



## **REGULAR CITY COUNCIL AND HOUSING AUTHORITY OCTOBER 7, 2025 - 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 Buley, Council Member Gameros, Council Member Marr (Via Zoom Webinar), Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: None.

### **PUBLIC COMMENTS**

Mr. D'Alessio, spoke on Closed Session items 3, 4, and 5, spoke on the status of the properties, and spoke on the settlement of the cases.

### **CLOSED SESSION ITEMS:**

- 1. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION – TWO CASES**  
Pursuant to California Government Code Section 54956.9 (d)(4), Potential Litigation.
- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATION OF LITIGATION – THREE CASES**  
Pursuant to California Government Code Section 54956.9 (d)(2), Potential Litigation.
- 3. 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
- 4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
Pursuant to California Government Code Section 54956.9 (d)(1)  
Name of Case: D'Alessio Investments LLC v. City of Costa Mesa  
Orange County Superior Court Case No. 30-2020-01132646

**5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to California Government Code Section 54956.9 (d)(1)

Name of Case: D'Alessio v. City of Costa Mesa, et al.,

United States District Court, Central District of CA, Case No. 8:25-cv-00679-DOC-DFM

**6. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to California Government Code Section 54956.9 (d)(1)

Name of Case: Farrell Harrison v. City of Costa Mesa, et al.,

Orange County Superior Court Case No. 30-2025-01495293-CU-WM-CJC

City Council recessed at 4:06 p.m. for Closed Session.

Closed Session recessed to the open session at 5:52 p.m.

Closed Session resumed at 9:57 p.m., after the open session.

Closed Session adjourned at 11:38 p.m. and there was no reportable action taken.

**CALL TO ORDER** - The Regular City Council and Housing Authority meeting was called to order by Mayor Stephens at 6:01 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 Christine Nolf, Redemption Church.

**ROLL CALL**

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

Absent: Council Member Marr.

**CITY ATTORNEY CLOSED SESSION REPORT** – Ms. Hall Barlow reported that direction was given on several items and the City Council will reconvene in Closed Session following the adjournment of the regular meeting to address the remaining three items.

**PRESENTATIONS:**

The City Council presented a proclamation in recognition of Breast Cancer Awareness Month.

The City Council recognized the Newport Mesa Girls Softball 8U All Stars.

The City Council recognized Costa Mesa Little League Player Gavin Brandon.

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

Wendy Simao, Costa Mesa, spoke on noise issues regarding The 12 Gym.

Dana Levin, spoke in support of a Trap Neuter Return program.

Kelly Blakey, Costa Mesa, spoke in support of a Trap Neuter Return program.

Angela Minares, Costa Mesa, spoke in support of a Trap Neuter Return program.

Mike Ruhl, Costa Mesa, requested to delay consideration of joining the Orange County Power Authority until further analysis is completed.

Jim Fitzpatrick, Costa Mesa, spoke on litigation matters, spoke on the time it takes to process permits, spoke on the Housing Element deadlines, spoke on calls for service at Mesa Vista and Vagabond Inn, and spoke on a structural budget deficit.

Vicki Johnson, spoke against joining the Orange County Power Authority.

Stacy Bushey, spoke in support of a Trap Neuter Return program.

Speaker, Costa Mesa, spoke in support of a Trap Neuter Return program.

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Speaker, spoke in support of a Trap Neuter Return program.

Becca Walls, Costa Mesa, spoke in support of a Trap Neuter Return program and requested an update on when the item will be considered by the City Council.

Speaker, spoke in support of a Trap Neuter Return program.

Ann Gildersleeve, Costa Mesa, spoke in support of a Trap Neuter Return program.

Speaker, spoke in support of a Trap Neuter Return program.

Speaker, spoke in support of a Trap Neuter Return program.

Speaker, Costa Mesa, spoke in support of a Trap Neuter Return program.

Dawn Curtis, Costa Mesa, spoke in support of a Trap Neuter Return program.

Mary Helen Beatificato, spoke against approving Consent Calendar item No. 5, spoke on escalating litigation costs, and the report's lack of detail regarding fiscal impacts.

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

Mayor Stephens spoke on the Trap Neuter Return program timeline and the opening of Priceless Pets new facility.

Council Member Gameros spoke on the Trap Neuter Return program and on caring for animals, spoke on the importance of youth sports, and recognized the public safety departments.

Council Member Reynolds spoke on the Climate Action Festival on Saturday October 11<sup>th</sup> at Harbor Christian Church, spoke on the October 25<sup>th</sup> Bike Rodeo, and spoke on the Costa Mesa Historical Society Membership Drive.

Council Member Pettis requested replacement of the missing plaques at Fairview Park, expressed concerns on community engagement pertaining to housing, and also on the Housing Element community survey questions, and spoke on the correspondence from the State Housing and Development Department (HCD).

