 - (c) WINCHESTER.223/5.56 FRANGIBLE TRAINING AMMUNITION, cost approximately: \$285 per case of 200, quantity: not to exceed 30 cases. Winchester Frangible .223 Remington ammunition is loaded with a 55-grain Reduced Hazard Training (RHT) bullet. BallistiClean features frangible Reduced Hazard Training bullets that break-up immediately on contact with metal targets, significantly reducing ricochet and backlash danger. BallistiClean loads feature a copper-plated primer and a "NT" (non-toxic) headstamp to clearly identify BallistiClean as a training round at a glance, eliminating confusion with duty rounds. With this Federal ammunition range operators have no hazardous waste disposal problems and it meets or exceeds all OSHA and EPA standards.
 9. **Purpose:** To be used in Department rifles to address lethal threats to the community and Department personnel with greater accuracy, enhancing community safety.
 10. **Authorized Use:** Only members POST certified in the use of the rifle are authorized to utilize rifle ammunition.
 11. **Fiscal Impact:** The Department spends approximately \$25,000 annually for all Department firearm ammunition.
 12. **Lifespan:** The ammunition listed above does not have an expiration date.
 13. **Training:** Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification two times a year.

14. **Legal and Procedural Rules:** The department will use ammunition in accordance with State and Federal law and department policy.



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-828

Meeting Date: 8/2/2022

TITLE:

APPROVE CERTIFICATION OF SPECIAL ASSESSMENTS FOR THE COLLECTION OF DELINQUENT CIVIL CITATIONS FOR MUNICIPAL CODE VIOLATIONS

DEPARTMENT: FINANCE DEPARTMENT

PRESENTED BY: CAROL MOLINA, FINANCE DIRECTOR

CONTACT INFORMATION: CAROL MOLINA, FINANCE DIRECTOR, (714) 754-5243

RECOMMENDATION:

Staff recommends the City Council:

1. Conduct a Public Hearing.
2. Adopt Resolution 2022-xx approving the certification of special assessments for delinquent civil fines for municipal code violations in relation to unlicensed cannabis and other municipal code violations.

BACKGROUND:

Since the legalization of the recreational use of cannabis in 2016 under Proposition 64, legally permitted cannabis operations (dispensaries) have been licensed throughout the State, if allowed by the host City. However, before the residents of Costa Mesa approved the retail sale of cannabis within the City in November of 2020, certain cannabis dispensaries opened to the public without the requisite state and local permits needed to ensure compliance with all pertinent laws and regulations.

While an unlicensed or unpermitted business operating in a City can occur in any business sector, in the case of cannabis, strict compliance with State and local laws is paramount as this is a product that is used for human consumption. In many cases it is also used to treat various medical conditions and ailments. Hence, the City has dedicated resources across multiple departments to identify and shut down illegal dispensaries to ensure public safety and compliance with all laws.

The City has successfully curbed illegal and unlicensed cannabis operations, as well as other municipal code violations by issuing citations for these violations, which include operating without a business license, lack of required building permits, and operating an unlicensed cannabis dispensary.

All commercial, residential, public assembly, and other buildings within a governmental jurisdiction are required to be constructed in accordance with the jurisdiction's municipal code provisions. Permitting regulates construction and property use to ensure safe, healthy, efficient, and accessible environments for human occupancy and habitation.

Building permit violations can jeopardize public health and safety; hence, these citations hold violators accountable for any unpermitted and illegal activity.

As part of the City's targeted enforcement, citations have been issued to property owners, business operators, and employees of the illegal businesses operating in the City. All parties who were issued citations had 30 days to pay before considered delinquent. Delinquent citations are then forwarded to the Finance Department for collection.

Pursuant to State law, certain delinquent fines, interest, and penalties may be collected as part of nuisance abatement procedures authorized by Government Code Section 38773.5. This allows the City to place delinquent citations on the County's property tax roll as a special tax for collection purposes.

ANALYSIS:

Government Code Section 38773.5 authorizes municipalities' legislative bodies to adopt an ordinance to establish a procedure for the abatement of a nuisance and make the cost of abatement of a nuisance upon a parcel of land a special assessment against that parcel. The assessments are limited to property related violations. The City's procedures pursuant to Section 38773.5 are set forth in Costa Mesa Municipal Code (CMMC) Section 1-48, Collection of Unpaid Fines.

Staff has made repeated attempts without success to collect the Civil Citation fines due from the property owners and affiliated parties listed in Attachment 2. There are a total of 41 delinquent civil citations that are recommended to be assessed against 27 properties. The total delinquent amount is \$35,825.

Persons cited were notified in writing at the time of citation issuance of their right to a hearing pursuant to CMMC Sections 1-45 through 1-47. In addition, each property owner recently was mailed a formal letter, via certified mail on July 21, 2022, of the proposed special assessment against their property for the delinquent civil citations and the date and time of the public hearing. Further, the letter included information that their right to an administrative hearing and judicial review of the citation issued against them has now expired.

The purpose of the public hearing is to consider a resolution to certify the special assessments and authorize recording such assessments against the respective properties as liens. This action will also authorize the Tax Collector for the County of Orange to place the assessments on the tax roll and proceed to collect the assessments as property tax liens against their properties. Should the assessments be added to the tax roll as liens, penalties and interest will continue to accrue until paid at the maximum rate as allowed by State law.

Pursuant to Government Code Section 38773.5(c), at the time of imposition of the assessment, a notice will be given to the property owner notifying them the property may be sold after three years by the County tax collector for unpaid delinquent assessments.

Property owners identified in Attachment 2, may appear before City Council at the public hearing and contest the amount and/or validity of any lien or assessment for a civil fine. However, pursuant to CMMC 1-48(4), such contests shall be limited to the issue of the amount and/or validity of the lien or assessment (whether the civil citation can legally be added to the tax roll as a special assessment) and may not consider whether the underlying Code violation occurred.

Finally, a legal notice advertising the public hearing, which is required pursuant to Government Code Section 38773.1(b), was published in the Daily Pilot on July 20, 2022.

ALTERNATIVES:

City Council may choose to reject the resolution and direct staff to proceed to collect delinquent civil citations through a collection agency, which historically has a low collection rate, therefore, limiting the effectiveness of compliance enforcement through citations. Adding the Civil Citation fines to Special Assessment liens provides an additional mechanism to assist Code Enforcement Officers in their effort to ensure compliance with the CMMC as it pertains to illegal and unlicensed cannabis business operators.

FISCAL REVIEW:

By certifying the Special Assessments to the Orange County Assessor for inclusion on the Property Tax Roll, the City has a greater likelihood to collect delinquent fines and mitigate further illegal and unlicensed cannabis operators from operating within City limits. The County charges 0.30 percent (0.30%) of the original value for each special tax, fee, or assessment that is to be collected on the County tax rolls. The citations currently total \$35,825.

LEGAL REVIEW:

The City Attorney's Office has reviewed this report and Resolution and has approved them as to form.

CITY COUNCIL GOALS AND PRIORITIES:

Ensure the Public's Safety and Quality of Life.

CONCLUSION:

Staff recommends City Council:

1. Conduct a Public Hearing.
2. Adopt Resolution 2022-xx approving the certification of special assessments for delinquent civil fines for municipal code violations in relation to unlicensed cannabis and other municipal code violations.

