



REGULAR CITY COUNCIL AND HOUSING AUTHORITY SEPTEMBER 16, 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, Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: Council Member Reynolds.

PUBLIC COMMENTS – NONE.

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

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

Closed Session adjourned at 5:27 p.m.

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 The Rev. Dr. George Okusi, St. John the Divine Episcopal Church.

ROLL CALL

Present: Council Member Buley, Council Member Gameros, Council Member Marr (Via Zoom Webinar, excused at 8:00 p.m.), Council Member Pettis, Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: Council Member Reynolds.

CITY ATTORNEY CLOSED SESSION REPORT

Ms. Hall Barlow reported that on Closed Session items 1 and 2 regarding the National Opioid Settlement: Purdue Pharma L.P. and National Opioids Settlements: Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, Zydus. The City Council took the following action:

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

MOTION: To participate in the settlements of the cases, to ensure the citizens of Costa Mesa are reimbursed.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Reynolds.

Abstain: None.

Motion carried: 6-0

City Council provided direction on Closed Session items 3 and 4 regarding Schaefer v. City of Costa Mesa and City of Costa Mesa; People of State of Cal. v. D'Alessio Investments LLC, et al.

City Council gave direction to the City Attorney on Item 5 regarding the appointment of a City Manager, to negotiate and draft an agreement with Ms. Gallardo-Daly for the City Manager position.

PRESENTATIONS:

The City Council recognized Anna Dolewski for receiving the Government Finance Officers Association's 2025 Recognition for Outstanding Public Service and for her 36 years of service to Costa Mesa.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Wendy Simao, Costa Mesa, spoke on The 12 Gym holding a special event and using loudspeakers.

Jay Humphrey, Costa Mesa, requested a status update on the Fairview Park Master Plan and requested the Fairview Developmental Center hold a resident stakeholders meeting.

David Martinez, Costa Mesa, expressed support for the installation of metal detectors outside the Council Chambers. Commented on Consent Calendar Item No. 6 regarding the legislative platform, specifically advocating for the inclusion of complete streets and air quality measures. Requested that the legislative platform be reviewed and updated annually, inquired about any potential conflicts with the League of Cities' positions, and asked whether there is a defined order of prioritization within the platform.

Kim Hendricks, spoke on birds, western burrowing owls, sensitive habitats at Fairview Park, recommended the temporary airfield to be closed at Fairview Park, and spoke on preserving Fairview Park.

Speaker, Marine Veteran, spoke on providing resources for Veterans in the community, and spoke on creating a Veteran's coalition.

Speaker, spoke on the Measure K workshops and the price of housing.

Flo Martin, Costa Mesa, spoke on the traffic collisions in August, and injuries to pedestrians and cyclists.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Buley spoke on having robust debates and civil discourse, spoke on public comments, and thanked the Police Department for the security measures at the City Council meetings.

Council Member Gameros spoke on being grateful for freedoms and First Amendment rights and thanked the Police Department for the security measures at the City Council meetings.

Council Member Marr spoke on the Art Venture event, spoke on Measure K sites and appreciates the pop-up workshops.

Council Member Pettis requested to adjourn the meeting in honor of Charlie Kirk, agreed with holding community townhalls regarding housing, and spoke on the Art Venture event.

Mayor Pro Tem Chavez spoke on the Art Venture event, spoke on attending the Families Forward event, spoke on the students attending the City Council meetings and having their voice heard.

Mayor Stephens spoke on the Art Venture event, spoke on attending the Mayors Prayer Breakfast, spoke on Cla-Val business contributing to Families Forward, spoke on a Townhall on homeless issues on Wednesday, October 15th at the Norma Hertzog Community Center, spoke on the new security features at the City Council meetings and thanked the Segerstrom Performing Arts Center for providing the metal detectors, and agreed on adjourning the meeting in memory of Charlie Kirk.

REPORT – CITY MANAGER – Ms. Gallardo-Daly reported that September is National Preparedness Month and Emergency Preparedness.

REPORT – CITY ATTORNEY – Ms. Hall Barlow, wished all a Happy Hispanic Heritage Month.

CONSENT CALENDAR

MOVED/SECOND: Mayor Pro Tem Chavez/Mayor Stephens

MOTION: Approve the Consent Calendar except for Consent Calendar Item No. 6.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Reynolds.

Abstain: None.

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: Blanco Amaro, Craig Marshall, Michael Porteous.

3. ADOPTION OF WARRANT RESOLUTION

ACTION:

City Council approved Warrant Resolution No. 2740.

4. MINUTES

ACTION:

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

5. DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE 2025 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

ACTION:

City Council designated 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.

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

ACTION:

1. City Council approved the 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. Authorized the Interim City Manager and the City Clerk to execute the Cooperative Agreement and future amendments thereto.

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

ACTION:

City Council adopted Resolution No. 2025-37 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.

9. AWARD OF THE NORMA HERTZOG COMMUNITY CENTER ROOF REPLACEMENT PROJECT, CITY PROJECT NO. 25-05

ACTION:

1. City Council awarded 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. Authorized a ten percent (10%) contingency in the amount of \$74,528 for unforeseen costs related to the project.
3. Authorized the Interim City Manager and City Clerk to execute the PWA and any future amendments to the agreement.

4. Authorized 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).

ITEMS PULLED FROM THE CONSENT CALENDAR

6. ADOPT LEGISLATIVE PLATFORM AND UPDATES TO COUNCIL POLICY 000-8

Public Comments:

Speaker, spoke on funding for immigration defense and climate change.

