



City of Costa Mesa

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

Agenda

Tuesday, November 1, 2022

6:00 PM

City Council Chambers
77 Fair Drive

***Note: All agency memberships are reflected in the title "Council Member"**
4:00 P.M. Closed Session

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/c/costamesatv).

3. Zoom Webinar: (For both 4:00 p.m. and 6:00 p.m. meetings)

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: (For both 4:00 p.m. and 6:00 p.m. meetings)

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, for both videos and pictures. Please e-mail to the City Clerk at cityclerk@costamesaca.gov NO LATER THAN 12:00 Noon on the date of the meeting. If you do not receive confirmation from the city prior to the meeting, please call the City Clerks office at 714-754-5225.

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.

CLOSED SESSION - 4:00 P.M.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given a total of three minutes to speak on all items on the Closed Session agenda.

CLOSED SESSION ITEMS:

1. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to California Government Code Section 54957.6, (a)
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa City Employees Association (CMCEA).
2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to California Government Code Section 54957.6 (a)
Agency Designated Representative: Lori Ann Farrell Harrison, City Manager
Name of Employee Organization: Costa Mesa Police Association (CMPA).

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

NOVEMBER 1, 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

Mr. Jimmy Vivar

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.]

Pastor Phil Eyskens, Lighthouse Church

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. [Proclamation: 2022 National Native American Heritage Month](#) [22-927](#)
Attachments: [1. Proclamation: Native American Heritage Month](#)

2. [Proclamation: 2022 Veterans Day](#)

[22-928](#)

Attachments: [1. Proclamation: Veterans Day](#)

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 1-7)

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: WAIVE THE FULL READING OF ALL 22-911 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. [READING FOLDER](#) [22-912](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Mercury Insurance Company, Abel Cirio Diaz, Fernanda Gomes Da Silva, Keith Riggert.

3. [ADOPTION OF WARRANT RESOLUTION](#) [22-921](#)

RECOMMENDATION:

City Council approve Warrant Resolution No. 2689.

Attachments: [1. Summary Check Register week of 10-10-22](#)
[2. Summary Check Register week of 10-17-22](#)

4. [MINUTES](#) [22-913](#)

RECOMMENDATION:

City Council approve the Minutes of the Regular meeting of October 18, 2022.

Attachments: [1. 10-18-2022 Draft Minutes](#)

5. [EXTENSION OF RESOLUTION NO. 2022-62 TO ALLOW MEMBERS 22-916
OF THE CITY COUNCIL, COMMISSIONS AND COMMITTEES TO
PARTICIPATE IN THE MEETINGS REMOTELY, AS NEEDED, DUE TO
HEALTH AND SAFETY CONCERNS FOR THE MEMBERS AND THE
PUBLIC PURSUANT TO ASSEMBLY BILL 361](#)

RECOMMENDATION:

Staff recommends the City Council extend Resolution 2022-62 to allow the members of the City Council, Commission, and Committees to participate in the meetings remotely, as needed, via Zoom due to:

1. The current State of Emergency and global pandemic, which continues to directly impact the ability of the members of the City's legislative bodies to meet safely in person; and
2. Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.

Attachments: [1. Resolution No. 2022-62](#)

6. [ACCEPTANCE OF THE NEW TRAFFIC SIGNAL AT BAKER STREET 22-905
AND RANDOLPH AVENUE PROJECT, CITY PROJECT NO. 21-01](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Accept the work performed by PTM General Engineering Services, Inc. (PTM) for the New Traffic Signal at Baker Street and Randolph Avenue Project, City Project No. 21-01, and authorize the City Clerk to file the Notice of Completion.
2. Authorize the City Manager to release the retention monies thirty-five (35) days after the Notice of Completion filing date; release the Labor and Material Bond seven (7) months after the filing date; and release the Faithful Performance Bond one (1) year after the filing date.

Attachments: [1. Final Costs](#)

7. [SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING 22-915
TITLE 5, BUILDINGS AND CONSTRUCTION AND TITLE 7, FIRE
PROTECTION AND PREVENTION, OF THE COSTA MESA
MUNICIPAL CODE TO ADOPT THE 2022 EDITION OF THE
CALIFORNIA BUILDING STANDARDS CODE, AS LOCALLY
AMENDED, AND THE ORANGE COUNTY GRADING AND
EXCAVATION CODE](#)

RECOMMENDATION:

Staff recommends the City Council give second reading to and adopt Ordinance 2022-XX, which amends Title 5, Buildings and Construction, and Title 7, Fire Protection and Prevention, of the Costa Mesa Municipal Code to adopt the 2022 Edition of the California Building Standards Code, as locally amended, and the current edition of the Orange County Grading and Excavation Code.

Attachments: [1. Ordinance](#)
[2. Red line changes from 10.18.22](#)

**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. [EXTENSION OF URGENCY ORDINANCE 2020-15 SUSPENDING 22-914 CERTAIN PERMIT REQUIREMENTS AND DEVELOPMENT STANDARDS FOR OUTDOOR ACTIVITIES DUE TO THE COVID-19 PANDEMIC](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Extend Urgency Ordinance 2020-15 for six months to expire on June 30, 2023.
2. Provide direction to prepare a Code amendment to modify development standards and streamline the approval process for outdoor dining in Costa Mesa.

Attachments: [1. Ordinance](#)
[2. Temporary Use Permit Map](#)
[3. Other Cities Outdoor Dining Programs](#)

OLD BUSINESS: NONE.

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 #: 22-927

Meeting Date: 11/1/2022

TITLE:

Proclamation: National Native American Heritage Month

DEPARTMENT: City Manager's Office



CITY OF COSTA MESA, CALIFORNIA

Proclamation

WHEREAS, during National Native American Heritage Month, we celebrate the rich tapestry of Indigenous peoples and honor their sacrifices, which we recognize as inextricably woven into the history of this country; and

WHEREAS, in 1990, President George H.W. Bush approved a joint resolution designating November 1990 “National American Indian Heritage Month; and

WHEREAS, Native Americans are descendants of the original indigenous inhabitants of what is now the United States; and

WHEREAS, Native Americans have moving stories of tragedy, triumph, and perseverance that need to be shared with future generations; and

WHEREAS, the people indigenous to the area currently known as the City of Costa Mesa were part of a group of American Natives who crossed over the western mountain range from the “Great Basin” of Nevada, Utah, and Western Oregon; and

WHEREAS, Costa Mesa’s first inhabitants were the Tongva Native Americans who settled on the mesa near the banks of the Santa Ana River; and

WHEREAS, artifacts found on the mesa indicate that this site was a part of the village the Tongva people knew as Lukup; and

WHEREAS, as “Keepers of Mother Earth,” the Tongva Native Americans considered themselves stewards of the environment and were hunter-gatherers and dependent on their surroundings, using what was readily available in nature for food, clothing, and shelter; and

WHEREAS, today, the descendants of the indigenous people of this area still live throughout Orange County; and

WHEREAS, during the month of November, the City of Costa Mesa honors our native people and recognizes their continued contributions to strengthening the diversity of our society.



NOW, THEREFORE, I, John B. Stephens, Mayor of the City of Costa Mesa, do hereby proclaim November 2022 as **Native American Heritage Month** and encourage all residents to learn more about the Native Americans who first called this City home and work with leaders for a greater future for all Costa Mesans.

PRESENTED this 1st day of November 2022.

John B. Stephens, Mayor of the City of Costa Mesa



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-928

Meeting Date: 11/1/2022

TITLE:

Proclamation: 2022 Veterans Day

DEPARTMENT: City Manager's Office



P CITY OF COSTA MESA, CALIFORNIA Proclamation

WHEREAS, the greatest acknowledgment of our freedom is to honor our armed forces veterans who have sacrificed and, in many instances, paid the ultimate price for our freedom; and

WHEREAS, in 1954, Congress formally created Veterans Day to pay tribute to all American Veterans, renaming Armistice Day, which had been celebrated as a legal federal holiday since 1938; and

WHEREAS, President Dwight D. Eisenhower was the first president to issue a proclamation on October 8, 1954, to observe the holiday on November 11, 1954; and

WHEREAS, the diversity of veterans is a tremendous strength that makes our Armed Forces stronger and more vibrant. Many people throughout our country's history have served as veterans, including women, people of color, immigrants, people who identify with all sexual orientations and gender identities, people with disabilities, and other brave individuals; and

WHEREAS, our veterans are brave and selfless individuals who, when duty called, willingly put themselves in harm's way to defend the lives and liberty of others; and

WHEREAS, both men and women of our armed forces continue to be an inspiration to all of us through their demonstration of courage, leadership, and commitment in service to our community and country; and

WHEREAS, local organizations, such as Team Red, White & Blue, enrich veterans' lives by providing community as they transition into their civilian lives; and

WHEREAS, Team Red, White, and Blue's emphasis is prioritizing physical activity, promoting healthy activity, and giving veterans a sense of belonging with real-life and virtual opportunities for camaraderie; and

WHEREAS, residents of Costa Mesa, along with millions of other Americans, can attest to the importance of their sacrifices and contributions to our freedom and security; and

WHEREAS, the City of Costa Mesa will always remember and pay homage to our military community, both active and inactive, for their contribution, dedication, and commitment to the one cause of our freedom.

NOW, THEREFORE, I, John B. Stephens, Mayor of the City of Costa Mesa, do hereby proclaim November 11, 2022, as Veterans Day in the City of Costa Mesa. The City of Costa Mesa proudly joins the rest of our nation to salute and give special honor and recognition to the men and women who served us in our armed forces. I encourage all residents in our City to acknowledge and honor the contributions of our veterans to the principles of democracy, individual freedom, and human rights.

DATED this 1st day of November 2022.



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-911

Meeting Date: 11/1/2022

TITLE:

PROCEDURAL WAIVER: WAIVE THE FULL READING 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 #: 22-912

Meeting Date: 11/1/2022

TITLE:

READING FOLDER

DEPARTMENT: City Manager's Office/City Clerk's Division

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk: Mercury Insurance Company, Abel Cirio Diaz, Fernanda Gomes Da Silva, Keith Riggert.



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-921

Meeting Date: 11/1/2022

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. 2689.

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. 22-21 On Cycle for \$ 3,052,412.79; 22 and City operating expenses for \$ 1,633,603.12.

Report ID: CCM2001V

City of Costa Mesa Accounts Payable
CCM VOID CHECK LISTINGPage No. 1
Run Date Oct 13, 2022
Run Time 2:25:02 PMBank: DDP1
Cycle: ADIRDP

Payment Ref	Cancel Date	Status	Remit To	Remit ID	Payment Date	Payment Amt
014072	10/12/2022	V	Caroline Tse	0000027094	09/23/22	(40.00)
Line Description: Incorrect bank account number. Transmission rejected. Re-issue payment.						
TOTAL						(\$40.00)

0 *

2,553.50 +

293,393.06 +

40.00 -

46,484.52 +

724,464.09 +

907.43 +

004

1,067,762.60 *

End of Report

Bank: DDP1

Cycle: ADIRDP

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
014404	10/11/22	P	Alicia Defuria	0000029278	500.00
			Line Description: Clothing Allowance 22-23		
014405	10/11/22	P	Anita Chapanond	0000023876	175.50
			Line Description: NeoGov Conf Adv10/4-10/7/22		
014406	10/11/22	P	Caroline Tse	0000027094	175.50
			Line Description: Neo Gov Conf 10/4-10/7/22		
014407	10/11/22	P	Fanni Acosta	0000029434	149.50
			Line Description: AWI Annual Conf 10/12-10/14/22		
014408	10/11/22	P	Joyce LaPointe	0000006332	407.00
			Line Description: Executive Development		
014409	10/11/22	P	Kasama Lee	0000020859	175.50
			Line Description: NeoGov Conf 10/4-10/7/22		
014410	10/11/22	P	Monique Beckner	0000008066	500.00
			Line Description: Clothing Allowance 22-23		
014411	10/11/22	P	Robert Gonzalez	0000024196	160.00
			Line Description: Mobile Comm Centr Inspth		
014412	10/11/22	P	Ronald Lawrence	0000029540	310.50
			Line Description: Intl Assc Chief Conf		
014413	10/14/22	P	Caroline Tse	0000027094	40.00
			Line Description: Notary Exam & Application		

Bank: DDP1

Cycle: ADIRDP

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
			Line Description: Notary Exam & Application		
014414	10/14/22	P	Costa Mesa Employees Association	0000006284	3,032.62
			Line Description: Payroll Deduction 2221		
014415	10/14/22	P	Costa Mesa Executive Club	0000006286	80.00
			Line Description: Payroll Deduction 2221		
014416	10/14/22	P	Costa Mesa Firefighters Association	0000001812	8,654.51
			Line Description: Payroll Deduction 2221		
014417	10/14/22	P	Costa Mesa Police Association	0000001819	7,380.00
			Line Description: Payroll Deduction 2221		
014418	10/14/22	P	Costa Mesa Police Management Assn	0000005082	225.00
			Line Description: Payroll Deduction 2221		
014419	10/14/22	P	Travel Costa Mesa	0000024750	273,980.93
			Line Description: BIA Receipt for September 22		
TOTAL					\$295,946.56

Bank: CITY
Cycle: ANNUAL

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239588	10/12/22	P	Southern California Edison Company	0000004088	32,493.07
<i>Line Description:</i>					
348 E 17th 8/25-9/25/22					
735 Baker 8/22-9/20/22					
Sr Cntr 8/29-9/27/22					
Tennis Center 9/1-10/2/22					
NCC 8/29-9/27/22					
735 Baker 05/31-8/21/22					
3349 Sakioka 8/25-9/25/22					
3351 Sakioka 8/25-9/25/22					
1952 Newport 8/26-9/26/22					
1895 Irvine 8/31-9/29/22					
1624 Gisler 8/31-9/29/22					
3129 Harbor 8/31-9/29/22					
SD Fwy On/Off 9/1-9/30/22					
19th/NPT 9/1-9/30/22					
Npt Fwy/Baker 9/1-9/30/22					
Baker/Royal Palm 9-1-9/30/22					
Sunflower/Plaza 9/1-9/30/22					
970 Arlington 9/1-10/2/22					
3460 Samlleuy 8/31-9/29/22					
DRC 8/30-9/28/22					
702 Victoria 8/30-9/28/22					
702 1/2 Victoria 8/30-9/28/22					
885 Junipero 9/1-10/2/22					
Joann St Bike 9/1-9/30/22					
2750 Fairview 9/1-10/2/22					
Volcom Skate Pk 9/1-10/2/22					
980 Arlington 9/1-10/2/22					
Davis Field 8/29-9/27/22					
0239590	10/12/22	P	Chassey Simmons	0000029865	965.25
<i>Line Description:</i> Scarecrow Festival-Princesses					
0239591	10/12/22	P	Division of the State Architect	0000021296	1,148.90
<i>Line Description:</i> Disability Access Ed Fee					

Report ID: CCM2001

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

Page No. 2

Run Date Oct 13, 2022

Run Time 2:29:27 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>
0239592	10/12/22	P	Nationwide	0000027351	1,877.30
			<i>Line Description:</i> K-9 Medical Insurance for Bodi		
0239593	10/12/22	P	A1 Financial LLC	0000029867	10,000.00
			<i>Line Description:</i> 2022 Chevrolet Silverado 1500		
TOTAL					<u>\$46,484.52</u>

Bank: CITY

Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239594	10/14/22	P	AFLAC	0000012253	24,106.75
		<i>Line Description:</i>	STD-Sept 2022 Cancer Ins Prim-Sept 22 Accidental Ins Prem-Sep 22		
0239595	10/14/22	P	All City Management Services Inc	0000009480	24,937.19
		<i>Line Description:</i>	Schl Crsng 9/4-9/17/22 Schl Crsng 9/18-10/1/22		
0239596	10/14/22	P	Benefit Coordinators Corp	0000029594	37,806.70
		<i>Line Description:</i>	Ental Prem-Sept 2022 Vision Ins Prem-Sept 2022		
0239597	10/14/22	P	Care Ambulance Service Inc	0000019807	73,625.00
		<i>Line Description:</i>	Ambulance Svc 9/16-9/30/22		
0239598	10/14/22	P	Dell Computer Corp	0000001962	28,223.04
		<i>Line Description:</i>	Sales Tax Dell UltraSharp 24 Monitor - U Environmental Fee Sales Tax SALES TAX (7.75%) ENVIRONMENTAL FEE DELL MONITOR OptiPlex 7000 SFF Sales Tax Dell 32 USB-C Monitor - P3221D Environmental Tee		
0239599	10/14/22	P	Everett Dorey LLP	0000026882	161,049.04
		<i>Line Description:</i>	Legal Svcs-Jul 2022 Legal Svcs-Aug 2022 Legal Svcs-Jun 2022		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239600	10/14/22	P	Jones & Mayer	0000014653	18,482.07
			<i>Line Description:</i> #111959-Carranza #111976-Tippett #111970-Lehmand #111960-Carrera #111957-Beavers #111969-Leaman #111968-Lawson #111963-Garten #111972-Peper #111965-Hauck #111974-Schaefer #111967-Insight Psychology #111964-H3 Ministries App #111973-RD X Caqtalyst #111956-Armand/Blood #111971-Ohio House #111962-Donaldson #111961-Cervantes #111958-Camp Lila #111975-Shalhoub		
0239601	10/14/22	P	LINA	0000015623	27,912.16
			<i>Line Description:</i> LTD Ins Prem-Sept 22 Life& AD&D Ins Prem-Sept 22 Retiree Life Ins Prem-Sept 22 Voluntary Life Ins Prem-Sept 2		
0239602	10/14/22	P	Lyons Security Service Inc	0000027168	23,209.43
			<i>Line Description:</i> Security for Lions Park Security for Sept 22 Senior C		
0239603	10/14/22	P	Quinn Company	0000015404	55,857.81
			<i>Line Description:</i> Sales Tax 7.75%		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
			<i>Line Description:</i> 2022 Caterpillar CB2.7 Double		
0239604	10/14/22	P	Time Warner Cable	0000011202	18,074.04
			<i>Line Description:</i> HVAC Alarm-Basement CH Equipment Charges Cable Box Upgrade 2nd Flr Internet Fiber Svcs-Var Locati 2310 Placentia A Internet/Cabl		
0239605	10/14/22	P	West Coast Arborists Inc	0000004498	34,138.50
			<i>Line Description:</i> Tree Maintenance Services		
0239606	10/14/22	P	32nd District Agricultural Assn	0000003432	100.00
			<i>Line Description:</i> Officer Training		
0239607	10/14/22	P	AT & T	0000001107	69.55
			<i>Line Description:</i> Internet for Skate Park Camera		
0239608	10/14/22	P	AT & T	0000001107	4,467.75
			<i>Line Description:</i> DSL Line for Traffic Operation TeWinkle Park Lions Park Baseball Field NCC Fire Alarm PD DSL Line WSS Alarm (Prev Bal Jul-Aug) DRC Alarm Estancia Park PD Emergency Line DID Trunk Line 800 Mhz Radio Link Outgoing Trunk Line Smallwood Park IT Computer Room Cool Line for PD		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
			<i>Line Description:</i> Sr Center DSL for Bldg Maint		
0239609	10/14/22	P	AT & T Teleconference Services	0000001107	548.14
			<i>Line Description:</i> Teleconference August 2022		
0239610	10/14/22	P	AceK9.com Inc	0000029029	336.00
			<i>Line Description:</i> ACEWatchDog Cloud Svcs for 1 y		
0239611	10/14/22	P	Adamson Police Products	0000014519	786.04
			<i>Line Description:</i> Sights for Training		
0239612	10/14/22	P	Affant Communication	0000013540	245.00
			<i>Line Description:</i> Implementastion		
0239613	10/14/22	P	Air Exchange Inc	0000024177	209.19
			<i>Line Description:</i> Supplies		
0239614	10/14/22	P	All Services SAP	0000029868	550.00
			<i>Line Description:</i> DOT Testing		
0239615	10/14/22	P	Alldata	0000018288	1,616.25
			<i>Line Description:</i> Repair Series Subscription		
0239616	10/14/22	P	Alliance Resource Consulting LLC	0000029583	2,210.00
			<i>Line Description:</i> Budget Process Review Budget Process Review		
0239617	10/14/22	P	American Alarm Systems Inc	0000008900	892.50
			<i>Line Description:</i> Fire Alarm 11/1/22-1/31/23		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
			Line Description: Fire/Security 8/1-10/31/22		
0239618	10/14/22	P	Bode Technology	0000018930	2,044.62
			Line Description: DNA Swabs		
0239619	10/14/22	P	Bound Tree Medical LLC	0000011695	10,907.60
			Line Description: EMS Supplies		
			EMS Supplies		
			EMS Supplies		
			EMS Supplies		
0239620	10/14/22	P	Bracken's Kitchen Inc	0000029468	12,472.54
			Line Description: Shelter Meal Svc 9/12-9/25/22		
0239621	10/14/22	P	CBE	0000015149	1,129.13
			Line Description: Copier Maint 9/5-10/4/22		
			Copier Maint 9/5-10/4/22		
			Copier Maint 7/5-8/4/22		
			Copier Maint 9/5-10/4/22		
			Copier Maint 9/5-10/4/22		
			Copier Maint 9/5-10/4/22		
0239622	10/14/22	P	CDW Government Inc	0000005402	2,032.90
			Line Description: SOFTWARE LICENSE/MAINTENANCE		
0239623	10/14/22	P	CM/CE	0000026894	6,300.00
			Line Description: Merrimac Bike Imprv 20-01		
0239624	10/14/22	P	Carl Warren & Company	0000001578	4,509.72
			Line Description: Wkrs Comp Admin Fee-Sept 22		
			Subrogation		