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)

City of Costa Mesa
Special Tax Assessments to Property Tax Roll

DELINQUENT CANNABIS RELATED CIVIL CITATIONS FROM JUN-2021 TO JUN-2022

| # | PARCEL NUMBER | CUSTOMER NAME | PROPERTY OWNER NAME | VIOLATION ADDRESS | AMOUNT | Invoice Number | Invoice Date | Civil Citation Number |
|------------------|------------------|--------------------------------------|--------------------------------|------------------------|----------|-------------------|-----------------|------------------------------|
| 1 | 139-651-05 | MELODY BABAEI | KRICKL AND WARNER IMHOF | 3595 CADILLAC AVE #101 | \$175 | CITY84997 | 6/21/2022 | Civil Citation No. 43975-CT3 |
| | 139-651-05 | ROBERT WILLIAM WALLACE | KRICKL AND WARNER IMHOF | 3595 CADILLAC AVE #101 | \$175 | CITY84999 | 6/21/2022 | Civil Citation No. 43975-CT2 |
| Parcel Subtotal: | | | | | \$350 | | | |
| 2 | 425-341-07 | BUD BUD & BEYOND | THOMAS A SCEBERRAS | 1526 NEWPORT BLVD #B | \$3,025 | CITY83776 | 6/22/2021 | Civil Citation No. 27200-CT1 |
| Parcel Subtotal: | | | | | \$3,025 | | | |
| 3 | 425-361-14 | 126 PROPERTIES LLC | 126 PROPERTIES LLC | 1630 SUPERIOR AVE | \$3,025 | CITY84619 | 4/5/2022 | Civil Citation No. 41247-CT1 |
| | 425-361-14 | OMAR ORTEGA | 126 PROPERTIES LLC | 1630 SUPERIOR AVE | \$3,025 | CITY84618 | 4/5/2022 | Civil Citation No. 41247-CT2 |
| Parcel Subtotal: | | | | | \$6,050 | | | |
| 4 | 439-281-04 | H3 HOLISTIC HEART HEALING MINISTRIES | A1 AND 3G PARTNERS & GROUP LLC | 2428 NEWPORT BLVD #6 | \$6,025 | CITY84185 | 11/2/2021 | Civil Citation No. 041768 |
| Parcel Subtotal: | | | | | \$6,025 | | | |
| GRAND TOTAL | | | | | \$15,450 | | | |

City of Costa Mesa
Special Tax Assessments to Property Tax Roll

DELINQUENT CONDITIONAL USE PERMIT (CUP) RELATED CIVIL CITATIONS FROM JUN-2021 TO JUN-2022

| # | PARCEL NUMBER | CUSTOMER NAME | PROPERTY OWNER NAME | VIOLATION ADDRESS | AMOUNT | Invoice Number | Invoice Date | Civil Citation Number |
|------------------|------------------|-------------------------|-------------------------------|----------------------|--------|-------------------|-----------------|---------------------------|
| 1 | 424-202-04 | MARIO TERRIQUEZ ANDRADE | TIFFANY O NGO/ ANVI CHANTHERY | 702 CENTER ST. | \$175 | CITY84187 | 11/2/2021 | Civil Citation No. 041846 |
| Parcel Subtotal: | | | | | \$175 | | | |
| GRAND TOTAL | | | | | \$175 | | | |

City of Costa Mesa
Special Tax Assessments to Property Tax Roll

DELINQUENT BUILDING PERMIT RELATED CIVIL CITATIONS FROM JUN-2021 TO JUN-2022

| # | PARCEL NUMBER | CUSTOMER NAME | PROPERTY OWNER NAME | VIOLATION ADDRESS | AMOUNT | Invoice Number | Invoice Date | Civil Citation Number |
|------------------|---------------|--|--|-------------------------|---------|----------------|--------------|------------------------------|
| 1 | 139-164-07 | SRG FINANCIAL INC | SRG FINL INC | 3069 CEYLON RD | \$175 | CITY84784 | 6/1/2022 | Civil Citation No. 43283-CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 2 | 139-223-33 | RS REAL ESTATE | RS REAL ESTATE | 2953 ANDROS ST | \$175 | CITY84774 | 6/1/2022 | Civil Citation No.43760-CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 3 | 139-301-12 | CHRISTOPHER LEE BUTTON | BUTTON CHRISTOPHER LEE TR 2019 BUTTON FAMILY TR 1548 ELM AVE | | \$175 | CITY76916 | 10/19/2018 | Civil Citation No. 040474 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 4 | 139-383-02 | JEIKS TRUST | JEIKS TRUST | 1883 RHODES DR. | \$175 | CITY84708 | 5/6/2022 | Civil Citation No. 42712-CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 5 | 139-532-11 | MARK & TRACY BROWN | CHRISTOPHER AND ASHLEY ROGERS | 2027 PHALAROPE CT | \$175 | CITY83126 | 3/2/2021 | Civil Citation No. 36575-CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 6 | 139-563-06 | LAGOON BLUE LIVING TRUST | LAGOON BLUE LIVING TRUST | 3099 GINGER AVE #A | \$175 | CITY84697 | 5/4/2022 | Civil Citation No. 42536-CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 7 | 141-221-37 | NGUYEN TAO TRUNG TT / NGUYEN MD INC | NGUYEN TAO TRUNG T T/NGUYEN MD INC | 2901 MENDOZA DR. APT #A | \$175 | CITY85005 | 6/21/2022 | Civil Citation No. 43808-CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 8 | 141-384-09 | SEAN/MARY SULLIVAN | SEAN AND MARY SULLIVAN | 344 WESTBROOK PLACE | \$175 | CITY83821 | 7/7/2021 | Civil Citation No. 39147 CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 9 | 412-213-05 | CARAID SWABY | CARAID SWABY | 937 AZALEA DR | \$175 | CITY84787 | 6/1/2022 | Civil Citation No. 43588-CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 10 | 422-041-21 | CEFALIA JOSEPH JR | CEFALIA JOSEPH JR THE J CEFALIA JR FAMILY TR | 2160 PACIFIC AVE | \$1,525 | CITY84138 | 10/12/2021 | Civil Citation No. 34033-CT3 |
| | 422-041-21 | CEFALIA JOSEPH JR | CEFALIA JOSEPH JR THE J CEFALIA JR FAMILY TR | 2160 PACIFIC AVE | \$1,525 | CITY84715 | 5/6/2022 | Civil Citation No. 34033-CT4 |
| | 422-041-21 | CEFALIA JOSEPH JR | CEFALIA JOSEPH JR THE J CEFALIA JR FAMILY TR | 2160 PACIFIC AVE | \$1,525 | CITY84770 | 6/1/2022 | Civil Citation No. 34033-CT6 |
| | 422-041-21 | CEFALIA JOSEPH JR | CEFALIA JOSEPH JR THE J CEFALIA JR FAMILY TR | 2161 PACIFIC AVE | \$1,525 | CITY84769 | 6/1/2022 | Civil Citation No. 34033-CT5 |
| Parcel Subtotal: | | | | | \$6,100 | | | |
| 11 | 422-082-08 | PORFIRIO ZARATE | PORFIRIO ZARATE | 1015 AMERICAN PL | \$175 | CITY83915 | 8/12/2021 | Civil Citation No. 34370 CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 12 | 422-272-09 | JOHN M. MOREHART/LISA CERVANTES MOREHART | MOREHART JOHN M/CERVANTES MOREHART LISA | 1954 PLACENTIA AVE | \$625 | CITY83936 | 8/12/2021 | Civil Citation No. 38641 CT2 |
| Parcel Subtotal: | | | | | \$625 | | | |
| 13 | 422-282-18 | MARTIN ARGUETA | SAUNDERSON ELEANOR JANE | 782 W 20TH ST | \$175 | CITY84785 | 6/1/2022 | Civil Citation No. 43353-CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |

