



REGULAR CITY COUNCIL AND HOUSING AUTHORITY JULY 15, 2025 - 6:00 PM - MINUTES

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 (arrived at 4:08 p.m.), Council Member Marr (arrived at 4:08 p.m.), Council Member Pettis, Council Member Reynolds (arrived at 4:08 p.m.), Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: None.

PUBLIC COMMENTS

Mr. D'Alessio spoke on the closed session items.

CLOSED SESSION ITEMS:

- 1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: Jeanie O'Keefe v. City of Costa Mesa
Orange County Superior Court Case No. 30-2024-01443154-CU-PO-CJC
- 2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to California Government Code Section 54956.9 (d)(1)
Name of Case: City of Costa Mesa v. D'Alessio; 1963 Wallace Ave.
Orange County Superior Court Case No. 30 2020 01133479
- 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

7. PUBLIC EMPLOYEE APPOINTMENT

Pursuant to California Government Code Section 54957(b)(1)

Title: City Manager

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

Closed Session adjourned at 5:30 p.m.

CALL TO ORDER - The Regular City Council and Housing Authority meeting was called to order by Mayor Stephens at 6:00 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 Matthew Hambrick, Costa Mesa First United Methodist Church.

ROLL CALL

Present: Council Member Buley, Council Member Gameros (Left at 11:24 p.m.), Council Member Marr, Council Member Pettis, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: None.

CITY ATTORNEY CLOSED SESSION REPORT – No reportable action.

PRESENTATIONS:

The City Council recognized the Orange County Model Engineers' 40th Anniversary.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Flo Martin, Costa Mesa, spoke on residents living in fear and requested increased police presence to protect residents.

Speaker, voiced opposition to ICE's tactics, requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves, refrain from wearing masks, and have body cameras turned on, and spoke in support of public comments via zoom.

Dennis Okholm, Costa Mesa, voiced opposition to ICE's tactics, requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves and refrain from wearing masks, and spoke on the movie "A Day Without a Mexican".

Nancy Young, Costa Mesa, voiced opposition to ICE's tactics, spoke on residents living in fear, and spoke against racial profiling.

Abril Turner, Costa Mesa, voiced opposition to ICE's tactics, requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves and refrain from wearing masks.

Debra Marsteller, Costa Mesa, voiced opposition to ICE's tactics, requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves and refrain from wearing masks.

Speaker, voiced opposition to ICE's tactics, requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves and refrain from wearing masks.

Speaker, voiced opposition to ICE's tactics.

Cynthia McDonald, Costa Mesa, congratulated the Orange County Model Engineers, spoke on the Brown Act, requested the Farrell Harrison complaint be referred to the District Attorney's Office and the records be disclosed publicly, and requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves and refrain from wearing masks, and for the Police Department to be at all community activities.

Speaker, spoke on protecting the community from ICE's tactics.

Speaker, spoke on protecting the community from ICE's tactics, requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves and refrain from wearing masks.

Shawn Drexler, Costa Mesa, volunteers with the Orange County Rapid Response Network, spoke on protecting the community from ICE's tactics, requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves and refrain from wearing masks, requested advanced notice of ICE activity in the community, and to implement a legal defense fund.

Jay Humphrey, Costa Mesa, spoke on allowing public speakers, good governance, and transparency, and spoke on ensuring the community remains the top priority.

Speaker, voiced opposition to ICE's tactics.

Nicholas Taurus spoke on Freedom of Speech, the First Amendment, spoke on illegal immigration, and in support of ICE's activities.

City Council recessed into a break at 6:55 p.m.

City Council reconvened at 6:58 p.m.

Speaker, Costa Mesa, voiced opposition to ICE's tactics, requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves and refrain from wearing masks.

Speaker, expressed support for ICE and voiced opposition to illegal immigration.

Nately Foley, Costa Mesa, voiced opposition to ICE's tactics.

Speaker, voiced opposition to ICE's tactics, requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves and refrain from wearing masks, and requested a legal defense fund.

Speaker, Costa Mesa, voiced concerns regarding meeting decorum, ongoing parking challenges and permit parking, vehicles left stationary for extended periods, and persistent littering.

Speaker, voiced opposition to ICE's tactics, spoke on residents living in fear and the struggle to make ends meet.

Patricia Calderilla, spoke on residents living in fear and voiced opposition to ICE's tactics.

Speaker, spoke on incidents involving federal officers facing violence and voiced opposition to illegal immigration.

