



REGULAR MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY OCTOBER 6, 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 at 4:08 p.m.), Council Member Marr, Council Member Pettis, Council Member Reynolds (Arrived at 4:08 p.m.), Mayor Pro Tem Chavez (Arrived at 4:01 p.m.), and Mayor Stephens.

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: City of Costa Mesa v. Ohio House LLC

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

3. 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)

4. 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

5. 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

6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to California Government Code Section 54956.8

APN: 139-032-11; Property: 3303 Hyland Avenue, Costa Mesa, CA 92626

Agency Negotiator: Cecilia Gallardo-Daly, City Manager

Negotiating Parties: Lisa Kolieb, Partner with Akerman LLP

Under Negotiation: Price and Terms of Payment

City Council recessed at 4:01 p.m. for Closed Session.

Closed Session adjourned at 5:10 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 6:00 p.m.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE – A video was played of the National Anthem and the Mayor Pro Tem led the Pledge of Allegiance.

MOMENT OF SOLEMN EXPRESSION – Led by Pastor Manne, Calvary Chapel.

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:

City Council presented a Proclamation to the Public Works Department, Transportation Division in recognition of Walktober 2026.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA

Speakers in the Council Chambers:

Speaker, spoke on noise complaints regarding The 12 gym.

Jose Toscano, Costa Mesa, spoke in remembrance of 3 years since the attack on Israel, spoke on candidates on the ballot, and requested City Council to consider a resolution to condemn Hamas and stand with the residents of Israel and a resolution to stand with the Jewish residents of Costa Mesa against anti-semitism.

Anne Stenton, spoke against the use of Flock cameras.

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Jake Johnston, Costa Mesa, spoke on problems associated with sober living facilities and the lack of oversight.

Speaker, spoke on the sober living facility on Waxwing Circle and it is altering the character and safety of the neighborhood, and requested City Council pull police and fire logs to investigate.

Speakers on Zoom:

Speaker, spoke against the use of Flock cameras, spoke on Senate Bill 34, and on curing the process.

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Gameros spoke on the extreme heat and the Senior Center is a cooling center and spoke on the Fire Station No. 4 open house.

Council Member Marr spoke on attending the Chagee Tee House grand opening, attending the Orange County Black Chamber of Commerce event, recognized Ramon Guzman's art exhibit at Lions Park, stated that Walk to School Day is October 7th, and requested an update on the Flock contract.

Council Member Reynolds requested an update on the Flock contract, spoke on Walktober and requested a Safe Routes to School presentation to the City Council, spoke on riding the Let's Go Costa Mesa shuttle and the experience she had, spoke on updating zoning and the mixed-use overlay district project, and spoke on the annual Shine the Light event with Human Options on October 21st.

Council Member Pettis spoke in support of Human Options and thanked staff for their engagement with the community regarding Harper Park.

Council Member Buley recognized RAD Camp for children with disabilities and spoke on attending their charity gala, requested the FP for the animal shelter contract be reviewed by the Animal Services Committee, and spoke on developing a plan for implementing AI and generating efficiencies.

Mayor Pro Tem Chavez noted that October 7th is Coffee with a Cop at Deli Nerds, the Fire Station No. 4 open house in on Saturday, October 10th, and the ribbon cutting at Ketchum-Libolt Park is on Money, October 13th.

Mayor Stephens spoke on RAD Camp at Vanguard University, requested an informational update to the City Council on a sober living home on Waxwing Circle, spoke on attending the Orange County Arts Awards dinner, attending the Chagee Tee House grand opening, recognized Ramon Guzman's art exhibit at Lions Park, spoke on the Adams Ave. project, congratulated CMTV on winning several awards, and noted October 15th is Sing Along with the Mayor at Dick Churches to benefit Save Our Youth.

REPORT – CITY MANAGER – Ms. Gallardo-Daly reported on the ribbon cutting for Ketchum-Libolt Park will be held on Money, October 12th at 3:00 p.m. and thanked Assembly Member Cottie Petrie-Norris for her contribution, congratulated CMTV on winning several awards, recognized Ramon Guzman's art exhibit at Lions Park, and recognized Nikki Johnson, Assistant Fire Marshal for receiving the City Manager Leadership Award.

REPORT – CITY ATTORNEY – Ms. Hall Barlow stated that the proposed amendments to the Flock contract will be brought forth at the November 17, 2026 City Council meeting.