City of Costa Mesa
Special Tax Assessments to Property Tax Roll

DELINQUENT BUILDING PERMIT RELATED CIVIL CITATIONS FROM JUN-2021 TO JUN-2022

| # | PARCEL NUMBER | CUSTOMER NAME | PROPERTY OWNER NAME | VIOLATION ADDRESS | AMOUNT | Invoice Number | Invoice Date | Civil Citation Number |
|------------------|---------------|------------------------|---|---------------------|----------|----------------|--------------|------------------------------|
| 14 | 422-301-16 | SEMI TROPIC WINES | HELLER PATRICIA P LIVING TR | 816 W 19TH ST | \$475 | CITY83127 | 3/2/2021 | Civil Citation No. 36627-CT1 |
| Parcel Subtotal: | | | | | \$475 | | | |
| 15 | 422-352-24 | MARK/HUBER C FERRY | FERRY MARK A FAMILY TRUST | 920 DARRELL ST | \$325 | CITY83558 | 6/2/2021 | Civil Citation No. 38375 CT1 |
| Parcel Subtotal: | | | | | \$325 | | | |
| 16 | 422-391-05 | SAKHI SULTAN | S & S GLOBAL INVESTMENTS INC/ETO HOME INVESTMEN | 869 W. WILSON ST | \$175 | CITY84686 | 5/4/2022 | Civil Citation No. 23241-CT1 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 17 | 422-512-12 | ROB A DUBAR | ROB A DUBAR | 1933 FEDERAL AVE | \$525 | CITY84615 | 4/5/2022 | Civil Citation No. 39482-CT5 |
| | 422-512-12 | ROB A DUBAR | ROB A DUBAR | 1933 FEDERAL AVE | \$525 | CITY84566 | 2/20/2022 | Civil Citation No. 39482-CT4 |
| | 422-512-12 | ROB A DUBAR | ROB A DUBAR | 1933 FEDERAL AVE | \$525 | CITY84234 | 12/6/2021 | Civil Citation No. 39482-CT3 |
| | 422-512-12 | ROB A DUBAR | ROB A DUBAR | 1933 FEDERAL AVE | \$325 | CITY84233 | 12/6/2021 | Civil Citation No. 39482-CT2 |
| | 422-512-12 | ROB A DUBAR | ROB A DUBAR | 1933 FEDERAL AVE | \$175 | CITY83940 | 8/12/2021 | Civil Citation No. 39482 CT1 |
| Parcel Subtotal: | | | | | \$2,075 | | | |
| 18 | 425-392-11 | ALICE CONNOR | ALICE CONNER | 200-206 CABRILLO ST | \$1,525 | CITY83553 | 6/2/2021 | Civil Citation No. 37167 CT3 |
| | 425-392-11 | ALICE CONNOR | ALICE CONNER | 200-206 CABRILLO ST | \$1,525 | CITY84177 | 11/2/2021 | Civil Citation No. 37167-CT6 |
| | 425-392-11 | ALICE CONNOR | ALICE CONNER | 200-206 CABRILLO ST | \$1,525 | CITY84176 | 11/2/2021 | Civil Citation No. 37167-CT5 |
| | 425-392-11 | ALICE CONNOR | ALICE CONNER | 200-206 CABRILLO ST | \$1,525 | CITY84147 | 10/12/2021 | Civil Citation No. 37167-CT4 |
| | 425-392-11 | ALICE CONNOR | ALICE CONNER | 200-206 CABRILLO ST | \$325 | CITY83222 | 3/8/2021 | Civil Citation No. 37167-CT1 |
| Parcel Subtotal: | | | | | \$6,425 | | | |
| 19 | 426-232-02 | JOSEPH HRUBOVCAK | JOSEPH HRUBOVCAK | 374 WOODLAND PLACE | \$1,075 | CITY85009 | 6/21/2022 | Civil Citation No. 23734-CT2 |
| Parcel Subtotal: | | | | | \$1,075 | | | |
| 20 | 426-252-41 | CATALINA ESTATES LLC | IRENE LEE | 2039 IRVINE AVE | \$175 | CITY83373 | 3/30/2021 | Civil Citation No. 041835 |
| Parcel Subtotal: | | | | | \$175 | | | |
| 21 | 439-091-17 | VICEROY FUND LLC | VICEROY FUND LLC | 335 UNIVERSITY DR | \$325 | CITY84241 | 12/6/2021 | Civil Citation No. 40796-CT2 |
| | 439-091-17 | VICEROY FUND LLC | VICEROY FUND LLC | 335 UNIVERSITY DR | \$175 | CITY84237 | 12/6/2021 | Civil Citation No. 40796-CT1 |
| Parcel Subtotal: | | | | | \$500 | | | |
| 22 | 439-281-20 | X-TREME MOTORSPORT LLC | X-TREME MOTORSPORTS LLC | 123 MONTE VISTA AVE | \$325 | CITY84689 | 5/4/2022 | Civil Citation No. 40191CT-1 |
| Parcel Subtotal: | | | | | \$325 | | | |
| GRAND TOTAL | | | | | \$20,200 | | | |



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-833

Meeting Date: 8/2/2022

TITLE:

APPROVAL OF A CITY BALLOT INITIATIVE ENTITLED "THE CITY OF COSTA MESA REVITALIZATION AND RESIDENTIAL NEIGHBORHOODS PROTECTION MEASURE"

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTED BY: JENNIFER LE, DIRECTOR OF ECONOMIC AND DEVELOPMENT SERVICES

CONTACT INFORMATION: JENNIFER LE, DIRECTOR OF ECONOMIC AND DEVELOPMENT SERVICES, (714) 754-5617

RECOMMENDATION:

Staff recommends the City Council:

1. Provide direction on whether to place the proposed ballot initiative (Attachment 2) entitled "The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure" on the November 8, 2022 ballot by adoption of the following resolutions:
 - a. Adopt Resolution 2022-xx (Attachment 1): Ordering the submission to the qualified electors of the City of Costa Mesa "The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure" at the General Election to be held on Tuesday November 8, 2022, as called by Resolution No. 2022-27.
 - b. Adopt Resolution 2022-xx: Authorizing written arguments for or against the proposed initiative "The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure", setting priorities for filing written arguments, determining the authors of the written arguments, and directing the City Attorney to prepare an impartial analysis (Attachment 4); and
 - c. Adopt Resolution 2022-xx: Authorizing the filing of rebuttal arguments for "The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure" (Attachment 5); and
 - d. Adopt Resolution 2022-XX: Authorizing the filing of a Notice of Exemption pursuant to the provisions of the California Environmental Quality Act (Attachment 6); and/or
2. Consider additional revisions to the ballot measure language and associated exhibits, e.g. additional corridors, as discussed in the report.



CITY COUNCIL AGENDA REPORT

MEETING DATE: AUGUST 2, 2022

ITEM NUMBER: OB-1

SUBJECT: APPROVAL OF A CITY BALLOT INITIATIVE ENTITLED “THE CITY OF COSTA MESA REVITALIZATION AND RESIDENTIAL NEIGHBORHOODS PROTECTION MEASURE”

**DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES
DEPARTMENT/PLANNING DIVISION**

PRESENTED BY: JENNIFER LE, DIRECTOR OF ECONOMIC AND DEVELOPMENT SERVICES

CONTACT INFORMATION: JENNIFER LE, DIRECTOR OF ECONOMIC AND DEVELOPMENT SERVICES, (714) 754-5617

RECOMMENDATION:

Staff recommends the City Council:

1. Provide direction on whether to place the proposed ballot initiative (Attachment 2) entitled “The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure” on the November 8, 2022 ballot by adoption of the following resolutions:
 - a. Adopt Resolution 2022-xx (Attachment 1): Ordering the submission to the qualified electors of the City of Costa Mesa “The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure” at the General Election to be held on Tuesday November 8, 2022, as called by Resolution No. 2022-27.
 - b. Adopt Resolution 2022-xx: Authorizing written arguments for or against the proposed initiative “The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure”, setting priorities for filing written arguments, determining the authors of the written arguments, and directing the City Attorney to prepare an impartial analysis (Attachment 4); and
 - c. Adopt Resolution 2022-xx: Authorizing the filing of rebuttal arguments for “The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure” (Attachment 5); and
 - d. Adopt Resolution 2022-XX: Authorizing the filing of a Notice of Exemption pursuant to the provisions of the California Environmental Quality Act (Attachment 6); and/or
2. Consider additional revisions to the ballot measure language and associated exhibits, e.g. additional corridors, as discussed in the report.

