



CITY COUNCIL AGENDA REPORT

MEETING DATE: December 7, 2010

ITEM NUMBER:

SUBJECT: Election Results of the General Municipal Election held on November 2, 2010

DATE: November 22, 2010

FROM: City Clerk's Office

PRESENTATION Julie Folcik, City Clerk

BY:

FOR FURTHER INFORMATION CONTACT: Julie Folcik, (714) 754-5221

RECOMMENDATION:

1. Adopt Resolution: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 2, 2010; DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.
2. Declare adopted Ordinance No. 10-18: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA REPEALING AND REPLACING SECTION 16-68 OF CHAPTER IV OF THE COSTA MESA MUNICIPAL CODE REGARDING THE CITY'S TRANSIENT OCCUPANY TAX.
3. Swearing in of newly elected City Council Members by City Clerk.

BACKGROUND:

Pursuant to the Costa Mesa Municipal Code Section 2-14, the City's general municipal elections are held in November of even-numbered years, concurrent with the statewide elections. Two (2) council member seats, each serving a full term of four years, were available in the General Municipal election, held November 2, 2010. In addition, Measure L was placed on the ballot for voter consideration to ask the following question:

Shall the City increase the existing Transient Occupancy Tax from 6% to 8%, which tax is, and will continue to be, imposed only on transients occupying hotels and motels within the City, for the funding of general city services and programs?	YES
	NO

As authorized by Resolution No. 10-36 and Resolution No. 10-45, the election was consolidated with the Orange County Registrar of Voters, who conducted the elections and provided such services that included, in part, the printing of the sample ballots, coordinating of the precinct boards and polling locations, issuing of absentee ballots, processing and counting of the returned ballots, absentee and provisional ballots. The results of that election have been certified by the Board of Supervisors and their certification of the results and Statement of Votes are attached to the resolution as "Exhibit A".

The nomination period for qualified candidates was from July 12, 2010, through August 6, 2010. Upon certification of the nomination papers returned, five (5) candidates qualified for the ballot. The following is a list of the qualified candidates as their names appeared on the ballot and in ballot order:

JIM RIGHEIMER, WENDY LEECE, SUE LESTER, CHAD W. PETSCHL, AND CHRIS MCEVOY.

ANALYSIS:

The total voter registration in Costa Mesa is 56,825 voters. The results were certified by the Board of Supervisors on November 22, 2010, are considered final and are now forwarded to the City Council for approval. The number of ballots cast in the election was 29,816 or 52 percent voter turnout.

The count reflects the total number of ballots cast by the city's electorate either by vote-by-mail or at the polling location. The results of the election indicate that the top two (2) candidates to succeed to the City Council, having received the most votes, are: Jim Righeimer and Wendy Leece.

In addition, the final results of the votes cast for Measure L reflect that 14,227 were in support of the measure and 13,048 did not support the measure. Requiring only a majority vote Measure L is therefore approved and Ordinance No. 10-18 is adopted (Attachment 2) as approved by the voters at the election.

ALTERNATIVES CONSIDERED:

No alternatives have been considered, as it is a State Code requirement that the results, certified by the Board of the Supervisors, also be certified by the City Council.

FISCAL REVIEW:

No fiscal review was required for the declaration of results.

LEGAL REVIEW:

Legal has reviewed the resolution and approved it as to form.

CONCLUSION:

The election was held and conducted as required by law and the results have been determined. It is requested that the City Council adopt the attached resolution certifying

the results of the election, approve the voter adopted Ordinance No. 10-18, followed by the swearing into office of the newly elected City Council Members by the City Clerk.