Bank: CITY

Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239625	10/14/22	P	Carolyn Richardson	0000002890	749.99
			Line Description: Injury Stlmnt-Tripping 7/7/22		
0239626	10/14/22	P	Cellebrite USA Inc	0000021707	4,633.25
			Line Description: Software Suport Jul 2022-23		
0239627	10/14/22	P	Clean Street	0000001098	1,634.00
			Line Description: Qtrly Pressure Wash BusShelter		
0239628	10/14/22	P	Connell Chevrolet	0000001763	416.37
			Line Description: Alternator-#750		
0239629	10/14/22	P	D & R Office Works Inc	0000029056	1,514.94
			Line Description: DISCOUNT		
			SALES TAX		
			HON H90056		
			HON H10534G		
			MFG FUEL SURCHARGE		
			DELIVERY AND INSTALLATION		
0239630	10/14/22	P	Daniels Tire Service	0000001922	4,350.70
			Line Description: Warehouse Stock		
0239631	10/14/22	P	ECKERSALL LLC	0000025412	5,842.50
			Line Description: GIS Svcs9/1-9/15/22		
			GIS Analysis 9/16-9/30/22		
0239632	10/14/22	P	Eduardo Iniestra	0000029307	600.00
			Line Description: DJ SERVICES		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239633	10/14/22	P	Expo Propane Inc	0000017819	2,178.95
			Line Description: Propane Delivery		
0239634	10/14/22	P	Factory Motor Parts Co	0000019977	271.87
			Line Description: Starter		
0239635	10/14/22	P	Federal Technology Solutions Inc	0000024174	3,621.01
			Line Description: SALES TAX (7.75%)		
			MATERIALS		
			CABLE INSTALLATION		
			UNSCHEDULED LABOR AND MATERIAL		
			NETWORK CABLE INSTALLATION		
			SALES TAX (7.75%)		
0239636	10/14/22	P	Fuel Pros Inc	0000026476	712.33
			Line Description: Monthly DO Inspctr-FS #2		
			Monthly DO Inspctr-PD		
			Monthly DO Inspctr-FS #6		
			Monthly DO Inspctr-CY		
0239637	10/14/22	P	G & W Towing	0000002289	375.00
			Line Description: Towing Svc		
0239638	10/14/22	P	Galls LLC	0000002297	1,668.62
			Line Description: Safety Vest-Wood		
			Uniform-Shirts		
			Uniform-Pants		
			Uniform-Harbert		
0239639	10/14/22	P	Getty Images US Inc	0000003307	3,350.00
			Line Description: Subscription Renewal		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239640	10/14/22	P	Glenn Lukos & Associates Inc	0000011626	3,096.81
			Line Description: FP Biological Svc 7/30-9/9/22 FP Biologica Svs7/1-7/29/22		
0239641	10/14/22	P	Grainger	0000002393	292.00
			Line Description: Parts for Telecomm Parts for Telecomm		
0239642	10/14/22	P	Integrated Impressions	0000003403	8,312.19
			Line Description: Promotional Items		
0239643	10/14/22	P	Kimley Horn & Associates Inc	0000005251	2,596.63
			Line Description: Local Road Safety Plan-Sep 22		
0239644	10/14/22	P	Long Beach BMW	0000015745	549.05
			Line Description: Lidar Gun Holster Credit Radar Holster		
0239645	10/14/22	P	Loomis	0000019082	1,098.01
			Line Description: ARMORED CAR SERVICES July 22 ARMORED CAR SERVICES-Sept 22 ARMORED CAR SERVICES Aug 22		
0239646	10/14/22	P	Los Angeles Times	0000003000	999.77
			Line Description: Legal Publication-Sep 22		
0239647	10/14/22	P	Maribeth McFaul	0000027134	500.00
			Line Description: CHALK ART		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239648	10/14/22	P	Merrimac Energy Group	0000021566	10,893.52
			Line Description: FS5-Diesel		
			FS2-Diesel		
			FS1-Diesel		
			CY-Diesel		
0239649	10/14/22	P	Nico Hospitality LLC	0000028926	280.78
			Line Description: NHS-Outreach Client Stayce Goo		
0239650	10/14/22	P	NotePage Inc	0000029377	395.00
			Line Description: PAGEGATE RENEWAL		
0239651	10/14/22	P	Nutrien AG Solutions Inc	0000026392	2,505.19
			Line Description: Fertilizer-Sports Fields		
0239652	10/14/22	P	O Neil Storage	0000018395	112.34
			Line Description: Offsite Records Storage		
0239653	10/14/22	P	Oracle America Inc	0000003419	2,302.47
			Line Description: MICROSOFT FOCUS VISUAL		
0239654	10/14/22	P	Pacific Medical Waste	0000029793	366.40
			Line Description: Biohazard Disposal Sept 22		
0239655	10/14/22	P	Peace of Mind Financial Consulting Inc	0000029150	6,500.00
			Line Description: Consulting SVC Sept 2022		
0239656	10/14/22	P	Post Alarm Systems Inc	0000026907	109.15
			Line Description: Fire Alarm Monitoring&Inspect		

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTERBank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239657	10/14/22	P	Prudential Overall Supply	0000025480	660.00
			Line Description: Parks Uniform Svc Fleet Uniform Svcs Fleet Floor Mat Svcs Facilities Uniform Svcs Street & Traffic Uniform Svc		
0239658	10/14/22	P	Rincon Truck Center Inc	0000013236	1,021.45
			Line Description: Stock-Height Control V Stock-Drain Valve Stick-Cat. Ele. 50/50		
0239659	10/14/22	P	SiteOne Landscape Supply LLC	0000024133	1,723.01
			Line Description: Materials for TAC		
0239660	10/14/22	P	South Coast Air Quality Mgmt District	0000003939	2,264.22
			Line Description: FS5-Annual Generator PD-Emissions Renewal Fees Fs5-Emissions Fee Rule 461 Liquid Fuel Fee-PD		
0239661	10/14/22	P	Southern California Association of	0000003937	12,930.00
			Line Description: Annual Membership Dues 22-23		
0239662	10/14/22	P	Sparkletts	0000015725	25.98
			Line Description: WATER DELIVERY SERVICES - FIRE		
0239663	10/14/22	P	Spectrum Gas Products	0000012653	253.60
			Line Description: Station 5 Station 3		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
			Line Description: Station 2 Station 4		
0239664	10/14/22	P	Sports Field Services	0000004431	6,000.00
			Line Description: Repair sod @ Jack Hammett Spor		
0239665	10/14/22	P	Staples Advantage	0000024532	6,759.92
			Line Description: Supplies-IT Supplies-Fire Supplies-P&R Balearic Yth Sppt Supplies-CEO Office-City Clerk Supplies-Rec Div Teen Program Supplies-Finance Supplies-PS Admin Supplies-HOME Program Supplies-Police Records Supplies-Code Enforcement Supplies-Dev Svs-Planning Supplies-P&R Balearic Camp Supplies-P&R Balearic LEAP Supplies-P&R DT Rec Center Supplies-Dev Svs-Bldg Safety Supplies-HR Recruit/Selection		
0239666	10/14/22	P	Sunset Detectives	0000026756	10,200.00
			Line Description: Background Investigations		
0239667	10/14/22	P	Superior Pavement Markings Inc	0000003955	7,640.00
			Line Description: Long Lane Stripping by Cntrctr Long Lane Stripping by Cntrctr Long Lane Stripping by Cntrctr		
0239668	10/14/22	P	Timothy Lee Campbell	0000029859	1,000.00
			Line Description: Art Hanging Srvs for ArtVentur		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239669	10/14/22	P	Tripepi Smith & Assoices Inc	0000029704	6,000.00
			Line Description: Recycling Advisory Svcs		
0239670	10/14/22	P	Vanguard University	0000008496	300.00
			Line Description: Music for ARTventure 2022		
0239671	10/14/22	P	Verizon Wireless	0000008717	10,371.88
			Line Description: PD Cell Phones 8/16-9/15/22		
			PS Cellphone 8/18-9/17/22		
			Fire Cell Phones 8/18-9/17/22		
			BroadBand (New Subnet) 8/18-9/		
0239672	10/14/22	P	Verizon Wireless	0000008717	830.68
			Line Description: Cal Net 3 Broadband thru 8/31/		
0239673	10/14/22	P	Vulcan Materials Company	0000007403	287.99
			Line Description: Asphaly Potholes&Sidewalk Ramp		
			Asphalt Potholes Sidewalk Ramp		
0239674	10/14/22	P	Waterline Technologies Inc	0000014520	431.00
			Line Description: DRC Pool Treatment		
0239675	10/14/22	P	Waxie Sanitary Supply	0000004480	227.80
			Line Description: Warehouse Floor Stock		
			Sanitary Supplies		
0239676	10/14/22	P	Williams Data Management	0000018803	523.85
			Line Description: DATA STORAGE 9/22		

Report ID: CCM2001

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

Page No. 13

Run Date Oct 13,2022

Run Time 2:31:08 PM

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239677	10/14/22	P	Winzer	0000026180	2,735.21
			Line Description: Gloves		
0239678	10/14/22	P	Zachary Beckemeyer	0000029866	600.00
			Line Description: Arts-Utility Box Art/Stipend		
TOTAL					\$724,464.09

End of Report

Report ID: CCM2001

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

Page No. 1

Run Date Oct 13, 2022

Run Time 2:30:22 PM

Bank: CITY
Cycle: APAY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239679	10/14/22	P	CHC: Creating Healthier Communities	0000008015	10.00
			Line Description: Payroll Deduction 2221		
0239680	10/14/22	P	CalPERS Long-Term Care Program	0000006287	147.43
			Line Description: Payroll Deduction 2221		
0239681	10/14/22	P	Pamela Lilly	0000025324	750.00
			Line Description: Payroll Deduction 2221		
TOTAL					\$907.43

End of Report

Report ID: CCM20010

City of Costa Mesa Accounts Payable
CCM OVERFLOW CHECK LISTING

Page No. 1

Run Date Oct 13, 2022

Run Time 2:29:47 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>
0239589	10/12/22	O	Southern California Edison Company <i>Line Description: Overflow</i>	0000004088	0.00
<u>TOTAL</u>					<u>0.00</u>

End of Report

Bank: DDP1
Cycle: ADIRDP

Payment Ref	Cancel Date	Status	Remit To	Remit ID	Payment Date	Payment Amt
014343	10/20/2022	V	Victor Hernandez	0000015946	09/30/22	(1,404.00)
Line Description: Incorrect bank account number. Re-issue.						
TOTAL						(\$1,404.00)

0.*
1,404.00-
4,321.92+
562,922.60+
001
565,840.52*

Bank: DDP1
Cycle: ADIRDP

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
014420	10/21/22	P	Bryan Wadkins	0000005802	24.00
			Line Description: Civil Liability Update		
014421	10/21/22	P	Carlos Diaz	0000013277	24.00
			Line Description: Civil Liability Update		
014422	10/21/22	P	Christopher Mezzo	0000029558	24.00
			Line Description: Standard Field Sobriety Test		
014423	10/21/22	P	David Casarez	0000004716	32.00
			Line Description: Background Investigation		
014424	10/21/22	P	Irma Garcia	0000024433	5.00
			Line Description: County Rcorders Office Prkng		
014425	10/21/22	P	James Haney	0000029091	151.88
			Line Description: Drug Abuse Recognition		
014426	10/21/22	P	Kathia Viteri Bustamante	0000029830	50.00
			Line Description: DMV Class C License		
014427	10/21/22	P	Luis Rubio	0000029613	40.00
			Line Description: Law of Arrest		
014428	10/21/22	P	Shane Dean	0000029614	24.00
			Line Description: Standard Field Sobriety Test		
014429	10/21/22	P	Steve Ely	0000029457	1,431.60
			Line Description: ESRI Conf Exp Reimb		

Bank: DDP1
Cycle: ADIRDP

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
014430	10/21/22	P	Steve Savage	0000010532	320.00
			Line Description: Wildland/Urban Interface		
014431	10/21/22	P	Taylor Voss	0000014832	320.00
			Line Description: Strike Team Taskforce Leader		
014432	10/21/22	P	Tony Gracia	0000029589	64.44
			Line Description: Outeach Mileage Reimb		
014433	10/21/22	P	Tyrus Ranck	0000026650	407.00
			Line Description: FETT Trng		
014434	10/21/22	P	Victor Hernandez	0000015946	1,404.00
			Line Description: Qtrly Retiree Med Ins Payment		
			Qtrly Retiree Med Ins Payment		
TOTAL					\$4,321.92

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTERBank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239682	10/21/22	P	Cabco Yellow Inc	0000028576	25,105.25
		<i>Line Description:</i>	Sr Medical Trans-Aug 22 Sr Mobility Prog-Aug 22 Sr Medical Trans-Jul 2022 Sr Mobility Prog-Jul 2022		
0239683	10/21/22	P	City of Brea	0000008323	37,694.00
		<i>Line Description:</i>	ILJAOC Mbrshp FY22-23		
0239684	10/21/22	P	GMS Elevator Services	0000028704	42,322.50
		<i>Line Description:</i>	Retention Payable #20-03 Elevation Proj #200-03/#200091		
0239685	10/21/22	P	Lexipol LLC	0000017141	57,529.32
		<i>Line Description:</i>	Annual Jail Policy Manual & Da Annual Law Enforcement Policy Fire Policy-Consult Srvs Fire Policy Review Consult Srv		
0239686	10/21/22	P	MK Electric Inc	0000029674	31,842.50
		<i>Line Description:</i>	Installation of Replacement Li		
0239687	10/21/22	P	SHI International Corp	0000016007	27,955.00
		<i>Line Description:</i>	PHOTOSHOP SUBSCRIPTION ACROBAT STANDARD DC ACROBAT PRO DC CREATIVE CLOUD		
0239688	10/21/22	P	Shaw HR Consulting Inc	0000021706	23,909.26
		<i>Line Description:</i>	Carpet Installation		

Bank: CITY

Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239689	10/21/22	P	Southern California Edison Company	0000004088	171,854.13
<i>Line Description:</i> 734 James 9/7-10/5/22					
1587 Sunflower 9/8-10/6/22					
3190 1/2 Redhill 9/13-10/10/22					
1050 Arlington 9/9-10/10/22					
2885 Fairview 9/15-10/16/22					
2944 Bristol 9/15-10/16/22					
212 Haror 9/15-10/16/22					
1520 Baker 9/9-10/10/22					
350 Bristol 9/9-10/10/22					
3175 Airway 9/9-10/10/22					
Park Maint 8/8-9/6/22					
360 Ogle 9/12-10/11/22					
744 James 9/7-10/5/22					
1990 Placentia 9/6-10/4/22					
Signals 8/08-9/30/22					
Facilities 8/10-9/27/22					
Street Lights Sept 2022					
2590 Placentia 9/7-10/5/22					
567 W 18th 9/7-10/5/22					
717 & 721 James 9/7-10/5/22					
745 W 18th 9/7-10/5/22					
711 W 18th 9/7-10/5/22					
740 James 9/7-10/5/22					
707 W 18th 9/7-10/5/22					
0239691	10/21/22	P	AJ Portables Inc	0000029728	4,800.00
<i>Line Description:</i> Portable Unit 9/7-9/13/22					
Portable Unit 9/21-9/27/22					
Portable Unit 8/31-9/6/22					
Portable Unit 9/14-9/20/22					
0239692	10/21/22	P	Adam Ereth	0000029232	400.00
<i>Line Description:</i> Planning Comm Mtng-Sep 22					

Report ID: CCM2001

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

Page No. 3

Run Date Oct 20,2022

Run Time 4:16:37 PM

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239693	10/21/22	P	Affant Communication	0000013540	1,015.00
			Line Description: MAINTENANCE SERVICES		
0239694	10/21/22	P	Ai Ley Tan	0000029642	750.00
			Line Description: Wellness-Yoga Session		
0239695	10/21/22	P	American Alarm Systems Inc	0000008900	105.50
			Line Description: Equipment Malfunction		
0239696	10/21/22	P	Angely Vallarta	0000029193	300.00
			Line Description: Park/Arts/Comm Svc Mtng		
0239697	10/21/22	P	BKF Engineers	0000024944	5,681.50
			Line Description: CMPD Mobile Comd Unit Parking		
			CMPD Mobile Cmd Unit Parking		
			CMPD Mobile Cmd Unit Parking		
			CMPD Mobile Cmd Unit Parking		
0239698	10/21/22	P	Beau Hossler	0000029714	60.00
			Line Description: Basketball Referee 10/12/22		
0239699	10/21/22	P	Bee Busters Inc	0000007572	580.00
			Line Description: Bee Swam Abatement		
			Bee Swam Abatement		
			Bee Swam Abatement		
			Bee Swam Abatement		
			Bee Swam Abatement		
0239700	10/21/22	P	Bright Planet Solar	0000029870	255.04
			Line Description: Refund Permit BX21-00651		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239701	10/21/22	P	Bureau Veritas North America Inc	0000016616	6,155.02
			Line Description: Fire Plan Check Plan Check Services		
0239702	10/21/22	P	Byron de Arakal	0000012401	400.00
			Line Description: Planning Comm Mtng-Sep 22		
0239703	10/21/22	P	CAPE	0000001569	100.00
			Line Description: 2022-23 Mbrshp-Rogers 2022-23 Mbrshp-M Trujillo		
0239704	10/21/22	P	CBE	0000015149	5.95
			Line Description: Copier Maint 7/5-8/4/22		
0239705	10/21/22	P	CPS HR Consulting	0000001791	7,000.00
			Line Description: Executive Recruitment		
0239706	10/21/22	P	Calero Software LLC	0000024713	1,857.64
			Line Description: Maintenance of VERASMART		
0239707	10/21/22	P	California Department of Justice	0000001533	735.00
			Line Description: Livescan-Fingerprint Sep22		
0239708	10/21/22	P	Canon Financial Services Inc	0000023241	8,150.24
			Line Description: Copier Usage 9/1-9/30/22 Copier Lease 10/1-10/31/22 Copier Lease 10820-11/19/22 Dev Svs-Copier Lease Oct 2022		
0239709	10/21/22	P	Cassius Rutherford	0000026851	300.00

