



REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY JULY 21, 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 Buley, Council Member Gameros (arrived 4:03 p.m.), Council Member Marr (arrived 4:06 p.m.), Council Member Pettis, Council Member Reynolds (arrived 4:08 p.m.), Mayor Pro Tem Chavez, and Mayor Stephens.

Absent: None.

PUBLIC COMMENTS – NONE.

CLOSED SESSION ITEMS:

- 1. CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to California Government Code Section 54957.6, (a)
Agency Designated Representative: Cecilia Gallardo-Daly, City Manager
Name of Employee Organization: Costa Mesa City Employees Association (CMCEA)
- 2. CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to California Government Code Section 54957.6, (a)
Agency Designated Representative: Cecilia Gallardo-Daly, City Manager
Name of Employee Organization: Costa Mesa Confidential Unit
- 3. CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to California Government Code Section 54957.6, (a)
Agency Designated Representative: Cecilia Gallardo-Daly, City Manager
Name of Employee Organization: Costa Mesa Police Association (CMPA)
- 4. CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to California Government Code Section 54957.6, (a)
Agency Designated Representative: Cecilia Gallardo-Daly, City Manager
Name of Employee Organization: Costa Mesa Police Management Association (CMPMA)

5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Name of Case: City of Costa Mesa v. Ohio House LLC

Orange County Superior Court, Case No. 30-2020-01146835-CU-OR-CJC

6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Name of Case: City of Costa Mesa v. Ohio House, LLC, a California limited liability corporation; Richard Perlin, Nancy Perlin, Dolores Perlin, and Brandon Stump as individuals, Orange County Superior Court Case No. 30-2018-01006173-CU-OR-NJC

7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Name of Case: Ohio House, LLC v. City of Costa Mesa, United States District Court, Central District of CA, Case No. 8:19 cv 01710 DOC (KESx)

8. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Name of Case: Disability Rights California, a California non-profit corporation v. City of Costa Mesa, Cecilia Gallardo-Daly, City Manager, and Costa Mesa City Council
Orange County Superior Court, Case No. 30-2026-01581983-CU-WM-CJC

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

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

Ms. Hall Barlow, City Attorney, requested to add two items to the closed session agenda that arose after the posting of the agenda.

10. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Name of Case: Insight Psychology and Addiction, Inc. v. City of Costa Mesa,
U.S. District Court, Central District of California, Case No. 8:20 cv 00504 JVS JDE

11. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Name of Case: People of the State of California, ex rel, Rob Bonta, California Department of Housing and Community Development v. City of Costa Mesa
Orange County Superior Court, Case No. 30-2026-01583941-CU-WM-CJC

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez

MOTION: Add the two items requested by the City Attorney to the Closed Session agenda.

The motion carried by the following roll call vote:

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

Nays: None.

Absent: Council Member Gameros, Council Member Marr, and Council Member Reynolds.

Abstain: None.

Motion carried: 4-0

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

Closed Session adjourned at 5:39 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 6:05 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE – A video was played of the America 250 Choir singing America the Beautiful.

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

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.

Absent: None.

CITY ATTORNEY CLOSED SESSION REPORT – No reportable action was taken.

PRESENTATIONS:

The City Council recognized the Costa Mesa Little League Teams - the Minor B Brewers and the Superstars.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Speakers in the Council Chambers:

Flo Martin, Costa Mesa, spoke about car collision data, applauded the Public Works Department for its safety projects, and noted that accidents have decreased drastically.

Larry Jones, Costa Mesa, spoke about State-required units to be developed, and expressed concerns regarding traffic, development, and parking.

Brandice Leger, Parks and Community Services Commissioner, District 2, spoke on the ROCKS Program and expressed concerns regarding communications.

Speaker, spoke on safety concerns at the Hilton hotel.

Cristian Garcia Arcos, Parks and Community Services Commissioner, District 4, spoke on meeting with the Creek Team and expressed concern on destruction of local habitats.

Speaker from the Creek Team, spoke against the use of pesticides and expressed concern on destruction of local habitats.

Michael Rio, from the Creek Team, spoke against the use of pesticides and expressed concern on destruction of local habitats.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Marr – None.