JULIE FOLICK

City Clerk

ALLAN ROEDER

City Manager

DISTRIBUTION: City Council
City Manager
Asst. City Manager
City Attorney

ATTACHMENTS: 1 Resolution Declaring the Results of the General
Municipal Election Held November 2, 2010

2 Ordinance No. 10-18 – TOT increase to eight
percent.

Election Results Resolution for 2010

November 30, 2010

6:00 P.M.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 2, 2010; DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

WHEREAS, a General Municipal Election was held and conducted in the City of Costa Mesa, California, on Tuesday, November 2, 2010, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed; and that in all respects, the election was held and conducted, and votes were cast, received, and canvassed, and the returns made and declared in time, form, and manner as required by the provisions of the Elections Code of the State of California for holding elections in general law cities; and

WHEREAS, pursuant to Resolution No. 10-36, adopted June 1, 2010, and Resolution No. 10-45, adopted June 22, 2010, the election was consolidated with the Statewide General Election; the Registrar of Voters of the County of Orange canvassed the returns of the election, certified the results to this City Council, and the results are received, attached, and made a part hereof as Exhibit "A";

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

SECTION 1. That the whole number of ballots cast in the precincts, except vote-by-mail ballots was 16,058; that the whole number of vote-by-mail ballots cast in the City was 13,758; making a total of 29,816 ballots cast in the City

SECTION 2. That the names of persons voted for at the election for Member of the City Council are as follows: JIM RIGHEIMER, WENDY LEECE, SUE LESTER, CHAD W. PETSCHL, AND CHRIS MCEVOY; and

That the question for Measure L considered by the electorate was as follows:

Shall the City increase the existing Transient Occupancy Tax from 6% to 8%, which tax is, and will continue to be, imposed only on transients occupying hotels and motels within the City, for the funding of general city services and programs?	YES
	NO

SECTION 3. That the number of votes given at each precinct, the number of votes given in the City to each above-named candidate for Member of the City Council, and for and against Measure L were as listed in Exhibit "A" attached hereto.

SECTION 4. The City Council does hereby declare and determine that JIM RIGHEIMER and WENDY LEECE were elected as Members of the City Council for the full term of four years; and

That as a result of the election, a majority of the voters voting on Measure L relating to an increase in the Transient Occupancy Tax (TOT) to 8 percent did vote in favor of it and that the measure carried and Ordinance No. 10-18 shall be deemed adopted and ratified.

SECTION 5. The City Clerk shall enter into the records of the City Council of the City, a statement of the results of the election showing:

(1) The whole number of ballots cast in the City; (2) The names of the persons voted for; (3) The Measure voted upon; (4) The office for which each person was voted for; (5) The number of votes given at each precinct to each person and for and against the measure; (6) The total number of votes given to each person and for and against the measure.

SECTION 6. The City Clerk shall immediately make and deliver to each of the persons so elected, a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected, the Oath of Office prescribed in the Constitution of the State of California, and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall be inducted into the respective office to which they have been elected.

SECTION 7. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 7th day of December, 2010.

Mayor of the City of Costa Mesa

ATTEST:

City Clerk of the City of Costa Mesa

APPROVED AS TO FORM

City Attorney

CERTIFIED STATEMENT OF THE VOTES CAST

at the

GENERAL ELECTION

November 2, 2010

in the

County of Orange, State of California

FILED _____, 2010

DEBRA BOWEN, SECRETARY OF STATE

BY _____ DEPUTY

State of California)

) ss

County of Orange)

I, Neal Kelley, Registrar of Voters of Orange County, do hereby certify that the within is a true and correct statement of the votes cast in this county at the General Election, as determined by the canvass of the returns of said election.

I further certify the results of the 1 percent manual tally contained no discrepancies between the machine count and the manual tally.

