



**REGULAR CITY COUNCIL AND HOUSING AUTHORITY**  
**April 15, 2025 - CLOSED SESSION - 4:00 P.M.**

**CALL TO ORDER** – The Closed Session meeting was called to order by Mayor Stephens at 4:01 p.m.

**ROLL CALL**

Present: Council Member Buley, Council Member Gameros, Council Member Marr, Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens (Left at 10:39 p.m.).

Absent: None.

**PUBLIC COMMENTS – NONE.**

**CLOSED SESSION ITEMS:**

1. **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
2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
Pursuant to California Government Code Section 54956.9 (d)(1)  
Name of Case: DBO Investments CM, LLC v. City of Costa Mesa  
Orange County Superior Court Case No. 30-2023-01360125-CU-CR-NJC.
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
Pursuant to California Government Code Section 54956.8  
APN: 140-041-81  
Property: 3333 Susan Street, Costa Mesa, CA 92626  
Agency Negotiator: Lori Ann Farrell Harrison, City Manager  
Negotiating Parties: Legacy Partners  
Under Negotiation: Price and Terms of Payment

Ms. Hall Barlow, City Attorney requested to add to the Closed Session agenda one item: Conference with Legal Counsel – Anticipated Litigation – One Case, Pursuant to California Government Code Section 54956.9 (d)(2), due to the item requiring action prior to the next regularly scheduled City Council meeting and the item arose after the posting of the current agenda.

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

**MOTION:** Add Conference with Legal Counsel – Anticipated Litigation – One Case, Pursuant to California Government Code Section 54956.9 (d)(2) to the Closed Session Agenda.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

**4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATION OF LITIGATION - ONE CASE**

Pursuant to California Government Code Section 54956.9 (d)(2), Potential Litigation.

City Council recessed at 4:03 p.m. for Closed Session.

Closed Session recessed to open session at 6:10 p.m.

Closed Session resumed at 10:39 p.m. after open session.

Closed Session adjourned at 11:42 p.m.

**CALL TO ORDER -** The Regular City Council and Housing Authority meeting was called to order by Mayor Stephens at 6:10 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 Marr, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens (Left at 10:39 p.m.).

Absent: None.

**CITY ATTORNEY CLOSED SESSION REPORT –** No reportable action.

**PRESENTATIONS:**

Active Transportation Committee Chair Andrew Barnes and Vice Chair Michael Moses Nolf provided an update to the City Council.

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

Jose Toscano spoke on comments made by Council Members on social media.

Mat Garcia, President of Harbor Soaring Society, spoke on the Harbor Soaring Society and their activities.

Flo Martin thanked City Manager Farrell Harrison for the maintenance of the palm trees on Tanager Drive and thanked the Police Department for issuing citations on Newport Boulevard and 19<sup>th</sup> Street.

David Martinez thanked the Active Transportation Committee and Public Works Department for their investment in the City.

Janna Moore and Larisa Moffit from Epilepsy Support Network of Orange County, spoke on the fight against Epilepsy, and on the May 3<sup>rd</sup> Seizure Wars Walk at Tewinkle Park.

Speaker, spoke on public safety as the highest priority of City Council, and that public safety includes lifeguards, homelessness, safe streets, safe sidewalks, and bike lanes, and spoke in support of safety improvements for motorists, pedestrians, and bicyclists.

Debra Lee, Founder of Furever Heaven Foundation, spoke in support of a Trap Neuter Return policy.

Trace Yulie, spoke in support of active transportation improvements.

Speaker, Save Our Youth (SOY), introduced Soy students to give a presentation.

Speaker, SOY Leadership Program, spoke on homelessness in the community.

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David Perez, SOY Leadership Program, spoke on a blanket drive for the homeless.

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Kim Hendricks, Fairview Park Alliance, spoke on Fairview Park and on the U.S. Fish and Wildlife Service communication against Harbor Soaring Society flying at Fairview Park until the Master Plan is completed, and requested moving Harbor Soaring Society off of the vernal pools.

Speaker, spoke in support of active transportation improvements.

Speaker, thanked staff for the response for the HDL tax information, spoke on tax generators in the City, and spoke on funding for the Arts Master Plan.

Speaker, spoke in support of the Active Transportation Committee and the work they have done.

Speaker, spoke on the Active Transportation Committee work and projects accomplished, thanked Council Member Reynolds for the work on the Committee, spoke in support of all committees making annual presentations, spoke on the improvements and the low costs for the active transportation projects, and thanked staff for pursuing grants.

David Larson spoke against removing a Chinese Elm tree in front of his house and requested if it could be trimmed instead.

Cynthia McDonald, Costa Mesa, spoke in support of citizen participation and engaging the public, requested more town hall meetings, and spoke on the upcoming Fairview Park Steering Committee meeting.

Speaker, expressed safety concerns in the area of Adams Avenue and Fairview Road.