Council Member Reynolds praised the Public Works Department and for its safety projects, thanked the Creek Team for speaking and spoke on bringing forth a resolution in support of their work, provided an update on the Randall Preserve, and spoke on a Free Bike Repair event.

Council Member Pettis spoke on the July 3rd event, attending the opening of the Orange County Fair, and spoke on the Fairview Developmental Center Townhall meeting on Thursday, July 23rd at 6:00 p.m.

Council Member Buley recognized the Parks and Community Services Department for the July 3rd event, and thanked the Police and Fire Departments for helping make the event happen.

Council Member Gameros spoke on reaching out to Director Gruner regarding the ROCKS program and praised the Parks and Community Services Department for all of their work, and reported on cooling stations throughout the city.

Mayor Pro Tem Chavez – None.

Mayor Stephens spoke on following up on the Hilton safety concerns, spoke on the July 3rd event and thanked the Parks and Community Services and Police Departments for their work on the event, spoke on participating remotely for the August City Council meeting and that Mayor Pro Tem Chavez will preside at the meeting.

REPORT – CITY MANAGER – NONE.

REPORT – CITY ATTORNEY – NONE.

CONSENT CALENDAR

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

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 previously working for Priceless Pet Rescue.

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: Roselle Bailey, Anthony Deak, Emma Romero Gaona, Jessie Lynn Henderson, Austin Hoskins, Laura Laidlaw, Eloisa Tadeo, Mayra Guadalupe Alvarez Tadeo.

3. ADOPTION OF WARRANT RESOLUTION

Council Member Gameros recused himself on this item due to his wife previously working for Priceless Pet Rescue.

ACTION:

City Council approved Warrant Resolution No. 2757.

4. MEMORANDUM OF UNDERSTANDING WITH THE CITY OF IRVINE FOR USE OF BEDS AT THE COSTA MESA BRIDGE SHELTER

ACTION:

1. City Council approved the Memorandum of Understanding with the City of Irvine for access to beds, as available, at the Costa Mesa Bridge Shelter for a period of one year from August 1, 2026 to July 31, 2027.
2. Authorized the City Manager and City Clerk to execute all agreements and any amendments to the agreement as needed.

5. APPROVE THE PURCHASE OF A CATERPILLAR 938 WHEEL LOADER

ACTION:

1. City Council authorized the use of Sourcewell Public Sector National Cooperative Agreement No. 011723-CAT with Caterpillar Inc. for the purchase of one (1) 2026 Caterpillar 938 Wheel Loader in the amount of \$349,368.97.
2. Authorized the City Manager to execute all necessary documents for the above purchase.

6. ACCEPTANCE OF THE 2024-2025 CITYWIDE PARKWAY MAINTENANCE, STREET REHABILITATION, AND SLURRY SEAL PROJECT, CITY PROJECT NO. 24-03

ACTION:

1. City Council accepted the work performed by Onyx Paving Company, Inc., 2890 East La Cresta Avenue, Anaheim, California 92806 for the 2024-2025 Citywide Parkway Maintenance, Street Rehabilitation, and Slurry Seal Project, City Project No. 24-03, and authorize the City Clerk to file the Notice of Completion.
2. Authorized the City Manager to release the retention monies thirty-five (35) days after the Notice of Completion filing date; release the Labor and Material Bond seven (7) months after the filing date; and release the Faithful Performance Bond one (1) year after the filing date.

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

ACTION:

1. City Council approved the 2026 agreement between the City and the 32nd District Agricultural Association for traffic management services for the Orange County Fair.
2. Approved the 2026 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.

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

PUBLIC HEARINGS: NONE.

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

OLD BUSINESS: NONE.

NEW BUSINESS:

1. FLOCK SAFETY AUTOMATED LICENSE PLATE READER (ALPR) REPORT AND PRESENTATION

Presentation by Chief LaPointe, Captain Diaz, Lieutenant Barnes, and Lieutenant Jacobi.

Public Comments:

Speakers in the Council Chambers:

Crystal Guerra, Underground Grit, spoke in opposition to the Flock camera contract.