WITNESS my hand and Official Seal

THIS 22nd DAY OF Nov, 2010

 _____, REGISTRAR OF VOTERS



CITY OF COSTA MESA Member, City Council												
Precinct	Party Member Registration	Ballots Cast	Turnout	CITY OF COSTA MESA Member, City Council	CHAD W PETSCHL	CHRIS MCEVOY	JIM RIGHEIMER	SUE LESTER	WENDY LEECE			
0052003	800	301	37.63%		14	124	110	45	81			
0052004	1075	579	53.86%		46	204	258	67	221			
0052007	1162	668	57.49%		36	252	254	72	234			
0052009	1002	655	65.37%		53	226	264	91	269			
0052010	860	260	30.23%		15	112	88	45	69			
0052011	1039	687	66.12%		38	263	300	93	299			
0052016	855	351	41.05%		25	147	109	56	118			
0052020	1052	585	55.61%		26	274	226	84	247			
0052022	1052	609	57.89%		35	228	264	75	286			
0052023	0	1	0.00%		0	0	0	0	0			
0052024	507	233	45.96%		20	87	99	27	70			
0052026	854	450	52.69%		29	166	172	65	147			
0052027	76	52	68.42%		8	16	27	0	27			
0052028	1087	544	50.05%		29	202	248	65	230			
0052031	931	447	48.01%		25	151	173	65	155			
0052035	771	479	62.13%		23	173	232	68	172			
0052037	864	462	53.47%		23	187	231	52	182			
0052045	972	622	63.99%		27	235	287	113	220			
0052047	70	41	58.57%		2	15	24	3	14			
0052048	60	41	68.33%		1	19	20	4	19			
0052049	62	34	54.84%		2	5	16	3	14			
0052051	850	581	68.35%		23	215	284	83	213			
0052053	733	533	72.71%		24	189	290	53	245			
0052059	942	434	46.07%		24	150	183	50	165			
0052061	1047	321	30.66%		15	101	137	37	106			
0052132	851	452	53.11%		23	114	226	40	233			
0052166	816	429	52.57%		17	179	194	49	213			
0052167	1084	620	57.20%		43	247	270	86	273			
0052173	743	411	55.32%		35	149	181	60	150			
0052177	751	324	43.14%		27	124	152	56	114			
0052179	791	570	72.06%		20	165	365	51	238			
0052181	755	435	57.62%		23	204	168	57	178			
0052183	697	443	63.56%		27	161	199	46	185			
0052184	1153	556	48.22%		29	179	224	66	194			
0052192	979	291	29.72%		16	89	115	32	86			
0052197	715	448	62.66%		23	156	199	57	199			
0052201	657	484	73.67%		27	217	218	67	196			
0052203	679	481	70.84%		27	170	250	44	240			
0052208	684	242	35.38%		9	86	84	38	77			
0052209	824	299	36.29%		10	132	113	44	95			
0052212	1299	490	37.72%		32	171	197	91	167			
0052213	905	483	53.37%		31	160	196	72	181			
0052219	419	207	49.40%		14	70	72	20	63			
0052224	1219	507	41.59%		35	136	198	44	136			
0052225	812	489	60.22%		32	162	230	46	244			
0052601	1828	719	39.33%		54	298	259	120	230			
0052602	590	255	43.22%		15	112	72	48	77			
0052603	1452	542	37.33%		30	159	195	70	177			
0052604	1460	725	49.66%		25	275	280	102	269			
0052605	1881	1073	57.04%		72	443	449	171	410			

Precinct	Party Member Registration	Ballots Cast	Turnout	CITY OF COSTA MESA Member, City Council	CHAD W PETSCHL	CHRIS MCEVOY	JIM RIGHEIMER	SUE LESTER	WENDY LEECE
0052606	1946	1096	56.32%		76	497	392	170	414
0052607	2306	889	38.55%		65	328	330	130	309
0052608	2375	1333	56.13%		81	430	600	172	497
0052609	918	530	57.73%		21	184	255	71	202
0052610	1676	967	57.70%		60	362	425	128	405
0052611	841	504	59.93%		24	165	270	47	207
0052612	1119	532	47.54%		30	218	206	76	205
0052613	1501	1053	70.15%		57	321	646	110	466
0052614	1192	662	55.54%		33	211	341	50	327
0052615	508	222	43.70%		10	67	94	21	82
0052901	1	1	100.00%		0	0	0	0	1
0052902	0	0	0.00%		0	0	0	0	0
0052903	0	0	0.00%		0	0	0	0	0
0052904	51	34	66.67%		2	11	20	6	12
0052905	0	0	0.00%		0	0	0	0	0
0052906	0	0	0.00%		0	0	0	0	0
0052907	89	48	53.93%		3	13	16	7	17
0052908	0	0	0.00%		0	0	0	0	0
0052909	0	0	0.00%		0	0	0	0	0
0052910	0	0	0.00%		0	0	0	0	0
Totals:	57290	29816	52.04%		1721	10846	12997	3881	11572