CONSENT CALENDAR

MOVED/SECOND: Mayor Pro Tem Chavez/Mayor Stephens

MOTION: Approve the Consent Calendar except for item number 9.

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

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 return and/or reject any and all Claims: Yasmin Baksh, Carol Molina, Johnny Mosham, Rasheed Mumtaz, Rolando Teran, Grygoriy Tolmachov.

3. ADOPTION OF WARRANT RESOLUTION

ACTION:

City Council approved Warrant Resolution No. 2761.

4. MINUTES

ACTION:

City Council approved the minutes of the regular meeting of September 15, 2026.

5. FINAL MAP FOR TRACT NO. 19334 LOCATED AT 3150 BEAR STREET, COSTA MESA

ACTION:

City Council approved the final map for Tract No. 19334, located at 3150 Bear Street, and authorized the signing of the Map by the City Engineer and the City Clerk.

6. AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT WITH KABBARA ENGINEERING FOR PUBLIC WORKS/ENGINEERING STAFF SUPPORT SERVICES

ACTION:

1. City Council approved Amendment No. 2 to the Professional Services Agreement (PSA) with Kabbara Engineering for on-call Public Works/Engineering staff support services, increasing the compensation limit by \$300,000, for a total not-to-exceed amount of \$600,000.
2. Authorized the City Manager or designee and City Clerk to execute Amendment No. 2 and any future authorized amendments to the PSA.

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

ACTION:

1. City Council accepted the work performed by C.I. Services, Inc. for the Norma Hertzog Community Center Roof Replacement Project, City Project No. 25-05, and authorized 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.

8. AWARD A PROFESSIONAL SERVICES AGREEMENT FOR THE EMERGENCY GENERATOR DESIGN SERVICES TO AYRES ASSOCIATES

ACTION:

1. City Council awarded a Professional Services Agreement (PSA) to Ayres Associates, 250 E. Olive Avenue, Suite 201, Burbank, CA 91502, for two (2) years for the architectural and engineering design services for the Emergency Generator Replacement Project in an amount not to exceed \$124,283.
2. Authorized a ten percent (10%) contingency in the amount of \$12,428 for unforeseen costs related to the project.

3. Authorized the City Manager and City Clerk to execute the PSA and any future amendments to the agreement.

ITEMS PULLED FROM THE CONSENTCALENDAR

9. **ADOPT RESOLUTION NO. 2026-53 AUTHORIZING AN APPLICATION FOR FUNDS UNDER THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR AN ORANGE COUNTY ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES GRANT PROGRAM (EMSD)**

Public Comments: None.

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 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. 2026-53 "A Resolution of the City of Costa Mesa City Council Authorizing City staff to apply to the Orange County Transportation Authority (OCTA) for an Orange County Enhanced Mobility for Seniors and Individuals with Disabilities (EMSD) Grant Program to support the City's Senior Mobility Program and establish coordination with non-profits and ensure services are not being duplicated.
2. Authorized the City's commitment for a grant city match of 20% not-to-exceed \$89,760 should the City be awarded the EMSD grant for a grant period from July 1, 2027 through June 30, 2029.

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

PUBLIC HEARINGS:

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

1. **AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO UPHOLD THE ECONOMIC AND DEVELOPMENT SERVICES DIRECTOR'S DECISION TO DENY A REASONABLE ACCOMMODATION REQUEST TO DEVIATE FROM CERTAIN REQUIREMENTS OF THE ZONING CODE TO OPERATE A SOBER LIVING HOME. OPERATED BY THE OHIO HOUSE AT 115 EAST WILSON STREET, UNITS A THROUGH E**

Presentation by Mr. Mendez, Senior Planner.

Public Comments:

Speakers on Zoom:

Cynthia McDonald spoke in opposition to the item due to insufficient information being provided to the public.

Speakers in the Council Chambers:

Speaker, spoke in support of the item.

MOVED/SECOND: Mayor Stephens/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, Council Member Reynolds, Mayor Pro Tem Chavez, and Mayor Stephens.