Speaker, Orange, spoke in opposition to the Flock camera contract.

Speaker, Costa Mesa, Underground Grit, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Flo Martin, Costa Mesa, spoke in opposition to the Flock camera contract.

Rachael Godwin, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, Newport Beach, spoke in opposition to the Flock camera contract.

Speaker, Resilience Orange County, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, Costa Mesa, spoke in opposition to the Flock camera contract.

Zoe McKewen, Costa Mesa, spoke in opposition to the Flock camera contract.

Juana Trejo, spoke in opposition to the Flock camera contract.

Adam Frazier, Costa Mesa, spoke in opposition to the Flock camera contract.

Carmen Ramirez, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, Students' Civil Liberties Union, spoke in opposition to the Flock camera contract.

Speaker, Resilience Orange County, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, Resilience Orange County, spoke in opposition to the Flock camera contract.

Tanya Navarro, Organizing Director of Chispa, spoke in opposition to the Flock camera contract.

Carla Hernandez, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, Costa Mesa, spoke in opposition to the Flock camera contract.

Maricela Lopez, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Brooke Grey, Costa Mesa, organizer with Food Not Bombs Orange County, spoke in opposition to the Flock camera contract.

Speaker, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, Sunrise Orange County, spoke in opposition to the Flock camera contract.

Lucia Mejia, spoke in opposition to the Flock camera contract.

Speaker, Sunrise Orange County, spoke in opposition to the Flock camera contract.

Speaker, Sunrise Orange County, spoke in opposition to the Flock camera contract.
Jackie Rothmeier, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, Costa Mesa, spoke in opposition to the Flock camera contract.

Daniel Livingston, Costa Mesa, spoke in opposition to the Flock camera contract.

City Council recessed into a break at 10:05 p.m.

City Council reconvened at 10:15 p.m.

MOVED/SECOND: Mayor Stephens/Council Member Marr

MOTION: Reduce public comments to 2 minutes each

The motion carried by the following roll call vote:

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

Nays: Council Member Gameros and Mayor Pro Tem Chavez.

Absent: None.

Abstain: None.

Motion carried: 5-2

Speaker, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Aliya Yousufi, Senior Policy Advocacy Manager for CAIR-LA Council on American-Islamic Relations, spoke in opposition to the Flock camera contract.

Marina Salmon, Santa Ana, spoke in opposition to the Flock camera contract.

Speaker, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Eric Jimenez, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Dahlia Collins, Laguna Hills, spoke in opposition to the Flock camera contract.

Natalie Foley, Costa Mesa, spoke in opposition to the Flock camera contract.

Shawn Drexler, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, Sunrise Orange County, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Angely Andrade, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, Sunrise Orange County, spoke in opposition to the Flock camera contract.

Speaker, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, Pride at the Pier, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, Sunrise Orange County, spoke in opposition to the Flock camera contract.

Cristian Garcia Arcos, Parks and Community Services Commissioner, spoke in opposition to the Flock camera contract.

David Martinez, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speakers on Zoom:

Alison Rubinfeld, ACLU of Southern California, spoke in opposition to the Flock camera contract.

Michael Moses Nolf, spoke in opposition to the Flock camera contract.

Priscilla Rocco, spoke in opposition to the Flock camera contract.

Kayla Asato, spoke in opposition to the Flock camera contract.

Vivek Chellappa, spoke in opposition to the Flock camera contract.

Ron Lawrence, Costa Mesa, spoke in support of the Flock Camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

Cynthia McDonald, Costa Mesa, spoke in opposition to the Flock camera contract.

Speaker, Tustin, spoke in opposition to the Flock camera contract.

Speaker, spoke in opposition to the Flock camera contract.

MOVED/SECOND: Council Member Gameros/Council Member Marr

MOTION: Maintain the existing Flock services while the City Attorney works on revisions to the agreement; limit the data retention period to 21 days; direct the City Attorney to review the existing agreement and negotiate appropriate revisions to sections relating to release of data to third parties, require notice to the city of any demand for data, including subpoenas and court orders; eliminate language regarding customer generated data, revise language to preclude sale, exchange, or other release of customer data; no change to system capabilities without approval of city, and such other revisions as will strengthen protection of the data to the maximum extent applicable and return with the modified language to the City Council for consideration.