BACKGROUND:

In January 2021, the City Council established a three-year goal to “*Diversify, Stabilize and Increase Housing to Reflect Community Needs*”. This goal was established by the Council to address housing instability in the community and to prioritize efforts to plan for future housing for all segments of Costa Mesa’s population.

With nearly half of Costa Mesa’s residents experiencing a high to severe housing cost burden and housing prices increasing at unprecedented rates, addressing housing instability and the need for housing options for Costa Mesa residents has become paramount to a sustainable community future. Similarly, the Costa Mesa business community is experiencing challenges to attract and retain employees due to the high cost and limited availability of housing in Costa Mesa.

Housing Plan

Concurrently, as required by State law, the City began its update of its General Plan Housing Element in 2020, which generally outlines the City’s policy framework and action items for housing for the next eight years. The City held its first community outreach meeting in November 2020.

Over the course of the Housing Element Update process, the City held 12 public meetings in the form of community town halls, study sessions and public hearings to obtain feedback on the need for housing and appropriate housing locations (known as “housing opportunity sites”) for potential future housing development. In addition, a community housing survey was posted online in both English and Spanish with over 400 community responses received. These meetings were widely publicized in both English and Spanish and at each step there were opportunities for public involvement and comment in crafting the City’s housing plan. The community input for this Housing Element process was significantly higher than previous cycles, reflecting the critical importance of housing solutions for our community.

In summary, early community feedback highlighted the need for more housing options and specifically more housing that was affordable to Costa Mesa’s middle- and working-class families, seniors and individuals. Community feedback also highlighted a desire to preserve open space and existing established single-family residential neighborhoods in Costa Mesa, while planning for future housing opportunities through the redevelopment and revitalization of the City’s commercial and industrial corridors, the area north of the I-405 freeway and on State-owned property at the Fairview Developmental Center.

Revitalizing Corridors and Preserving Established Residential Neighborhoods

In keeping with feedback from the community, the Housing Element was prepared and identifies future housing opportunity sites along commercial and industrial corridors, and north of the 405 freeway while protecting established single-family residential neighborhoods and open space areas.

The following corridors were identified as focus areas for housing and economic revitalization opportunities:

- Harbor Boulevard;
- Areas north of the I-405 freeway;
- West 17th, 18th and 19th Streets;
- Placentia Avenue;
- the SoBECA area; and
- Newport Boulevard.

Planning for potential housing along the above described corridors will require the City to amend its General Plan and undertake rezoning actions including updates to several outdated City land use plans. Many of these plans are 20 to 30 years old and no longer reflect the community's vision for housing or high quality development.

July 12, 2022 Study Session

On July 12, 2022 the City Council held a study session to receive an update and to discuss the future of housing in Costa Mesa and potential solutions to the current housing challenges, including a potential ballot measure. Staff provided an overview of community demographics, the status of Housing Element certification by the State, strategies to address housing instability implemented to date, feedback obtained from residents in the most recent community survey on housing in Costa Mesa, and recommended next steps for planning for the future.

The City Council's Housing Ad Hoc Committee, comprised of Mayor Pro Tem Marr, Council Member Reynolds and Council Member Harlan, also provided an update. In light of the public comment related to community housing goals and a desire to move forward with a community visioning process for the revitalization of the City's commercial and industrial corridors, the Ad Hoc Committee recommended the City Council consider the placement of a measure on the November 8, 2022 ballot at its July 19, 2022 meeting. The Ad Hoc recommended that the measure amend the City's zoning code to allow the City Council to:

- Conduct a community visioning process resulting in updated land use plans for commercial/industrial corridors and the area north of the I-405.
- Revitalize corridors while keeping single family residential neighborhoods intact and restricting building heights.
- Provide affordable housing for working- and middle- class Costa Mesa families, seniors, and individuals.
- Protect open space and the environment.
- Require developers to pay impact fees to improve traffic, parks, and open space.

The Council received public comment and, after extensive discussion, directed staff to bring a ballot measure forward for discussion at the July 19, 2022 City Council meeting, reflective of the Ad Hoc Committee's and community's recommendations. The Study Session staff report is provided at the following link.

[City of Costa Mesa - File #: 22-811 \(legistar.com\)](#)

July 19, 2022 Council Meeting

The City Council received a presentation from staff regarding potential ballot measure language at its regular meeting on July 19, 2022. There was significant discussion by the City Council regarding the content of the draft language, and the public gave extensive feedback as well. Ultimately, the City Council continued the item to the August 2, 2022 meeting to provide additional time for discussion and public input. The staff report is provided at the following link.

[City of Costa Mesa - File #: 22-817 \(legistar.com\)](#)

In their final comments, Council members requested staff return with additional information regarding:

- Definition of the term “affordable housing”;
- Section 3 of the draft measure pertaining to the affordable housing exception;
- Clarification regarding single family residential properties shown within the area north of the I-405 freeway;
- Potential to add additional corridors such as East 17th Street, Baker Street from Harbor Boulevard to Mendoza, and Bristol Street; and
- Local hire policy.

This report focuses exclusively on the above-listed items.

ANALYSIS

Following the July 19th, 2022 meeting, staff prepared the following information including a revised draft measure for discussion and potential action for placement on the November 8, 2022 ballot.

Draft Ballot Measure

The proposed initiative would amend Section 13-200.106 of the Costa Mesa Municipal Code to allow the City Council to approve/adopt and amend the City’s General Plan, zoning, specific plans or overlay plans located in the following areas of the City, as depicted in the attached map (Exhibit A):

1. Newport Boulevard/Old Newport Boulevard from Mesa Drive to the City limit and Superior between Newport Boulevard and the City limit;
2. Harbor Boulevard from Baker Street to West 19th Street;
3. Baker Street between SR-73 and SR-55 (commonly known as the SoBECA area);
4. West 17th Street from Newport Boulevard west to Monrovia, West 18th Street from Placentia west to Monrovia and 19th Street from Harbor Boulevard west to Federal (Note: for clarity, the corridor map, attached as Exhibit A, was revised to remove existing residential properties along 19th Street between Monrovia and Federal. West of Federal, only one industrial property is included within the corridor near 19th Street and Whitter);
5. Placentia Avenue from Victoria Street to West 16th Street; and

6. North of the 405 freeway as bordered by the City limits.

Such land use plan updates would be for the purpose of planning for affordable housing opportunities and revitalization of existing commercial and industrial corridors. The updates to the City's land use plans would include restrictions on building heights and be subject to environmental studies and a robust public engagement process including community visioning meetings and noticed public hearings. If the ballot measure is approved, staff can return to the City Council with a proposed budget allocation for the community engagement process including timeframes and deliverables.

In order to be eligible, all residential and mixed use developments must provide for affordable housing pursuant to a City Council-adopted affordable housing ordinance or City Council approved Development Agreement. In addition, fees would be required to be paid by developers to improve traffic, parks, and open space throughout the City.

The proposed ballot measure would allow the City Council to move forward with updates to the City's plans along the commercial and industrial corridors ultimately selected to include in the measure, thereby protecting established single-family residential neighborhoods and open space while providing for corridor revitalization and opportunities for more affordable housing in areas of the City identified by the community. Such plan updates would allow the City to remain in compliance with State housing laws, and avoid potential fines and State actions against the City that undermine local control of Costa Mesa's zoning and land use laws.

Updates to land use plans would be initiated by in-depth community outreach and visioning exercises so that land use plans reflect community values and a desire for well-designed, high quality, compatible housing and commercial projects that fit into the context of their surroundings.

