



CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
CLOSED SESSION MINUTES  
MARCH 4, 2025 – 5:00 P.M.  
Council Chamber  
303 West Commonwealth Avenue  
Fullerton, California

5:01 p.m.

## CALL TO ORDER

Mayor / Chair Jung called the meeting to order at 5:01 p.m.

## ROLL CALL

Present: Mayor / Chair Jung, Mayor Pro Tem / Vice Chair Charles (arrived 5:12 p.m.), Council / Agency Members Dunlap, Valencia, Zahra

Absent: None

Staff Present: City Manager Eric J. Levitt, City Attorney Richard D. Jones, City Clerk Lucinda Williams

## PUBLIC COMMENTS - Closed Session

The following addressed City Council:

- Judith Kaluzny spoke about encroachments.

## RECESS TO CLOSED SESSION

Mayor / Chair Jung recessed to Closed Session at 5:03 p.m.

## CLOSED SESSION

### 1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Per Government Code Section 54956.8

**Property:** 2700 North Harbor Boulevard,  
Fullerton, CA 92835

**Agency Negotiator:** Senior Administrative Analyst Edgar Rosales, Administrative Analyst Rachel Castanon

**Negotiating Parties:** American Golf

**Under Negotiations:** Price and Terms

**2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Per Government Code Section 54956.8**

**Property:** 120 East Santa Fe Avenue, Fullerton, CA 92832 (APN 033-030-18)

**Agency Negotiator:** City Manager Eric J. Levitt, Director of Community and Economic Development Sunayana Thomas, Elizabeth Hull, Best, Best & Krieger

**Negotiating Parties:** Westpark Investments, LLC and TA Partners

**Under Negotiations:** Price and Terms

**3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Per Government Code Section 54956.9(d)(1)**

**Name of Case:** City of Fullerton v. Commonwealth & Harbor LLC

**Case Number:** OCSC Case No. 30-2024-01405276-CL-UD-CJC

And

**Name of Case:** Commonwealth & Harbor, LLC; 100 N. Harbor LLC v. City of Fullerton

**Case Number:** OCSC Case 30-2024-01401832-CU-EI-CJC

**4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Per Government Code Section 54956.9(d)(2)**

**Significant Exposure to Litigation:** One Case

5:37 p.m.

**ADJOURNMENT**

Mayor / Chair Jung adjourned the meeting at 5:37 p.m.

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Fred Jung  
Mayor

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Lucinda Williams, MMC  
City Clerk



CITY OF FULLERTON  
CITY COUNCIL / SUCCESSOR AGENCY  
REGULAR SESSION MINUTES  
MARCH 4, 2025 – 5:30 P.M.  
Council Chamber  
303 West Commonwealth Avenue  
Fullerton, California

5:38 p.m.

**CALL TO ORDER**

Mayor / Chair Jung called the meeting to order at 5:38 p.m.

**ROLL CALL**

Present: Mayor / Chair Jung, Mayor Pro Tem / Vice Chair Charles (arrived 5:41 p.m.) Council / Agency Members Dunlap, Valencia, Zahra

Staff Present: City Manager Eric J. Levitt, City Attorney Richard D. Jones, City Clerk Lucinda Williams

**INVOCATION** given by Council Member Valencia.

**PLEDGE OF ALLEGIANCE** led by Police Chief Radus.

**CLOSED SESSION REPORT**

City Attorney Jones reported Jung moved, seconded by Valencia, to tender an intervention notice for Westpark Investments.

Motion carried 4 – 1 (Opposed: Zahra).

**EX PARTE COMMUNICATIONS REPORT**

None.

**PRESENTATIONS**

Presented

1. **CERTIFICATE: Fullerton Bears Cheer**

**ITEMS REMOVED FROM CONSENT CALENDAR ANNOUNCEMENT (taken out of agenda order)**

Council Members pulled Consent Calendar Items 3, 8 and 10.

### **PUBLIC COMMENTS - Regular Session *(taken out of agenda order)***

The following addressed City Council:

- Todd Harrison spoke about agenda order.
- Diane Vena spoke about agenda order and campaign contributions.
- Unidentified speaker spoke about the BNSF rail line and trespassing.
- Karen Lingling spoke about City Council conduct.
- Reverend Tanya spoke about shelter housing.
- Erik Wehn spoke about improved bicycle traffic on Juanita Cook Trail.
- Joshua Ferguson spoke about downtown noise enforcement.
- Z (no last name provided) spoke about the fire department and sidewalks.

