



CITY OF COSTA MESA

REGULAR CITY COUNCIL AND HOUSING AUTHORITY*

Agenda

Tuesday, September 16, 2025

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**

**Council Member Marr will be attending the meeting via Zoom Webinar from:
DoubleTree by Hilton Newark Penn Station
1048 Raymond Blvd, Newark, NJ 07102**

The City Council meetings are presented in a hybrid format, both in-person at City Hall and as a courtesy virtually via Zoom Webinar. If the Zoom feature is having technical difficulties or experiencing any other critical issues, and unless required by the Brown Act, the meeting will continue in person.

TRANSLATION SERVICES AVAILABLE / SERVICIOS DE TRADUCCIÓN DISPONIBLE
Please contact the City Clerk at (714) 754-5225 to request language interpreting services for City meetings. Notification at least 48 hours prior to the meeting will enable the City to make arrangements.

Favor de comunicarse con la Secretaria Municipal al (714) 754-5225 para solicitar servicios de interpretación de idioma para las juntas de la Ciudad. Se pide notificación por lo mínimo 48 horas de anticipación, esto permite que la Ciudad haga los arreglos necesarios.

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.

Closed Captioning is available via the Zoom option in English and Spanish.

Members of the public are welcome to speak during the meeting when the Mayor opens the floor for public comment. There is no need to register in advance or complete a comment card. When it's time to comment, line up at one of the two podiums in the room and wait for your turn. Each speaker will have up to 3 minutes (or as directed) to address the City Council.

To maintain a respectful and orderly atmosphere during the meeting, attendees shall refrain from using horns or amplified speakers. Signs and props may be brought into the Chamber, provided they do not exceed 11 inches by 18 inches in size and do not hinder the visibility of other attendees. The possession of poles, sticks, or stakes is strictly prohibited.

All attendees must remain seated while in the chamber until instructed by the Presiding Officer to approach and line up for public comment. To ensure safety and maintain order during the proceedings, standing or congregating in the aisles or foyer is strictly prohibited.

Further information regarding the City's regulations on addressing the City Council and expected conduct during meetings are available at the following links.

Title 2: Administration

§ 2-61: Conduct while addressing the council.

<https://ecode360.com/42609578>

Title 2: Administration

§ 2-64: Disorderliness by members of the audience.

<https://ecode360.com/42609598>

As a courtesy, the public may participate via the Zoom option.

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/87648515182?pwd=nhuXL3BJXPtafHvmg6Y3QK4k9OpZyO.1>

Or sign into Zoom.com and "Join a Meeting"

Enter Webinar ID: 876 4851 5182/ Password: 789010

- 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: 876 4851 5182/ Password: 789010
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.

Note, if you have installed a zoom update, please restart your computer before participating in the meeting.

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.

Any written communications, photos, or other materials for copying and distribution to the City Council that are 10 pages or less, can be e-mailed to cityclerk@costamesaca.gov, submitted to the City Clerk's Office on a flash drive, or mailed to the City Clerk's Office. Kindly submit materials to the City Clerk AS EARLY AS POSSIBLE, BUT NO LATER THAN 12:00 p.m. on the day of the meeting.

Comments received by 12:00 p.m. on the day of the meeting will be provided to the City Council, made available to the public, and will be part of the meeting record.

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. This includes items submitted for the overhead screen during the meeting. Items submitted for the overhead screen should be 1 page and provided to the City Clerk prior to the start of the meeting. 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. Agendas and reports can be viewed on the City website at <https://costamesa.legistar.com/Calendar.aspx>. Las agendas y los informes se pueden ver en español en el sitio web de la Ciudad en <https://www.costamesaca.gov/trending/current-agendas/spanish-city-council-agendas>.

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].

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].

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 LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
National Opioid Settlement: Purdue Pharma L.P.
USDC, Northern District of Ohio, MDL No. 2804
Rubris Reference Number: CL-1732251
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
National Opioids Settlements: Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, Zydus
USDC, Northern District of Ohio, MDL No. 2804
Rubris Reference Number: CL-1763034
3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Schaefer v. City of Costa Mesa
Orange County Superior Court Case No. 30-2022-01286737-CU-PO-CJC
4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: City of Costa Mesa; People of State of Cal. v. D'Alessio Investments LLC, et al.
440 Fair Dr. and 1779 Newport Blvd.
Orange County Superior Court Case No. 30-2020-01170520-CU-OR-CJC
5. PUBLIC EMPLOYEE APPOINTMENT
Pursuant to California Government Code Section 54957(b)(1)
Title: City Manager

REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY

SEPTEMBER 16, 2025 – 6:00 P.M.

JOHN STEPHENS
Mayor

MANUEL CHAVEZ
Mayor Pro Tem - District 4

ANDREA MARR
Council Member - District 3

ARLIS REYNOLDS
Council Member - District 5

LOREN GAMEROS
Council Member - District 2

JEFF PETTIS
Council Member - District 6

MIKE BULEY
Council Member - District 1

KIMBERLY HALL BARLOW
City Attorney

CECILIA GALLARDO-DALY
Interim City Manager

CALL TO ORDER

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE

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.]