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

1. City Council held a hearing on the appeal for the limited purpose of remanding this matter to the Community Development Director to reconsider the Reasonable Accommodation request, in light of anticipated revisions to the City's Reasonable Accommodation procedures that would more closely align with those of the most recently adopted California Code of Regulations applicable to housing; and
2. Authorized staff to notice a subsequent hearing for October 20, 2026 to reconsider the denial of the CUP in light of the Director's decision on the Reasonable Accommodation request.

OLD BUSINESS:

1. **ADOPTION OF ORDINANCE NO. 2026-08 ADOPTING THE FAIRVIEW DEVELOPMENTAL CENTER SPECIFIC PLAN AND RELATED AMENDMENTS TO TITLE 13 OF THE ZONING CODE AND THE ZONING MAP**

Presentation by Ms. Dacey, Principal Planner and Ms. McGill Planning Manager.

Public Comments:

Speakers in the Council Chambers:

Speaker, spoke on the need for supportive housing.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Chavez

MOTION: Approve staff recommendation with the following two additions:

- Include wording in the ordinance to prohibit a road cutting through the Mesa Linda Golf Course.
- Remove the conceptual drawing from the Specific Plan showing a road through the golf course.

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 Ordinance No. 2026-08 titled "An Ordinance of the City Council of the City of Costa Mesa, California, Adopting the Fairview Developmental Center Specific Plan (FDCSP) and Amending Sections 13-20, 13-28, 13-30, Chapter V, Article 7, and Adding Chapter XVIII "Specific Plans" to Title 13 of the Zoning Code, and Amending the Zoning Map to Change the Zoning Designation of the 110 Acre Fairview Developmental Center (FDC) Site Located at 2501 Harbor Boulevard to Refer to the 95 Acre FDCSP and Change the Remaining 15 Acres to Institutional and Recreational (I&R)." Also, including wording to prohibit a road cutting through the Mesa Linda Golf Course and to remove the conceptual drawing from the Specific Plan showing a road through the golf course.

NEW BUSINESS:

1. REVIEW OF CONCEPTUAL DESIGN FOR OPEN PARCEL ADJACENT TO SHALIMAR PARK

Presentation by Mr. Gruner, Parks and Community Services Director.

Public Comments:

Speakers in the Council Chambers:

Anne Stenton spoke in support of the item and thanked staff for their work on the project.

Speaker, spoke in support of the item, thanked staff for their work on the project, and requested a community center.

Reina Cuthill spoke in support of the item and requested a community center.

Eric Jimenez, Bright Youth, spoke in support of the item and requested a community center.

Speakers on Zoom:

Angely Andrade spoke in support of the item, requested a community center, and spoke on the possibility of the community center also being a cooling center.

Cristian Garcia Arcos spoke on the survey needing to be in different dialects, spoke on funding for a community center, and spoke on partnering with Orange Coast College for the design.

Betsy Densmore, spoke in support of the item and requested a community center.

Speaker, spoke in support of the item and requested a community center.

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

MOTION: Approve staff recommendation.

Council Member Reynolds requested to add to the motion to direct staff to explore a partnership with Orange Coast College on the design of a community center.

Mayor Pro Tem Chavez agreed to add the change as long as it is open to any partnership opportunities and not just Orange Coast College.

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

MOTION: Approve staff recommendation with direction to staff to explore partnership opportunities for the design of the community center.

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 reviewed and approved the conceptual design plan for the proposed improvement project adjacent to Shalimar Park, located at 778 Shalimar Drive and directed staff to explore partnership opportunities for the design of the community center.

2. RESOLUTION ESTABLISHING NEW PRIMA FACIE SPEED LIMITS IN SCHOOL ZONES AS PERMITTED BY THE CALIFORNIA VEHICLE CODE, CALIFORNIA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, AND CALIFORNIA ASSEMBLY BILL 382

Presentation by Mr. Martin, Transportation Services Manager.

Public Comments:

Speakers in the Council Chambers:

Speaker, inquired if the back entrance to Victoria School would also be considered.

David Martinez, spoke in support of the item.

Speaker, spoke in support of the item.

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

MOTION: Approve staff recommendation, take pre/post data on the speed limits to demonstrate measurable impact, conduct target enforcement on Victoria Street and if speeds remain above 25 miles per hour, implement further speed reductions, and once the speeds have been reduced, send a letter to the Assembly and Senate Transportation Committees informing them of the actions taken.