MOVED/SECOND: Council Member Marr/Mayor Stephens

MOTION: Approve staff recommendation.

The motion carried by the following roll call vote:

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

Nays: Council Member Buley and Council Member Pettis.

Absent: Council Member Reynolds.

Abstain: None.

Motion carried: 4-2

ACTION:

City Council adopted Legislative Platform and revisions to Council Policy 000-8 on Legislative Positions.

-----**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**

Presentation by Ms. Curley, Assistant Planner, Mr. Garcia, Assistant Planner, and Mr. Inloes, Economic Development Administrator.

Public Comments:

Speaker, spoke on public comments, patios and open space, spoke on projects being under parked, and tandem parking.

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

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, Mayor Pro Tem Chavez, and Mayor Stephens.

Nays: None.

Absent: Council Member Reynolds.

Abstain: None.

Motion carried: 6-0

ACTION:

1. City Council found that the project is Exempt from the California Environmental Quality Act (CEQA), Section 15061(b)(3) ("Common Sense Exemption"); and
2. Introduced for first reading, by title only, Ordinance No. 2025-07 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. Adopted Resolution No. 2025-39 amending the City of Costa Mesa Procedure for Determining Shared Parking Requirements table to reflect current parking trends.

OLD BUSINESS:

1. **ADOPTION OF AN ORDINANCE 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**

Presentation by Police Captain Chamness.

Public Comments: None.

MOVED/SECOND: Mayor Pro Tem Chavez/Council Member Gameros

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, Mayor Pro Tem Chavez, and Mayor Stephens.

Nays: None.

Absent: Council Member Reynolds.

Abstain: None.

Motion carried: 6-0

ACTION:

City Council adopted Ordinance No. 2025-06, 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.

NEW BUSINESS:

1. RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21224, FOR THE REHIRE OF BATTALION CHIEF WILLIAM KERSHAW

Presentation by Ms. Lee, Human Resources Manager.

Public Comments: None.

MOVED/SECOND: Council Member Gameros/Council Member Pettis

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, Mayor Pro Tem Chavez, and Mayor Stephens.

Nays: None.

Absent: Council Member Reynolds.

Abstain: None.

Motion carried: 6-0

ACTION:

City Council adopted Resolution No. 2025-38 exception to the 180-Day Wait Period pursuant to Government Code Sections 7522.56 and 21224 to retain the services of retired Battalion Chief William Kershaw.

2. ADOPTION OF THE MEMORANDA OF UNDERSTANDING (MOU) 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

Presentation by Ms. Lee, Human Resources Manager.

Public Comments: None.

MOVED/SECOND: Council Member Gameros/Mayor Stephens

MOTION: Approve the Consent Calendar.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Marr and Council Member Reynolds.

Abstain: None.

Motion carried: 5-0

ACTION:

1. City Council approved and adopted the Memorandum of Understanding between the City of Costa Mesa and CMPA.

2. Approved and adopted the Memorandum of Understanding between the City of Costa Mesa and CMPMA.
3. Approved and adopted the revised Memorandum of Understanding between the City of Costa Mesa and CMFA.
4. Approved and adopted the revised Memorandum of Understanding between the City of Costa Mesa and CMFMA.
5. Authorized the Interim City Manager and members of the City's Negotiation Team to execute the MOUs.

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

Presentation by Mr. Gruner, Parks and Community Services Director, and Mr. Dalton, Fairview Park Administrator.

Public Comments:

Shannon Wingfield, Tribal Council of the Juaneño Band of the Mission Indians Acjahemen Nation, spoke in support of the restoration project.

Aylea Willow spoke in support of the restoration project.

Sergio Gonzalez, Coastal Corridor Alliance, spoke in support of the restoration project.

Speaker, spoke in support of the restoration project.

Jay Humphrey, Costa Mesa, spoke in support of the restoration project.

Melanie Schlotterbeck, spoke in support of the restoration project.

Cynthia McDonald, Costa Mesa, spoke in support of the restoration project.

Deborah Koken, Costa Mesa, spoke in support of the restoration project.

Terry Koken spoke in support of the restoration project, spoke on the park needing care, delineating the vernal pools, and park rangers.

Speaker, spoke on the environment at Fairview Park.

Rick Huffman, Costa Mesa, spoke in support of the restoration project.

Priscilla Rocco, Costa Mesa, spoke in support of the restoration project.

Hank Castignetti, Orange County Model Engineers, spoke in support of the restoration project.

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, Mayor Pro Tem Chavez, and Mayor Stephens.

Nays: None.

Absent: Council Member Marr and Council Member Reynolds.

Abstain: None.

Motion carried: 5-0

ACTION:

1. City Council approved the Addendum to the 1997 Initial Study/Mitigated Negative Declaration for Fairview Park to address new information regarding biological resources pertinent to the project.
2. Awarded 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. Authorized a ten percent (10%) contingency in the amount of \$131,106 for any unforeseen costs that may arise.
4. Authorized 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.

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

Mayor Stephens spoke on appointing Ms. Gallardo-Daly as the new City Manager.

ADJOURNMENT – Mayor Stephens adjourned the meeting at 8:45 p.m. in honor and memory of Charlie Kirk, Robert Redford, and Melissa and Mark Portman.

Minutes adopted on this 21st day of October, 2025.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk

DRAFT