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
			<i>Line Description:</i> Park/Arts/Comm Svc Mtng		
0239710	10/21/22	P	Chambers Law Firm	0000029871	466.27
			<i>Line Description:</i> Subpoena Dep Rfnd 001-00360255 Subpoena Dep Rfnd 001-00360254		
0239711	10/21/22	P	Charlene M Ashendorf	0000017428	400.00
			<i>Line Description:</i> Park/Arts/Comm Svc Mtng		
0239712	10/21/22	P	Circus Joy	0000029376	750.00
			<i>Line Description:</i> Stiltwalkers-Scarecrow Fest		
0239713	10/21/22	P	City of Anaheim	0000016211	11,852.00
			<i>Line Description:</i> Annual OCCHMERA Fair Share Con		
0239714	10/21/22	P	County of Orange	0000003486	1,129.32
			<i>Line Description:</i> Teletype Service Sep 22		
0239715	10/21/22	P	Crown Castle Fiber LLC	0000029550	2,000.00
			<i>Line Description:</i> Refund Pemt PS21-00519		
0239716	10/21/22	P	Dianne Russell	0000011606	400.00
			<i>Line Description:</i> Planning Comm Mtng-Sep 22		
0239717	10/21/22	P	Dixon Resources Unlimited	0000027441	12,493.89
			<i>Line Description:</i> Parking Consulting-Sep 22 Parking Consulting-Aug 22 Parking Consulting-July 22 Parking Consulting-May 22		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239718	10/21/22	P	Elizabeth Dorn Parker <i>Line Description:</i> Park/Arts/Comm Svc Mtng	0000029192	300.00
0239719	10/21/22	P	Exttl Incorporated <i>Line Description:</i> Consulting-Investigations	0000010491	2,200.00
0239720	10/21/22	P	FM Thomas Air Conditioning Inc <i>Line Description:</i> Bridge Shelter Short Cycling	0000017151	495.00
0239721	10/21/22	P	Fed Ex <i>Line Description:</i> Ground Delivered	0000002190	7.54
0239722	10/21/22	P	Federal Technology Solutions Inc <i>Line Description:</i> SALES TAX (7.75%) MATERIALS CABLE INSTALLATION	0000024174	1,147.63
0239723	10/21/22	P	Forensic Nurse Specialists Inc <i>Line Description:</i> Victim Physical	0000014039	850.00
0239724	10/21/22	P	Frank Kavanaugh <i>Line Description:</i> Refund Citation CM020008069	0000029878	289.50
0239725	10/21/22	P	GIT Satellite LLC <i>Line Description:</i> Satellite Phone Kit Executive Global Plan	0000019742	2,096.37
0239726	10/21/22	P	Goodman Film Lab <i>Line Description:</i> Picture Scanning - 4x5 Picture Scanning - 120 35mm si	0000029858	5,576.00

SUMMARY CHECK REGISTER

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239727	10/21/22	P	Gordon Khoo	0000029876	4,500.00
			Line Description: Refund Permit PS22-00506		
0239728	10/21/22	P	Hanks Electrical Supplies	0000002445	109.10
			Line Description: Light Bulbs		
0239729	10/21/22	P	HdL Coren & Cone	0000007882	9,978.02
			Line Description: Property Tax Apr-Jun 2022		
			ACFR Statistical Package 21-22		
			Property Tx Jul-Sep 2022		
0239730	10/21/22	P	Integrated Impressions	0000003403	2,039.17
			Line Description: Promotional Items		
			Promotional Items		
0239731	10/21/22	P	Irvine Ranch Water District	0000005112	1,255.52
			Line Description: 106 Del Mar 9/7-10/6/22		
			308 University 9/7-10/9/22		
			2603 Elden 9/7-10/6/22		
			261 Monte Vista 9/7-10/5/22		
			220 23rd 9/7-10/6/22		
			170 Del Mar 9/7-10/6/22		
			258 Brentwood 9/7-10/5/22		
0239732	10/21/22	P	Jeff Wightman	0000029716	90.00
			Line Description: Basketball Referee 10/10/22		
0239733	10/21/22	P	Jennifer Vavra	0000029872	3,000.00
			Line Description: Refund Permit PS21-01365		

SUMMARY CHECK REGISTER

Bank: CITY

Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239734	10/21/22	P	Jennifer W Harrison	0000029300	415.00
			Line Description: Face Painter-Scarecrow Fest		
0239735	10/21/22	P	Jimmy Vivar	0000029412	400.00
			Line Description: Planning Comm Mtng-Sep 22		
0239736	10/21/22	P	Jonathan Zich	0000026312	400.00
			Line Description: Planning Comm Mtng-Sep 22		
0239737	10/21/22	P	Jose Gutierrez	0000026115	172.59
			Line Description: County Garnishment Refund		
0239738	10/21/22	P	Jose Rojas	0000029411	400.00
			Line Description: Planning Comm Mtng-Sep 22		
0239739	10/21/22	P	Karen Thammavongsa	0000029881	2,171.00
			Line Description: Asset Forteiture DR18-014037		
0239740	10/21/22	P	Kelly Brown	0000029489	300.00
			Line Description: Park/Arts/Comm Svc Mtng		
0239741	10/21/22	P	Keyser Marston Associates Inc	0000002824	770.00
			Line Description: Motel 6 Project		
0239742	10/21/22	P	LINA	0000015623	150.00
			Line Description: Cigna LTD Admin Fee-Aug 22		
			Cigna LTD Admin Fee July 22		
			Cigna LTD Admin Fee- Sept 22		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239743	10/21/22	P	LN Curtis & Sons	0000002983	698.59
			Line Description: Sales Tax Aluminized Rescue Blanket with		
0239744	10/21/22	P	Landis Tolson	0000029877	90.00
			Line Description: Basketball Referee 10/17/22		
0239745	10/21/22	P	Linscott Law & Greenspan Engineers Inc	0000010877	1,587.50
			Line Description: 19th St-Wallace TS Design		
0239746	10/21/22	P	Mesa Art & Framing	0000002944	1,185.25
			Line Description: SALES TAX (7.75%) UTILITY BOX WRAPPING		
0239747	10/21/22	P	Michael E Raneses	0000027496	800.00
			Line Description: Civil Citation for Admin Hear		
0239748	10/21/22	P	Michelle Murphy	0000029749	300.00
			Line Description: Park/Arts/Comm Svc Mtng		
0239749	10/21/22	P	Mike Kilbride Ltd	0000007346	1,000.00
			Line Description: Refund Permit PS22-01253		
0239750	10/21/22	P	Naman Vinson Cobb	0000029729	120.00
			Line Description: Basketball Referee 10/12/22 Basketball Referee 10/19/22		
0239751	10/21/22	P	Nando Productions	0000029875	400.00
			Line Description: DJ Svcs at Barktober Fest		

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
0239752	10/21/22	P	Pacific Medical Waste	0000029793	49.37
			Line Description: Biohazard Disposal		
0239753	10/21/22	P	Paul's Pet Food Express	0000026626	104.30
			Line Description: Food Supplies for PSD Bodi		
0239754	10/21/22	P	Quality Code Publishing	0000025378	1,149.50
			Line Description: Codification Services & Code A		
0239755	10/21/22	P	Red Wing Business Advantage Account	0000003772	420.01
			Line Description: Safety Boots-Ruben		
			Safety Boots for Staff		
0239756	10/21/22	P	Rincon Truck Center Inc	0000013236	1,747.62
			Line Description: 551-Water Pump		
			Stock-Cat. Ele		
			Stock-Fuel Filter		
0239757	10/21/22	P	Russell Toler	0000029127	400.00
			Line Description: Planning Comm Mtng-Sep 22		
0239758	10/21/22	P	Santa Monica UCLA Medical Center	0000027179	1,029.00
			Line Description: Victim Physical #22-012711		
0239759	10/21/22	P	Scott Glabb	0000020105	300.00
			Line Description: Park/Arts/Comm Svc Mtng		
0239760	10/21/22	P	Sean Simon	0000029869	240.00

Bank: CITY
Cycle: AWKLY

Payment Ref	Date	Status	Remit To	Remit ID	Payment Amt
<i>Line Description:</i> Basketball Referee 10/10/22 Basketball Referee 10/19/22 Basketball Referee-10/17/22					
0239761	10/21/22	P	Southern California Gas Company	0000004092	450.54
<i>Line Description:</i> Bridge Shelter 9/12-10/11/22					
0239762	10/21/22	P	Thales Consulting Inc	0000010332	3,850.00
<i>Line Description:</i> FTR REPORT STREET REPORT					
0239763	10/21/22	P	Trellis	0000025584	6,963.79
<i>Line Description:</i> CDBG-CV CIT Program					
0239764	10/21/22	P	Turnout Maintenance Company LLC	0000020182	1,798.00
<i>Line Description:</i> Turnout Coat, Pant, Gloves Turnout Coat, Pants, Gloves Turnout Coat, Pants, Gloves Trnout Coat, Plants, Gloves					
0239765	10/21/22	P	US Bank	0000002228	3,609.22
<i>Line Description:</i> Payroll 22-20					
0239766	10/21/22	P	Uline	0000010970	604.95
<i>Line Description:</i> Gloves for CSI					
0239767	10/21/22	P	Waterline Technologies Inc	0000014520	80.25
<i>Line Description:</i> DRC Water Pool Testing					
0239768	10/21/22	P	Wex Bank	0000014258	2,411.84
<i>Line Description:</i> Fuel 9/7-10/6/22					

Report ID: CCM2001

City of Costa Mesa Accounts Payable
SUMMARY CHECK REGISTER

Page No. 12

Run Date Oct 20,2022

Run Time 4:16:37 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>
0239769	10/21/22	P	Williams Scotsman Inc	0000010492	5,164.04
		<i>Line Description:</i> Lease and Removal of Trailer late fee applied incorrectly Lease and Removal of Trailer Credit. No Interest Charge			
0239770	10/21/22	P	Xerox Financial Services	0000010450	902.06
		<i>Line Description:</i> Annual Renewal Lease of Copier			
TOTAL					<u>\$562,922.60</u>

Report ID: CCM20010

City of Costa Mesa Accounts Payable
CCM OVERFLOW CHECK LISTING

Page No. 1

Run Date Oct 20, 2022

Run Time 4:16:57 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>
0239690	10/21/22	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 #: 22-913

Meeting Date: 11/1/2022

TITLE:

MINUTES

DEPARTMENT: City Manager's Office/City Clerk's Division

RECOMMENDATION:

City Council approve the Minutes of the Regular meeting of October 18, 2022.



REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND HOUSING AUTHORITY OCTOBER 18, 2022 - MINUTES

CALL TO ORDER – The Closed Session meeting was called to order by Mayor Stephens at 4:02 p.m.

ROLL CALL

Present: Council Member Chavez, Council Member Harlan, Council Member Reynolds, Mayor Pro Tem Marr (Arrived 5:18 p.m.), and Mayor Stephens.

Absent: Council Member Gameros and Council Member Harper.

PUBLIC COMMENTS – NONE.

CLOSED SESSION ITEMS:

1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to California Government Code Section 54957.6, (a)

Agency Designated Representative: Lori Ann Farrell Harrison, City Manager

Name of Employee Organization: Costa Mesa City Employees Association (CMCEA).

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to California Government Code Section 54957.6 (a)

Agency Designated Representative: Lori Ann Farrell Harrison, City Manager

Name of Employee Organization: Costa Mesa Police Association (CMPA).

City Council recessed at 4:04 p.m. for Closed Session.

Closed Session adjourned at 5:57 p.m.

CALL TO ORDER - The Regular City Council and Successor Agency to the Redevelopment Agency and Housing Authority meeting was called to order by Mayor Stephens at 6:05 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

The National Anthem was led by St. John the Baptist Clover Choir and the Pledge of Allegiance was led by Mayor Stephens.

MOMENT OF SOLEMN EXPRESSION

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

ROLL CALL

Present: Council Member Chavez, Council Member Harlan, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Absent: Council Member Gameros and Council Member Harper.

CITY ATTORNEY CLOSED SESSION REPORT – No reportable action.

PRESENTATIONS:

Council Member Reynolds presented the Walktober Month proclamation to Brett Atencio Thomas, Active Transportation Coordinator.

Mayor Stephens presented the Domestic Violence Awareness Month proclamation to Arezoo Shahbazi Roa, Prevention Education & Marketing Manager at Human Options, Inc.

Mayor Stephens presented the Crime Prevention Month proclamation to Captain Bakkila, Public Affairs Manager Roxi Fyad, and Crime Prevention Specialist Jenette Martinez.

Mr. Sean McReynolds, Townsend Public Affairs, provided an update on State Legislation.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Flo Martin thanked Captain Bakkila for providing newspapers to her, and requested the Police Department to issue more traffic citations.

Mr. Vivar thanked the City Council for the Walktober proclamation, and spoke on scam artists in the community and for residents to be aware.

Jenn Tanaka spoke on the City Housing Element being out of compliance, and spoke in support of Measure K.

Speaker, commented on the state legislation presentation, building and development, increased rents, spoke on the need for investing in community programs and after school programs, and to provide supplies.

Russell Toler requested more police enforcement on the streets, requested police on bikes by the schools, spoke in support of Measure K, spoke on the process for approving development projects, traffic, and zoning reforms.

Becca Walls spoke on problems regarding the Newport Center Animal Hospital, lack of access to records, lack of services for animals, lack of oversight, and requested a new Request for Proposals for the contract.

Jay Humphrey spoke on the grants received for parks, expressed concern that the Parks and Community Services Commission and Fairview Park Steering Committee were not consulted, spoke on receiving citizens input, and spoke on Measure Y and against Measure K.

Ralph Taboada spoke on the grant received for parks, spoke on the Parks and Community Services Commission being involved to determine the projects, and having residents involved in the process.

Speaker, spoke on rising costs of rents and the need for affordable housing.

Rick Huffman spoke on traffic issues on Paularino, that drivers have damaged walls, and suggested traffic calming measures, especially around schools.

Matt Garcia, President of Harbor Soaring Society, thanked the City for the Scarecrow Festival, spoke on Harbor Soaring Society involvement with STEM and STEAM activities at schools.

Speaker, spoke in sympathy for the Ukrainians, spoke on the current council and the promises they made, spoke against Measure K, and spoke on preserving Measure Y.

Speaker, requested an update on the Housing Element and it being out of compliance, spoke on having an alternative plan, spoke on transparency, and spoke on adopting an ethics policy.

Speaker, spoke in support of Measure K, spoke on problems and accidents associated with drunk drivers, spoke on safe public spaces, and on preventative measures.

Wendy Leece, spoke on transparency, the parks grants and requested a study session on the distribution of the funds, requested the Fairview Park funds be reviewed by the Fairview Park Steering Committee, stated opposed to Measure K, and spoke on the State taking away local control.

Hank Castignetti, Orange County Model Engineers, spoke on the train rides at the Scarecrow Festival, spoke on the October 25th Orange County Model Engineers bridge dedicating ceremony, the Orange County Model Engineers have a new website, the Toys for Tots drive and partnering with Goat Hill Lions Club on October 19th and 20th.

Speaker, spoke on the Parks and Animal Committees and lack of transparency, spoke on complaints against Newport Center Animal Hospital and requested a new Request for Proposals for the contract, spoke against Measure K and lack of planning, spoke on State Legislation, and on citizen engagement.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Chavez spoke on scams and to call the police, spoke on maintenance issues on Charle Street, requested an update on permit parking, requested graffiti clean-up on Shalimar Street, spoke on speeding on Wallace Street, spoke on street sweeping hours and citations, spoke on President Biden's visit, spoke on inflation and increased rents, rent control, and requested a resolution supporting Human Rights in Iran.

Council Member Harlan requested a resolution supporting Human Rights in Iran, spoke on the OCMA opening, spoke on a new pedestrian crosswalk at Tustin Ave. and Woodland Place, and thanked Mr. Minter for the new picnic table at Jordan Park.

Council Member Reynolds requested a resolution supporting Human Rights in Iran, requested a webpage on the tree planting program, spoke on the parks grants and how the money can be used and to have discussions during the Open Space Master Plan and Fairview Park Master Plan discussions, requested an Ethics and Code of Conduct policy, spoke on state legislation eliminating bike licenses and how the process started in Costa Mesa, spoke on safe streets, and spoke in support of biking and walking.

Mayor Pro Tem Marr clarified rumors regarding Stater Brothers, spoke on Northgate Market opening in October 2023, spoke on parks grants, spoke on scams and sharing information to expose the scams, spoke on the Animal Services Committee, the Flying Museum at Miramar is looking for a new location, encouraged all to visit the Bonnie Matthews cartoon artwork at the Senior Center, and requested staff to look into state legislation on speed limits.

Mayor Stephens spoke on attending the service for Lt. Hildeman, Senator Mins Town Hall at Norma Hertzog Community Center on October 29th, spoke on the Animal Services Committee, park grants and providing more information on the projects and citizen involvement, and requested a resolution supporting Human Rights in Iran.

REPORT – CITY MANAGER – Ms. Farrell Harrison spoke on Code Enforcement Officer Appreciation Week, spoke on OCME bridge dedication on October 25th, Fire and Rescue Open House on October 22nd, Shine the Light event regarding Domestic Violence and walking vigil on Tuesday, October 25th, spoke on homelessness and provided statistics, spoke on reviewing the Animal Services contracts, and spoke on the park grants and state funding.

REPORT – CITY ATTORNEY – NONE.

CONSENT CALENDAR (Items 1-7)

MOVED/SECOND: Council Member Chavez/Council Member Reynolds

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 7.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Harlan, Council Member Reynolds, Mayor Pro Tem Marr, and Mayor Stephens.

Nays: None

Absent: Council Member Gameros and Council Member Harper.

Abstain: Mayor Stephens recused himself on item 3 the Warrant Resolution due to campaign contributions received.

Motion carried: 5-0

1. PROCEDURAL WAIVER: WAIVE THE FULL READING OF ALL ORDINANCES AND RESOLUTIONS

ACTION:

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

2. READING FOLDER

ACTION:

City Council received and filed Claims received by the City Clerk: Jessie Cortez, Cage Cramer, Maria Yolanda Alonso Manero.

3. ADOPTION OF WARRANT RESOLUTION

Mayor Stephens recused himself on this item due to campaign contributions received.

ACTION:

City Council approved Warrant Resolution No. 2688.

4. MINUTES

ACTION:

City Council approved the Minutes of the Regular meeting of October 4, 2022.

5. MONTHLY UPDATE OF STRATEGIC PLAN GOALS AND OBJECTIVES

ACTION:

City Council approved the October 2022 update to the City of Costa Mesa's Strategic Plan Goals and Objectives.

6. ACCEPTANCE OF THE FIRE STATION NO. 3 IMPROVEMENTS AND REPAIRS PROJECT, CITY PROJECT NO. 21-06

ACTION:

1. City Council accepted the work performed by Urban Professional Builders, Inc., 157 El Nido Avenue, Pasadena, CA 91107, for the Fire Station No. 3 Improvements and Repairs Project, City Project No. 21-06, and authorized the City Clerk to file the Notice of Completion.
2. Authorized the City Manager to release the retention monies thirty-five (35) days after the Notice of Completion filing date; release the Labor and Material Bond seven (7) months after the filing date; and release the Faithful Performance Bond, if appropriate, at the conclusion of the one-year warranty period.