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

PRESENTATIONS:

1. Presentation: Recognition of Anna Dolewski for Outstanding Public Service

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Comments on Presentations and Consent Calendar items may also be heard at this time. Comments are limited to 3 minutes, or as otherwise directed.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Each council member is limited to 3 minutes. Additional comments will be heard at the end of the meeting.

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

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

CONSENT CALENDAR

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 25-455 ORDINANCES AND RESOLUTIONS**](#)

RECOMMENDATION:

City Council and Housing Authority approve the reading by title only and waive further reading of Ordinances and Resolutions.

2. [**READING FOLDER**](#) [**25-456**](#)

RECOMMENDATION:

City Council receive and file Claims received by the City Clerk and authorize staff to reject any and all Claims: Blanco Amaro, Craig Marshall, Michael Porteous.

3. **[ADOPTION OF WARRANT RESOLUTION](#)** **[25-430](#)**

RECOMMENDATION:

City Council approve Warrant Resolution No. 2740.

Attachments: [1. Summary Check Registration 8-21-2025](#)

4. **[MINUTES](#)** **[25-457](#)**

RECOMMENDATION:

City Council approve the minutes of the regular meeting of August 5, 2025.

Attachments: [1. 08-05-2025 Draft Minutes](#)

5. **[DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE 25-402
2025 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE](#)**

RECOMMENDATION:

Staff recommends the City Council designate Council Member Mike Buley as Costa Mesa's voting delegate and Deputy City Manager Alma Reyes as the alternate for the 2025 League of California Cities Annual Conference.

6. **[ADOPT LEGISLATIVE PLATFORM AND UPDATES TO COUNCIL 25-439
POLICY 000-8](#)**

RECOMMENDATION:

Staff recommends the City Council adopt Legislative Platform and revisions to Council Policy 000-8 on Legislative Positions.

Attachments: [1. Legislative Platform Principles 2025](#)
[2. Council Policy 00-8 Legislative Positions updates](#)

7. **COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF ORANGE 25-428
AND THE CITY OF COSTA MESA FOR BRIDGE MAINTENANCE
REPAIRS ON THE ADAMS AVENUE BRIDGE OVER THE SANTA ANA
RIVER AND GREENVILLE BANNING CHANNEL**

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the proposed Cooperative Agreement between the County of Orange and the City of Costa Mesa for funding and maintenance of the Adams Avenue Bridge over the Santa Ana River and Greenville Banning Channel.
2. Authorize the Interim City Manager and the City Clerk to execute the Cooperative Agreement and future amendments thereto.

Attachments: [1. Location Map](#)
[2. Proposed Coop Agreement](#)

8. **APPROVAL OF A SUMMARY VACATION OF EXCESS 25-429
RIGHT-OF-WAY AT 174 EAST 19TH STREET**

RECOMMENDATION:

Staff recommends the City Council:

Adopt Resolution No. 2025-xx ordering the summary vacation of a portion of right-of-way at 174 East 19th Street and authorize the execution of the Quitclaim Deed by the Mayor and the City Clerk.

Attachments: [1. Location Map](#)
[2. Class III Cross Section](#)
[3. PC Resolution 2024-28](#)
[4. Proposed Resolution](#)
[5. Quitclaim Deed](#)

9. [AWARD OF THE NORMA HERTZOG COMMUNITY CENTER ROOF 25-435 REPLACEMENT PROJECT, CITY PROJECT NO. 25-05](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Award a Public Works Agreement (PWA) in the amount of \$745,276 to C.I. Services, Inc. 1145 E. Stanford Court, Anaheim, CA, 92805 to remove and replace metal roofing panels.
2. Authorize a ten percent (10%) contingency in the amount of \$74,528 for unforeseen costs related to the project.
3. Authorize the Interim City Manager and City Clerk to execute the PWA and any future amendments to the agreement.
4. Authorize a budget transfer of \$191,206 in City Capital Improvement Program funds from the Lions Park Café Project (#800032) to the Norma Hertzog Community Center Roof Replacement Project (#210025).

Attachments: [1. Bid Abstract](#)
[2. PWA](#)

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. [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 \(PLANNING ZONING AND DEVELOPMENT\) OF THE COSTA MESA MUNICIPAL CODE \(PLANNING ZONING AND DEVELOPMENT\) TO PROVIDE TECHNICAL UPDATES AND CLARIFICATIONS \(CODE AMENDMENT PCTY-25-0001\) AND A RESOLUTION TO UPDATE THE PROCEDURE FOR DETERMINING SHARED PARKING REQUIREMENTS AND FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT](#)

RECOMMENDATION:

Planning Commission recommends the City Council:

1. Find that the project is Exempt from the California Environmental Quality Act (CEQA), Section 15061(b)(3) ("Common Sense Exemption"); and
2. Introduce for first reading, by title only, Ordinance No. 2025-XX approving Code Amendment PCTY-25-0001, amending Title 13 of the Costa Mesa Municipal Code (Planning, Zoning, and Development) to modify the City's Zoning Code to provide technical updates and clarifications.
3. Adopt Resolution No. 2025-XX amending the City of Costa Mesa Procedure for Determining Shared Parking Requirements table to reflect current parking trends.