Speaker, Costa Mesa, voiced opposition to ICE's tactics, requested a resolution prohibiting assistance to ICE, and advocated for federal immigration agents to identify themselves and refrain from wearing masks.

Speaker, spoke on racism, using mobile alerts to warn residents about immigration activity and spoke on residents living in fear.

Speaker, voiced opposition to ICE's tactics and acknowledging when something is wrong.

Speaker, spoke on national overcrowding, rising housing costs, and foreign investment in real estate.

Dianne Russell, Costa Mesa, spoke in opposition of hate and racism, spoke on residents living in fear, and is against masked agents in unmarked cars.

Speaker, voiced opposition to ICE's tactics, spoke on spreading love, spoke on racial profiling, and spoke on residents living in fear.

Evan Hernandez, former Vanguard University student, voiced opposition to ICE's tactics, supports the Sanctuary State laws, spoke on caring for all community members, and is opposed to collaboration with federal immigration agents.

Speaker, Costa Mesa, spoke on open immigration and against deportations.

Speaker, spoke on offering a conduit to help illegal immigrants to become legal, and spoke on banning fireworks in the city.

Speaker, Costa Mesa, spoke on protecting all residents, and requiring federal immigration agents to identify themselves and refrain from wearing masks.

Speaker, spoke on supporting the Council to protect residents, and spoke on working together against hatred.

Speaker, spoke on federal government policies causing fear in the community.

Sue Lester, thanked the Costa Mesa Police Department for their presence, urged the City Council to actively support efforts that make residents feel heard and secure, requested the Farrell Harrison complaint be referred to the District Attorney's office, spoke on adopting an ethics code, spoke on equal rights and equal treatment, and spoke on free speech.

Juana Trejo, thanked the people who voiced opposition to ICE's tactics and thanked the community who contributed food and donations, thanked the Costa Mesa Police Department, spoke on the fight against racism, and requested the City Council to take action.

Roberto Herrera, Resilience Orange County, thanked previous speakers who are in support of peace, spoke on having a constructive dialogue on due process and human rights, spoke on evictions taking place in Costa Mesa and requested an emergency ordinance for an eviction moratorium, spoke on tracking evictions due to immigration actions, and requested additional rental assistance funds.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Marr thanked everyone who spoke and thanked the Police Department, addressed the importance of due process and the need to document unlawful detentions by ICE, spoke on contacting the Orange County Rapid Response Network or call 911, spoke on local businesses are not obligated to allow ICE agents without a warrant, requested to place on the August 5th agenda a resolution to support SB 805 and opposition to face masks, spoke on updating the City's website on legal rights as well as information on food donations and financial assistance, recognized Redemption Church for their work to assist those who need help, congratulated Battalion Chief Steve Airy on his promotion, requested to agendize the possibility of increasing business license fees and placing on the 2026 ballot, requested the ethics and code of conduct be brought back as soon as possible, and spoke on providing opportunities for participation and requested to end meetings earlier.

Council Member Reynolds spoke on the Caltrans agenda report and why she requested it to be moved to the August 5th agenda, highlighted on August 7th is an e-bike rodeo and workshop at Estancia High School, and on August 14th is a workshop by the Fair Housing Foundation, spoke on the Costa Mesa community being kind and caring to neighbors, spoke on the Mexican Repatriation and read a portion from the California Apology, spoke on racial profiling, due process rights, spoke on inhumane treatment and deaths to those who have been detained, spoke in support of Council Member Marr's requests, and providing legal aid, requested additional ways for people to participate in the meeting, and supports rental assistance and supports rental protections.

Council Member Pettis spoke on the July 3rd event, the Fairview Park plaque replacement, and spoke on the Arts Commission.

Council Member Buley thanked Police Chief LaPointe and Interim City Manager Gallardo-Daly for the opportunity to meet with law enforcement officers and the discussion on installing cameras on city owned buildings, spoke on meeting with Mr. Robbins on homeless issues, requested staff to research the licensing of sober living homes and the potential of paying the transient occupancy tax, and the importance of ensuring people are returned home once their insurance coverage at the sober living home ends, spoke on touring a Mesa Water facility, spoke on free speech and on a pathway to citizenship, finding a humane and compassionate way to address immigration, and expressed that SB 54 is counterintuitive and restricts communication.

Council Member Gameros spoke on free speech, spoke on people living in fear, stated that being an undocumented resident is not a crime, thanked Police Officer Dehuff for maintaining decorum, and spoke on the July 3rd event.