7. APPROVAL FOR THE PURCHASE OF REPLACEMENT MOBILE DATA COMPUTERS (MDC)

ACTION:

1. City Council authorized the purchase of replacement Mobile Data Computers (MDC) for the Fire & Rescue Department based on pricing provided through the National Association of State Procurement Officials (NASPO) Value Point Master Agreement No. MNWNC-124 and California's Participating Addendum #7-15-70-34-023 for \$168,331.76, with a 10% contingency (\$16,833.18) for unforeseen costs, for a total not-to-exceed amount of \$185,164.94.
2. Authorized the City Manager to execute the necessary documents for the purchase of the MDCs and associated hardware from CDCE, Inc., 22641 Old Canal Road, Yorba Linda, California, 92887.

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. ORDINANCE AMENDING TITLE 5, BUILDINGS AND CONSTRUCTION AND TITLE 7, FIRE PROTECTION AND PREVENTION, OF THE COSTA MESA MUNICIPAL CODE TO ADOPT THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, AS LOCALLY AMENDED, AND THE ORANGE COUNTY GRADING AND EXCAVATION CODE

Presentation by Mr. Doudar, Building Official and Mr. Neal, Fire Marshal.

Mr. Neal noted an amendment to the resolution adding Chapters 57 (CFC), 58 (CFC) and 80 (CFC) by reference on page 4 of the Resolution.

Public Comments:

Marc Vukceovich spoke on building environmental friendly buildings, removing natural gas from homes, proper sound installation, and single staircase reform.

MOVED/SECOND: Council Member Harlan/Council Member Reynolds

MOTION: Approve recommended actions.

SUBSTITUTE MOTION/SECOND: Mayor Pro Tem Marr/Council Member Chavez

SUBSTITUTE MOTION: Approve recommended actions except to not change the State recommendations in Section 1207.4.1 Electrical Disconnects.

Discussion ensued on section 1207.4.1 Electrical Disconnects, and the suggested change that the ESS disconnecting means shall be within 36-inches of the main electrical service means.

Council Member Chavez withdrew his second.

SUBSTITUTE MOTION/SECOND: Mayor Pro Tem Marr/Council Member Reynolds

SUBSTITUTE MOTION: Approve recommended actions except to not change the State recommendations in Section 1207.4.1 Electrical Disconnects.

SUBSTITUTE MOTION/SECOND: Mayor Pro Tem Marr/Council Member Reynolds

SUBSTITUTE MOTION: Approve recommended actions except to not change the State recommendations in Section 1207.4.1 Electrical Disconnects.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Harlan, Council Member Reynolds, and Mayor Pro Tem Marr.

Nays: Mayor Stephens

Absent: Council Member Gameros and Council Member Harper.

Abstain: None

Motion carried: 4-1

ACTION:

1. City Council held a public hearing and adopted Resolution 2022-63 of the City Council of the City of Costa Mesa, California, setting forth findings with respect to local climatic and geographic conditions within the City of Costa Mesa to allow certain local amendments to the California Building Code, California Residential Code, and California Fire Code including adding Chapters 57 (CFC), 58 (CFC) and 80 (CFC) by reference on page 4 of the Resolution.
2. Introduced for first reading Ordinance No. 2022-07, which amends Title 5, Buildings and Construction, and Title 7, Fire Protection and Prevention, of the Costa Mesa Municipal Code to adopt the 2022 Edition of the California Building Standards Code, as locally amended, and the current edition of the Orange County Grading and Excavation Code.

OLD BUSINESS: NONE.

NEW BUSINESS: NONE.

ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS – NONE.

ADJOURNMENT – The Mayor adjourned the meeting at 8:55 p.m.

Minutes adopted on this 1st day of November, 2022.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk

DRAFT



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-916

Meeting Date: 11/1/2022

TITLE:

EXTENSION OF RESOLUTION NO. 2022-62 TO ALLOW MEMBERS OF THE CITY COUNCIL, COMMISSIONS AND COMMITTEES TO PARTICIPATE IN THE MEETINGS REMOTELY, AS NEEDED, DUE TO HEALTH AND SAFETY CONCERNS FOR THE MEMBERS AND THE PUBLIC PURSUANT TO ASSEMBLY BILL 361

DEPARTMENT: CITY MANAGER'S OFFICE/CITY CLERK DIVISION

PRESENTED BY: BRENDA GREEN, CITY CLERK

CONTACT INFORMATION: BRENDA GREEN, CITY CLERK, (714) 754-5221

RECOMMENDATION:

Staff recommends the City Council extend Resolution 2022-62 to allow the members of the City Council, Commission, and Committees to participate in the meetings remotely, as needed, via Zoom due to:

1. The current State of Emergency and global pandemic, which continues to directly impact the ability of the members of the City's legislative bodies to meet safely in person; and
2. Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.

BACKGROUND:

Pursuant to AB 361, the City Council will need to declare every 30 days that the City's legislative bodies and individual members can continue to meet remotely, as needed, in order to ensure the health and safety of the members and the public.

On September 17, 2021 the Governor signed into law AB 361, which allows local legislative bodies to continue to meet remotely, and waive certain posting requirements if:

- The local agency holds a meeting during a declared state of emergency;
- State or local health officials have imposed or recommended measures to promote social distancing; and
- Legislative bodies declare the need to meet remotely due to present risks to the health or safety of all attendees.

ANALYSIS:

The City meets the requirements of AB 361 to continue holding meetings remotely in order to ensure the health and safety of the members, public and its employees. Both the California Department of Public Health and the County of Orange Public Health Officer have issued recommendations that members of vulnerable populations (such as older adults and those persons with an elevated risk due to certain medical conditions) continue to practice social distancing. The City cannot ensure social distancing requirements are always met inside the Council Chambers and/or Conference Rooms where the City Council, Commissions, and Committees meet, making it difficult for members of these bodies, City staff, and members of the public to consistently socially distance from each other with absolute certainty.

Staff recommends that the City Council extend the resolution making the required findings that the City Council, Commission and Committee meetings can continue to meet remotely, as needed, pursuant to the requirements of AB 361.

ALTERNATIVES:

City Council may choose not to hold City Council, Commission and Committee meetings remotely via Zoom. The City would then be required to hold all public meetings in-person.

FISCAL REVIEW:

There is no fiscal impact associated with this item.

LEGAL REVIEW:

The City Attorney's Office has reviewed this agenda report and approves 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 extend Resolution 2022-62 to allow the members of the City Council, Commission, and Committees to participate in the meetings remotely, as needed, via Zoom due to:

1. The current State of Emergency and global pandemic, which continues to directly impact the ability of the members of the City's legislative bodies to meet safely in person; and
2. Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.

RESOLUTION NO. 2022-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA MAKING THE LEGALLY REQUIRED FINDINGS TO CONTINUE TO AUTHORIZE THE CONDUCT OF REMOTE “TELEPHONIC” MEETINGS DURING THE STATE OF EMERGENCY

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

WHEREAS, on March 4, 2020, pursuant to California Gov. Code Section 8625, the Governor declared a state of emergency;

WHEREAS, on September 17, 2021, Governor Newsom signed AB 361, which bill went into immediate effect as urgency legislation;

WHEREAS, AB 361 added subsection (e) to Section 54953 to authorize legislative bodies to conduct remote meetings provided the legislative body makes specified findings;

WHEREAS, as of August 15, 2022, the COVID-19 pandemic has killed more than 93,378 Californians;

WHEREAS, social distancing measures decrease the chance of spread of COVID-19;

WHEREAS, this legislative body previously adopted a resolution to authorize this legislative body to conduct remote “telephonic” meetings;

WHEREAS, Government Code 54953(e)(3) authorizes this legislative body to continue to conduct remote “telephonic” meetings provided that it has timely made the findings specified therein.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF COSTA MESA AS FOLLOWS:

Section 1. Remote Teleconference Meetings. Does hereby declare that it has reconsidered the circumstances of the state of emergency declared by the Governor and at least one of the following is true: (a) the state of emergency, continues to directly impact the ability of the members of this legislative body to meet safely in person; and/or (2) state or local officials continue to impose or recommend measures to promote social distancing.

Section 2. Extension by Motion. The City Council may extend the application of this Resolution by motion and majority vote by up to 30 days at a time, provided that it makes all necessary findings consistent with and pursuant to the requirements of Section 54953(e)(3).

PASSED AND ADOPTED this 4th day of October, 2022.



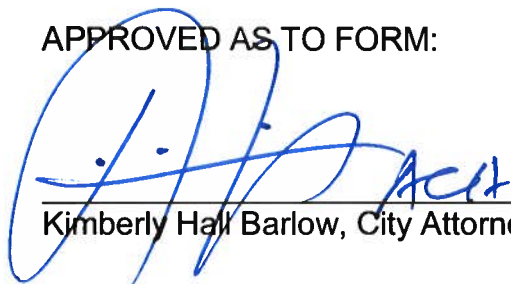
John Stephens, Mayor

ATTEST:



Brenda Green, City Clerk

APPROVED AS TO FORM:



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. 2022-62 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 4th day of October, 2022, by the following roll call vote, to wit:

AYES: COUNCILMEMBERS: CHAVEZ, GAMEROS, HARPER, REYNOLDS, MARR,
AND STEPHENS

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: HARLAN

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 5th day of October, 2022.



BRENDA GREEN, CITY CLERK



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-905

Meeting Date: 11/1/2022

TITLE:

ACCEPTANCE OF THE NEW TRAFFIC SIGNAL AT BAKER STREET AND RANDOLPH AVENUE PROJECT, CITY PROJECT NO. 21-01

DEPARTMENT: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

PRESENTED BY: RAJA SETHURAMAN, PUBLIC WORKS DIRECTOR

CONTACT INFORMATION: SEUNG YANG, P.E., CITY ENGINEER, (714) 754-5633

RECOMMENDATION:

Staff recommends the City Council:

1. Accept the work performed by PTM General Engineering Services, Inc. (PTM) for the New Traffic Signal at Baker Street and Randolph Avenue Project, City Project No. 21-01, and authorize the City Clerk to file the Notice of Completion.
2. Authorize the City Manager to release the retention monies thirty-five (35) days after the Notice of Completion filing date; release the Labor and Material Bond seven (7) months after the filing date; and release the Faithful Performance Bond one (1) year after the filing date.

BACKGROUND:

On July 20, 2021, the City Council awarded a construction contract to PTM General Engineering Services, Inc. (PTM) for the New Traffic Signal at Baker Street and Randolph Avenue Project, City Project No. 21-01.

The scope of the project was the complete construction and installation of a fully functional traffic signal system at the intersection of Baker Street and Randolph Avenue.

Baker Street and Randolph Avenue provide access to the South Bristol Entertainment and Cultural Arts (SoBECA) District. In addition, Baker Street is classified as a major arterial in the City's Circulation Element of the General Plan and on the Orange County Transportation Authority's (OCTA) Master Plan of Arterial Highways (MPAH). Furthermore, Baker Street provides access to both SR-55 and SR-73 freeways and carries significant vehicular and pedestrian traffic.

The installation of the new traffic signal will improve current operational issues related to pedestrians, vehicles, bicycles, and turning movements to and from Randolph Avenue and further complements the new roadway surface improvements and newly installed parking facilities along Randolph Avenue. The City also implemented the Leading Pedestrian Interval (LPI) as part of the project. This provides pedestrians crossing Baker Street an advantage by starting the walk cycle a few seconds

before providing the green signal for vehicles.

ANALYSIS:

The work required by the contract documents was completed on October 17, 2022, to the satisfaction of the City Engineer. The final contract cost amounted to \$393,665.89. A report of the final costs is included as Attachment 1.

A summary of the costs is as follows:

Original Contract Amount:	\$363,036.00
Quantity Adjustments:	<u>\$ 30,629.89</u>
Final Contract Cost:	\$393,665.89

The final contract cost reflects an 8.4% increase from the original contract amount. The increase is attributable to unforeseen conditions due to unsuitable street subgrade, relocation of fiber optic cables, and additional striping and markings.

As of this date, there are no Stop Notices filed against the monies due to PTM.



Before



After

ALTERNATIVES

This item is administrative in nature, and there are no alternatives to be considered.

FISCAL REVIEW:

Project 21-01 was funded from the Measure "M2" Fairshare Fund (Fund 416).

LEGAL REVIEW:

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

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council goals:

- Maintain and Enhance the City's Facilities, Equipment, and Technology
- Strengthen the Public's Safety and Improve the Quality of Life

CONCLUSION:

Staff recommends the City Council:

1. Accept the work performed by PTM General Engineering Services, Inc. (PTM) for the New Traffic Signal at Baker Street and Randolph Avenue Project, City Project No. 21-01, and authorize the City Clerk to file the Notice of Completion.
2. Authorize the City Manager to release the retention monies thirty-five (35) days after the Notice of Completion filing date; release the Labor and Material Bond seven (7) months after the filing date; and release the Faithful Performance Bond one (1) year after the filing date.

ATTACHMENT 1

FINAL COSTS FOR NEW TRAFFIC SIGNAL AT BAKER STREET AND RANDOLPH AVENUE PROJECT, CITY PROJECT NO. 21-01

ITEM NO	BID QUANTITY	DESCRIPTION	UNIT PRICE	PREVIOUS QUANTITY	QUANTITY THIS ESTIMATE	TOTAL QUANTITY TO DATE	PREVIOUS AMOUNT	AMOUNT THIS EST	TOTAL TO DATE	CONTRACT PRICE
1	1	LS Mobilization	\$4,200.00	73.00 %	27.00 %	100.00 %	\$3,066.00	\$1,134.00	\$4,200.00	\$4,200.00
2	1	LS Traffic Control	\$8,636.00	73.00 %	27.00 %	100.00 %	\$6,304.28	\$2,331.72	\$8,636.00	\$8,636.00
3	1	LS Furnish and install New Traffic Signal (Baker St. at Randolph Ave.)	\$296,000.00	90.00 %	10.00 %	100.00 %	\$266,400.00	\$29,600.00	\$296,000.00	\$296,000.00
4	1	LS Signing and Striping	\$12,000.00	0.00 %	100.00 %	100.00 %	\$0.00	\$12,000.00	\$12,000.00	\$12,000.00
5	1	LS Curb Ramp Modifications (includes any and all reconstruction work to adjoining asphalt slot pave, sidewalk, curb and gutter, etc.)	\$35,200.00	100.00 %	0.00 %	100.00 %	\$35,200.00	\$0.00	\$35,200.00	\$35,200.00
6	1	LS Traffic Signal Interconnect	\$7,000.00	50.00 %	50.00 %	100.00 %	\$3,500.00	\$3,500.00	\$7,000.00	\$7,000.00
CCO 1	1	LS Extra Cost to Remove Thick Street Subgrade	\$4,492.71	100.00 %	0.00 %	100.00 %	\$4,492.71	\$0.00	\$4,492.71	\$4,492.71
CCO 2	1	LS Replacement of Extra Curb Ramp	\$7,500.00	100.00 %	0.00 %	100.00 %	\$7,500.00	\$0.00	\$7,500.00	\$7,500.00
CCO 3	1	LS Additional Work Due to A.C. Thickness NS of Baker St.	\$3,133.19	100.00 %	0.00 %	100.00 %	\$3,133.19	\$0.00	\$3,133.19	\$3,133.19
CCO 4	1	LS Addition Cost due to SCE Tie-In Remobilization	\$2,440.16	100.00 %	0.00 %	100.00 %	\$2,440.16	\$0.00	\$2,440.16	\$2,440.16
CCO 5	1	LS Revised Striping Adder for Continental Crosswalk	\$1,275.18	0.00 %	100.00 %	100.00 %	\$0.00	\$1,275.18	\$1,275.18	\$1,275.18
CCO 6	1	LS Credit for Paving & Grinding	(\$2,527.20)	0.00 %	100.00 %	100.00 %	\$0.00	(\$2,527.20)	(\$2,527.20)	(\$2,527.20)
CCO 7	0.5	LS Additional Work Due to Unsuitable Materials	\$6,274.30	0.00 %	100.00 %	100.00 %	\$0.00	\$3,137.15	\$3,137.15	\$3,137.15
CCO 8	1	LS Relocation of Fiber Optic Conduit and Cable	\$11,178.70	0.00 %	100.00 %	100.00 %	\$0.00	\$11,178.70	\$11,178.70	\$11,178.70
TOTAL ORIGINAL CONTRACT							\$332,036.34	\$61,629.55	\$393,665.89	\$393,665.89



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-915

Meeting Date: 11/1/2022

TITLE:

SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING TITLE 5, BUILDINGS AND CONSTRUCTION AND TITLE 7, FIRE PROTECTION AND PREVENTION, OF THE COSTA MESA MUNICIPAL CODE TO ADOPT THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, AS LOCALLY AMENDED, AND THE ORANGE COUNTY GRADING AND EXCAVATION CODE

DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
BUILDING DIVISION

PRESENTED BY: ZIAD DOUDAR, BUILDING OFFICIAL AND JON NEAL, FIRE
MARSHAL

CONTACT INFORMATION: ZIAD DOUDAR, (714) 754-5604

RECOMMENDATION:

Staff recommends the City Council give second reading to and adopt Ordinance 2022-XX, which amends Title 5, Buildings and Construction, and Title 7, Fire Protection and Prevention, of the Costa Mesa Municipal Code to adopt the 2022 Edition of the California Building Standards Code, as locally amended, and the current edition of the Orange County Grading and Excavation Code.

BACKGROUND:

The State's Health and Safety Code (Section 17958) mandates that the California Building Standards Commission adopt and publish the California Building Standards Code (Title 24 California Code of Regulations) every three years. The California Code of Regulations, Title 24, with the 2022 Editions of the California Building Standards Code incorporating the below-listed model codes, becomes effective on January 1, 2023. The City regularly adopts these State codes, as amended, every three years.

ANALYSIS:

Staff has prepared an Ordinance adopting the 2022 Edition of the California Building Standards Code, with various amendments as described in this staff report, and repealing references to the prior editions of the model codes. The Ordinance also approves the current edition of the Orange County Grading and Excavation Code including any associated supplements.

Staff is recommending adoption of the 2022 Edition of the California Building Standards Code, with local amendments to the following three components:

- 2022 California Building Code
- 2022 California Residential Code
- 2022 California Fire Code

Such amendments are necessary to ensure that the City's adopted Building Code standards respond to local climatic and geographic conditions in Costa Mesa. The Ordinance incorporates the necessary amendments to reflect these local conditions.

October 18, 2022 First Reading

A public hearing was held and the draft Resolution and Ordinance were presented to the City Council at its October 18, 2022 regular meeting. After receiving public comments and deliberating, the Council adopted Resolution 2022-XX setting forth findings with respect to local climatic and geographic conditions within the City of Costa Mesa to allow certain local amendments to the California Building Code, California Residential Code, and California Fire Code. The City Council also gave first reading to Ordinance No. 22-XX as recommended by staff, amending Title 5, Buildings and Construction, and Title 7, Fire Protection and Prevention, of the Costa Mesa Municipal Code to adopt the 2022 Edition of the California Building Standards Code, as locally amended, and the current edition of the Orange County Grading and Excavation Code, with the following modification (refer to Attachment 2):

Title 7, Chapter II, Section 1207.4.1

1207.4.1 Electrical disconnects. Where the ESS disconnecting means is not within sight of the main electrical service disconnecting means, placards or directories shall be installed at the location of the main electrical service disconnecting means indicating the location of stationary storage battery system disconnecting means in accordance with the California Electrical Code. ~~The ESS disconnecting means shall be within 36-inches of the main electrical service disconnecting means. The ESS disconnecting means shall be labeled "ESS Emergency Stop".~~

In addition, the motion for approval included a staff recommended correction to include Chapter 57 (CFC), 58 (CFC) and 80 (CFC) by reference in the Resolution; these Chapter references were included in the Ordinance but inadvertently left out of the Resolution.