CITY OF COSTA MESA Member, City Council										
District	Party Member Registration	Ballots Cast	Turnout	CITY OF COSTA MESA Member, City Council	CHAD W PETSCHL	CHRIS MCEVOY	JIM RIGHEIMER	SUE LESTER	WENDY LEECE	
2nd Supervisorial District	57290	13758	24.01%		711	4684	6357	1642	5793	
35th Senate District	57290	13758	24.01%		711	4684	6357	1642	5793	
46th Congressional District	57290	13758	24.01%		711	4684	6357	1642	5793	
5th Judicial (Harbor Court)	57290	13758	24.01%		711	4684	6357	1642	5793	
68th Assembly District	57228	13757	24.04%		711	4684	6357	1642	5793	
70th Assembly District	62	1	1.61%		0	0	0	0	0	
Coast Community College District	57201	13755	24.05%		711	4684	6355	1642	5790	
Coast Community College District Trustee Area	28977	7087	24.46%		358	2470	3379	859	3033	
Coast Community College District Trustee Area	30876	7352	23.81%		371	2437	3308	859	3078	
Costa Mesa	57290	13758	24.01%		711	4684	6357	1642	5793	
Costa Mesa Sanitary District	57289	13757	24.01%		711	4684	6357	1642	5792	
County Board of Education Trustee Area 2	57098	13757	24.09%		711	4684	6357	1642	5793	
County Board of Education Trustee Area 5	192	1	0.52%		0	0	0	0	0	
Irvine Ranch Water District	4657	1123	24.11%		56	369	467	135	440	
Mesa Consolidated Water District	51868	12444	23.99%		645	4247	5797	1479	5260	
Mesa Consolidated Water District Division 1	7286	1710	23.47%		111	645	711	244	677	
Mesa Consolidated Water District Division 2	10823	3111	28.74%		147	1023	1656	343	1380	
Mesa Consolidated Water District Division 3	12972	2884	22.23%		153	900	1408	299	1292	
Mesa Consolidated Water District Division 4	8811	1892	21.47%		83	688	814	231	796	
Mesa Consolidated Water District Division 5	11976	2847	23.77%		151	991	1208	362	1115	
Municipal Water District Of Orange County	57290	13758	24.01%		711	4684	6357	1642	5793	
Municipal Water District of Orange County Div	52633	12635	24.01%		655	4315	5890	1507	5353	
Municipal Water District of Orange County Div	4657	1123	24.11%		56	369	467	135	440	
Newport-Mesa Unified School District	57201	13755	24.05%		711	4684	6355	1642	5790	
Newport-Mesa Unified School District Trustee	12572	3683	29.30%		174	1198	1963	405	1670	
Newport-Mesa Unified School District Trustee	22370	4853	21.69%		227	1621	2235	546	2113	
Newport-Mesa Unified School District Trustee	6266	1495	23.86%		69	493	635	186	578	
Newport-Mesa Unified School District Trustee	7669	1937	25.26%		103	681	810	233	785	
Newport-Mesa Unified School District Trustee	13999	3012	21.52%		177	1108	1242	441	1185	
Orange County	57290	13758	24.01%		711	4684	6357	1642	5793	
Orange County Water District	57290	13758	24.01%		711	4684	6357	1642	5793	
Orange County Water District Division 7	57290	13758	24.01%		711	4684	6357	1642	5793	
Rancho Santiago Community College District	89	3	3.37%		0	0	2	0	3	
Rancho Santiago Community College District	89	3	3.37%		0	0	2	0	3	
Santa Ana Unified School District	89	3	3.37%		0	0	2	0	3	
State Board of Equalization (3rd District)	57290	13758	24.01%		711	4684	6357	1642	5793	
Totals:	57290	13758	24.01%		711	4684	6357	1642	5793	