Mayor Pro Tem Chavez spoke on immigration, thanked the Costa Mesa Police Department for maintaining decorum, quoted "I'd rather die on my feet than die on my knees", expressed pride in his Mexican American heritage and the experience of growing up in Costa Mesa when being Mexican wasn't always accepted, spoke on people living in fear, and a decline of Latino participation, thanked everyone who spoke during public comments, spoke in support of discussing a resolution, spoke on SB 627, spoke on exploring options for legal aid and working with nonprofits, requested a Study Session for at fault evictions and for staff to start tracking the issue, and informed there is free lunch available for kids 18 and under at the library.

Mayor Stephens thanked everyone who spoke, thanked staff who helped with the July 3rd event, informed the Orange County Fair begins on July 18th, and on July 31st is the motorhome madness event, on July 30th he will participate in a race with other city mayors, spoke on attending the Mayors conference and meeting with Mike Johnston the Mayor of Denver and how Denver can serve as a model for protecting the Latino community, spoke on the First Amendment, read a statement that he and Mayor Pro Tem Chavez released, and spoke on the history of immigration in the United States.

REPORT – CITY MANAGER – Ms. Gallardo-Daly spoke on resources available on the Costa Mesa Cares website, welcomed the eleven new members to the Police Department, and by the end of 2025 should be at maximum staffing levels in the Police Department, and spoke on the open house on Wednesday, July 30th on the citywide zoning efforts to implement Measure K, from 6:00 p.m. to 8:00 p.m. at the Norma Hertzog Community Center.

REPORT – CITY ATTORNEY – NONE.

City Council recessed into a break at 9:04 p.m.

City Council reconvened at 9:20 p.m.

CONSENT CALENDAR

MOVED/SECOND: Council Member Reynolds/Council Member Marr

MOTION: Approve the Consent Calendar.

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, and Mayor Stephens recused himself on item 3 the Warrant Resolution due to campaign contributions received from Ware Disposal.

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: Theodore Luna, Jezzee Stewart.

3. ADOPTION OF WARRANT RESOLUTION

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

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

ACTION:

City Council approved Warrant Resolution No. 2737.

4. MINUTES

ACTION:

City Council approved the minutes of the regular meetings of June 3, 2025 and June 17, 2025.

5. AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR STORMWATER AND WATER QUALITY ADMINISTRATION SUPPORT

ACTION:

1. City Council awarded a Professional Services Agreement (PSA) to WSP USA, Inc., 3560 Hyland Avenue, Suite 100, Costa Mesa, California for three (3) years with two (2) one-year renewal periods in an amount not to exceed \$164,800 annually, for professional services to provide stormwater and water quality administration support for compliance with the National Pollutant Discharge Elimination System (NPDES) and Municipal Separate Storm Sewer System (MS4) Permit Program.
2. Authorized the Interim City Manager and the City Clerk to execute the PSA and any future amendments to the agreement.

6. FINAL MAP FOR TRACT NO. 19244 LOCATED AT 1711-1719 POMONA AVENUE, COSTA MESA, CALIFORNIA

ACTION:

City Council approved the Final Map for Tract No. 19244 and authorized signing of the Map by the City Engineer and the City Clerk.

7. TRAFFIC MANAGEMENT SERVICES AGREEMENTS WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION

ACTION:

1. City Council approved the 2025 agreement between the City and the 32nd District Agricultural Association for traffic management services for the Orange County Fair.
2. Approved the 2025 agreement between the City and the 32nd District Agricultural Association for traffic management services for all designated year-round events at the Orange County Fair and Event Center ("OCFEC").
3. Authorized the City Manager, or their designee, to execute the agreements.
4. Authorized the City Manager, or their designee, to execute any amendments to the agreements, including but not limited to, amendments increasing the maximum compensation to be paid to the City.

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. **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 Comments: None.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez

MOTION: Continue the item to the August 5th City Council meeting.

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:

City Council opened the public hearing, and continued the project to the August 5, 2025 City Council meeting.

2. **MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT (PGPA-24-0001), REZONE, MASTER PLAN (PMAP-24-0002), AND TENTATIVE TRACT MAP NO. 19351 FOR THE DEVELOPMENT OF 40 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 220, 222, 234, AND 236 VICTORIA STREET ("VICTORIA PLACE")**

Ex-Parte Communications: Mayor Stephens spoke with Don Lamm (Consultant) and Fred Cornwall (Civil Engineer).