The Council approved the Resolution and gave first reading to the Ordinance by a vote of 4-1. The October 18, 2022 staff report and video are available at the following links:

Staff Report:

<https://costamesa.legistar.com/LegislationDetail.aspx?ID=5886148&GUID=DA02CF13-404D-4ACF-B57C-046E30180737>

Video:

https://costamesa.granicus.com/player/clip/3911?view_id=14&redirect=true&h=11ed816d9cec9cc0e2f6f39b5876469f

The above-referenced modification has been incorporated into Ordinance No. 2022-XX, which is provided as an attachment to this report. If the City Council approves the second reading and adopts the Ordinance, the Ordinance will become effective January 1, 2023.

ALTERNATIVES:

The City Council may adopt the 2022 Edition of the California Building Standards Code with the amendments and the current edition of the Orange County Grading and Excavation Code as recommended by staff, with or without modifications. If the City Council does not adopt the 2022 Codes, then by default the new Building Codes as shown in the California Code of Regulations will take effect on January 1, 2023, without local amendments.

FISCAL REVIEW:

The adoption of the proposed Ordinance will not have any fiscal impact on the City's budget.

LEGAL REVIEW:

The City Attorney has reviewed and approved the Ordinance 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 approve the second reading and adopt Ordinance No. 2022-XX, which modifies the Costa Mesa Municipal Code to adopt the 2022 Edition of the California Building Standards Code, as locally amended, and the current edition of the Orange County Grading and Excavation Code for implementation in the City of Costa Mesa. If the City Council approves the Ordinance, it will become effective on January 1, 2023.

ORDINANCE NO. 2022-xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 5 AND TITLE 7 OF THE COSTA MESA MUNICIPAL CODE BY ADOPTING THE 2022 EDITIONS OF THE CALIFORNIA BUILDING STANDARDS CODE AND RELATED MODEL CODES WITH APPENDICES AND AMENDMENTS THERETO, AND REPEALING THE ADOPTION OF THE 2019 EDITIONS OF THE CALIFORNIA CODES AND AMENDMENTS THERETO, WITH THE EFFECTIVE DATE OF JANUARY 1, 2023

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY FIND AND DECLARE AS FOLLOWS:

TITLE 5 BUILDINGS AND STRUCTURES

The following sections of Title 5 of the Costa Mesa Municipal Code are hereby amended to read as follows:

5-1 Construction Codes Adopted.

For the purpose of prescribing regulations for erecting, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height, and area of buildings and structures, the following construction codes subject to the modifications set forth in this Chapter, are hereby adopted. The California Building Code, 2022 Edition, based on the 2021 International Building Code as published by the International Code Council, including Chapter 1, Division II. The California Residential Code, 2022 Edition, based on the 2021 International Residential Code as published by the International Code Council, including Chapter 1, Division II; including Appendix AX Swimming Pool Safety Act. The 2022 California Fire Code based on the 2021 International Fire Code. The 2022 California Green Building Standards Code. The 2022 Existing Building Code, based on the 2021 International Existing Building Code. The 2021 International Swimming Pool & Spa Code. The California Plumbing Code, 2022 Edition, based on the 2021 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials. The California Mechanical Code, 2022 Edition, based on the 2021 International Mechanical Code as published by the International Association of Plumbing and Mechanical Officials. The California Electrical Code, 2022 Edition, based on the 2020 National Electrical Code as published by the National Fire

Protection Association. The California Energy Code, 2022 Edition, based on the 2021 International Energy Conservation Code. The International Property Maintenance Code, 2021 Edition, as published by the International Code Council. The Uniform Code for the Abatement of Dangerous Buildings, 2021 Edition, as published by the International Code Council. For the purpose of prescribing regulations for grading and excavation, the 2015 Edition of the Orange County Grading and Excavation Code will be adopted, in addition, to Appendix “J” of the 2022 California Building Code and the more restrictive provisions of the two will prevail. The provisions of these Construction Codes as amended by this chapter shall constitute the Building Regulations of the City of Costa Mesa. Where the California Code of Regulations and State Building Standards Code of Regulations differ from any sections of the Construction Codes, State regulations shall prevail over the Construction Codes.

One (1) copy of all the above codes and standards therefore are on file in the office of the building official pursuant to Health and Safety Code section 18942(d)(1) and are made available for public inspection.

Notwithstanding the provisions of the above-referenced construction codes, all fees for services provided pursuant to the construction codes shall not take effect until a resolution for such fees is adopted by the City Council pursuant to California Government Code sections 66016 and 66020.

5-1.1 Amendments to the 2022 California Building Code.

The following amendments to the California Building Code shall apply in the City:

- a) Administration. Division II of Chapter 1, entitled "Scope and Administration", is applicable in the City.
- b) Revision. Insert City of Costa Mesa into the text as the name of jurisdiction in Section 101.1.
- c) Section 101.4 is deleted in its entirety (including sections 101.4.1, 101.4.2, 101.4.3, 101.4.4, 101.4.5, 101.4.6 and 101.4.7), and replaced with the following:

“101.4. Referenced Codes. The California Codes listed in Section 5-1 of this Ordinance shall be considered part of the requirements of this code to the extent of each such reference.”

d) Section 105.2 is revised by amending exception 2, 9, and adding 14 as follows:

2. Wood, Steel, Vinyl, or Iron fences not over 6 feet in height. Stucco, concrete, and masonry brick fences not over 3 feet high.

9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 18 inches (457.2 mm) deep, do not exceed 5,000 gallons (18,927.059L) and are installed entirely above ground.

14. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.2.

e) Board of Appeals. Section 113.3 is amended to provide as follows:

Board of Appeals when used in the Building Standards Codes shall mean the City Planning Commission. The Board of Appeals is hereby established for each of the Building Standards Codes. Depending on the subject of the appeal, specialized expertise may be solicited for the purpose of providing input to the Appeals Board.

f) Table 1505.1 is amended, by the deletion of Table 1505.1 and the addition of a new Table 1505.1 thereto, to read as follows

TABLE 1505.1 ^a
MINIMUM ROOF COVERING CLASSIFICATIONS
TYPES OF CONSTRUCTION

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².

a. Unless otherwise required in accordance with Chapter 7A.

1505.1.2 Roof coverings within all other areas. The entire roof covering of every existing structure where more than fifty 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

Section 1505.4 is amended, by the deletion of the entire section.

Section 1505.5 is amended, by the deletion of the entire section.

Section 1807.1.6 is amended to read as follows:

1807.1.6 Prescriptive design of concrete and masonry foundation walls. Concrete and masonry foundation walls that are laterally supported at the top and bottom shall be permitted to be designed and constructed in accordance with this section. Prescriptive design of foundation walls shall not be used for structures assigned to Seismic Design Category D, E or F.

5-1.3. Amendments to the 2019 California Residential Code.

(a) Amend item number 2" in section R105.2, Work exempt from permit, as follows:

2. Wood, Steel, Vinyl, or Iron fences not over 6 feet in height. Stucco, concrete, and masonry brick fences not over 3 feet high.

(b) Table R301.2(1), is revised to read as follows:

**TABLE R301.2
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k	Special wind region ^l	Wind- borne debris zone ^m		Weathering ^a	Frost line Depth ^b	Termite ^c					
ZERO	95	No	No	No	D ² or E	Negligible	No	Very Heavy	43	No	No	0	60

MANUAL J DESIGN CRITERIA ⁿ

ELEVATION	LATITUDE	WINTER HEATING	SUMMER COOLING	ALTITUDE CORRECTION FACTOR	INDOOR DESIGN TEMPERATURE	DESIGN TEMPERATURE COOLING	HEAT TEMPERATURE DIFFERENCE
98	34	37	91		70	75	
COOLING TEMPERATURE DIFFERENCE	WIND VELOCITY HEATING	WIND VELOCITY COOLING	COINCIDENT WET BULB	DAILY RANGE	WINTER HUMIDITY	SUMMER HUMIDITY	
7			69	27		7 (50% RH)	

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R301.2(1). The grade of masonry units shall be determined from ASTM C34, ASTM C55, ASTM C62, ASTM C73, ASTM C90, ASTM C129, ASTM C145, ASTM C216 or ASTM C652.
- Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(2)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- The jurisdiction shall fill in this section of the table to establish the design criteria using Table 10A from ACCA Manual J or established criteria determined by the jurisdiction.
- The jurisdiction shall fill in this part of the table with the seismic design category determined from section R301.2.2.1.
- The jurisdiction shall fill in this part of the table with: the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of floodhazard areas); and the title and date of the currently effective Flood Insurance Study or other flood hazard study and maps adopted by the authority having jurisdiction, as amended.

- h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°F)".
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)"
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- l. In accordance with Figure R301.2(2), where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- m. In accordance with Section R301.2.1.2 the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.
- o. The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figures R301.2(3) and R301.2(4).

(c) Section R902.1 is amended by revising it to allow only class A or B roofs as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A or B roofing shall be installed in areas designated by this section. Class A or B roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Exceptions:

- 1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.
- 2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.
- 3. Class A roof assemblies include minimum 16 oz/ft² copper sheets installed over combustible decks.

- (d) Section R902.1.3 is amended by revising it to require a minimum Class B as follows:

R902.1.2 Roof coverings within all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

- (e) Section R902.2, first paragraph is amended by revising it to allow only class A or B treated wood roofs as follows:

R902.2 Fire-retardant-treated shingles and shakes. Fire-retardant-treated wood shakes and shingles are wood shakes and shingles complying with UBC Standard 15-3 or 15-4 which are impregnated by the full-cell vacuum-pressure process with fire-retardant chemicals, and which have been qualified by UBC Standard 15-2 for use on Class A or B roofs.

Fire-retardant-treated wood shakes and shingles shall comply with ICC-ES EG107 and with the weathering requirements contained in Health and Safety Code section 13132.7(j). Each bundle shall bear labels from an ICBO accredited quality control agency identifying their roof-covering classification and indicating their compliance with ICC-ES EG107 and with the weathering requirements contained in Health and Safety Code section 13132.7(j).

Health and Safety Code section 13132.7(j) No wood roof covering materials shall be sold or applied in this state unless both of the following conditions are met:

- (1) The materials have been approved and listed by the State Fire Marshal as complying with the requirements of this section.
- (2) The materials have passed at least five years of the 10-year natural weathering test. The 10-year natural weathering test required by this subdivision shall be

conducted in accordance with Standard 15-2 of the 1994 Edition of the Uniform Building Code at a testing facility recognized by the State Fire Marshal.

TITLE 7 FIRE PROTECTION AND PREVENTION

The following sections of Title 7 of the Costa Mesa Municipal Code are hereby amended to read as follows:

Chapter II. – FIRE PREVENTION

Sec. 7-14. Adoption of the California Fire Code.

California Fire Code Adopted with Modifications. The California Fire Code, 2022 Edition, is hereby adopted with modifications. Other modifications are made as hereinafter set forth in this Title of the Costa Mesa Municipal Code and appropriate findings have been made and filed where required. The California Fire Code, which is based on the International Fire Code, is adopted as noted above and a copy is on file in the office of the City Clerk. This document shall be known and referred to hereafter as the "Fire Code" for the City of Costa Mesa.

Sec. 7-15 Amendments to the 2022 California Fire Code

Chapter 1 Scope and Administration

Chapter 1 Scope and Administration is adopted in its entirety except that Section 105.6.1.1 is added; Sections 105.5.18 (10), 105.5.18 (11), and 112.4 are included with the following amendments:

Section 105.5.18 Flammable and combustible liquids is hereby amended as follows:

105.5.18 Flammable and combustible liquids. An operational permit is required:

10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4.

11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4.

Section 105.6.1.1 Private Fire Underground System is hereby added as follows:

105.6.1.1 Private Fire Underground System. A separate construction permit is required for the installation or modification of private fire underground system. Maintenance

performed in accordance with this code is not considered to be a modification and does not require a permit.

Section 112.4 Violation penalties is hereby amended as follows:

112.4 Violation penalties. Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor as provided in Section 1-33 of the Costa Mesa Municipal Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Chapter 2 Definitions

Chapter 2 Definitions is adopted in its entirety without amendment.

Chapter 3 General Requirements

Chapter 3 General Requirements. Adopt Chapter 3 in its entirety except that Sections 308.1.4, 311.5 through 311.5.5, and 318 is excluded; and with the following amendments:

Section 305.6 Hazardous Conditions is hereby added as follows:

305.6 Hazardous conditions. Outdoor fires burning wood or other solid fuel are not allowed when any of the following conditions applies:

1. When predicted sustained winds exceed 8 MPH and relative humidity is less than 25%, or a red flag condition has been declared when an official sign was caused to be posted by the fire code official, or a public announcement is made.
2. No outdoor fires using any fuel type are permitted when predicted sustained winds exceed 20 MPH or when such fires present a hazard as determined by the fire code official.

Section 305.7 Disposal of rubbish is hereby added as follows:

305.7 Disposal of rubbish. Rubbish, trash or combustible waste material shall be burned only within an approved incinerator and in accordance with Section 307.2.1.

Section 307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces is hereby amended as follows:

307 Open Burning, Recreational Fires, Fire Pits, Fire Rings, and Portable Outdoor Fireplaces

Section 307.6 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices used at Group R Occupancies is hereby added as follows:

307.6 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices used at Group R Occupancies. Outdoor fireplaces, fire pits, fire rings, or similar exterior devices used at Group R occupancies shall comply with this section.

Exception: Barbeques, grills, and other portable devices intended solely for cooking.

Section 307.6.1 Gas-fueled devices is hereby added as follows:

307.6.1 Gas-fueled devices. Outdoor fireplaces, fire pits and similar devices fueled by natural gas or liquefied-petroleum gas are allowed when approved by the Building Department and the device is designed to only burn a gas flame and not wood or other solid fuel. At R-3 occupancies, combustible construction and vegetation shall not be located within three feet of an atmospheric column that extends vertically from the perimeter of the device. At other R occupancies, the minimum distance shall be ten feet. Where a permanent Building Department approved hood and vent is installed, combustible construction may encroach upon this column between the bottom of the hood and the vent opening. Where chimneys or vents are installed, they shall have a spark arrester as defined in Section 202.

Section 307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas is hereby added as follows:

307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas. Permanent outdoor fireplaces burning wood or other solid fuel shall be constructed in accordance with the California Building Code with clearance from combustible construction and building openings as required therein. Fires in a fireplace shall be contained within a firebox with an attached chimney. The opening in the face of the firebox shall have an installed and maintained method of arresting sparks.

The burning of wood or other solid fuel in a device is not allowed within 25 feet of combustible structures unless within an approved permanent fireplace, Conditions which could cause a fire to spread within 25 feet of a structure or to vegetation shall be eliminated prior to ignition. Fires in devices burning wood or solid fuel shall be in accordance with Sections 305, 307, and 308.

Exceptions:

1. Portable fireplaces and fire rings/pits equipped with a device to arrest sparks shall be located at least 3' from combustible construction at R-3 occupancies,
2. Portable fireplaces, and fire pits/rings equipped with a device to arrest sparks, shall be located at least 15 feet from combustible structures at other R occupancies.

Section 308.1.6.3 Sky lanterns is hereby amended as follows:

308.1.6.3 Sky lanterns. A person shall not ignite, release, or cause to be released a sky lantern.

Chapter 4 Emergency Planning and Preparedness

Chapter 4: Emergency Planning and Preparedness. Adopt only the sections, subsections, and amendment listed below:

401 – 401.9
402
403.1
403.2
403.4 – 403.4.4
403.9.2.1.1
403.12 – 403.12.3
404.5 – 404.6.6
407

Chapter 5 Fire Service Features

Chapter 5 Fire Service Features is adopted in its entirety with the following amendments:

Section 503.2 Specifications is hereby amended as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and the Costa Mesa Fire & Rescue Department Plan Submittal Checklist Specifications.

Section 510.1 Emergency responder radio coverage in new buildings is hereby amended as follows:

510.1 Emergency responder radio coverage in new buildings. Approved in-building, two-way emergency responder communication coverage for emergency responders shall

be provided in all new buildings. In-building, two-way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. The Emergency Responder Radio Coverage System shall comply with the Orange County Sheriff's Department, Communications and Technology Division guidelines and specifications and, where the functionality or performance requirements in the California Fire Code are more stringent, this code.

Exceptions:

1. Where approved by the building official and the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved radio coverage system.
2. Where it is determined by the fire code official that the radio coverage system is not needed.
3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

**Chapter 6
Building Services and Systems**

Chapter 6 Building Services and Systems is adopted in its entirety without amendment.

**Chapter 7
Fire and Smoke Protection Features**

Chapter 7 Fire and Smoke Protection Features is adopted in its entirety without amendment.

**Chapter 8
Interior Finish, Decorative Materials and Furnishings**

Chapter 8 Interior Finish, Decorative Materials and Furnishings is adopted in its entirety without amendment.

**Chapter 9
Fire Protection and Life Safety Systems**

Adopt Chapter 9 Fire Protection and Life Safety Systems is adopted in its entirety with the following amendments:

Section 901.11 False Alarms is hereby added as follows:

901.11 False Alarms. False alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

(a) The owner and any person in possession of any building shall be assessed a fee to be set by resolution whenever the Fire Department is required to respond to more than two false alarms during a one-year period consisting of January 1- December 31 of any given year. Continued false alarms generated from the same location within the same one-year period shall also be assessed a fee set by resolution for each successive false alarm.

(b) Notwithstanding Subsection (a), whenever the Fire Department is required to respond to a false alarm while the system is being repaired or otherwise modified, and the person performing the work has failed to notify the Fire Department in advance that such work was being done, the persons performing the work shall also be assessed a fee set by resolution for each such occurrence.

(c) For purposes of this Section, "false alarm" shall mean the activation of any local or central station alarm because of malfunction, including, but not limited to, mechanical or electrical defects, water surges, or because of improper installation, operation testing or maintenance of such system. Whenever the Fire Department responds to the location of a false alarm and finds that there is no evidence of a fire or of external causes beyond the control of the owner or person in possession that may have caused the alarm, the activation shall be presumed to be a false alarm. Not included as a false alarm will be those activations caused by earthquakes or other phenomena beyond the control of the owner or person in possession.

(d) Whenever an owner, person in possession or alarm system workman is notified of such assessment and believes that he should be excused from paying because any occurrences did not constitute a false alarm, as defined above, he or she shall have the right to appeal said assessment to the Fire Chief within ten (10) calendar days of his receipt of the notice of assessment. The Fire Chief is authorized to excuse the assessment if he determines that a false alarm as defined, did not occur.

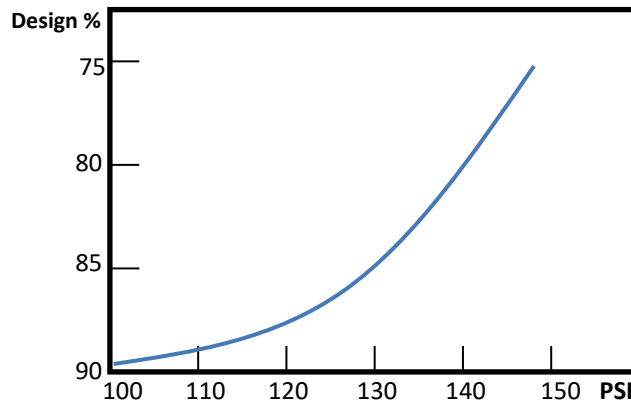
(e) Any person, firm or corporation who receives notification of penalties due and fails to pay such penalties within the specified amount of time, no less than 30 days, a 10 percent per month late fee will be assessed until penalties have been paid.

Section 903.3.5.3 Hydraulically calculated systems is hereby added as follows:

903.3.5.3 Hydraulically calculated systems. The design of hydraulically calculated fire sprinkler systems shall not exceed 90% of the water supply capacity.

Exception: When static pressure exceeds 100 psi, and when required by the fire code official, the fire sprinkler system shall not exceed the water supply capacity specified by Table 903.3.5.3.