CITY OF COSTA MESA Member, City Council										
District	Party Member Registration	Ballots Cast	Turnout	CITY OF COSTA MESA Member, City Council	CHAD W PETSCHL	CHRIS MCEVOY	JIM RIGHEIMER	SUE LESTER	WENDY LEECE	
2nd Supervisorial District	57290	29816	52.04%		1721	10846	12997	3881	11572	
35th Senate District	57290	29816	52.04%		1721	10846	12997	3881	11572	
46th Congressional District	57290	29816	52.04%		1721	10846	12997	3881	11572	
5th Judicial (Harbor Court)	57290	29816	52.04%		1721	10846	12997	3881	11572	
68th Assembly District	57228	29782	52.04%		1719	10841	12981	3878	11558	
70th Assembly District	62	34	54.84%		2	5	16	3	14	
Coast Community College District	57201	29768	52.04%		1718	10833	12981	3874	11555	
Coast Community College District Trustee Area	28977	15082	52.05%		836	5672	6667	2041	5925	
Coast Community College District Trustee Area	30876	16073	52.06%		940	5647	6935	1985	6226	
Costa Mesa	57290	29816	52.04%		1721	10846	12997	3881	11572	
Costa Mesa Sanitary District	57289	29815	52.04%		1721	10846	12997	3881	11571	
County Board of Education Trustee Area 2	57098	29700	52.02%		1716	10807	12937	3871	11525	
County Board of Education Trustee Area 5	192	116	60.42%		5	39	60	10	47	
Irvine Ranch Water District	4657	2569	55.16%		154	865	1090	318	939	
Mesa Consolidated Water District	51868	26852	51.77%		1552	9813	11733	3520	10432	
Mesa Consolidated Water District Division 1	7286	3713	50.96%		243	1466	1418	593	1385	
Mesa Consolidated Water District Division 2	10823	6430	59.41%		324	2304	3219	821	2619	
Mesa Consolidated Water District Division 3	12972	6369	49.10%		361	2143	2861	724	2590	
Mesa Consolidated Water District Division 4	8811	4190	47.55%		233	1653	1697	540	1624	
Mesa Consolidated Water District Division 5	11976	6150	51.35%		391	2247	2538	842	2214	
Municipal Water District Of Orange County	57290	29816	52.04%		1721	10846	12997	3881	11572	
Municipal Water District of Orange County Div	52633	27247	51.77%		1567	9981	11907	3563	10633	
Municipal Water District of Orange County Div	4657	2569	55.16%		154	865	1090	318	939	
Newport-Mesa Unified School District	57201	29768	52.04%		1718	10833	12981	3874	11555	
Newport-Mesa Unified School District Trustee	12572	7527	59.87%		387	2659	3779	923	3146	
Newport-Mesa Unified School District Trustee	22370	10750	48.06%		581	3891	4618	1280	4301	
Newport-Mesa Unified School District Trustee	6266	3487	55.65%		199	1207	1487	455	1250	
Newport-Mesa Unified School District Trustee	7669	4016	52.37%		247	1431	1654	519	1484	
Newport-Mesa Unified School District Trustee	13999	6578	46.99%		417	2585	2493	1021	2398	
Orange County	57290	29816	52.04%		1721	10846	12997	3881	11572	
Orange County Water District	57290	29816	52.04%		1721	10846	12997	3881	11572	
Orange County Water District Division 7	57290	29816	52.04%		1721	10846	12997	3881	11572	
Rancho Santiago Community College District	89	48	53.93%		3	13	16	7	17	
Rancho Santiago Community College District	89	48	53.93%		3	13	16	7	17	
Santa Ana Unified School District	89	48	53.93%		3	13	16	7	17	
State Board of Equalization (3rd District)	57290	29816	52.04%		1721	10846	12997	3881	11572	
Totals:	57290	29816	52.04%		1721	10846	12997	3881	11572	

