



## **REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY FEBRUARY 3, 2026 – MINUTES**

**CALL TO ORDER** – The Closed Session meeting was called to order by Mayor Stephens at 4:00 p.m.

### **ROLL CALL**

**Present:** Council Member Gameros, Council Member Marr, Council Member Pettis, Council Member Reynolds (Arrived at 4:11 p.m.), Mayor Pro Tem Chavez, and Mayor Stephens.

**Absent:** Council Member Buley.

### **PUBLIC COMMENTS**

Dennis D'Alessio spoke about reaching a settlement in his case with the City.

### **CLOSED SESSION ITEMS:**

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATION OF LITIGATION - TWO CASES**  
Pursuant to California Government Code Section 54956.9 (d)(2), Potential Litigation.
- 2. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION – ONE CASE**  
Pursuant to California Government Code Section 54956.9 (d)(4), Potential Litigation.
- 3. THREAT TO PUBLIC SERVICES OR FACILITIES**  
Pursuant to California Government Code Section 54957  
Consultation with: Chief of Police Joyce LaPointe, Costa Mesa Police Department

City Council recessed at 4:02 p.m. for Closed Session.

Closed Session adjourned at 5:58 p.m.

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

**NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE** – A video was played of the National Anthem and the Mayor led the Pledge of Allegiance.

**MOMENT OF SOLEMN EXPRESSION** – Led by Pastor Phil Eyskens, Lighthouse Church.

**ROLL CALL**

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

Absent: Council Member Buley.

**CITY ATTORNEY CLOSED SESSION REPORT** – Ms. Hall Barlow reported that one action was taken on closed session item number 2, initiation of litigation. The motion was made by Council Member Marr and seconded by Council Member Gameros, on a 6-0 vote authorized the City Attorney's Office to initiate litigation on the item.

**MOVED/SECOND:** Council Member Marr/Council Member Gameros

**MOTION:** Authorize the City Attorney's Office to initiate litigation on Closed Session item no. 2. The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Buley.

Abstain: None.

Motion carried: 6-0

**PRESENTATIONS: NONE.**

**PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA**

Flo Martin, Costa Mesa, thanked the City Council for the "Let's Go Costa Mesa" rideshare program, spoke on SB 720 regarding red light traffic cameras, and requested the City Council support installation of cameras at the 19<sup>th</sup> St. and Newport Blvd. intersection.

Steve Smith, spoke in support of the Harbor Soaring Society staying at Fairview Park.

Dr. Nikan Khatibi, spoke on developing approved affordable housing and partnering with the City.

**COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS**

Council Member Reynolds spoke in support of the red-light cameras, requested an update on the two potential ballot measures, requested an update on the investments for the bus shelters, requested an update on the urban canopy and tree cover assessment and next steps, and requested an update from the Arts Commission on the Arts and Culture Master Plan.

Council Member Pettis spoke on the importance of maintaining the infrastructure, promoting small business and economic growth, and public safety, and thanked staff for addressing residents concerns.

Council Member Gameros congratulated Interim Fire Chief Pyle, spoke on public safety as a priority, and spoke on traffic safety.

Council Member Marr inquired on the community garden and the waitlist, spoke on complaints at Wilson Park pertaining to bikes and pedestrians, and spoke on the movement to expand the marine protected area off the coast of Laguna Beach and visiting lagunabluebelt.org for more information.

Mayor Pro Tem Chavez congratulated Interim Fire Chief Pyle, spoke on attending a ribbon cutting ceremony at the Orange County Fair Administration Building and also for Pacific Pearl Café at The MET, and spoke on the peaceful protest at Harbor Blvd and Wilson St.

Mayor Stephens congratulated Interim Fire Chief Pyle, provided an update on attending the Mayors Conference in Washington DC including the following breakout sessions: influencers, behavioral health, arts assisting with loneliness, noting he would like to begin his own “sing along with the mayor” event, spoke on infrastructure and safe streets, the use of AI, safety at public meetings, crisis leadership, immigration, homelessness, spoke on the Department of Treasury and the requirements for receiving grants, spoke on Martin Luther King telling the story of The Good Samaritan from the Bible, and spoke on adjourning the meeting in honor of Tony Peca.