Council Member Buley spoke on attending the Hispanic Prayer Breakfast at Vanguard University, thanked the Parks and Community Services Department for assisting with youth sports, thanked Ms. Tai, Director of Economic and Development Services for assisting with inquiries from property owners and answering questions, attended a Working Wardrobes event, thanked the City Manager for addressing constituent issues, spoke on the Housing Element and Tessa, and spoke on calls for service at Mesa Vista and analyzing grant funding.

Mayor Pro Tem Chavez spoke on listening to the community regarding issues and streamlining processes and requested to adjourn the meeting in honor of Newport Harbor High School student Jagger Boys.

Mayor Stephens spoke on listening to the community, spoke on Housing and Community Development and the Housing Element, spoke on addressing responsiveness and customer service, spoke on calls for service to Mesa Vista, and spoke on the Homelessness Solutions Townhall on Wednesday October 15<sup>th</sup> at the Norma Hertzog Community Center.

**REPORT – CITY MANAGER** – Ms. Gallardo-Daly recognized the Transportation Division for receiving the American Society of Civil Engineers (ASCE) “2025 Outstanding Bikeways and Trails” Award for the Adams Avenue and Pinecreek Drive Improvement Project, congratulated CMTV for winning two 1<sup>st</sup> place awards at the California Association of Public Information Officials (CAPIO) STAR Awards luncheon for Excellence in Government Programming, the awards were for Social Media Short Form “Safe Splash Bash” and Sports Programming Edited “Motorhome Madness 2024”, spoke on the Fair Housing Workshop on Oct. 9<sup>th</sup>, and spoke on the Homeless Solutions Town Hall on October 15<sup>th</sup>, and the Great American Shake Out on October 16<sup>th</sup>.

**REPORT – CITY ATTORNEY** – Ms. Hall Barlow reported on the dismissal of a lawsuit.

## CONSENT CALENDAR

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

**MOTION:** Approve the Consent Calendar except for Consent Calendar Item No. 5.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Marr.

Abstain: Mayor Stephens recused himself on Item 3, the Warrant Resolution, due to campaign contributions received from Ware Disposal. Council Member Gameros recused himself on Item 3 the Warrant Resolution, because his wife is employed by Priceless Pets.

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: Lydia Bolanos, Mike Carrillo, Carolyn Hanson, Ana Ruiz.

### 3. **ADOPTION OF WARRANT RESOLUTION**

Council Member Gameros recused himself because his wife is employed by Priceless Pets.

Mayor Stephens recused himself on the item due to campaign contributions received from Ware Disposal.

ACTION:

City Council approved Warrant Resolution No. 2741.

### 4. **MINUTES**

ACTION:

City Council approved the minutes of the regular meeting of September 2, 2025 and the adjourned regular meeting of September 9, 2025.

**6. ACCEPTANCE AND ALLOCATION OF THE OPERATION STONEGARDEN (OPSG) FUNDS**

**ACTION:**

1. City Council approved the Agreement for the Operation Stonegarden (OPSG) Funds and authorized the City Manager, or designee, to execute the agreement for a period of performance from September 1, 2024 through May 31, 2027.
2. Adopted Resolution No. 2025-40 authorizing the acceptance of the OPSG Funds and authorizing the City Manager, or designee, to accept the funds in the amount of \$170,000.
3. Approved revenue and expense appropriations in the amount of \$170,000 for the OPSG Funds.

**ITEMS PULLED FROM THE CONSENT CALENDAR**

**5. PROPOSED AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR EVERETT DOREY, LLP FOR LEGAL SERVICES**

**Public Comment:**

Jim Fitzpatrick spoke on the high litigation costs, management of litigation costs, and spoke on terminating the contract.

**MOVED/SECOND:** Mayor Stephens/Mayor Pro Tem Chavez

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Marr.

Abstain: None.

Motion carried: 6-0

**ACTION:**

City Council approved the First Amendment to the Professional Services Agreement for Everett Dorey, LLP for legal services, the effective date of September 2, 2025 to the amendment and authorized the City Manager and the City Clerk to execute the amendment.

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

City Council recessed into a break at 8:17 p.m.

City Council reconvened at 8:30 p.m.

## **PUBLIC HEARINGS:**

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

- 1. FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2024060115), GENERAL PLAN AMENDMENT, REZONE, SPECIFIC PLAN AMENDMENT, MASTER PLAN, VESTING TENTATIVE PARCEL MAP, DENSITY BONUS, AND DEVELOPMENT AGREEMENT FOR HIVE LIVE, A THREE-PHASED, 1,050-UNIT, RESIDENTIAL DEVELOPMENT WITH 3,692-SQUARE-FOOT RETAIL COMPONENT AT 3333 SUSAN STREET**

Public Comment:

Speaker, commented on the infrastructure needed to support a project of this scale.