L - Costa Mesa, Transient Occupancy Rate Increase												
Precinct	Party Member Registration	Ballots Cast	Turnout	L - Costa Mesa, Transient Occupancy Rate Increase		No	Yes					
0052003	800	301	37.63%			137	130					
0052004	1075	579	53.86%			256	271					
0052007	1162	668	57.49%			267	345					
0052009	1002	655	65.37%			256	335					
0052010	860	260	30.23%			133	90					
0052011	1039	687	66.12%			273	359					
0052016	855	351	41.05%			155	158					
0052020	1052	585	55.61%			236	306					
0052022	1052	609	57.89%			238	326					
0052023	0	1	0.00%			1	0					
0052024	507	233	45.96%			100	111					
0052026	854	450	52.69%			197	206					
0052027	76	52	68.42%			21	25					
0052028	1087	544	50.05%			255	248					
0052031	931	447	48.01%			184	214					
0052035	771	479	62.13%			197	240					
0052037	864	462	53.47%			220	203					
0052045	972	622	63.99%			271	305					
0052047	70	41	58.57%			14	25					
0052048	60	41	68.33%			13	22					
0052049	62	34	54.84%			16	17					
0052051	850	581	68.35%			250	281					
0052053	733	533	72.71%			200	299					
0052059	942	434	46.07%			202	194					
0052061	1047	321	30.66%			141	157					
0052132	851	452	53.11%			205	200					
0052166	816	429	52.57%			180	218					
0052167	1084	620	57.20%			241	328					
0052173	743	411	55.32%			191	176					
0052177	751	324	43.14%			162	146					
0052179	791	570	72.06%			225	297					
0052181	755	435	57.62%			190	200					
0052183	697	443	63.56%			172	237					
0052184	1153	556	48.22%			239	263					
0052192	979	291	29.72%			129	137					
0052197	715	448	62.66%			215	192					
0052201	657	484	73.67%			194	251					
0052203	679	481	70.84%			185	274					
0052208	684	242	35.38%			129	79					
0052209	824	299	36.29%			142	137					
0052212	1299	490	37.72%			247	202					
0052213	905	483	53.37%			197	240					
0052219	419	207	49.40%			109	64					
0052224	1219	507	41.59%			250	195					
0052225	812	489	60.22%			206	251					
0052601	1828	719	39.33%			355	310					
0052602	590	255	43.22%			108	108					
0052603	1452	542	37.33%			259	223					
0052604	1460	725	49.66%			338	315					
0052605	1881	1073	57.04%			450	543					

Precinct	Party Member Registration	Ballots Cast	Turnout	L - Costa Mesa, Transient Occupancy Rate Increase	No	Yes					
0052606	1946	1096	56.32%		481	524					
0052607	2306	889	38.55%		450	371					
0052608	2375	1333	56.13%		549	677					
0052609	918	530	57.73%		227	260					
0052610	1676	967	57.70%		423	473					
0052611	841	504	59.93%		241	231					
0052612	1119	532	47.54%		256	241					
0052613	1501	1053	70.15%		412	578					
0052614	1192	662	55.54%		311	287					
0052615	508	222	43.70%		108	93					
0052901	1	1	100.00%		0	1					
0052902	0	0	0.00%		0	0					
0052903	0	0	0.00%		0	0					
0052904	51	34	66.67%		14	16					
0052905	0	0	0.00%		0	0					
0052906	0	0	0.00%		0	0					
0052907	89	48	53.93%		25	22					
0052908	0	0	0.00%		0	0					
0052909	0	0	0.00%		0	0					
0052910	0	0	0.00%		0	0					
Totals:	57290	29816	52.04%		13048	14227					