Attachments: [Agenda Report](#)

- [1. Draft Ordinance](#)
- [2. Draft Resolution](#)
- [3. Proposed Shared Parking Requirements](#)
- [4. Legislative Digest](#)
- [5. Current Shared Parking Requirements](#)
- [6. Walls, Fences and Landscape Standards](#)
- [7. Zoning Administrator Determinations](#)
- [8. Ordinance No. 2021-21](#)
- [9. June 23 Staff Report and Minutes](#)
- [10. July 28 Staff Report and Minutes](#)
- [11. August 25 Staff Report and Minutes](#)

OLD BUSINESS:

1. [ADOPTION OF AN ORDINANCE ADDING CHAPTER XVI 25-438 \(PROHIBITION ON SALE OR DISTRIBUTION OF NITROUS OXIDE\) TO TITLE 11 \(OFFENSES—MISCELLANEOUS\) OF THE COSTA MESA MUNICIPAL CODE TO ESTABLISH REGULATIONS PROHIBITING THE UNLAWFUL SALE OR DISTRIBUTION OF NITROUS OXIDE IN THE CITY](#)

RECOMMENDATION:

Staff recommends the City Council adopt Ordinance No. 2025-xx, adding Chapter XVI (Prohibition on Sale or Distribution of Nitrous Oxide) to Title 11 (Offenses-Miscellaneous) of the Costa Mesa Municipal Code to establish regulations prohibiting the unlawful sale or distribution of nitrous oxide in the City.

Attachments: [1. Nitrous Oxide Ordinance](#)

NEW BUSINESS:

1. [RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD 25-437 PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21224, FOR THE REHIRE OF BATTALION CHIEF WILLIAM KERSHAW](#)

RECOMMENDATION:

Staff recommends the City Council adopt by resolution the exception to the 180-Day Wait Period pursuant to Government Code Sections 7522.56 and 21224 (Attachment 1) to retain the services of retired Battalion Chief William Kershaw.

Attachments: [1. City Council Resolution](#)
[2. Job Offer](#)

2. [ADOPTION OF THE MEMORANDA OF UNDERSTANDING \(MOU\) 25-444 BETWEEN THE CITY OF COSTA MESA \(CITY\) AND THE COSTA MESA POLICE ASSOCIATION \(CMPA\), THE COSTA MESA POLICE MANAGEMENT ASSOCIATION \(CMPMA\), THE COSTA MESA FIREFIGHTERS ASSOCIATION \(CMFA\) AND THE COSTA MESA FIRE MANAGEMENT ASSOCIATION.](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve and adopt the Memorandum of Understanding between the City of Costa Mesa and CMPA (Attachment 1).
2. Approve and adopt the Memorandum of Understanding between the City of Costa Mesa and CMPMA (Attachment 2).
3. Approve and adopt the revised Memorandum of Understanding between the City of Costa Mesa and CMFA (Attachment 3).
4. Approve and adopt the revised Memorandum of Understanding between the City of Costa Mesa and CMFMA (Attachment 4).
5. Authorize the Interim City Manager and members of the City's Negotiation Team to execute the MOUs.

Attachments: [1. MOU with CMPA](#)
[2. MOU with CMPMA](#)
[3. MOU with CMFA](#)
[4. MOU with CMFMA](#)

3. [PROFESSIONAL SERVICES AGREEMENT WITH ENDEMIC ENVIRONMENTAL SERVICES INC. FOR THE FAIRVIEW PARK MESA RESTORATION PROJECT AND ADDENDUM TO THE 1997 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR FAIRVIEW PARK](#)

RECOMMENDATION:

Staff recommends the City Council:

1. Approve the Addendum (Attachment 2) to the 1997 Initial Study/Mitigated Negative Declaration for Fairview Park to address new information regarding biological resources pertinent to the project.
2. Award a Professional Services Agreement (PSA) with Endemic Environmental Services Inc., 110 E Wilshire Avenue, Suite 305, Fullerton, CA 92832, for professional habitat restoration and monitoring services for the Fairview Park Mesa Restoration Project in an amount not to exceed \$1,311,062 for a term of seven (7) years.
3. Authorize a ten percent (10%) contingency in the amount of \$131,106 for any unforeseen costs that may arise.
4. Authorize the Interim City Manager and the City Clerk to execute the Professional Services Agreement and future amendments to the agreement within City Council-authorized limits.

Attachments: [1. Mesa Restoration Project Location Map](#)
[2. Fairview Park Mesa Restoration Addendum](#)
[3. PSA Endemic Environmental Inc Mesa Restoration](#)
[4. Bid Results](#)

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

ADJOURNMENT