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. 2026-54, establishing new prima facie speed limits within school zones in the City of Costa Mesa as permitted by the California Vehicle Code, California Manual on Uniform Traffic Control Devices, and California Assembly Bill 382. Directed staff to take pre/post data on the speed limits to demonstrate measurable impact, conduct target enforcement on Victoria Street and if speeds remain above 25 miles per hour, implement further speed reductions, and once the speeds have been reduced, send a letter to the Assembly and Senate Transportation Committees informing them of the actions taken.

3. FAIR DRIVE CIRCULATION IMPROVEMENTS - “FAIR DRIVE FOR ALL”, FEDERAL PROJECT NO. CML-5312(112)

Presentation by Mr. Martin, Transportation Services Manager.

Public Comments:

Speakers in the Council Chambers:

Ralph Taboada, spoke in support of the item.

David Martinez, spoke in support of the item.

Speakers on Zoom:

Chelsea Cody-Waters, spoke in support of the item.

Colin Cody-Waters, spoke in support of the item.

MOVED/SECOND: Council Member Marr/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 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 awarded a Professional Services Agreement (PSA) to Kimley-Horn and Associates, Inc. for professional engineering design services for the Fair Drive Circulation Improvements - "Fair Drive For All" project (Federal Project No. CML-5312(112)) for a period of three years, with the option for two (2) one-year renewal, in an amount not to exceed \$863,000, in final form as approved by the City Attorney.
2. Authorized a ten percent (10%) contingency in the amount of \$86,300 for any unforeseen costs or additional services that may be required by the project.
3. Authorized the City Manager and the City Clerk to accept minor modifications that may be needed and execute the PSA and any future amendments to the agreement.

4. APPROVAL FOR THE PURCHASE OF THREE DOCKING STATIONS AND DRONE WITH AXON ENTERPRISE INC. (SKYDIO INC.)

Presentation by Captain Diaz and Lieutenant Wilson.

Public Comments:

Speakers in the Council Chambers:

Rachael Godwin spoke in opposition to the item and requested the item be postponed to do more research and public outreach.

Anne Stenton requested the item be postponed to do more research and public outreach.

Speaker, spoke on the lack of public outreach and spoke in opposition to the item.

Speakers on Zoom:

Andrew Barnes spoke in support of the use of drones and that the data be solely controlled by the Costa Mesa Police Department.

Allison Lin requested the item be postponed to do more research and public outreach.

Cynthia McDonald spoke in opposition to the item.

MOVED/SECOND: Council Member Gameros/Council Member Pettis

MOTION: Approve the staff recommendation, with the approval of the agreement contingent upon the City Attorney's review of provisions related to evidence retention, sharing data, and the right to terminate.

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

SUBSTITUTE MOTION: Pause the item, hold a townhall on modern policing technologies, develop a drone program policy, establish a data security and retention policy related to the new modern policing technologies, review and modify the proposed contract for termination, data deletion, clarity on external data use, AI, and on the total program cost.

The motion failed by the following roll call vote:

Ayes: Council Member Marr and Council Member Reynolds.

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

Absent: None.

Abstain: None.

Motion carried: 2-5

ORIGINAL MOTION/SECOND: Council Member Reynolds/Council Member Marr

ORIGINAL MOTION: Approve the staff recommendation, with the approval of the agreement contingent upon the City Attorney's review of provisions related to evidence retention, sharing data, and the right to terminate.

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: Council Member Marr and Council Member Reynolds.

Absent: None.

Abstain: None.

Motion carried: 5-2

ACTION:

1. City Council approved the purchase of three (3) drone docking stations and one (1) Skydio X-10 drone, including service and software through a cooperative agreement with Omnia Contract No. 3544-21-4615 in the amount of \$292,144.59 for a term of two years contingent upon the City Attorney's review of provisions related to evidence retention, sharing data, and the right to terminate.
2. Authorized a contingency in the amount of \$7,855.41 for unforeseen costs.
3. Authorized the City Manager and City Clerk to execute an agreement with Axon

Enterprise, Inc. (Skydio Inc.), and any future amendments, in a form approved by the City Attorney, including review of provisions related to evidence retention, sharing data, and he right to terminate.

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

ADJOURNMENT – Mayor Stephens adjourned the meeting at 10:08 p.m.

Minutes adopted on this 20th day of October, 2026.

John Stephens, Mayor

ATTEST:

Brenda Green, City Clerk