L - Costa Mesa, Transient Occupancy Rate Increase									
District	Party Member Registration	Ballots Cast	Turnout	L - Costa Mesa, Transient Occupancy Rate Increase	No	Yes			
2nd Supervisorial District	57290	13758	24.01%		5556	7103			
35th Senate District	57290	13758	24.01%		5556	7103			
46th Congressional District	57290	13758	24.01%		5556	7103			
5th Judicial (Harbor Court)	57290	13758	24.01%		5556	7103			
68th Assembly District	57228	13757	24.04%		5555	7103			
70th Assembly District	62	1	1.61%		1	0			
Coast Community College District	57201	13755	24.05%		5553	7103			
Coast Community College District Trustee Area	28977	7087	24.46%		2886	3681			
Coast Community College District Trustee Area	30876	7352	23.81%		2960	3758			
Costa Mesa	57290	13758	24.01%		5556	7103			
Costa Mesa Sanitary District	57289	13757	24.01%		5556	7102			
County Board of Education Trustee Area 2	57098	13757	24.09%		5555	7103			
County Board of Education Trustee Area 5	192	1	0.52%		1	0			
Irvine Ranch Water District	4657	1123	24.11%		415	609			
Mesa Consolidated Water District	51868	12444	23.99%		5073	6387			
Mesa Consolidated Water District Division 1	7286	1710	23.47%		714	859			
Mesa Consolidated Water District Division 2	10823	3111	28.74%		1195	1685			
Mesa Consolidated Water District Division 3	12972	2884	22.23%		1227	1448			
Mesa Consolidated Water District Division 4	8811	1892	21.47%		798	960			
Mesa Consolidated Water District Division 5	11976	2847	23.77%		1139	1435			
Municipal Water District Of Orange County	57290	13758	24.01%		5556	7103			
Municipal Water District of Orange County Div	52633	12635	24.01%		5141	6494			
Municipal Water District of Orange County Div	4657	1123	24.11%		415	609			
Newport-Mesa Unified School District	57201	13755	24.05%		5553	7103			
Newport-Mesa Unified School District Trustee	12572	3683	29.30%		1443	1970			
Newport-Mesa Unified School District Trustee	22370	4853	21.69%		2043	2449			
Newport-Mesa Unified School District Trustee	6266	1495	23.86%		546	813			
Newport-Mesa Unified School District Trustee	7669	1937	25.26%		760	995			
Newport-Mesa Unified School District Trustee	13999	3012	21.52%		1318	1468			
Orange County	57290	13758	24.01%		5556	7103			
Orange County Water District	57290	13758	24.01%		5556	7103			
Orange County Water District Division 7	57290	13758	24.01%		5556	7103			
Rancho Santiago Community College District	89	3	3.37%		3	0			
Rancho Santiago Community College District	89	3	3.37%		3	0			
Santa Ana Unified School District	89	3	3.37%		3	0			
State Board of Equalization (3rd District)	57290	13758	24.01%		5556	7103			
Totals:	57290	13758	24.01%		5556	7103			