Council Member Marr requested the following amendments to the motion:

- Eliminate any reference to audio or audio detection
- Separate the definition of retention period and access period
- Clarify Section 2.4 regarding upgrades to system platform to prohibit additional capabilities of software without notification
- Remove Section 4.2
- Section 4.1 define both the retention period and access period
- Section 4.3 strike section granting anonymized data for training
- Add Section 4.4 related to data destruction procedures and protocols
- Provide a detailed definition of the scope and expected contents of the audit report, including defining information to be available to the public
- Require the Police Department to recommend the appropriate number of authorized users for the system

Council Member Gameros agreed to the amendments.

Council Member Gameros and the City Attorney clarified Section 5.3:

- Regarding disclosure of footage: tighten the language to restrict distribution, and to clarify that if Flock receives a request for footage, including via subpoena or court order, it must refer the request to the City, and the City retains the authority to restrict its distribution.

Council Member Gameros and Council Member Marr agreed to:

- Change the data retention period to 45 days.

SUBSTITUTE MOTION/SECOND: Council Member Reynolds

SUBSTITUTE MOTION: Eliminate Flock contract effective immediately.

The motion died due to lack of a second.

Council Member Buley and the City Attorney clarified that the City Attorney will return with an amended agreement for City Council consideration prior to April 2027.

Council Member Reynolds requested the following amendment to the motion:

- Include proposed language requiring call volume and system usage data to be evaluated and analyzed to identify opportunities to reduce the number of camera locations, including locations of private cameras.

Council Member Gameros and Council Member Marr agreed to the amendment.

Council Member Reynolds spoke on not supporting the original motion.

The City Attorney clarified that an amended agreement will be presented to the City Council for consideration no later than November 2026.

MOVED/SECOND: Council Member Gameros/Council Member Marr

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: Council Member Reynolds.

Absent: None.

Abstain: None.

Motion carried: 6-1

ACTION:

Maintain the existing Flock services while the City Attorney works on revisions to the agreement; limit the data retention period to 45 days; directed the City Attorney to review the existing agreement for amendments including:

- Section 5.3 regarding disclosure of footage: tighten the language to restrict distribution, and to clarify that if Flock receives a request for footage, via subpoena or court order, it must refer the request to the City, and the City retains the authority to restrict its distribution
- Eliminate language regarding customer generated data
- Preclude sale, exchange or other release of customer data
- No changes to the system capabilities without approval of the City
- Any additional revisions deemed necessary to strengthen data protection and safeguard data to the maximum extent
- Eliminate any reference to audio or audio detection
- Separate the definition of retention period and access period
- Clarify Section 2.4 regarding upgrades to system platform to prohibit additional capabilities of software without notification
- Remove Section 4.2
- Section 4.1 define both the retention period and access period
- Section 4.3 strike section granting anonymized data for training
- Add Section 4.4 related to data destruction procedures and protocols
- Provide a detailed definition of the scope and expected contents of the audit report, including defining information to be available to the public.
- Require the Police Department to recommend the appropriate number of authorized users for the system
- City Attorney to return with an amended agreement for the City Council's consideration no later than November, 2026
- Include proposed language requiring call volume and system usage data to be evaluated and analyzed to identify opportunities to reduce the number of camera locations, including locations of private cameras.

2. CITY BALLOT INITIATIVES PERTAINING TO BUSINESS LICENSE REFORM AND TRANSIENT OCCUPANCY TAX

MOVED/SECOND: Council Member Marr/Council Member Reynolds

MOTION: Continue the to July 22, 2026 at 4:00 p.m.

The motion carried by the following roll call vote:

Ayes: Council Member Buley, Council Member Gameros, Council Member Marr, Council Member Pettis, and Council Member Reynolds.

Nays: Mayor Pro Tem Chavez and Mayor Stephens.

Absent: None.

Abstain: None.

Motion carried: 5-2

ACTION:

City Council continued the item to July 22, 2026 at 4:00 p.m.

Minutes adopted on this 1st day of September, 2026.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk

DRAFT