When drafts are complete, all land use plans would be released for a public comment period to ensure opportunities for community feedback. Ultimately, all land use plan updates would be reviewed by the Planning Commission and decided on by the City Council at noticed public hearings to maintain local control.

Modifications to the draft measure are shown in underline ~~strikethrough~~ format in Attachment 2 to this report. Staff recommended modifications include a revision to the description of the West 19th Street corridor as described above, and a revision to add the term "public parkland" to clarify that single family residential uses as well as public parks would not experience a land use change under the proposed measure (consistent with the measure's stated intent). Staff also made minor clean-up revisions to Exhibit A.

In addition, Mayor John Stephens has submitted proposed revisions to the ballot measure language for Council consideration, provided as Attachment 7 to this report.

Affordable Housing Definition

The term affordable housing as it is used in the draft measure means housing affordable to families and individuals that fall into extremely low, very low, low, and moderate income categories as defined by State or federal law, as applicable. Based on State guidelines:

- Moderate-income households earn 81% to 120% of Orange County's Area Median Income (AMI), i.e., \$142,920 or less in annual household income;
- Low income households earn 80% to 51% of Orange County's AMI, i.e., \$108,400 or less in annual household income;
- Very Low income households earn 50% to 31% of Orange County's AMI, i.e., \$67,750 or less in annual household income;
- Extremely Low Income households earn 30% of Orange County's AMI, i.e., \$40,650 or less in annual household income.

As discussed previously in the City Council study session, approximately 48% of Costa Mesa households fall within low, very low, or extremely low income categories as shown in Table 1 below.

Table 1

| Households by Income Category, 2020 | | | |
|--|----------------|----|---------|
| Income Category (% of Orange County's AMI) | No. Households | of | Percent |
| Extremely Low (30% AMI or less) | 6,610 | | 16.3% |
| Very Low (31 to 50% AMI) | 5,220 | | 12.9% |
| Low (51 to 80% AMI) | 7,325 | | 18.1% |
| Moderate or Above (over 80% AMI) | 21,405 | | 52.8% |
| Total | 40,555 | | 100% |
| Source: Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS), 2013-2017 | | | |

Affordable Housing Exception

The draft measure as currently proposed adds text to Section 13-200.106 of the Municipal Code allowing the City Council to adopt or amend City land use plans in specific areas of the City located along outdated commercial and industrial corridors for the purpose of corridor revitalization and provision of affordable housing opportunities, and provides some substance to the existing Municipal Code exception for affordable housing projects for that same purpose. The existing affordable housing exception exempts from a City-wide vote "affordable housing proposals mandated by State or federal law". There is no definition of affordable housing proposal nor is it clear whether affordable housing proposals exist that are "mandated" by the State or federal law. The draft measure adds language to clarify that the exception would also apply to affordable housing projects that are consistent with a City-adopted affordable housing ordinance, when located within the specific commercial and industrial corridors identified by the measure.

Additional Corridors for Discussion

At the July 19, 2022 Council Meeting, Council members requested consideration of additional areas to add to the list of corridors to be considered for potential inclusion in the measure as follows.

Bristol Street

Council members raised an interest in evaluating Bristol Street south of the I-405 to the City limit for inclusion in the measure. In response staff added the Bristol Street corridor to Exhibit A (Option 2) for discussion, provided as an attachment to this report.

In general, the Bristol Street corridor between the I-405 and Baker contains a mix of commercial retail and office properties that have historically had low vacancy rates and have performed well from an economic perspective. In addition, reinvestment and redevelopment along this corridor is occurring, with the Canvas office complex, 660 Baker and the construction of the new Ganahl Lumber site and the Fletcher Jones-Audi car dealership as examples of properties which have recently been upgraded or redeveloped along Bristol Street. South of Baker, the types of commercial uses along Bristol change to include a greater variety of office and commercial uses in scale and intensity and may provide some opportunities for reinvestment and corridor planning both for mixed use housing opportunities and for commercial revitalization. Although this corridor has historically performed well and major office tenants are continuing to locate in Costa Mesa in this area, office vacancy rates have increased post-COVID and in a business environment where remote work is becoming more prevalent, office properties may have an opportunity to redevelop in the future. Staff is seeking direction as to whether to include Bristol Street as a corridor within the measure.

Baker Street from Harbor Boulevard to Mendoza

The Baker Street corridor between Harbor Boulevard and Mendoza includes a mix of small lot multifamily residential uses near Harbor Boulevard, and transitions to local businesses in the boutique manufacturing, building supplies, and baking industries as well as resident-serving light industrial uses near Fairview. The industrial uses along this corridor are performing well and have a very low vacancy rate of below one percent. Based on the existing land use pattern along Baker Street, staff did not initially identify Baker as a prime candidate for housing opportunity sites or economic revitalization. Nonetheless, staff have added the Baker corridor to Exhibit A (Option 2) for discussion, which is provided as an attachment to this report, and is seeking Council direction as to whether to include it in the measure. If the Council desires to include it, staff recommends the area included be focused around Baker and Fairview only.

East 17th Street

As opposed to West 17th Street (which already includes a mix of multifamily residential uses and industrial properties located within an existing Urban Plan area), East 17th Street is a commercial retail-corridor that provides retail and services to the Costa Mesa community, and is already performing very well from an economic perspective and experiencing continual reinvestment. For these reasons, staff did not initially identify 17th Street as a prime candidate for housing opportunity sites or economic revitalization. Nonetheless, staff have added the East 17th Street corridor to Exhibit A “Option 2” for discussion, which is provided as an attachment to this report, and is seeking Council direction as to whether to include it in the measure.

Clarification re: Single Family Residentially-Zoned Properties within Corridors

The draft measure as written specifically provides that single-family residentially zoned properties will not be affected under the measure, consistent with the City’s stated intent to preserve single-family residential neighborhoods. The corridors as mapped do not include any R-1 (single family residential) zoned properties, with the exception of the Wimbledon residential community located north of the I-405. This area is only included within the “north of the I-405” corridor because it has a combination of single- and multi-family zoning and is geographically located north of the I-405. A note is included on the corridors exhibit which states “No single-family residentially zoned parcels will be subject to land use changes under the initiative” to make the City’s intent clear. However, as another option, the Council could direct staff to remove the Wimbledon property from the I-405 corridor for additional clarity which may be preferred.

Local Hire Policy

Generally, a “local hire” policy will include a goal or requirement to hire people who live close to the place of work and is often specifically structured as a requirement for contractors awarded certain types of publicly-funded projects to recruit a proportion of the employees working on the project from a particular area. Some communities have also considered establishing such a requirement for contractors hired for certain types of private projects. Proponents of “local hire” believe that such regulation fosters community involvement, preserves local employment opportunities in construction, reduces the environmental impact of commuting to work, and encourages tax dollars to be invested back into the local economy.

Because a local hire policy is not a land use or zoning issue, staff recommends that it not be included in the draft measure under discussion. If the City Council is interested in such a policy, staff suggests that the Council direct staff to agendize a separate policy discussion and return the matter to the City Council. As related to applying a local hire policy to housing projects, further analysis should be completed to ensure that applying such a policy would not result in dampening housing production in Costa Mesa, which would be counter productive. Staff is seeking Council direction on this matter.

NEXT STEPS

If the City Council approves placing the measure on the ballot, the City Clerk will submit the Measure and required arguments and impartial analysis to the Registrar of Voters by the deadline of August 12, 2022, with rebuttal arguments submitted to the Registrar of Voters by the deadline of August 22, 2022.