TABLE 903.3.5.3
Hydraulically Calculated Systems



Section 912 Fire Department Connections

Section 912.2 Location is amended as follows:

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of 2½" inlets shall be approved by the fire code official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red or as approved. When the fire sprinkler density design requires more than 500 gpm (including inside hose stream demand), or a standpipe system is included, four 2½" inlets shall be provided.

Chapter 10 **Means of Egress**

Chapter 10 Means of Egress is adopted in its entirety without amendment.

Chapter 11 **Construction Requirements for Existing Buildings**

Chapter 11 Construction Requirements for Existing Buildings. Adopt only those sections and subsections listed below:

1103.3.3
1103.7
1103.7.3
1103.7.3.1

1103.7.8 – 1103.7.8.2
1103.7.9 – 1103.7.9.10
1103.8 – 1103.8.5.3
1103.9.1
1107
1113
1114
1115
1116

Chapter 12 Energy Systems

Chapter 12 Energy Systems is adopted in its entirety with the following amendments added:

Section 1207.4.1 Electrical disconnects is adopted without amendment.

1207.4.1 Electrical disconnects. Where the ESS disconnecting means is not within sight of the main electrical service disconnecting means, placards or directories shall be installed at the location of the main electrical service disconnecting means indicating the location of stationary storage battery system disconnecting means in accordance with *the California Electrical Code*.

Exception: Electrical disconnects for lead-acid and nickel-cadmium battery systems at facilities under the exclusive control of communications utilities and operating at less than 50 VAC and 60 VDC shall be permitted to have electrical disconnects signage in accordance with NFPA 76.

Section 1207.11.5.1 ESS Electrical disconnect in Group R-3 and R-4 occupancies is hereby added as follows:

1207.11.5.1 ESS Electrical disconnect in Group R-3 and R-4 occupancies. The ESS disconnecting means shall be provided within 36-inches of the main electrical service disconnecting means. The ESS disconnecting means shall be labeled “ESS Emergency Stop”.

Chapter 20 Aviation Facilities

Chapter 20 Aviation Facilities is adopted in its entirety without amendment.

Chapter 21 Dry Cleaning

Chapter 21 Dry Cleaning is adopted in its entirety without amendment.

**Chapter 22
Combustible Dust-Producing Operations**

Chapter 22 Combustible Dust-Producing Operations is adopted in its entirety without amendment.

**Chapter 23
Motor Fuel-Dispensing Facilities and Repair Garages**

Chapter 23 Motor Fuel-Dispensing Facilities and Repair Garages is adopted in its entirety without amendment.

**Chapter 24
Flammable Finishes**

Chapter 24 Flammable Finishes is adopted in its entirety without amendment.

**Chapter 25
Fruit and Crop Ripening**

Chapter 25 Fruit and Crop Ripening is deleted in its entirety.

**Chapter 26
Fumigation and Insecticidal Fogging**

Chapter 26 Fumigation and Insecticidal Fogging is deleted in its entirety.

**Chapter 27
Semiconductor Fabrication Facilities**

Chapter 27 Semiconductor Fabrication Facilities is adopted in its entirety without amendment.

**Chapter 28
Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities**

Chapter 28 Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities is adopted in its entirety without amendment.

**Chapter 29
Manufacture of Organic Coatings**

Chapter 29 Manufacture of Organic Coatings is adopted in its entirety without amendment.

**Chapter 30
Industrial Ovens**

Chapter 30 Industrial Ovens is adopted in its entirety without amendment.

**Chapter 31
Tents, Temporary Special Event Structures and Other Membrane Structures**

Chapter 31 Temporary Special Event Structures and Other Membrane Structures is adopted in its entirety with the following amendment:

Section 3103.9 Structural stability and anchorage required is hereby amended as follows:

3103.9 Structural stability and anchorage required. Tents or membrane structures and their appurtenances shall be designed and installed to withstand the elements of weather and prevent collapsing. Documentation of structural stability shall be furnished to the fire code official. Anchorage shall be installed to meet or exceed the Costa Mesa Fire & Rescue Tent Guideline.

**Chapter 32
High-Piled Combustible Storage**

Chapter 32 High-Piled Combustible Storage is adopted in its entirety without amendment.

**Chapter 33
Fire Safety During Construction and Demolition**

Chapter 33 Fire Safety During Construction and Demolition is adopted in its entirety without amendment.

**Chapter 34
Tire Rebuilding and Tire Storage**

Chapter 34 Tire Rebuilding and Tire Storage is adopted in its entirety without amendment.

**Chapter 35
Welding and Other Hot Work**

Chapter 35 Welding and Other Hot Work is adopted in its entirety without amendment.

**Chapter 36
Marinas**

Chapter 36 Marinas is adopted in its entirety without amendment.

**Chapter 37
Combustible Fibers**

Chapter 37 Combustible Fibers is adopted in its entirety without amendment.

**Chapter 39
Processing and Extraction Facilities**

Chapter 39 Processing and Extraction Facilities is adopted in its entirety without amendment.

**Chapter 40
Storage of Distilled Spirits and Wines**

Chapter 40 Storage of Distilled Spirits and Wines is adopted in its entirety without amendment.

**Chapter 48
Motion Picture and Television Production Studio Sound Stages, Approved
Production Facilities and Production Locations**

Chapter 48 Motion Picture and Television Production Studio Sound Stages, Approved Production Facilities and Production Locations is adopted in its entirety without amendment.

**Chapter 49
Requirements for Wildland-Urban Interface Fire Areas**

Chapter 49 Requirements for Wildland-Urban Interface Fire Areas is adopted in its entirety without amendment.

**Chapter 50
Hazardous Materials – General Provisions**

Chapter 50 Hazardous Materials – General Provisions is adopted in its entirety without amendment.

Chapter 51 Aerosols

Chapter 51 Aerosols is adopted in its entirety without amendment.

Chapter 53 Compressed Gases

Chapter 53 Compressed Gases is adopted in its entirety without amendment.

Chapter 54 Corrosive Materials

Chapter 54 Corrosive materials is adopted in its entirety without amendment.

Chapter 55 Cryogenic Fluids

Chapter 55 Cryogenic Fluids is adopted in its entirety without amendment.

Chapter 56 Explosives and Fireworks

Chapter 56 Explosives and Fireworks is adopted in its entirety with the following amendments:

Section 5608.2 Firing is hereby added as follows:

5608.2 Firing. All fireworks displays, regardless of mortar, device, or shell size, shall be electrically fired.

Section 5608.3 Application for Permit is hereby added as follows:

5608.3 Application for Permit. A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the fallout area based on 100 feet per inch of shell size, the location of all buildings, roads, and other means of transportation, the lines behind which the audience will be restrained, the location of all nearby trees, telegraph or telephone line, or other overhead obstructions shall be provided to CMFR.

Section 5609.1 General is amended as follows:

5609.1 General. Where the temporary storage of consumer fireworks, 1.4G is allowed by Section 5601.1.3, Exception 4, such storage shall comply with the applicable requirements of NFPA 1124. In addition to the requirements of NFPA 1124, all temporary stands for the display and sale of fireworks shall be located, maintained and

operated subject to the following provisions:

5609.2. No fireworks display or stand shall be erected within one hundred (100) feet of any gasoline dispensing device or room in which vehicles containing gasoline are repaired or within thirty-five (35) feet of any other structure. Minimum setback from a public sidewalk shall be five (5) feet; setback from street curbing shall be not less than ten (10) feet where no sidewalk exists.

5609.3. There shall be maintained in each premises or stand within which fireworks are sold or offered for sale, a fire extinguisher with a minimum rating of 2A, 10BC located adjacent to each exit.

5609.4. No person shall light or cause or permit to be lighted any ~~fireworks~~ open flame, match, lighter, or any other article or material within any such stand or within fifty (50) feet thereof.

5609.5. No smoking shall be allowed in any structure used for the sale and display of fireworks or within fifty (50) feet of said structure. "No smoking" signs shall be displayed prominently and in a number prescribed by the fire chief.

5609.6. All such temporary stands shall be constructed to existing city requirements and specifications.

5609.7. All such temporary stands for the display and sale of fireworks shall obtain an electrical permit from the City of Costa Mesa prior to performance of any electrical work. An electrical permit shall be required for the use of a portable generator or other temporary power source.

5609.8. All power and lighting shall be GFCI protected. Battery-powered equipment, electrical equipment, and electrical cords that are used in conjunction with a CFRS facility area shall be listed and shall be used in accordance with their listing.

5609.9. Where temporary electrical conductors are placed on top of an outdoor surface to connect the permanent power source to the temporary CFRS facility's temporary electrical system, the conductors shall be provided with physical protection against damage caused by pedestrian or vehicular traffic.

5609.10. Reserved.

5609.11. The permittee shall strictly comply with all of the provisions of the State Fireworks Law, Sections 12500 et seq. of the Health and Safety Code of the State of California.

5609.12. Fireworks shall be stored and kept only in the permittee's sale booth. It shall be unlawful to store any fireworks intended for sale in any building, residence, garage, home or automobile within the City of Costa Mesa.

5609.13. There shall be at least one (1) adult in attendance during any open or sale

hours of the fireworks stand. No person under the age of eighteen (18) years, and no person who is physically or mentally unable to move himself shall be permitted within a fireworks stand.

5609.14. The permittee shall provide an adult night watchman to act and serve during the hours of storage. Under no circumstances shall any night watchman sleep within any fireworks stand.

5609.15. No alcoholic beverages shall be allowed on the premises.

5609.16. All fireworks fuses shall be taped.

5609.17. All permits must be posted in a conspicuous place.

Chapter 57 Flammable and Combustible Liquids

Chapter 57 Flammable and Combustible Liquids. Adopt Chapter 57, with the exception of Section 5707, in its entirety and with the following amendment:

Section 5701.1.1 On-Demand Mobile fueling is added as follows:

5701.1.1 Mobile fueling. On-demand mobile fueling of Class I, II, and III liquids into the fuel tanks of vehicles is prohibited.

Chapter 58 Flammable Gases and Flammable Cryogenic Fluids

Chapter 58 Flammable Gases and Flammable Cryogenic Fluids. Adopt Chapter 58, with the exception of Section 5809, in its entirety and with the following amendment:

Section 5801.1 Scope is amended as follows:

5801.1 Scope. The storage and use of flammable gases and flammable cryogenic fluids shall be in accordance with this chapter, NFPA 2 and NFPA 55. Compressed gases shall also comply with Chapter 53 and cryogenic fluids shall also comply with Chapter 55. Flammable cryogenic fluids shall comply with Section 5806. Hydrogen motor fuel-dispensing stations and repair garages and their associated above-ground hydrogen storage systems shall also be designed, constructed and maintained in accordance with Chapter 23. Mobile fueling of gaseous and liquid hydrogen, compressed natural gas (CNG), and liquefied natural gas (LNG) into the fuel tanks of vehicles is prohibited.

Exceptions:

1. Gases used as refrigerants in refrigeration systems (see Section 605).
2. Liquefied petroleum gases and natural gases regulated by Chapter 61.
3. Fuel-gas systems and appliances regulated under the California Mechanical Code and the California Plumbing Code other than gaseous hydrogen systems and appliances.
4. Pyrophoric gases in accordance with Chapter 64.

Chapter 59 Flammable Solids

Chapter 59 Flammable Solids is adopted in its entirety without amendment.

Chapter 60 Highly Toxic and Toxic Materials

Chapter 60 Highly Toxic and Toxic Materials is adopted in its entirety without amendment.

Chapter 61 Liquefied Petroleum Gases

Chapter 61 Liquefied Petroleum Gases is adopted in its entirety without amendment.

Chapter 62 Organic Peroxides

Chapter 62 Organic Peroxides is adopted in its entirety without amendment.

Chapter 63 Oxidizers, Oxidizing Gases, and Oxidizing Cryogenic Fluids

Chapter 63 Oxidizers, Oxidizing Gases, and Oxidizing Cryogenic Fluids is adopted in its entirety without amendment.

Chapter 64 Pyrophoric Materials

Chapter 64 Pyrophoric Materials is adopted in its entirety without amendment.

Chapter 65 Pyroxylin (Cellulose Nitrate) Plastics

Chapter 65 Pyroxylin (Cellulose Nitrate) Plastics is adopted in its entirety without amendment.

**Chapter 66
Unstable (Reactive) Materials**

Chapter 66 Unstable (Reactive) Materials is adopted in its entirety without amendment.

**Chapter 67
Water-Reactive Solids and Liquids**

Chapter 67 Water-Reactive Solids and Liquids is adopted in its entirety without amendment.

**Chapter 80
Referenced Standards**

Chapter 80 Referenced Standards is adopted in its entirety with the following amendments:

NFPA 13, 2022 Edition, Standard for the Installation of Sprinkler Systems is hereby amended as follows:

Section 9.2.1.7 is hereby amended as follows:

9.2.1.7 Concealed spaces filled with noncombustible insulation shall not require sprinkler protection when approved by the fire code official.

Section 9.4.3.1 is hereby amended as follows:

9.4.3.1 When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the fire sprinkler plan is submitted. Sprinklers in light hazard occupancies shall be one of the following:

1. (1) Quick-response type as defined in 3.3.215.4.16
2. (2) Residential sprinklers in accordance with the requirements of Chapter 12
3. (3) Quick response CMSA sprinklers
4. (4) ESFR sprinklers
5. (5) Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers
6. (6) Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems

Section 16.11.2.1 is hereby amended as follows:

16.11.2.1 Local Waterflow Alarms. A local waterflow alarm shall be provided for all sprinkler systems and shall be connected to the building fire alarm or water flow monitoring system where provided. Group R occupancies not requiring a fire alarm system by the California Fire Code shall be provided with at least one approved interior alarm device in each unit, or interconnection to the unit smoke alarm system. Sound levels in all sleeping areas shall be a minimum of 15 DBA above the average ambient sound or a minimum of 75 DBA with all intervening doors closed. Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm or water-flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for over current protection (GFI), serving normally operated appliances in the residence.

Section 16.12.3.3 is hereby amended as follows:

16.12.3.3 Fire department connections (FDC) shall be of an approved type. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of 2½" inlets shall be approved by the fire code official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red or as approved. When the fire sprinkler density design requires more than 500 gpm (including inside hose stream demand), or a standpipe system is included, four 2½" inlets shall be provided.

Section 16.12.5.7 is hereby amended as follows:

16.12.5.7 Fire Department Connections. Fire department connections shall be located at the nearest point of fire department apparatus accessibility or at a location approved by the authority having jurisdiction. They shall be installed immediately adjacent to the approved fire department access road and such that hose lines can be readily and conveniently attached to the inlets without interference from nearby objects including buildings, fence posts, or other fire department connections.

Section 19.1.1.1 is hereby added as follows:

19.1.1.1 When fire sprinkler systems are required in buildings of undetermined use other than warehouses, they shall be designed and installed to have a fire sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with no reduction(s) in density or design area. Warehouse fire sprinkler systems shall be designed to Figure 21.4.1.2.2.1 (d) curve "C". Use is considered undetermined if a specific tenant/occupant is not identified at the time the sprinkler plan is submitted. Where a subsequent use or occupancy requires a system with greater capability, it shall be the responsibility of the occupant to upgrade the system to the required density for the new use or occupancy.

Section 19.2.3.1.1.1 is hereby added as follows:

19.2.3.1.1.1 The available water supply for fire sprinkler system design shall be determined by one of the following methods, as approved by the fire code official:

- 1) Subtract the project site elevation from the low water level for the appropriate pressure zone and multiply the result by 0.433;
- 2) Use a maximum of 40 psi, if available;
- 3) Utilize the CMFR water-flow test form/directions to document a flow test conducted by the local water agency or an approved third party licensed in the State of California.

Section 28.4.5.2 (19) (g) Summary Sheet is hereby added as follows:

28.4.5.2 (19) (g) Water supply certification shall be not more than six months prior to the plan submittal to the authority having jurisdiction.

NFPA 13D 2022 Edition, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes is hereby amended as follows:

Section 4.6 Stock of Spare Sprinklers is hereby added as follows:

4.6.1 A supply of at least two sprinklers for each type shall be maintained on the premises so that any sprinklers that have operated or been damaged in any way can be promptly replaced.

4.6.2 The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property.

4.6.3 The sprinklers shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed 100°F (38°C).

4.6.4 A special sprinkler wrench shall be provided and kept in the cabinet to be used in the removal and installation of sprinklers. One sprinkler wrench shall be provided for each type of sprinkler installed.

Section 7.1.2 is hereby amended as follows:

7.1.2 The sprinkler system piping shall not have a separate control valve installed unless supervised by one of the following methods:

- (1) Central station, proprietary or remote station alarm service.
- (2) Reserved.
- (3) Reserved.

Section 7.3 Pressure Gauges is hereby amended as follows:

7.3.1. At least one water pressure gauge shall be installed on the riser assembly.

Section 7.6 Alarms is hereby amended as follows:

7.6 Alarms. Exterior water flow alarm indicating devices shall be listed for outside service and audible from the street from which the house is addressed. Exterior audible devices shall be placed on the front or side of the structure and the location subject to final approval by the fire code official. Additional interior alarm devices shall be required to provide audibility throughout the structure. Sound levels in all sleeping areas with all intervening doors closed shall be a minimum of 15 dba above the average ambient sound level but not less than 75 dba. Audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

Exception:

- (1) When an approved water flow monitoring system is installed, interior audible devices may be powered through the fire alarm control panel.
- (2) When smoke detectors specified by the CBC or CRC are used to sound an interior alarm upon water flow switch activation.

Section 8.3.5 is hereby amended as follows:

8.3.5 Sprinklers shall not be required in attics without storage, penthouse equipment rooms, elevator machine rooms, concealed spaces dedicated for exclusively to and containing only dwelling unit ventilation equipment, floor/ceiling spaces, elevator shafts, crawl spaces, and other concealed spaces that are not intended for living purposes.

Section 8.3.5.1.1 is hereby amended as follows:

8.3.5.1.1 Where fuel-fired equipment is located other than beneath an occupied area of the dwelling unit, at least one quick-response intermediate-temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space.

Section 8.3.5.1.3 is hereby added as follows:

8.3.5.1.3 At a minimum, attics with storage access shall be protected with an intermediate temperature quick response sprinklers, which shall be located to protect attic penetrations created by the access scuttles or mechanical equipment.

NFPA 13R 2022 Edition, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies is hereby amended as follows:

Section 6.6.6 is hereby amended as follows:

6.6.6 Sprinklers shall not be required in attics without storage, penthouse equipment rooms, elevator machine rooms, concealed spaces dedicated exclusively to and containing only dwelling unit ventilation equipment, crawl spaces, floor/ceiling spaces, vertical chases, elevator shafts where the elevator installation complies with ASME A17.1/CSA B44, Safety Code for Elevators and Escalators, and other concealed spaces that are not intended for living purposes or storage and do not contain fuel-fired equipment.

Section 6.6.6.3 is hereby amended as follows:

6.6.6.3 Where the fuel-fired equipment is above all occupied areas, at least one quick-response intermediate-temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space.

Section 6.16.1 is hereby amended as follows:

6.16.1 A local water-flow alarm shall be provided on all sprinkler systems and shall be connected to the building fire alarm or water-flow monitoring system where provided. Group R occupancies containing less than the number of stories, dwelling units or occupant load specified in Chapter 9 of the California Fire Code as requiring a fire alarm system shall be provided with a minimum of one approved interior alarm device in each unit. Sound levels in all sleeping areas shall be a minimum of 15 DBA above the average ambient sound or a minimum of 75 DBA with all intervening doors closed. Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm, residential smoke detection or water-flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence. There shall also be a minimum of one exterior alarm indicating device, listed for outside service and audible from the access roadway that serves that building.