L - Costa Mesa, Transient Occupancy Rate Increase									
District	Party Member Registration	Ballots Cast	Turnout	L - Costa Mesa, Transient Occupancy Rate Increase		No	Yes		
2nd Supervisorial District	57290	29816	52.04%			13048	14227		
35th Senate District	57290	29816	52.04%			13048	14227		
46th Congressional District	57290	29816	52.04%			13048	14227		
5th Judicial (Harbor Court)	57290	29816	52.04%			13048	14227		
68th Assembly District	57228	29782	52.04%			13032	14210		
70th Assembly District	62	34	54.84%			16	17		
Coast Community College District	57201	29768	52.04%			13023	14205		
Coast Community College District Trustee Area	28977	15082	52.05%			6600	7287		
Coast Community College District Trustee Area	30876	16073	52.06%			7072	7520		
Costa Mesa	57290	29816	52.04%			13048	14227		
Costa Mesa Sanitary District	57289	29815	52.04%			13048	14226		
County Board of Education Trustee Area 2	57098	29700	52.02%			13005	14163		
County Board of Education Trustee Area 5	192	116	60.42%			43	64		
Irvine Ranch Water District	4657	2569	55.16%			1052	1294		
Mesa Consolidated Water District	51868	26852	51.77%			11830	12731		
Mesa Consolidated Water District Division 1	7286	3713	50.96%			1656	1727		
Mesa Consolidated Water District Division 2	10823	6430	59.41%			2698	3267		
Mesa Consolidated Water District Division 3	12972	6369	49.10%			2880	2924		
Mesa Consolidated Water District Division 4	8811	4190	47.55%			1920	1916		
Mesa Consolidated Water District Division 5	11976	6150	51.35%			2676	2897		
Municipal Water District Of Orange County	57290	29816	52.04%			13048	14227		
Municipal Water District of Orange County Div	52633	27247	51.77%			11996	12933		
Municipal Water District of Orange County Div	4657	2569	55.16%			1052	1294		
Newport-Mesa Unified School District	57201	29768	52.04%			13023	14205		
Newport-Mesa Unified School District Trustee	12572	7527	59.87%			3176	3786		
Newport-Mesa Unified School District Trustee	22370	10750	48.06%			4891	4903		
Newport-Mesa Unified School District Trustee	6266	3487	55.65%			1438	1737		
Newport-Mesa Unified School District Trustee	7669	4016	52.37%			1709	1927		
Newport-Mesa Unified School District Trustee	13999	6578	46.99%			3055	2964		
Orange County	57290	29816	52.04%			13048	14227		
Orange County Water District	57290	29816	52.04%			13048	14227		
Orange County Water District Division 7	57290	29816	52.04%			13048	14227		
Rancho Santiago Community College District	89	48	53.93%			25	22		
Rancho Santiago Community College District	89	48	53.93%			25	22		
Santa Ana Unified School District	89	48	53.93%			25	22		
State Board of Equalization (3rd District)	57290	29816	52.04%			13048	14227		
Totals:	57290	29816	52.04%			13048	14227		

ORDINANCE NO. 10-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA REPEALING AND REPLACING SECTION 16-68 OF CHAPTER IV OF THE COSTA MESA MUNICIPAL CODE REGARDING THE CITY'S TRANSIENT OCCUPANY TAX

WHEREAS, the City currently imposes a six percent (6%) tax for the privilege of occupying a hotel room on a transient basis pursuant to Title 16, Chapter IV of the Costa Mesa Municipal Code; and

WHEREAS, the City's Transient Occupancy Tax is currently, and will continue to be, deposited into the City's General Fund for the City's regular expenses, which include services and programs of which transients make use while temporarily in the City; and

WHEREAS, the electors of the City of Costa Mesa at a regular municipal election on November 2, 2010, approved a City Measure to increase the City's Transient Occupancy tax from six percent (6%) to eight percent (8%).

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

Section 1. Section 16-68 of Title 16 (Taxation), of Chapter IV (Transient Occupancy Tax) of the Costa Mesa Municipal Code is hereby repealed and replaced in its entirety with the following:

Section 16-68 - Tax imposed; nature; payment.

For the privilege of occupancy in any hotel or motel, each transient is subject to and shall pay a tax in the amount of eight percent of the rent charged by the operator. The tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel or motel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel or motel. If for any reason the tax due is not paid to the operator of the hotel or motel, the finance department may require that the tax shall be paid directly to the finance department.

Section 2. In all other respects, the existing Transient Occupancy Tax, including the method of collection shall remain the same as currently provided in

Title 16 (Taxation), Chapter IV (Transient Occupancy Tax) of the Costa Mesa Municipal Code.

Section 3. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Costa Mesa hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 5. Any legal action to challenge, test, or otherwise determine the validity of this ordinance, or any portion thereof and the tax imposed thereby must be brought within sixty days of the effective date of this ordinance, in accordance with the provisions of California Code of Civil Procedure Section 860 et seq., and Sections 860 and 863 in particular.

Section 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect 30 days after its final passage.

PASSED AND ADOPTED this 7th day of December, 2010.

MAYOR OF CITY OF COSTA MESA

ATTEST:

Julie Folcik, City Clerk of the City of Costa Mesa

APPROVED AS TO FORM:

Kimberly Hall Barlow, City
Attorney