ENVIRONMENTAL DETERMINATION

This measure including the amendments to the Zoning Code and Municipal Code proposed by this measure have been reviewed for compliance with the California Environmental Quality Act (CEQA) (Pub. Res. Code §§ 21000 et seq.), the CEQA guidelines (14 Cal. Code Regs. § 15000 et seq.) and the City's environmental procedures, and has been found to be exempt pursuant to Sections 15378 (b)(5) (Not a Project) and 15061(b)(3) (General Rule) of the CEQA Guidelines, in that it is not a "project" under CEQA and it can be seen with certainty that there is no possibility that the proposed amendments to the Zoning Code or the Municipal Code will have a significant effect on the environment.

ALTERNATIVES:

1. Direct staff to place the proposed ordinance on the November 8, 2022 ballot incorporating specific revisions directed by the City Council.
2. Decline to place the initiative ordinance on the ballot.

FISCAL REVIEW:

The cost to place the initiative on the November 2022 ballot is estimated at \$25,000 and is included in the Fiscal Year 2022-2023 budget.

The cost of citywide mailings would be approximately \$10,000 per mailing.

LEGAL REVIEW:

The City Attorney's office has reviewed this report for legal content and approved it as to form and prepared the draft Resolutions.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council Goals:

- Strengthen the Public's Safety and Improve Quality of Life
- Achieve Long-Term Fiscal Sustainability
- Advance Environmental Sustainability and Climate Resiliency
- Diversify, Stabilize and Increase Housing to Reflect Community Needs

CONCLUSION:

Staff is seeking direction whether to place a ballot measure on the November 8, 2022 ballot to allow the City to move forward with land use plans to maintain local control and revitalize outdated commercial and industrial corridors, provide for housing affordable to Costa Mesa working and middle class families, individuals and seniors, while preserving the environment and open space, requiring developer-paid fees to reduce traffic, and keeping single-family residential neighborhoods intact.

RESOLUTION NO. 2022-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF A CERTAIN MEASURE RELATING TO THE ADOPTION OF A PROPOSED ORDINANCE AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, AS CALLED BY RESOLUTION NO. 2022-27

WHEREAS, a General Municipal Election on Tuesday, November 8, 2022 has been called by Resolution No. 2022-27, adopted on June 7, 2022; and

WHEREAS, the City Council of the City of Costa Mesa also desires to submit to the voters at the election a question relating to the adoption of a proposed ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Election on Tuesday, November 8, 2022, the following question:

| Measure __: The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure" | Response | Vote |
|---|-----------------|-------------|
| To maintain the character of Costa Mesa's single-family residential neighborhoods; protect the environment and open space; provide future housing for working and middle class families and seniors; and attract businesses; shall voters authorize the City Council to adopt publicly-reviewed land use plans to revitalize outdated commercial/industrial corridors such as Newport Boulevard, and expand affordable housing, while restricting building heights, requiring developer-paid fees to relieve traffic, keeping residential neighborhoods intact and maintaining local control? | Yes | |
| | No | |

SECTION 2. That the proposed complete text of the ordinance to be submitted to the voters is attached as Attachment A.

SECTION 3. That the vote requirement for the measures to pass is a majority (50% +1) of the votes cast.

SECTION 4. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 5. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED 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 foregoing Resolution No. 2022-xx 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 3rd day of August, 2022.

BRENDA GREEN, CITY CLERK

CITY-SPONSORED INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The City Council for the City of Costa Mesa submits the following measure to the voters of the City for approval and enactment:

SECTION 1. Name.

This ballot measure shall be known and may be cited as “The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure” and shall be referred to herein as the “Measure.”

SECTION 2. Purpose.

The purpose of the Measure is to revise the Costa Mesa Municipal Code to allow the City Council to establish land use plans, including general plan and/or zoning code amendments, through a public hearing process, including any related amendments to City Ordinances, as needed, for specifically defined areas of the City to encourage development of affordable housing for working and middle class families, and commercial revitalization while keeping intact current single family residential neighborhoods and maintaining local control; to provide minimum standards for such land use plans and require developers to pay fees to mitigate environmental and traffic impacts from such development, and to further define what is considered mandated affordable housing. Nothing contained in this Measure is intended to limit, curtail or abrogate the City’s power to impose greater restrictions or limitations on development within the defined areas than those established hereby.

Now, therefore, the People of the City of Costa Mesa do ordain as follows:

AN ORDINANCE OF THE PEOPLE OF THE CITY OF COSTA MESA, CALIFORNIA, TO AMEND THE COSTA MESA MUNICIPAL CODE TO AUTHORIZE THE CITY COUNCIL TO ADOPT LAND USE PLANS AS EXPRESSLY LIMITED HEREIN

SECTION 3.

Section 13-200.106(c) of the Costa Mesa Municipal Code is hereby amended to read:

The provisions of this article shall not apply to affordable housing proposals required by state or federal law, or those housing or mixed use development projects that comply with an affordable housing ordinance(s) or Council approved development agreement as adopted by the City Council in the industrial and commercial corridors identified in Section 13-200.106 (g).

SECTION 4.

Section 13-200.106 of the Costa Mesa Municipal Code is amended to add the following subsection (g):

(g) This article shall not apply to any major change in allowable land use of property located in the following areas, as depicted in Exhibit A, to provide for development of housing and/or mixed use and/or revitalization of existing commercial and/or industrial corridors when those properties are subject to an adopted or amended specific plan or overlay plan, following environmental and public review:

- (1) Newport Boulevard/Old Newport Boulevard from Mesa Drive to the City limit and Superior from Newport Boulevard to the City limit;
- (2) Harbor Boulevard from Baker Street to West 19th Street;
- (3) Baker Street between SR-73 and SR-55, generally referred to as the SoBECA area;
- (4) West 17th Street from Newport Boulevard west to Monrovia, West 18th Street from Placentia west to Monrovia, and 19th Street from Harbor Boulevard west to ~~Federal~~Whittier;
- (5) Placentia Avenue from Victoria Street to West 16th Street; and,
- (6) North of the 405 freeway as bordered by the City limits

All land use plans approved for the areas described above shall include restrictions on building heights.

In order to be eligible for this exemption, all residential and mixed use developments shall provide for deed-restricted affordable housing pursuant to a City Council-adopted affordable housing ordinance or City Council approved Development Agreement. Development impact fees shall be required to be paid by developers to mitigate impacts of any permitted development, including traffic impacts, park impacts, and provision of open space. Such fees shall not be waived.

As used herein, “Environmental and public review” shall mean and refer to the applicable requirements of the California Environmental Quality Act, the Ralph M. Brown Act, and the Government Code public noticing provisions for land use projects. All land use plans adopted or amended for any part of the defined areas eligible for this exemption shall be the subject of public community visioning meetings prior to adoption or amendment.

Nothing herein shall be deemed to exempt major changes in allowable land use of any existing single family residentially zoned properties or public parkland from the provisions of this article.

SECTION 5. Inconsistencies.

Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 6. Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The People of the City of Costa Mesa hereby declare that they would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. Effective Date.

This ordinance shall take effect according to law ten days after certification of the election at which it is adopted.