NFPA 14, 2019 Edition, Installation of Standpipe and Hose Systems is hereby amended as follows:

Section 7.3.1.1 is hereby is deleted in its entirety and replaced as follows:

7.3.1.1 Class I and III Standpipe hose connections shall be unobstructed and shall be located not less than 18 inches or more than 24 inches above the finished floor. Class II Standpipe hose connections shall be unobstructed and shall be located not less than 3 feet or more than 5 feet above the finished floor.

NFPA 24, 2019 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances is hereby amended as follows:

Section 6.2.8.1 is hereby added as follows:

6.2.8.1 All indicating valves controlling fire suppression water supplies shall be painted OSHA red.

Exceptions:

1. Brass or bronze valves on sprinkler risers mounted to the exterior of the building may be left unpainted.
2. Where OS&Y valves on the detector check assembly are the only control valves, at least one OS&Y valve shall be painted red.

Section 6.2.9 is hereby amended as follows:

6.2.9. All connections to private fire service mains for fire protection systems shall be arranged in accordance with one of the following so that they can be isolated:

- (1)*A post indicator valve installed not less than 40 ft (12 m) from the building
 - (a) For buildings less than 40 ft (12 m) in height, a post indicator valve shall be permitted to be installed closer than 40 ft (12 m) but at least as far from the building as the height of the wall facing the post indicator valve.
- (2) A wall post indicator valve.
- (3) An indicating valve in a pit, installed in accordance with Section 6.4
- (4)*A backflow preventer with at least one indicating valve not less than 40 ft (12 m) from the building
 - (a) For buildings less than 40 ft (12 m) in height, a backflow preventer with at least one indicating valve shall be permitted to be installed closer than 40 ft (12 m) but at least as far from the building as the height of the wall facing the backflow preventer.
- (5)* When approved by the Costa Mesa Fire & Rescue Department, a nonindicating valve, such as an underground gate valve with an approved roadway box, complete with T-wrench, located not less than 40 ft (12 m) from the building
 - (a) For buildings less than 40 ft (12 m) in height, a nonindicating valve, such as an underground gate valve with an approved roadway box, complete with T-wrench, shall be permitted to be installed closer than 40 ft (12 m) but at least as far from the building as the height of the wall facing the non-indicating valve.
 - b) A nonindicating valve, such as an underground nonrising stem gate valve with an approved roadway box complete with T-wrench shall be allowed to be closer than 40 ft (12 m) to the building when a property line or other physical barriers make it impossible to have the valve 40 ft (12 m) away.
- (6) Control valves installed in a fire-rated room accessible from the exterior
- (7) Control valves in a fire-rated stair enclosure accessible from the exterior as permitted by the AHJ.

Section 10.1.5 is hereby added as follows:

10.1.5 All ferrous pipe and joints shall be polyethylene encased per AWWA C150, Method A, B, or C. All fittings shall be protected with a loose 8-mil polyethylene tube or sheet. The ends of the tube or sheet shall extend past the joint by a minimum of 12 inches and be sealed with 2 inch wide tape approved for underground use. Galvanizing does not meet the requirements of this section.

Exception: 304 or 316 Stainless Steel pipe and fittings

Section 10.4.1.1 is hereby amended as follows:

10.4.1.1 All bolted joint accessories shall be cleaned and thoroughly coated with asphalt or other corrosion-retarding material after installation.

Exception: Bolted joint accessories made from 304 or 316 stainless steel.

Section 10.4.1.1.1 is hereby added as follows:

10.4.1.1.1 All bolts used in pipe-joint assembly shall be 316 stainless steel.

Appendices

Appendix A is deleted in its entirety without amendment.

Appendix B is adopted in its entirety with amendments outlined in CMFR Plan Submittal Checklist Specifications.

Appendix BB is adopted in its entirety without amendment.

Appendix C is adopted in its entirety without amendment.

Appendix CC is adopted in its entirety without amendment.

Appendix D is deleted in its entirety without amendment.

Appendix E is deleted in its entirety without amendment.

Appendix F is deleted in its entirety without amendment.

Appendix G is deleted in its entirety without amendment.

Appendix H is adopted in its entirety without amendment.

Appendix I is deleted in its entirety without amendment.

Appendix J is deleted in its entirety without amendment.

Appendix K is deleted in its entirety without amendment.

Appendix L is deleted in its entirety without amendment.

Appendix M is deleted in its entirety without amendment.

Appendix N is adopted in its entirety without amendment.

Appendix O is deleted in its entirety without amendment.

Appendix P is deleted in its entirety without amendment.

PASSED AND ADOPTED this 1st day of November, 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 Ordinance No. 2022-xx was duly introduced for first reading at a regular meeting of the City Council held on the 18th day of October 2022, and that thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council held on the 1st day of November, 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 2nd day of November, 2022.

Brenda Green, City Clerk

Section 1207.4.1 Electrical disconnects is adopted without amendment.

1207.4.1 Electrical disconnects. Where the ESS disconnecting means is not within sight of the main electrical service disconnecting means, placards or directories shall be installed at the location of the main electrical service disconnecting means indicating the location of stationary storage battery system disconnecting means in accordance with *the California Electrical Code*. ~~The ESS disconnecting means shall be within 36-inches of the main electrical service disconnecting means. The ESS disconnecting means shall be labeled "ESS Emergency Stop".~~

Exception: Electrical disconnects for lead-acid and nickel-cadmium battery systems at facilities under the exclusive control of communications utilities and operating at less than 50 VAC and 60 VDC shall be permitted to have electrical disconnects signage in accordance with NFPA 76.

Section 1207.11.5.1 ESS Electrical disconnect in Group R-3 and R-4 occupancies is hereby added as follows:

1207.11.5.1 ESS Electrical disconnect in Group R-3 and R-4 occupancies. The ESS disconnecting means shall be provided within 36-inches of the main electrical service disconnecting means. The ESS disconnecting means shall be labeled "ESS Emergency Stop".

Chapter 20 Aviation Facilities

Chapter 20 Aviation Facilities is adopted in its entirety without amendment.

Chapter 21 Dry Cleaning

Chapter 21 Dry Cleaning is adopted in its entirety without amendment.

Chapter 22 Combustible Dust-Producing Operations

Chapter 22 Combustible Dust-Producing Operations is adopted in its entirety without amendment.

Chapter 23 Motor Fuel-Dispensing Facilities and Repair Garages

Chapter 23 Motor Fuel-Dispensing Facilities and Repair Garages is adopted in its entirety without amendment.

Chapter 24



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-914

Meeting Date: 11/1/2022

TITLE:

EXTENSION OF URGENCY ORDINANCE 2020-15 SUSPENDING CERTAIN PERMIT REQUIREMENTS AND DEVELOPMENT STANDARDS FOR OUTDOOR ACTIVITIES DUE TO THE COVID-19 PANDEMIC

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

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

CONTACT INFORMATION: SCOTT DRAPKIN, ASSISTANT DEVELOPMENT SERVICES DIRECTOR, 714-754-5278

RECOMMENDATION:

Staff recommends the City Council:

1. Extend Urgency Ordinance 2020-15 for six months to expire on June 30, 2023.
2. Provide direction to prepare a Code amendment to modify development standards and streamline the approval process for outdoor dining in Costa Mesa.

BACKGROUND:

On June 2, 2020, City Council approved Urgency Ordinance 2020-15 to reduce the potential social and economic impacts from the Coronavirus pandemic to the City's business establishments and residents. Urgency Ordinance 2020-15 temporarily suspended permit requirements and development standards for outdoor activities for dining patios and places of religious assembly, as well as a waiver of valet parking requirements. Similarly, on July 21, 2020, City Council approved another urgency measure (Urgency Ordinance 2020-16) that suspended the permit requirements and development standards for outdoor activities and parking requirements applicable to retail sales and service businesses.

Both ordinances were originally set to expire in December 2020 and were extended by City Council for one-year periods on November 17, 2020, and again on November 2, 2021. Accordingly, both ordinances are set to expire on December 31, 2022, unless an extension is granted.

Along with the approval of the second one-year extension, City Council directed staff to investigate opportunities for amending the City's outdoor dining regulations to allow similar outdoor dining conditions afforded as a result of the COVID-19 pandemic. The analysis in this report provides a summary of the City's existing Temporary Use Permit Program for Outdoor Dining, a summary of

approaches by nearby cities for permanent outdoor dining regulations, and a discussion of potential modifications to the City's existing Municipal Code necessary to promote outdoor dining.

The proposed six-month extension to the Urgency Ordinance would allow staff to complete the Code amendment for outdoor dining pursuant to the direction provided by City Council.

ANALYSIS:

Proposed Extension of Urgency Ordinance 2020-15

Currently, the State of California has moved Beyond the Blueprint to safely and fully reopen the economy. The State has ended its restrictions for physical distancing, capacity limits on businesses, and the County tier system. Mask mandates have been lifted, with a few exceptions, and new recommended quarantine timeframes have been established. However, COVID-19 remains a concern to public health due to surges of COVID-19 cases and waves of highly transmittable variants. The State has outlined steps to prepare for future surges and variants in its [SMARTER Plan - Coronavirus COVID-19 Response \(ca.gov\) <https://covid19.ca.gov/smarter/>](https://covid19.ca.gov/smarter/) to ensure that strains on the healthcare system are minimized, keep staff and public safe, and keep businesses open and schools in person. It is essential that the City remains vigilant and continues to monitor the State's and County of Orange's Health Officer's Orders and Recommendations.

In the past two years, many of the City's restaurants, churches, and other businesses that were allowed to conduct outdoor activities during the pandemic are slowly returning to pre-pandemic interior operating conditions. However, based on evolving public health conditions, including virus variants, there is still uncertainty as to how the spread and impacts of the virus may continue. In addition, economic recovery from the COVID-19 pandemic is ongoing.

Therefore, staff is recommending that the previously approved Urgency Ordinance 2020-15 be extended for an additional six months, to expire on June 30, 2023. The extension will allow the continued use of existing outdoor dining areas established under the City's temporary program, while allowing staff to complete its work drafting a formal process to allow for such outdoor dining permanently. This extension would be adopted by urgency ordinance and would be effective immediately. The draft ordinance is attached as Attachment 1.

Existing Temporary Program

Since the adoption of Urgency Ordinance 2020-15, the Development Services Department has issued 48 Temporary Use Permits (TUPs) for outdoor dining that are located within public right-of-way and on private property within a parking lot. Of those issued, 41 were issued in 2020, and six were issued in 2021, and one was issued in 2022.

The vast majority of the approved outdoor dining areas were located in private parking lots and involved removing existing parking spaces to accommodate customer seating areas. (Some outdoor dining areas were established on private property within other onsite open areas; however, these installations did not require a Temporary Use Permit. As such, there is no data as to how many businesses utilized this provision.) In addition, one Temporary Use Permit/Encroachment Permit was issued for outdoor dining located within public right of way utilizing on-street parking (commonly referred to as a "parklet"). There are 20 permitted outdoor dining areas currently in use.

In the months of September and October 2022, staff contacted the restaurant establishments for feedback regarding long term use of the outdoor dining areas. Staff received responses from 28 restaurants, of which 16 expressed interest in continuing the outdoor dining area. Attachment 2 is a map depicting the locations of the aforementioned TUPs.

Considerations for a Permanent Outdoor Dining Policy

In its previous discussions, the City Council expressed an interest in establishing provisions that would promote outdoor dining in Costa Mesa. Necessarily, this effort would focus on crafting creative solutions that would allow Costa Mesa businesses and residents to celebrate our local outdoor dining culture, better activate Costa Mesa streets and pedestrian activity, maintain pedestrian safety, maintain the attractiveness of the City's public rights-of-way, foster neighborhood interaction, and support local businesses and employment. The goal of such provisions would be to facilitate greater opportunities for restaurant establishments to offer "al fresco" customer dining experiences while minimizing potential community impacts.

Existing Code Requirements

Review Process/Permitting

Title 17 (Zoning) of the Costa Mesa Municipal Code (CMMC) includes provisions that regulate the provision of outdoor uses. The Code requires that all uses be conducted indoors and requires outdoor uses (including outdoor dining) in any zoning district to obtain approval of a Minor Conditional Use Permit. Minor Conditional Use Permits are decided on by the City's Zoning Administrator. The Zoning Administrator's decisions are posted online, and notice of the decisions are published in the local newspaper, posted onsite, and mailed to property owners and occupants within a 500-foot radius of the site. The Zoning Administrator, in his/her deliberations, considers whether the outdoor use is compatible with surrounding uses and requires conditions of approval to address impacts to the community and ensure neighborhood compatibility. Typical conditions of approval include: limitations on hours of operation, capacity, sound amplification, sound attenuation requirements when appropriate, safety measures, and measures to preserve community aesthetics.

The City's Municipal Code is silent on outdoor dining located in public right of way (such as in a wide sidewalk area or within on-street parking spaces), though any use of public right of way generally requires an encroachment permit.

Parking

In addition, since an outdoor dining area functionally increases the seating capacity of a dining establishment, parking requirements are applied to the seating area of an outdoor dining space in the same manner as an interior dining space. Generally, dining spaces require onsite parking to be provided at a rate of 10 spaces per 1,000 square feet of gross floor area (12 spaces per 1,000 square feet if the space is greater than 3,000 square feet in area). The Code allows a business to apply for a "deviation" in parking requirements due to "unique operating characteristics" through the Minor Conditional Use Permit process, subject to Zoning Administrator approval. This process allows for flexibility in parking requirements and may involve preparation of a parking evaluation by a third-

party to support the provision of less onsite parking.

If available parking is already limited onsite, providing sufficient parking for an expanded outdoor customer seating area can be an obstacle to approval. However, if sufficient parking is not provided, customers of the dining establishment may park on-street (where available) or use parking spaces on adjacent private commercial properties. The primary community concern in these cases is “neighborhood intrusion,” whereby business customers park in nearby residential neighborhoods, contributing to a lack of on-street parking for residents and their guests. This potential is less severe when there is no direct access to a residential street or when the residential street is not located within a reasonable walking distance from the business.

Recommendations

In order to achieve the Council’s stated goals, staff recommends that existing Code provisions for outdoor dining on private property should be modified to:

- Establish minimum design standards;
- Consider additional flexibility for parking requirements;
- Streamline the approval process for certain types of proposals based on scale, design, and location; and
- Provide a path forward for outdoor dining areas that were previously established under the temporary regulations.

In addition, and as a second phase of work, staff recommends that the City develop an outdoor dining program applicable to public rights-of-way.

In developing such a program, staff will build on the community outreach efforts conducted for the Citywide Residential Parking Action Plan, dated March 8, 2022. The Action Plan primarily focused on optimization of the residential permit parking program and parking management within the residential neighborhoods. However, the Action Plan also made general recommendations regarding commercial corridors and use of curb space, including a recommendation to develop policies for permanent parklets and on-street use policies.

The Action Plan states that “parklets can be an opportunity to improve commercial area vibrancy by activating outdoor spaces. While they do displace on-street parking supply, this trade-off may be a worthwhile consideration depending on community feedback and the success of other parking management strategies. The City should proactively implement curb management best practices and accommodate all users. Traditionally, the City’s curb space has primarily been allocated for the purpose of on-street public parking. However, as mobility trends are ever-changing, the City should work to convert valuable curb space for other uses, where appropriate, and assess creative uses to support the commercial areas. The City should evaluate the Temporary Use Permit fee for outdoor dining in the public right-of-way, taking into consideration the value of the parking space. The City should consider an ongoing fee for the permit, and the frequency of reapplication.”

The program development would also explore other jurisdictions' approaches to permitting outdoor dining in public areas. For example, the City of Newport Beach and City of Pasadena, as a response to COVID-19, also permitted outdoor dining through the adoption of urgency ordinances. The urgency Ordinances for both Cities' have expired. The City of Newport Beach is relying on existing Code provisions and permitting processes for outdoor dining in the public right of way. The City of Pasadena updated its existing "Sidewalk Dining on Public Walkways Ordinance" to allow outdoor dining in the public right of way, including sidewalks, alleys, and streets. The City of Pasadena also updated the City's fee schedule for outdoor permits and adopted On-Street Dining Design Guidelines. Attachment 3 provides a summary of other jurisdictions' approaches to permitting outdoor dining areas.

The recommended updates to the Municipal Code will provide opportunities for a vibrant outdoor dining environment while addressing community issues like parking, aesthetics, noise, safety and pedestrian circulation.

ALTERNATIVES:

The City Council can determine that they do not wish to extend Urgent Ordinance 2020-15. All temporary improvements would therefore be required to be removed by December 31, 2022. Additionally, the City Council can decide not to further pursue permanent outdoor dining regulations.

FISCAL REVIEW:

There is no direct impact to the City's General Fund. However, the Urgency Ordinance is intended to assist businesses in Costa Mesa to continue operating and recovering from the COVID-19 pandemic, subject to compliance with State and local public health regulations, which would ultimately have a fiscal benefit to the City through sales tax.

LEGAL REVIEW:

The City Attorney's Office has reviewed this staff report and the attached urgency ordinance and approves them as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council Goal:

- Achieve Long-Term Fiscal Sustainability
- Strengthen the Public's Safety and Improve the Quality of Life

CONCLUSION:

Staff recommends that the City Council extend Urgency Ordinance 2020-15 for six-months to expire on June 30, 2023, and direct staff to prepare a Code amendment that would streamline and promote outdoor dining on a more permanent basis. The Code amendment would be presented to the Planning Commission for a recommendation and forwarded to the City Council for final adoption.

ORDINANCE NO. 2022-xx

AN URGENCY ORDINANCE OF THE CITY OF COSTA MESA TO EXTEND AND AMEND ORDINANCE NO. 2020-15 TEMPORARILY SUSPENDING THE PERMIT REQUIREMENTS AND DEVELOPMENT STANDARDS FOR OUTDOOR ACTIVITIES AND PARKING CONTAINED IN THE ZONING CODE APPLICABLE TO DINING PATIOS, PLACES OF RELIGIOUS ASSEMBLY, AND WAIVER OF VALET PARKING AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY UPON ADOPTION

WHEREAS, the City of Costa Mesa, pursuant to its police power, may enact regulations for the public peace, morals, and welfare of the City; and

WHEREAS, on March 4, 2020, the Governor declared a State of Emergency in California due to the threat of Coronavirus Disease 2019 ("COVID-19"). On February 26, 2020, the Orange County Board of Supervisors and Department of Public Health declared a public health emergency in Orange County due to COVID-19. On March 12, 2020, pursuant to Proclamation No. 2020-01, the City Manager did proclaim the existence of a local emergency pursuant to Title 6 of the Costa Mesa Municipal Code, and on March 13, 2020 the City Council pursuant to Resolution No. 2020-9 did ratify Emergency Proclamation No. 2020-01; and

WHEREAS, the City has been impacted by the health crisis of this global pandemic. Restaurant and retail business has significantly declined and workers have been impacted by lost wages and layoffs; and

WHEREAS, on June 11, 2021, the State of California Public Health Officer issued the *Beyond the Blueprint* order, which accounted for the State entering into a new phase of the Covid-19 pandemic and confirmed that California must remain vigilant against variants of the disease especially given high levels of transmission in other parts of the world, and

WHEREAS, currently the State of California has moved passed the *Beyond the Blueprint* order to safely and fully reopen the economy. The State has ended its restrictions for physical distancing, capacity limits on businesses and the County tier system. Mask mandates has been lifted, with a few exceptions and new recommended quarantine timeframes have been established. However, COVID-19 remains a concern to public health due to surges of COVID-19 infections and waves of highly transmittable variants. The State has outlined steps to prepare for future surges and variants in its SMARTER Plan to ensure that strain on healthcare system are minimize, keep staff and public safe, and keep businesses open and schools in person; and

WHEREAS, during the initial phases of COVID-19 pandemic businesses are proposing various outdoor activities to encourage the return of customers to restaurants

and other retail uses in a way that will provide for public health and safety while allowing business operations to continue; and

WHEREAS, on June 2, 2020 the City Council of the City of Costa Mesa did adopt Urgency Ordinance 2020-15 based on the forgoing facts, findings and circumstances, to remain in effect for 180 days unless extended; and

WHEREAS, on November 17, 2020 the City Council of the City of Costa Mesa extended the Urgency Ordinance 2020-15 based on the forgoing facts, findings and circumstances, to remain in effect until December 31, 2021 unless extended; and

WHEREAS, since the adoption of the Urgency Ordinance 2020-15, the City of Costa Mesa has processed forty-seven Temporary Outdoor Dining Permits. The program has provided economic recovery for existing dining establishments and provided safe areas where the community can experience the emerging local outdoor dining culture; and

WHEREAS, on November 2, 2021 the City Council of the City of Costa Mesa extended the Urgency Ordinance 2020-15 for an additional year and directed staff to investigate opportunities for amending the City's outdoor dining regulations to allow similar outdoor dining conditions afforded as a result of the COVID-19 pandemic, based on the forgoing facts, findings and circumstances, currently the Urgency Ordinance 2020-15 is to remain in effect until December 31, 2022 unless extended; and

WHEREAS, the forgoing facts, findings and circumstances remain un-abated such that the City Council desires to extend and amend Urgency Ordinance 2020-15 as set forth herein for an additional six months; and

WHEREAS, the City of Costa Mesa, pursuant to the provisions of the California Environmental Quality Act ("CEQA") (California Public Resources Code Sections 21000 et seq.) and State CEQA Guidelines (Sections 15000 et seq., Title 14 the California Code of Regulations) has determined that the Ordinance is exempt from the provisions of CEQA pursuant to the following sections of the CEQA Guidelines: Section 15269(c) (specific actions necessary to prevent or mitigate an emergency); and Section 15061(b)(3) because it can be seen with certainty that the adoption of this Ordinance will not have an effect on the environment; and

WHEREAS, the City Council has the authority to adopt this Ordinance under Government Code Section 8630, and also its authority under California Constitution Art XI, section 7.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES ORDAIN AS FOLLOWS:

SECTION 1. Temporary Suspension of Conditional Use Permit and Minor Conditional Use Permit Requirements and Development Standards Related to Parking for Outdoor Dining for Restaurants; and Places of Religious Assembly.