**REPORT – CITY MANAGER** – Ms. Gallardo-Daly congratulated Interim Fire Chief Pyle, congratulated the Police Department on new promotions, spoke on the staffing levels at the Police Department, congratulated Paul Martin and Brett Atencio Thomas for a successful bike workshop, and recognized the transportation team for the expansion of Lets Go Costa Mesa ride service.

**REPORT – CITY ATTORNEY** – Ms. Hall Barlow reported that the case of Becker v. Costa Mesa has reached an agreement for the case to be dismissed for a waiver of costs.

## **CONSENT CALENDAR**

**MOVED/SECOND:** Mayor Pro Tem Chavez/Council Member Marr

**MOTION:** Approve the Consent Calendar.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Buley.

Abstain: Council Member Gameros recused himself on item 3 the Warrant Resolution due to his wife working for Priceless Pet Rescue.

Motion carried: 6-0

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

**ACTION:**

City Council and Housing Authority approved the reading by title only and waived further reading of Ordinances and Resolutions.

**2. READING FOLDER**

**ACTION:**

City Council received and filed Claims received by the City Clerk and authorized staff to reject any and all Claims: Sophia Bernal, Nicole Hernandez, Gene Micco, Dylan Stone, Fiainu Marrhinoe.

**3. ADOPTION OF WARRANT RESOLUTION**

**ACTION:**

City Council approved Warrant Resolution No. 2747.

**4. MINUTES**

**ACTION:**

City Council approved the minutes of the regular meeting of January 20, 2026.

**5. DESIGNATION OF VOTING DELEGATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2026 REGIONAL CONFERENCE AND GENERAL ASSEMBLY**

**ACTION:**

City Council designated Council Member Mike Buley to serve as the delegate for the upcoming 2026 Annual Southern California Association of Governments (SCAG) Regional Conference and General Assembly.

**6. DESIGNATION OF CITY NEGOTIATORS FOR THE COSTA MESA POLICE MANAGEMENT ASSOCIATION (CMPMA), THE COSTA MESA POLICE ASSOCIATION (CMPA) AND THE COSTA MESA CITY EMPLOYEES' ASSOCIATION (CMCEA) LABOR NEGOTIATIONS PROCESSES AND AUTHORIZATION TO PROCEED WITH THE FINANCIAL ANALYSIS OF THE CURRENT MEMORANDA OF UNDERSTANDING (MOU) PER THE TRANSPARENCY IN LABOR NEGOTIATIONS COUNCIL POLICY**

**ACTION:**

1. City Council designated City Manager Cecilia Gallardo-Daly as the City's Principal Negotiator, Assistant City Manager Alma Reyes, Human Resources Manager Kasama Lee, and Finance Director Carol Molina as the City's representatives in negotiations with the CMPMA, CMPA and CMCEA.
2. Designated Liebert Cassidy Whitmore Partner Peter Brown to serve as legal counsel during negotiations with the CMPMA, CMPA and CMCEA.
3. Authorized staff to have the independent fiscal analysis of the current CMPMA, CMPA and CMCEA Memoranda of Understanding (MOU) completed per the requirements of the Transparency in Labor Negotiations Council Policy.

**7. CHANGE ORDER FOR THE EMERGENCY GENERATOR UNITS FOR CITY HALL AND THE COMMUNICATIONS BUILDING**

**ACTION:**

1. City Council authorized the use of Sourcewell's Cooperative Agreement #092222-CAT with Caterpillar Inc. for a change order of the original purchase of two (2) diesel emergency generators, two (2) automatic transfer switches, and two (2) double wall day tanks for fuel for City Hall and the Communications Building through Quinn Power Systems. The City Hall transfer switch is being removed from the quote and a manual transfer switch for the Communications Building is being added.
2. Authorized a change order to the original Purchase Order (PO) for an additional \$5,818.50 pulled from the project budget for the purchase of one (1) manual transfer switch for the Communications Building. The PO, now for \$395,361.69, originally \$389,543.19, through Quinn Power Systems, 3500 Shepherd Street, City of Industry, CA 90601, shall encompass the purchase of two (2) diesel emergency generators, one (1) automatic transfer switch, one (1) manual transfer switch, two (2) double wall day tanks for fuel for City Hall and the Communications Building through Quinn Power Systems.