Exhibit A: The City of Costa Mesa Revitalization and Attachment 3 Residential Neighborhoods Protection Measure

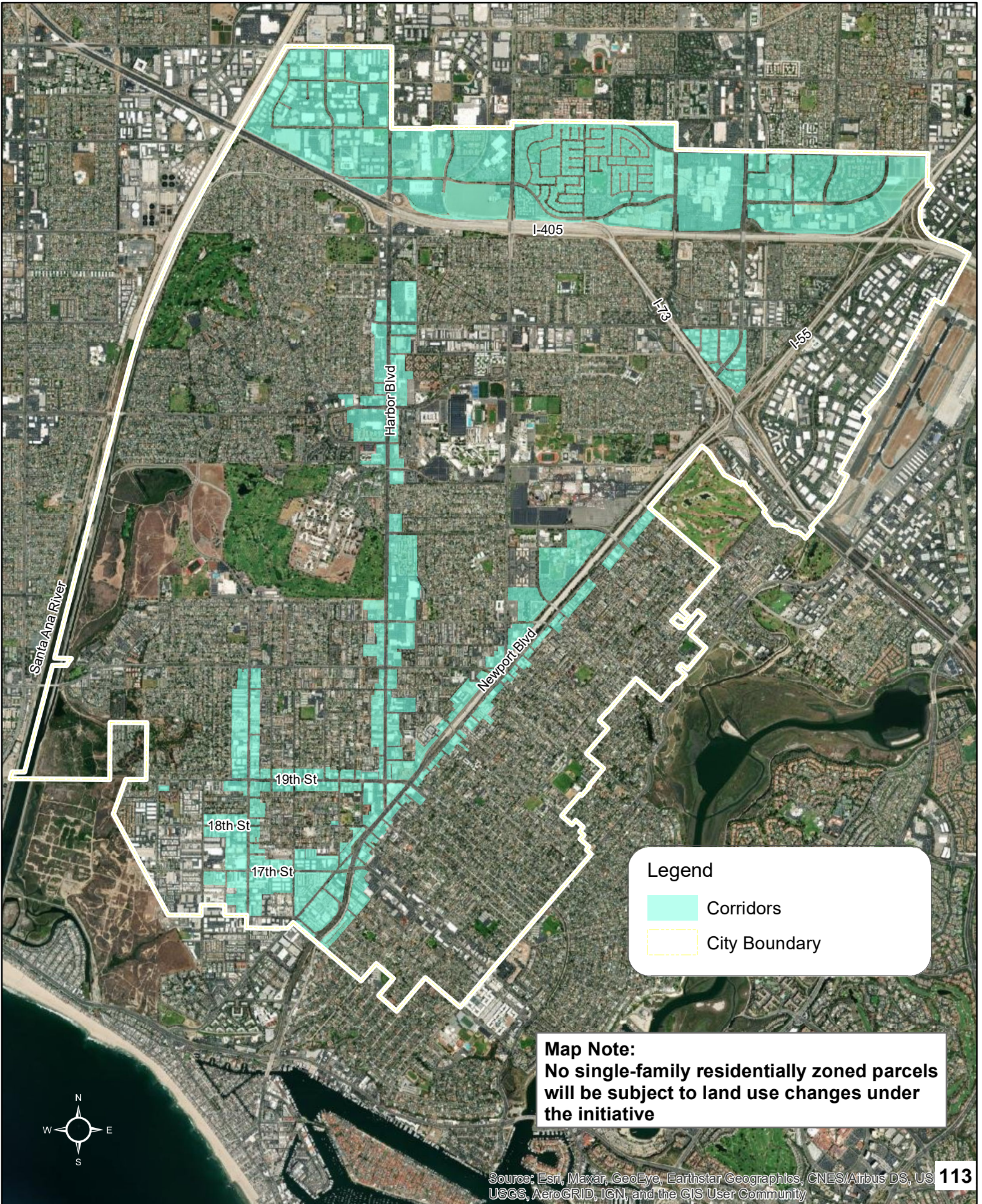
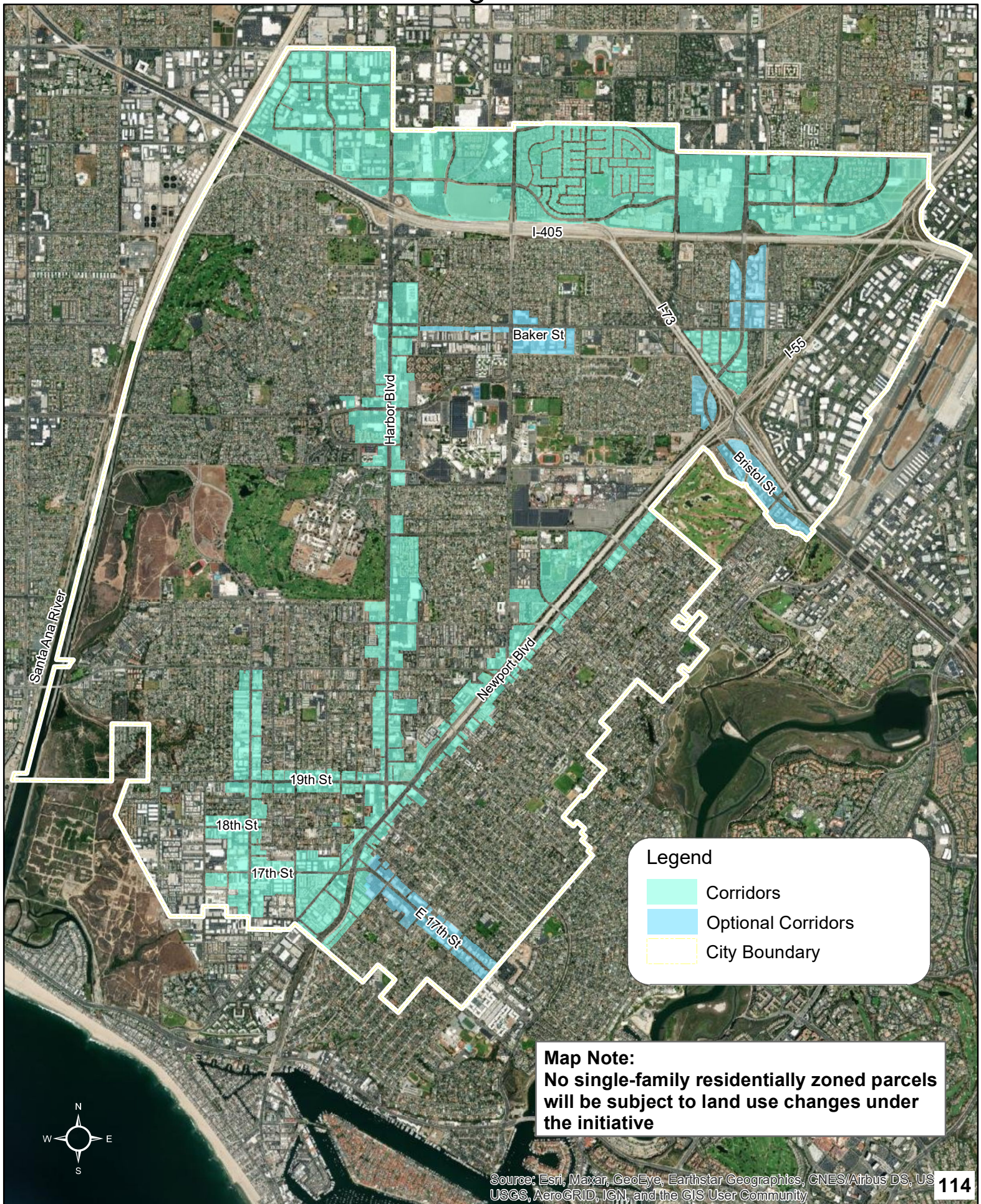


Exhibit A: (Option 2) The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure



RESOLUTION NO. 2022-xx**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS**

WHEREAS, a General Municipal Election is to be held in the City of Costa Mesa, California, on Tuesday, November 8, 2022, at which there will be submitted to the voters the following measure:

| Measure __: The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure" | Response | Vote |
|---|-----------------|-------------|
| To maintain the character of Costa Mesa's single-family residential neighborhoods; protect the environment and open space; provide future housing for working and middle class families and seniors; and attract businesses; shall voters authorize the City Council to adopt publicly-reviewed land use plans to revitalize outdated commercial/industrial corridors such as Newport Boulevard, and expand affordable housing, while restricting building heights, requiring developer-paid fees to relieve traffic, keeping residential neighborhoods intact and maintaining local control? | Yes | |
| | No | |

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the City Council authorizes the filing of written argument(s) not exceeding 300 words regarding the City measure as specified above, accompanied by the printed names(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk.

The arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument.