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

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Marr.

Abstain: None.

Motion carried: 6-0

**ACTION:**

City Council closed the public hearing and continued the project to a date uncertain.

- 2. APPEAL OF PLANNING APPLICATION 23-14 AND TENTATIVE PARCEL MAP 2023-117 FOR A RESIDENTIAL SMALL LOT SUBDIVISION TO CREATE TWO PARCELS, EACH CONTAINING A NEW TWO-STORY DETACHED SINGLE-FAMILY RESIDENCE AND AN ATTACHED TWO-CAR GARAGE AT 2308 SANTA ANA AVENUE**

Presentation by Ms. Curley, Assistant Planner.

Ali Sedghi, Eastside Coastal LLC., applicant, spoke on the project.

Mike Czajkowski, Appellant, expressed concerns about insufficient time to review the project and public notification. Raised issues regarding increased grading, drainage complications, and the unavailability of project plans. Requested that the project be returned to the Planning Department for further evaluation. Voiced concerns related to privacy, design, security, and overall safety. Also, questioned the accuracy of the property lines prepared by an unlicensed professional.

Public Comment: None.

**MOVED/SECOND:** Mayor Stephens/Mayor Pro Tem Chavez

**MOTION:** Approve staff recommendation.

Council Member Gameros stated he could not support the motion, citing that 72 hours was insufficient time for neighboring residents to adequately review the plans.

Discussion ensued on the view study requirement that was added by the Planning Commission.

Staff clarified that amendments have been made to address the concerns.

Mayor Stephens added to the motion to remove the view study requirement.

Mayor Pro Tem Chavez (2<sup>nd</sup>) agreed to the change.

**MOVED/SECOND:** Mayor Stephens/Mayor Pro Tem Chavez

**MOTION:** Approve staff recommendation and eliminate the view study requirement.

The motion carried by the following roll call vote:

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

Nays: Council Member Gameros.

Absent: Council Member Marr.

Abstain: None.

Motion carried: 5-1

**ACTION:**

1. City Council found that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions for the parcel map application, and Section 15303 (Class 3), New Construction or Conversion of Small Structures for the design review application.
2. Found the project statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.66.
3. Approved Parcel Map No. 2023-117 and Design Review PA-23-14 based on findings of fact and subject to conditions of approval.

**OLD BUSINESS:**

**1. CLEAN MOBILITY OPTIONS VOUCHER PILOT PROGRAM FOR COMMUNITY BASED TRANSIT - AMENDMENT ONE**

Presentation by Paul Martin, Transportation Services Manager and Brett Atencio Thomas, Active Transportation Coordinator.

Public Comment:

Speaker, inquired whether similar programs exist and recommended reviewing how other entities collect data.



David Martinez, Costa Mesa, spoke in support of the item, and spoke on the collection of data.

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

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Marr.

Abstain: None.

Motion carried: 6-0

**ACTION:**

1. City Council approved Amendment One to the Contractor Services Agreement (CSA) with Circuit Transit, Inc. for the Clean Mobility Options (CMO) Voucher Pilot Program in an amount not to exceed \$650,000 annually, for a term of two (2) years.
2. Authorized an increase of appropriation of the Clean Mobility - On Demand Transit Services from \$500,000 to \$650,000 for Fiscal Year 2025-26.
3. Authorized the Interim City Manager and the City Clerk to execute the agreement and future amendments to the agreement.

**2. ADOPT 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 TO PROVIDE TECHNICAL UPDATES AND CLARIFICATIONS (CODE AMENDMENT PCTY-25-0001)**

Public Comment:

Marc Vukceovich, Costa Mesa, provided a presentation and requested to remove arbitrary parking requirements.

David Martinez, Costa Mesa, spoke on addressing the parking requirements at the Planning Commission, and requested removing the entire section on commercial parking requirements.

Speaker, spoke on keeping parking requirements because of insufficient parking.

**MOVED/SECOND:** Mayor Stephens/Mayor Pro Tem Chavez

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Marr.

Abstain: None.

Motion carried: 6-0

**ACTION:**

City Council adopted Ordinance No. 2025-07 approving Zoning 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.

**NEW BUSINESS: NONE.**

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

**ADJOURNMENT** – Mayor Stephens adjourned the meeting at 9:57 p.m. in honor and memory of Jagger Boys.

Closed Session adjourned at 11:38 p.m. and there was no reportable action taken.

**Minutes adopted on this 4<sup>th</sup> day of November, 2025.**

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John Stephens, Mayor

ATTEST:

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Brenda Green, City Clerk