**8. PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING SERVICES FOR THE CITY'S PAVEMENT MANAGEMENT PLAN UPDATE**

**ACTION:**

1. City Council approved Professional Services Agreement (PSA) to Bucknam Infrastructure Group, Inc., 3548 Seagate Way, Suite 230, Oceanside, California, for a term of five (5) years with two (2) one-year extensions for a not to exceed amount of \$148,354 to provide annual updates to the City's Pavement Management Plan (PMP).
2. Authorized the City Manager and the City Clerk to execute the PSA and any future amendments to the agreement.

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

**PUBLIC HEARINGS:**

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

1. **CONTINUATION REQUEST OF AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO UPHOLD THE ECONOMIC AND DEVELOPMENT SERVICES DIRECTOR'S DECISION TO DENY A REASONABLE ACCOMMODATION REQUEST TO DEVIATE FROM CERTAIN REQUIREMENTS OF THE ZONING CODE TO OPERATE A SOBER LIVING HOME. OPERATED BY THE OHIO HOUSE AT 115 EAST WILSON STREET, UNITS A THROUGH E**

**Public Comments:**

Speaker, expressed concern on postponing the item.

**MOVED/SECOND:** Mayor Pro Tem Chavez/Council Member Pettis

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Buley.

Abstain: None.

Motion carried: 6-0

**ACTION:**

City Council opened the public hearing and continued the item to the April 21, 2026, meeting, pursuant to staff's request.

## **OLD BUSINESS:**

### **1. ADOPTION OF AN ORDINANCE AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE TO ALLOW FOR MINISTERIAL APPROVAL OF TWO-UNIT SMALL LOT ORDINANCE PROJECTS (PCTY-25-0007)**

Presentation by Mr. Yeager, Senior Planner.

Public Comments:

Speaker, requested inclusion of a notification requirement in the ordinance to inform surrounding neighbors.

Jay Humphrey, Costa Mesa, requested inclusion of a notification requirement in the ordinance to inform surrounding neighbors.

**MOVED/SECOND:** Council Member Marr/Mayor Pro Tem Chavez

**MOTION:** Approve staff recommendation.

Council Member Pettis spoke in opposition of the item due to the lack of a notification requirement in the ordinance to inform surrounding neighbors.

**MOVED/SECOND:** Council Member Marr/Mayor Pro Tem Chavez

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: Council Member Pettis.

Absent: Council Member Buley.

Abstain: None.

Motion carried: 5-1

**ACTION:**

City Council adopted Ordinance No. 2026-01 approving revisions to Title 13 of the Costa Mesa Municipal Code (Zoning Code) to allow for ministerial approval of two-unit Small Lot Ordinance (SLO) projects.

City Council recessed into a break at 6:58 p.m.

City Council reconvened at 7:12 p.m.

**2. ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, REQUIRING STAFFING AT SELF-SERVICE CHECKOUT STATIONS**

Presentation by Mr. Barkman, Government Affairs Manager.

Public Comments:

Speaker, spoke in opposition of the Ordinance.

Ryan Columber, Associate Pastor of Harbor Christian Church, spoke in support of the Ordinance.

Speaker, urged caution on the item and spoke in opposition of the ordinance.

Ryan Allain, Director of Government Affairs, California Retailers Association, spoke in opposition of the ordinance.

Speaker, suggested revisiting the matter after one year to review developments in Long Beach, and emphasized that the draft ordinance does not include all stores.

Tim James, California Grocers Association, spoke in opposition of the ordinance.

**MOVED/SECOND:** Council Member Reynolds/Mayor Pro Tem Chavez

**MOTION:** Approve staff recommendation with the following changes:

- Extend the period for stores to cure a violation from seven (7) to fifteen (15) days to reduce risk management reactions and avoid punitive measures for minor violations.
- Delay the effective period from thirty (30) days to sixty (60) days after the adoption of the ordinance.
- Amend the fifteen (15) items or less limit to only require signage that self-checkout is limited to about 15 items.
- Revise the in-store notification requirements for customers to eliminate reference to enforcement options.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Buley.

Abstain: None.

Motion carried: 6-0

**ACTION:**

City Council gave first reading to Ordinance No. 2026-02 Adding Article 7 of Chapter II of Title 9 to the Costa Mesa Municipal Code relating to Grocery and Drug Store Staffing Standards for Self-Service Checkout Stations including the following changes:

- Extend the period for stores to cure a violation from seven (7) to fifteen (15) days to reduce risk management reactions and avoid punitive measures for minor violations.
- Delay the effective period from thirty (30) days to sixty (60) days after the adoption of the ordinance.
- Amend the fifteen (15) items or less limit to only require signage that self-checkout is limited to about 15 items.
- Revise the in-store notification requirements for customers to eliminate reference to enforcement options.