SECTION 2. That the City Council directs the City Clerk to transmit a copy of the measure to the City Attorney, unless the organization or salaries of the office of the City Attorney are affected.

- a. The City Attorney shall prepare an impartial analysis of the measure not exceeding 500 words showing the effect of the measure on existing law and the operation of the measure. If a measure affects the organization or salaries of the office of the City Attorney, the City Clerk shall prepare the impartial analysis.
- b. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city.
- c. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: "The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the ordinance or measure, please call the election official's office at 714-754-5225 and a copy will be mailed at no cost to you.
- d. The impartial analysis shall be filed by the date set by the City Clerk the filing of primary arguments.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED 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 foregoing Resolution No. 2022-xx- 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 3rd day of August, 2022.

BRENDA GREEN, CITY CLERK

RESOLUTION NO. 2022-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS

WHEREAS, California Elections Code Section 9282 provides for the filing of written arguments in favor or against city measures not to exceed 300 words in length; and

WHEREAS, California Elections Code Section 9285 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for city measures submitted at municipal elections;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to California Elections Code Section 9285, when the elections official has selected arguments for and against the measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the proposition to the authors of any argument against the measure and a copy of an argument against the measure to the authors of any argument in favor of the measure immediately upon receiving the arguments.

The author or a majority of the authors of an argument relating to a city measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit or sign the rebuttal argument.

No more than five authors may sign a rebuttal argument.

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed names and signatures of the authors submitting it, or if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Authors of Argument.

Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 2. This resolution repeals previous resolutions providing for the filing of rebuttal arguments for city measures, except for referendum measures.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED 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 foregoing Resolution No. 2022-xx 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 3rd day of August, 2022.

BRENDA GREEN, CITY CLERK

RESOLUTION NO. 2022-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE DETERMINATION AND FILING OF A NOTICE OF EXEMPTION PURSUANT TO THE PROVISIONS THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR AN INITIATIVE ORDINANCE ENTITLED THE CITY OF COSTA MESA REVITALIZATION AND RESIDENTIAL NEIGHBORHOODS PROTECTION MEASURE

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, City staff have reviewed the proposed initiative ordinance, entitled the City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure (“the Measure”), amending Section 13.200-106 of Title 13 of the Costa Mesa Municipal Code (“CMMC”);

WHEREAS, the revisions to the CMMC have been reviewed for compliance with the California Environmental Quality Act (“CEQA”), CEQA Guidelines, and the City’s environmental processing procedures;

WHEREAS, City staff have determined that the Measure is exempt from review under the California Environmental Quality Act pursuant to the following Sections of Title 14, Chapter 3, California Code of Regulations:

- A. The initiative ordinance is not a project under CEQA pursuant to section 15378 (b)(5), because it involves organizational or administrative activities of government that will not cause or result in direct or indirect physical changes in the environment as it will not approve any project or make any project subject to ministerial approval, and any such changes would still require environmental review.
- B. The initiative ordinance is exempt under Section 15061(b)(3) because it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. In this case, it can be seen with certainty that there is no possibility that the proposed initiative ordinance may have a significant effect on the environment and is therefore not subject to CEQA.

WHEREAS, a Notice of Exemption shall be prepared for the Project.

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

SECTION 1. Based on the review and determination of the Development Services Division, the City Council of the City of Costa Mesa finds that the initiative ordinance is exempt from review under the California Environmental Quality Act.

SECTION 2. A Notice of Exemption is approved for the Project.

SECTION 3. The City Clerk may file the Notice of Exemption with the County Clerk of Orange County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of Section 21152(b) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED 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. 2022-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 3rd day of August, 2022.

BRENDA GREEN, CITY CLERK

CITY-SPONSORED INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The City Council for the City of Costa Mesa submits the following measure to the voters of the City for approval and enactment:

SECTION 1. Name.

This ballot measure shall be known and may be cited as “The City of Costa Mesa Revitalization and Residential Neighborhoods Protection Measure” and shall be referred to herein as the “Measure.”

SECTION 2. Purpose.

The purpose of the Measure is to revise the Costa Mesa Municipal Code to allow the City Council to establish land use plans, including general plan and/or zoning code amendments, through a public hearing process, including any related amendments to City Ordinances, as needed, for specifically defined areas of the City to encourage development of affordable housing for working and middle class families, and commercial revitalization while keeping intact current single family residential neighborhoods and maintaining local control; to provide minimum standards for such land use plans and require developers to pay fees to mitigate environmental and traffic impacts from such development, ~~and to further define what is considered mandated affordable housing.~~ Nothing contained in this Measure is intended to limit, curtail or abrogate the City’s power to impose greater restrictions or limitations on development within the defined areas than those established hereby.

Now, therefore, the People of the City of Costa Mesa do ordain as follows:

AN ORDINANCE OF THE PEOPLE OF THE CITY OF COSTA MESA, CALIFORNIA, TO AMEND THE COSTA MESA MUNICIPAL CODE TO AUTHORIZE THE CITY COUNCIL TO ADOPT LAND USE PLANS AS EXPRESSLY LIMITED HEREIN

SECTION 3.

~~Section 13-200.106(c) of the Costa Mesa Municipal Code is hereby amended to read:~~

~~The provisions of this article shall not apply to affordable housing proposals required by state or federal law, or those housing or mixed use development projects that comply with an affordable housing ordinance(s) or Council approved development agreement as adopted by the City Council in the industrial and commercial corridors identified in Section 13-200.106 (g).~~

SECTION 4.

Section 13-200.106 of the Costa Mesa Municipal Code is amended to add the following subsection (g):

(g) This article shall not apply to any major change in allowable land use of property located in the following areas, as depicted in Exhibit A, to provide for development of housing and/or mixed use and/or revitalization of existing commercial and/or industrial corridors-, including without limitation, those housing or mixed-use development projects that comply with a City Council-adopted affordable housing ordinance(s) or City Council-approved Development Agreement, provided that ~~when~~ those properties are subject to an adopted or amended specific plan or overlay plan, following an e~~Environmental~~ and pP~~Public~~ R~~review~~:

- (1) Newport Boulevard/Old Newport Boulevard from Mesa Drive to the City limit and Superior from Newport Boulevard to the City limit;
- (2) Harbor Boulevard from Baker Street to West 19th Street;
- (3) Baker Street between SR-73 and SR-55, generally referred to as the SoBECA area;
- (4) West 17th Street from Newport Boulevard west to Monrovia, West 18th Street from Placentia west to Monrovia, and 19th Street from Harbor Boulevard west to- Federal~~Whittier~~;
- (5) Placentia Avenue from Victoria Street to West 16th Street; and,
- (6) North of the 405 freeway as bordered by the City limits

All land use plans approved for the areas described above shall include restrictions on building heights.

~~In order to~~ To be eligible for this exemption, all residential and mixed use developments shall provide for deed-restricted affordable housing pursuant to a City Council-adopted affordable housing ordinance or City Council approved Development Agreement. Development impact fees shall be required to be paid by developers to mitigate impacts of any permitted development, including traffic impacts, park impacts, and provision of open space. Such fees shall not be waived.

As used herein, “Environmental and pP~~Public~~ R~~Review~~” shall mean and refer to the applicable requirements of the California Environmental Quality Act, the Ralph M. Brown Act, and the Government Code public noticing provisions for land use projects. All land use plans adopted or amended for any part of the defined areas eligible for this exemption shall be the subject of public community visioning meetings prior to adoption or amendment.

Nothing herein shall be deemed to exempt major changes in allowable land use of any existing single family residentially zoned properties (R1 zone) or public parkland from the provisions of this article.

SECTION 45. Inconsistencies.

Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 56. Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The People of the City of Costa Mesa hereby declare that they would have adopted this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 67. Effective Date.

This ordinance shall take effect according to law ten days after certification of the election at which it is adopted.