Speaker, spoke in support of the 311 App and requested it to be fully useable in Spanish, and spoke on a lack of parking enforcement and using the 311 App for better enforcement.

Speaker, spoke on the Active Transportation Committee presentation, requested traffic data on Towne Street due to the traffic improvements on 19th St., spoke on homelessness, and spoke on citizen engagement.

Speaker, spoke on biodiversity systems at Fairview Park and preserving Fairview Park, and spoke against the Harbor Soaring Society flying at Fairview Park.

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

Council Member Marr thanked the Active Transportation Committee, thanked the SOY students for their presentation, spoke in support of more town hall meetings, spoke on the amenities provided to facilitate public participation in Spanish, thanked Mr. Larson for bringing the Chinese Elm tree to the attention of City Council, and spoke in support of an ethics policy and encouraged staff to look at the City of Irvine as a starting point.

Council Member Reynolds spoke on protecting the Chinese Elm tree, spoke on communicating to the residents on Towne Street about the traffic study that was completed, thanked staff and the Active Transportation Committee for their work on grants, thanked Ms. Torres for responding to citizen requests, spoke on the Arts Commission recently awarding grants and inquired if special event fees could be waived, spoke in support of a Code of Conduct policy for City Council, Commissioners, and Committee Members and requested City Council values be posted at City Hall.

Council Member Pettis spoke on attending the OC Japan Fair, spoke on community engagement and responding to individual residents, spoke on street improvements on 16<sup>th</sup> street including parking restrictions approaching the crossings, striped crosswalks, and striping to highlight the speed humps, spoke on working with Mr. Martin, Transportation Services Manager to respond to residents requests, and spoke on parking enforcement for street sweeping.

Council Member Buley thanked SOY students for speaking, responded to Mr. Larson's comment regarding the Chinese Elm and requested staff to revisit the decision, spoke on attending the OC Japan Fair, attending the Finance and Pension Advisory Committee meeting, spoke on citizen involvement at the Committee level, and recognized Mayor Stephens for addressing the Gisler bridge issue at the OCTA meeting, and spoke on good governance.

Council Member Gameros recognized Jasmine Vega for receiving the City Manager's Award and congratulated Sergio Escobar for receiving a leadership award, spoke on meeting with individuals from SOY and spoke on mentorship, and spoke in support of hearing from constituents.

Mayor Pro Tem Chavez spoke on the SOY student's presentation and the blanket drive which is April 21<sup>st</sup> to the 25<sup>th</sup> and the blankets can be dropped off at SOY, recognized Public Safety Dispatcher Week and praised dispatch for their work, spoke on attending the Orange County Chamber of Commerce awards event, spoke on attending the OC Japan Fair, thanked the Vista Harbor Center for paving the alley at Center Street, spoke on saving the Chinese Elm tree, suggested more patrolling at Adams Avenue and Fairview Road, spoke in support of more town halls, and requested to agendaize an item for a Trap Neuter and Return Program.

Mayor Stephens spoke in support of having more town halls on specific issues, spoke on saving the Chinese Elm tree and the appeal process, spoke on the SOY students who attended the meeting, spoke on the Arts Commission description on the website and requested a report back, spoke on the Finance and Pension Advisory Committee meeting and recommendations that were made to the City Council, spoke on meeting with the Chair and Vice Chair of the Finance and Pension Advisory Committee, and spoke on his efforts at the OCTA meeting to remove the Gisler Bridge from the Master Plan of Highways and that Fountain Valley was not in support and the item was continued for 30 days.

**REPORT – CITY MANAGER – NONE.**

**REPORT – CITY ATTORNEY – NONE.**

### **CONSENT CALENDAR**

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

**MOTION:** Approve the Consent Calendar except for item no. 5.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

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

Motion carried: 7-0

### **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: Karen Franco, Gail Kay, Nona Wolverton, Masoon Yazarlou.

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

Council Member Gameros recused himself on the item due to his wife working at Priceless Pets.

### **ACTION:**

City Council approved Warrant Resolution No. 2732.

## **4. MINUTES**

### **ACTION:**

City Council approved the minutes of the regular meeting of April 1, 2025.

## **ITEMS PULLED FROM THE CONSENT CALENDAR**

## **5. 2024 2015-2035 GENERAL PLAN ANNUAL PROGRESS REPORT (APR)**

### **Public Comments:**

Speaker, spoke on a structural budget deficit, spoke on SB-1000 and unfunded mandates, stated the city has added 100 full-time employees and is keeping consultants but reducing the CIP, spoke on deferred maintenance on potholes, spoke in opposition of the item, and requested City Council to revisit becoming a Charter City.

Cynthia McDonald, Costa Mesa, spoke on SB-1000, and requested the City provide restroom facilities at parks.

Speaker, spoke against mocking people with disabilities.