Presentation by Mr. Mendez, Senior Planner.

Mr. Lamm presented on behalf of the applicant.

Public Comments:

Marc Vukceovich spoke in opposition of the project.

Cynthia McDonald, Costa Mesa, spoke in opposition of the project.

MOVED/SECOND: Mayor Stephens/ Council Member Gameros

MOTION: Approve the project with the findings set forth in the staff report on pages 26 through 28.

Council Member Gameros requested a friendly amendment concerning the frontage area – install a barrier wall, not rocks or bollards.

Mayor Stephens (1st) and the applicant agreed to the change.

Council Member Reynolds clarified the friendly amendment is a condition to create physical protection by separating the vehicle aisle from the sidewalk and park area.

Council Member Reynolds requested a friendly amendment to change the orientation of the buildings so the view from the street is not a sidewalk.

Mayor Stephens (1st), Council Member Gameros (2nd), and the applicant agreed to the change.

Director Tai clarified that the motion encompasses all of the actions associated with the approval, specifically the CEQA action.

Mayor Stephens (1st) confirmed all actions needed to approve the project are included in the motion. Council Member Gameros (2nd) confirmed.

MOVED/SECOND: Mayor Stephens/ Council Member Gameros

MOTION: Approve the Mitigated Negative Declaration, General Plan Amendment (PGPA-24-0001), first reading of an ordinance approving the rezone, Master Plan (PMAP-24-0002), and Tentative Tract Map No. 19351 for the Development of 40 residential units located at 220, 222, 234, and 236 Victoria Street (“Victoria Place”), include a condition to create physical protection to separate the vehicle aisle from the sidewalk and park area, and change the orientations of the buildings so the view from the street is not a sidewalk.

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 approved the General Plan Amendment (PGPA-24-0001), Rezone, Master Plan (PMAP-24-0002), and Tentative Tract Map No. 19351 located at 220, 222, 234, and 236 Victoria Street (“Victoria Place”).
2. Included a condition to create physical protection by separating the vehicle aisle from the sidewalk and park area by installing a barrier wall.
3. Directed the applicant to change the orientations of the buildings so the view from the street is not a sidewalk.

OLD BUSINESS: NONE.

NEW BUSINESS:

1. RESIDENTIAL PERMIT PARKING PROGRAM - CABRILLO STREET BETWEEN ORANGE AVENUE AND SANTA ANA AVENUE

Presentation by Paul Martin, Transportation Services Manager.

Public Comments:

Steve Brahs, business owner on Cabrillo Street near Newport Boulevard, requested the following: to allow for commercial businesses to buy permit parking passes, let commercial businesses paint 2-hour parking areas, do not approve the automatic extension of 1000 ft. radius towards Newport Blvd., and roll out the shared parking program.

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 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:

City Council adopted Resolution No. 2025-31, approving the implementation of a Residential Permit Parking (RPP) only restriction on Cabrillo Street between Orange Avenue and Santa Ana Avenue, and authorizing the Transportation Services Manager to extend the restriction within a 1,000-foot radius as needed, based on a qualifying petition from affected residents and Council-adopted guidelines.

2. RANDALL PRESERVE DISCUSSION

Council Member Reynolds spoke on the item and provided background information on the Randall Preserve. In addition Council Member Reynolds spoke on the relevant issues for Costa Mesa: site management, fire concerns, fire prevention, access, vehicle volume and traffic concerns, access by walking and biking, wayfinding signage, shuttle drop offs, transportation connections, collaborations with other government agencies and tribal organizations, and grants.

Public Comments:

Dr. Ken Smith shared a PowerPoint regarding Randall Preserve and submitted a petition.

David Martinez spoke on access for bikes and coordination with other agencies.

Matt Garcia, President of Harbor Soaring Society, spoke on the Harbor Soaring Society flying planes over the Banning Ranch area and providing photos, and spoke in support of keeping the area open and protected, and that accessibility and coordination is appreciated.

Cynthia McDonald, Costa Mesa, spoke in support of the information provided to the public, spoke on the burrowing owls being discovered by Cindy Black.

MOVED/SECOND: Council Member Marr/Council Member Reynolds

MOTION: Receive and file.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Gameros,

Abstain: None.

Motion carried: 6-0

ACTION:

The City Council received and filed the report.

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

ADJOURNMENT - Mayor Stephens adjourned the meeting at 11:41 p.m.

Minutes adopted on this 5th day of August, 2025.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk

DRAFT