

**RESOLUTION NO. 2023-xx**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING ACCEPTANCE OF PROPOSITION 69 FUNDS AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE ANY STEPS NECESSARY TO ACCEPT THE FUNDS**

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

WHEREAS, in November 2004, California voters passed Proposition 69 (“Prop 69”), known as the “DNA Fingerprint, Unsolved Crime, and Innocence Protection Act,” to expand and modify state law regarding the collection and use of criminal offender DNA samples and palm print impressions; and

WHEREAS, Prop 69 added Section 76104.6 to the California Government Code (“Section 76104.6”), which requires that an additional penalty be levied upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses; and

WHEREAS, pursuant to Section 76104.6, the additional penalty is deposited into the DNA Identification Fund established in each county’s treasury; and

WHEREAS, Section 76104.6 establishes how the money in a county’s DNA Identification Fund shall be allocated, including a provision that provides for reimbursement to local law enforcement agencies for the collection of DNA specimens, samples, and print impressions, and for expenditures and administrative costs made or incurred in connection with the processing, analysis, tracking, and storage of DNA crime scene samples from cases in which DNA evidence would be useful in identifying or prosecuting suspects, including the procurement of equipment and software for the processing, analysis, tracking, and storage of DNA crime scene samples from unsolved cases; and

WHEREAS, the County of Orange (“County”) has established the Orange County Prop 69 Committee (“Committee”), which administers the Prop 69 funding received by the County; and

WHEREAS, the Committee approved allocating \$122,606.00 to Costa Mesa in 2022 Prop 69 funds; and

WHEREAS, the City Council desires to authorize the acceptance of the 2022 Prop 69 funds and to authorize the City Manager to take any steps necessary to accept the funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Costa Mesa hereby authorizes the acceptance of 2022 Prop 69 funds and authorizes the City Manager, or designee, to take any steps necessary to accept the funds.

**PASSED AND ADOPTED this 20th day of June, 2023.**

\_\_\_\_\_  
John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

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Brenda Green, City Clerk

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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. 2023-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 20<sup>th</sup> day of June, 2023, 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 20<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
Brenda Green, City Clerk

(SEAL)