**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 Marr, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.

Nays: Council Member Pettis.

Absent: None.

Abstain: None.

Motion carried: 6-1

**ACTION:**

City Council approved the 2024 Annual Progress Report for the 2015-2035 Costa Mesa General Plan for submittal to the State Office of Land Use and Climate Innovation (LUCI) [formerly known as the Office of Planning and Research (OPR)], and State Department of Housing and Community Development (HCD).

-----**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. APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE A CONDITIONAL USE PERMIT (CUP) PCUP-24-0011 TO OPERATE A RETAIL CANNABIS STOREFRONT BUSINESS WITH DELIVERY LOCATED AT 1912 HARBOR BOULEVARD ("GREEN MART"), IN THE LOCAL BUSINESS DISTRICT (C1)**

Ex-Parte Communications: Mayor Stephens and Mayor Pro Tem Chavez spoke with both the applicant and appellant, and Council Members Marr and Gameros spoke with the applicant.

Presentation by Mr. Drapkin, Assistant Development Services Director.

Kendra Carney Mehr, representing the appellant, spoke on the project.

Keith Sheinberg, applicant, spoke on the project.

Public Comments:

James Peters spoke in opposition of the project.

Speaker, spoke in opposition of the project.

Nora Brown, spoke in opposition of the project.

Speaker, spoke in support of the project.

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Speaker, spoke in opposition of the project.

Alicia Cox spoke in support of the project.

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

**MOTION:** Uphold the Planning Commission's decision to approve Conditional Use Permit PCUP-24-0011 based on findings of fact and subject to the conditions of approval as contained in the Resolution.

**SUBSTITUTE MOTION/SECOND:** Council Member Reynolds/Council Member Marr

**SUBSTITUTE MOTION:** Deny the approval of the Conditional Use Permit PCUP-24-0011 and direct staff to prepare a resolution for denial reflecting that the necessary findings could not be met, the proposed development or use is not substantially compatible with the developments in the same general area and would be materially detrimental to other properties within the area and that granting the CUP would be materially detrimental to the health, safety, and welfare of the public and injurious to property or improvements within the immediate neighborhood.

The motion carried by the following roll call vote:

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

Nays: Council Member Gameros and Mayor Stephens.

Absent: None.

Abstain: None.

Motion carried: 5-2

**ACTION:**

City Council denied the approval of the Conditional Use Permit PCUP-24-0011 and directed staff to prepare a resolution for denial reflecting that the necessary findings could not be met, the proposed development or use is not substantially compatible with the developments in the same general area and would be materially detrimental to other properties within the area and that granting the CUP would be materially detrimental to the health, safety, and welfare of the public and injurious to property or improvements within the immediate neighborhood.



**2. RESOLUTION FOR APPROVAL OF THE DRAFT RELOCATION PLAN AND RELOCATION ASSISTANCE FOR TENANTS OF 778 SHALIMAR DRIVE**

Presentation by Ms. Jakher, Assistant to the City Manager.

Public Comments:

Jenn Tanaka spoke in support of the item, and stated the Housing Trust Fund is intended to build new housing.

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

**MOTION:** Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

**ACTION:**

1. City Council adopted Resolution No. 2025-06 approving the draft Relocation Plan for the Shalimar Park Expansion Project's acquisition of real property located at Assessor's Parcel Number 424-051-23 (778 Shalimar Drive) and appropriating funds thereof.
2. Authorized an appropriation of \$203,717 in the Housing Trust Fund (Fund 222) for relocation assistance.
3. Authorized the City Manager, City Attorney, and Finance Director to implement the approved Relocation Program.

**OLD BUSINESS:**

**1. APPOINTMENT TO THE ANIMAL SERVICES COMMITTEE AND CONFIRMING THE ORANGE COUNTY MODEL ENGINEERS (OCME) LIAISON TO THE FAIRVIEW PARK STEERING COMMITTEE**

Presentation by Ms. Green, City Clerk.

Public Comments: None.

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

**MOTION:** Appoint Calvin Alvarez to the Animal Services Committee and confirm Hank Castignetti as the Orange County Model Engineers City liaison to the Fairview Park Steering Committee.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

**ACTION:**

1. Mayor Pro Tem Chavez appointed Calvin Alvarez to the Animal Services Committee with a term expiration of April 2027.
2. The City Council confirmed Hank Castignetti as the Orange County Model Engineers (OCME) City liaison to the Fairview Park Steering Committee.

**NEW BUSINESS: NONE.**

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

**ADJOURNMENT** – Mayor Stephens adjourned the open meeting at 10:39 p.m. and City Council recessed to Closed Session. Closed Session ended at 11:42 p.m., and the City Attorney stated there would be no reporting out.

**Minutes adopted on this 6<sup>th</sup> day of May, 2025.**

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John Stephens, Mayor

ATTEST:

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Brenda Green, City Clerk

DRAFT