- A. Scope. This Ordinance applies to all conditional use permit and minor conditional use permit requirements and development standards applicable to outdoor activities and parking of the following sections of the Costa Mesa Municipal Code to the extent that they apply or are interpreted to apply to a restaurant: Section 13-44, 13-47, 13-48, and 13-89, and Table 13-44 (Commercial Development Standards): uses underroof; Table 13-47 (Permitted and Conditionally Permitted Uses): location and operational characteristics of restaurants; 13-51.52 (General Development Standards): outdoor uses for places of religious assembly; and Table 13-89 (Non-Residential Parking Standards).
- B. Applicability. The temporary suspension of the requirements set forth herein shall apply only to those uses which operate in full compliance with all otherwise applicable state and local laws and regulations, and all health, safety, welfare, operational and traffic control standards established by the Health Officer and/or the Zoning Administrator for each such use. Temporary outdoor uses which affect or are located in the public right-of-way, parking lots, drive aisles, and similar areas shall require submittal of a temporary Use Permit (TUP) application.

SECTION 2. Criteria to Allow Outdoor Activities.

- A. Temporary Dining Opportunities on Private Property (excluding parking lots)
- All dining areas shall observe State and local health guidelines for restaurants
 - Temporary outdoor seating is restricted to serving existing, on-site restaurants
 - Temporary outdoor seating is located within a reasonable proximity to the restaurant
 - A minimum 4-foot-wide pedestrian access is provided to accommodate wheelchairs
 - Pedestrian ingress/egress to the subject or other businesses may not be obstructed
 - Any service of alcoholic beverages in these temporary areas will be subject to approval by the ABC
 - Any canopies or tents will require Fire and Building Department approval prior to installation
 - Temporary outdoor dining on a property within 200 feet of a residential zone will be required to be closed between 11 PM and 6 AM
 - Patio will be posted with a contact phone number so any noise concerns can be reported to the business owner or her/his representative

- Businesses which are permitted to have indoor entertainment shall maintain all such entertainment inside the premises, with no amplification or speakers to broadcast or pipe the entertainment to the outdoor areas

B. Temporary Outdoor Dining within Private Parking Lots

- All dining areas shall observe State and local health guidelines for restaurants
- Temporary outdoor seating be restricted to serving existing, on-site restaurants
- Parking areas and/or driveways abutting a restaurant or access to a restaurant are encouraged to be the first choice to be converted to temporary outdoor dining; staff will consider satellite patio spaces or crossing of active drive aisles where it can be shown that adequate protection and safe access between the restaurant and the dining area can be provided
- Temporary outdoor dining must allow for adequate vehicular circulation
- Clearly visible safety barriers (such as planters and other vertical barriers) will be required so drive aisles/access for drivers is clearly visible – including in the evening hours
- Any service of alcoholic beverages in these temporary areas would be subject to approval by the ABC
- Any canopies or tents will require Fire and Building Department approval prior to installation
- Temporary outdoor dining on a property within 200 feet of a residential zone to be closed between 11 PM and 6 AM
- Use of shared parking lots for temporary outdoor seating should be closely coordinated with landlords and/or other users
- Outdoor dining area will be posted with a contact phone number so any noise concerns can be reported to the business owner or her/his representative
- Businesses which are permitted to have indoor entertainment shall maintain all such entertainment inside the premises, with no amplification or speakers to broadcast or pipe the entertainment to the outdoor areas

C. Outdoor Dining within Certain Public Rights-of-Way

- All dining areas shall observe State and local health guidelines for restaurants
- Temporary outdoor seating be restricted to serving existing, on-site restaurants
- Temporary outdoor dining opportunities shall be adjoining to the restaurant
- A minimum 4-foot-wide pedestrian access is required to accommodate wheelchairs
- Pedestrian or vehicular ingress/egress to the subject and/or other businesses may not be obstructed

- Any service of alcoholic beverages in these temporary areas will be subject to approval by the ABC
- Temporary outdoor dining on a property within 200 feet of a residential zone to be closed between 11 PM and 6 AM
- An encroachment permit shall be obtained before the establishment of temporary outdoor dining spaces
- Umbrellas only will be permitted; no canopies will be allowed
- Outdoor dining area will be posted with a contact phone number so any noise concerns can be reported to the business owner or her/his representative.
- Businesses which are permitted to have indoor entertainment shall maintain all such entertainment inside the premises, with no amplification or speakers to broadcast or pipe the entertainment to the outdoor areas

D. Religious Institutions

- Temporary religious services within a parking lot are prohibited between 7 PM and 9 AM if the religious institution is within 200 feet of a residential zone
- With the exception of speech, amplification is prohibited; however, use of smart phones or car radios (if possible) to transmit audio is recommended and encouraged
- Temporary outdoor religious services may be provided for 180 days unless the temporary approvals are extended, subject to a similar reconsideration and potential extension at that time

E. The Director of Economic and Development Services, in his or her discretion, may revoke or modify an approval issued pursuant to this Ordinance for the purposes of ensuring compatible conditions and avoiding substantial impacts to nearby uses or properties.

SECTION 3. Emergency Declaration/Effective Date. The City Council declares this Ordinance to be an emergency measure, to stay in effect for six months from the previous expiration of Ordinance 2020-15 (December 31, 2022) upon adoption pursuant to California Government Code section 36934, unless extended. The facts constituting the emergency are as follows: Due to the directives from health officials to contain the spread of COVID-19, a significant loss of business, work furloughs, loss of wages, and lack of work for employees has occurred in many sectors. Furthermore, the economic impacts of this public health crisis is resulting in irreparable harm to the residents and businesses within the City. A temporary emergency measure is necessary to protect the public by enabling and encouraging temporary solutions to allow dining and religious services suited to the emergency restrictions imposed on residents and business that would otherwise be prohibited, hindered or delayed by the provisions of the Zoning Code.

SECTION 4. Term. This Ordinance shall remain in effect for one-year with the potential for City Council to extend as needed. Nothing herein shall be deemed to create any

permanent or vested right to any business or place of religious assembly to continue using private exterior space, private parking lot space, or public rights of way beyond the term of this ordinance or without an appropriate permit.

SECTION 5. Uncodified Ordinance. This Ordinance shall not be codified in the Costa Mesa Municipal Code.

Section 6. Inconsistencies. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of the Ordinance, to the extent of such inconsistencies and no further, are suspended or modified to that extent necessary to affect the provisions of this Ordinance, but only during the term of this Ordinance.

Section 7. 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 8. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance as required by law.

PASSED, APPROVED AND ADOPTED this 1st day of November, 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 Urgency Ordinance No. 2022-xx was duly adopted at a regular meeting of the City Council of the City of Costa Mesa held on the 1st day of November, 2022, by the following roll call vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

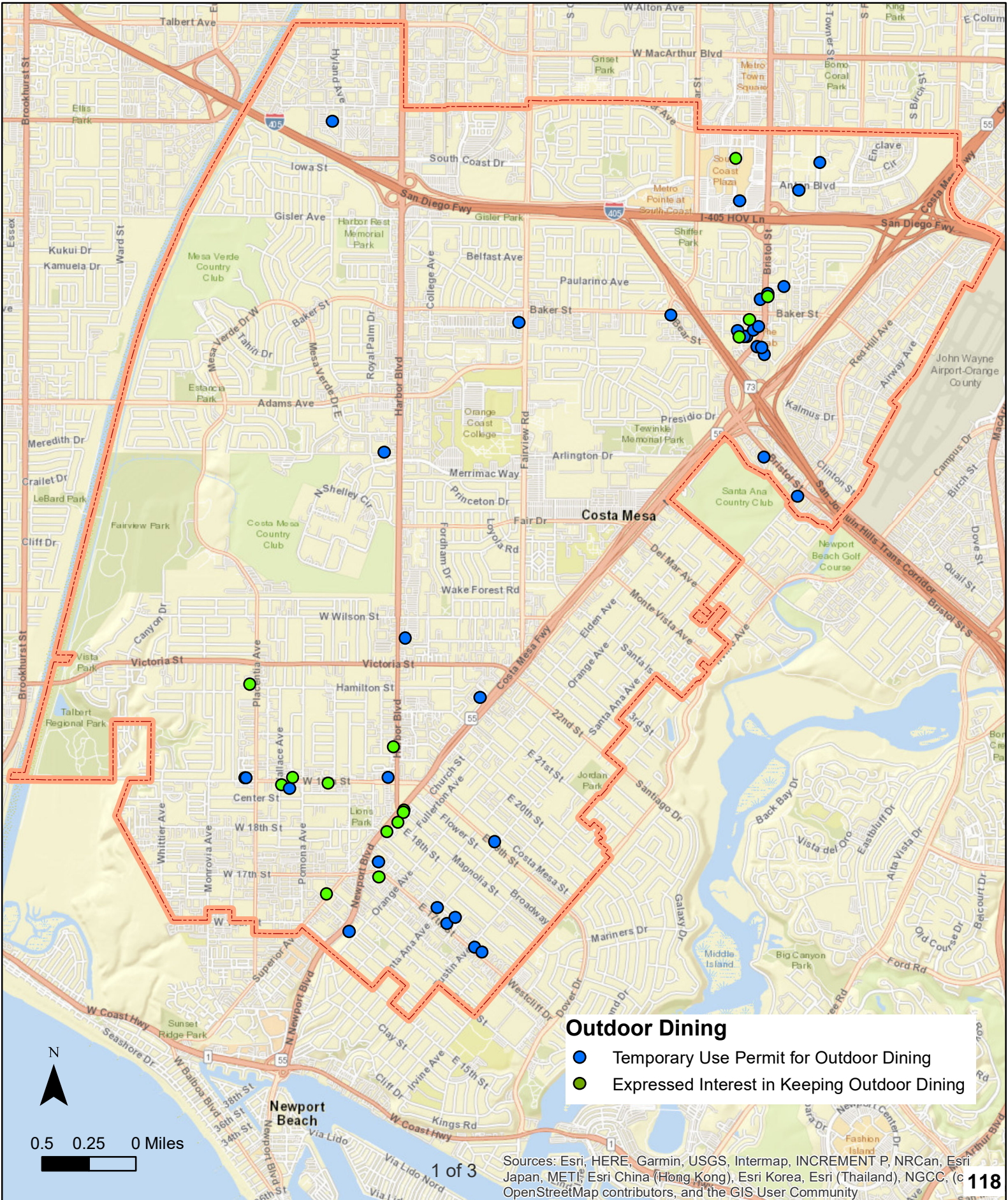
ABSENT: COUNCILMEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 2nd day of November, 2022.

Brenda Green, City Clerk

City of Costa Mesa

Temporary Use Permit Outdoor Dining



CITY OF COSTA MESA TEMPORARY USE PERMIT AND ENCROACHMENT PERMIT FOR OUTDOOR DINING

Business	Site Location of Outdoor Dining	Address	Active Outdoor Dining	Responded to Phone Survey	Expressed Interest in Continuing
Pasta Connection	Restaurant Site - front patio area	1969 Harbor Blvd	Active	x	Yes
El Matador	Parking Lot	1768 Newport Blvd	Active	x	Yes
The Harp Inn	Parking Lot	130 E 17th St	Not Active	x	No
Baja Fish Tacos	Restaurant site - walkway	171 E 17th St	Not Active	x	Yes
Kappo Sui	Parking Lot	20032 Santa Ana Ave	Not Active		
Silver Trumpet	Shared Common Area	3350 Avenue Of The Arts	Not Active	x	No
Avila's El Ranchito	Parking Lot	2101 Placentia Ave	Active	x	Yes
Acapulco	Parking Lot	1262 Bristol St	Not Active		
Bootleggers Brewery	Parking Lot	696 Randolph Ave	Active		
Sushi Wave	Parking Lot	2075 Newport Blvd	Not Active	x	No
Taco Mesa	Parking Lot	647 W 19th St	Active	x	Yes
Mitsuwa Marketplace	Parking Lot	665 Paularino Ave	Not Active		
Mastro's Steakhouse	Shared Common Area	633 Anton Blvd	Not Active		
Country Club	Parking Lot	330 E 17th St	Not Active	x	No
Maggianos	Parking Lot	3333 Bristol St	Not Active		
Playa Mesa	Parking Lot	428 E 17th St	Not Active	x	No
Hachi Asian Fusion	Parking Lot	3033 D Bristol St	Not Active		
Umami	Parking Lot	2981 B002 Bristol St	Not Active		
Green Cheek Beer Company	Parking Lot	2957 Randolph Ave	Active		
Donkey D's	Parking Lot	820 W 19th St	Not Active	x	Yes
Manpuku	Parking Lot	891 Baker St	Not Active		
Jugos Alcapulcos	Parking Lot	745 A W 19th St	Not Active	x	Yes
Mogu Mogu	Parking Lot	2969 Fairview Rd	Not Active		
Salty Bear Brewing	Parking Lot and Shared common area	2948 Randolph Ave	Active	x	Yes
Camp Out	Parking Lot	2948 Randolph Ave	Active	x	
The CAMP	Parking Lot and Shared common area	2937 Bristol St	Active	x	
Millions of Chicken	Parking Lot	2629 Harbor Blvd	Not Active		
Calipoke/Hanare	Parking Lot	2930 Bristol St	Not Active		
SOCIAL	Parking Lot	512 W 19th St	Not Active		
SOCO Collections	Parking Lot	3313 Hyland Ave	Not Active	x	No
The Huddle	Parking Lot	741 Baker St	Active	x	Yes
Semi Tropic Wines	Front and alleyway	816 W 19th St	Active		
Strut	Parking Lot	719 W 19th St	Not Active	x	No
Habana	Parking Lot	2930 Bristol St	Not Active	x	No

CITY OF COSTA MESA TEMPORARY USE PERMIT AND ENCROACHMENT PERMIT FOR OUTDOOR DINING

Business	Site Location of Outdoor Dining	Address	Active Outdoor Dining	Responded to Phone Survey	Expressed Interest in Continuing
Oak and Coal	Parking Lot	333 E 17th St	Not Active	x	No
AnQi	Parking Lot	3333 Bristol St	Not Active	x	Yes
Goat Hill Tavern	Parking Lot	1830 Newport Blvd	Active	x	Yes
The Boulevard	Parking Lot	1824 Newport Blvd	Active	x	Yes
TURNERS PUB 33	Parking Lot	1562 Newport Blvd	Active		
Breakfast Republic	Parking Lot	410 E 17th St	Active		
Amorelia Mexican Café	Parking Lot	2200 Harbor Blvd	Not Active		
Trenta Pizza e Cucina	Parking Lot	1661 D Superior Ave	Active	x	Yes
Soup Kitchen	Parking Lot	720 W 19th St	Active	x	Yes
Garduno's	Shared Common Area	298 A E 17th St	Active		
Garf's Sports Lounge	Parking Lot	3046 Bristol St	Not Active	x	No
Mi Casa	Parking Lot	296 E 17th St	Not Active		
Uroko Café	Parking Lot	3030 Bristol St	Active	x	Yes
Eat Chow	Public Right of Way	1802 Newport Blvd	Active	x	Yes

City	COVID -19 RESPONSE	POST COVID-19
Newport Beach	<p>Repealed emergency orders and ordinances relating to outdoor dining on June 2021 and allowed temporary uses till end of summer of 2021. Provisions extended till end of December 2021.</p> <p>February 2022 Newport Beach City Council directed city staff to make current policies work for outdoor dining for Balboa Village Area, allow usage of public right of way for dining along Newport Pier through May.</p>	Rely on existing pre-pandemic provisions – City of Newport Beach City Council L-21/Muni-code Chapter 13.18 Use Of Public Sidewalk for Outdoor Dining
Pasadena	<p>Existing Pre-COVID provision – “Sidewalk Dining on Public Walkways” Ordinance; permits temporary or non-permanent basis outdoor dining on sidewalks</p> <p>Emergency Ordinance waived outdoor dining permit fees through June 2022; allowed outdoor dining in the public right of way including sidewalk, alley as well as portion of barricaded streets.</p>	Post-COVID updated dining permit fees and amend City’s Sidewalk Dining on Public Walkways Ordinance for inclusion of on-street dining, specific standards for lighting, design standards for parklets, additional standards for alcohol; Fees for on-street/public right of way (fees is per square foot per year and varies depending on District location); adopted On-Street Dining Design Guidelines, December 2021
Huntington Beach	<p>June 2020 – The City of Huntington Beach developed the Temporary Emergency Use Permit, encroachment permit process to allow for outdoor dining within public right-of way and property; no fees associated; temporary closure of second and third blocks of Main Street to vehicular traffic.</p> <p>Permits expired on December 2021, with the exception of second block of Main Street. All other business were encouraged to apply for a permanent outdoor dining permit.</p>	Rely on existing – Pre-COVID provisions – Outdoor Dining with alcohol sales permitted with a Conditional Use Permit – approved by Zoning Administrator; outdoor without alcohol sales >400 SF permitted without a CUP. If over 400 SF with no alcohol sales, Neighborhood Notification is required
Fullerton	<p>Pre- COVID established dining establishment may extend outdoor dining through issuance of an Encroachment Agreement; and new outdoor dining establishments required amendment to existing entitlements. Temporary Outdoor Dining Permits - relaxed regulations for outdoor dining. Temporary Outdoor Dining program expired in June 2022.</p>	<p>Standard Outdoor Dining Guidelines/Application Process for Public Right of Way (include sidewalks, alleys (not used for emergency of vehicle travel, parking lots and plazas, adopted June 2022</p> <p>Walk on Wilshire (parklet pilot program), adopted August 2022</p>