Council Member Marr requested to reorder New Business items 1 and 2.

Mayor Stephens agreed.

**NEW BUSINESS:**

**2. OPERATIONS AGREEMENT FOR LIONS PARK CAFE**

Presentation by Mr. Gruner, Parks and Community Services Director.

Public Comments:

Speaker, spoke on maintenance fees.

Speaker, spoke in support of the item.

Robert LaBounty, representing Supervisor Foley's Office, spoke in support of the item.

Ally Garvin, owner of Neat Coffee, expressed gratitude for being considered as the operator of the Lions Park Café.

**MOVED/SECOND:** Council Member Marr/Council Member Reynolds

**MOTION:** Approve staff recommendation with the following changes:

- In the operating agreement exempt Neat Coffee from any special use fees for activating Lions Park.
- The operating agreement shall not restrict Neat Coffee hours of operations for events that activate Lions Park and are coordinated with City staff.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Buley.

Abstain: None.

Motion carried: 6-0

**ACTION:**

1. City Council awarded an operation agreement to Neat Coffee for the Management and Operation of the Lions Park Cafe.
  - In the operating agreement exempt Neat Coffee from any special use fees for activating Lions Park.
  - The operating agreement shall not restrict Neat Coffee hours of operations for events that activate Lions Park and are coordinated with City staff.
2. Authorized the City Manager or her designee to negotiate the terms and conditions for the financial share between the City and Neat Coffee.
3. Authorized the City Manager and the City Clerk to execute the operating agreement and future amendments to the agreement within City Council authorized limits.
4. Appropriated net revenues as received by the City that comply with the agreement of 50% net revenue to the OC Public Library for a net neutral impact.

**1. CLIMATE ACTION AND ADAPTATION PLAN (CAAP) STATUS AND OUTREACH UPDATE**

Public Comments:

Craig Preston, Costa Mesa, spoke on climate change, and in support of a measurable CAAP.

**MOVED/SECOND:** Mayor Stephens/Council Member Marr

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Buley.

Abstain: None.

Motion carried: 6-0

**ACTION:**

City Council provided feedback on the presentation and filed the report.

**3. APPROVAL OF A CODE OF ETHICS AND CONDUCT**

Public Comments:

Cynthia McDonald, Costa Mesa, spoke in support of a code of ethics, requested to include a nepotism clause, disclosure of outside information in ex parte communications, mandatory reporting of corruption and findings disclosed in a timely matter, and spoke on adopting the code annually at the first meeting of each year.

Jay Humphrey, Costa Mesa, spoke in support of a policy and adding a clause that council members recuse themselves on the item if they have received a contribution during the council members tenure on the City Council.

Craig Preston, Costa Mesa, spoke in support of a policy, spoke in support of an annual review, and in support of transparency.

**MOVED/SECOND:** Council Member Marr/Council Member Reynolds

**MOTION:** Continue the item to the second meeting in February.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Buley.

Abstain: None.

Motion carried: 6-0

Mayor Stephens requested to continue the item to the second meeting in March.

Council Member Marr agreed to the change.

**MOVED/SECOND:** Council Member Marr/Council Member Reynolds

**MOTION:** Continue the item to the second meeting in March.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Buley.

Abstain: None.

Motion carried: 6-0

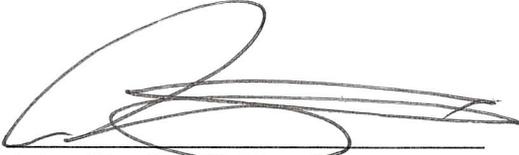
**ACTION:**

City Council continued the item to the March 17, 2026 City Council meeting.

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

**ADJOURNMENT** – Mayor Stephens adjourned the meeting at 9:37 p.m. in honor and memory of Tony Peca.

Minutes adopted on this 17<sup>th</sup> day of February, 2026.

A handwritten signature in black ink, appearing to read "John Stephens", written over a horizontal line.

John Stephens, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Brenda Green", written over a horizontal line.  
Brenda Green, City Clerk