The following addressed City Council remotely:

- Dominic Moonheart, Fullerton, spoke about council member conduct.
- Maureen Milton asked questions about the Brown Act.
- Matthew Leslie spoke about public comments and council member conduct.

### **CITY COUNCIL / SUCCESSOR AGENCY / STAFF COMMUNICATIONS AND REPORTS *(taken out of agenda order)***

Mayor Pro Tem Charles spoke about her newsletter.

Council Member Zahra wished all a Happy Ramadan.

Council Member Dunlap congratulated youth baseball and softball teams.

### **APPOINTMENTS (Items 1 - 2)**

Appointed

#### **1. CITY REPRESENTATION - REGIONAL ADVISORY BODY AND WORKGROUP APPOINTMENTS**

Jung moved, seconded by Valencia, to appoint Mayor Jung as

the Santa Ana River Flood Protection Agency Representative - no specific term.

Motion carried 5 – 0.

Jung moved, seconded by Valencia, to appoint Mayor Jung as the Water Advisory Committee of Orange County / Municipal Water District of Orange County Representative - no specific term.

Motion carried 5 – 0.

Jung moved, seconded by Dunlap, to appoint Council Member Valencia as the Fullerton Museum Association Board of Trustees Representative - four-year term expiring December 2028.

Motion carried 5 – 0.

Charles moved, seconded Dunlap, to appoint Mayor Jung as the Orange County Power Authority Board Representative and Mayor Pro Tem Charles as the Alternative Representative for a two-year term expiring January 2027.

Motion carried 5 – 0.

Not ratified

**2. COMMISSION / COMMITTEE / BOARD APPOINTMENTS**

Council Member Zahra appointed Kitty Jaramillo to the Planning Commission to fill an unscheduled vacancy for a term expiring December 31, 2026.

Zahra moved, seconded by Charles, to ratify appointment.

Motion failed 2 – 3 (In favor: Zahra, Charles).

**CONSENT CALENDAR** (Items 1 - 10) *(taken out of agenda order)*

Charles moved, seconded by Valencia, to adopt Consent Calendar Items 1,2, 4, 5, 6, 7 and 9.

Motion carried 5 – 0.

Approved

**1. FEBRUARY 18, 2025 MEETING MINUTES**

Proposed Motion:

Approve February 18, 2025 City Council / Successor Agency Meeting Minutes.

Adopted

**2. FULLERTON MUNICIPAL CODE AMENDMENTS REGARDING HOUSING INCENTIVE OVERLAY ZONE COURTESY NOTIFICATION HEIGHT STANDARDS - SECOND READING OF ORDINANCE**

Proposed Motion:

Adopt Ordinance No. 3337.

ORDINANCE NO. 3337 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING FULLERTON MUNICIPAL CODE SECTION 15.08.060 AND SECTION 15.23.050 REGARDING COURTESY NOTIFICATION AND AMENDING TABLE 15.17.075.D REGARDING BUILDING HEIGHT RESTRICTIONS RELATING TO THE HOUSING INCENTIVE OVERLAY ZONE PROGRAM

Received and filed

**4. RESIDENTIAL ZONES LANDSCAPING REQUIREMENTS REPORT**

Proposed Motion:

Receive and file.

Adopted

**5. EMERGENCY MANAGEMENT PERFORMANCE GRANT AUTHORIZATION**

Proposed Motion:

1. Adopt Resolution No. 2025-015.

RESOLUTION NO. 2025-015 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AUTHORIZING THE CITY MANAGER, FIRE CHIEF AND DEPUTY FIRE CHIEF TO EXECUTE STATE AND FEDERAL AGREEMENTS AND ANY RELATED DOCUMENTS NECESSARY TO APPLY FOR AND OBTAIN FISCAL YEAR 2024, FISCAL YEAR 2025 AND FISCAL YEAR 2026 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FUNDS

2. Authorize City Manager, or designee, to appropriate receipt and use of EMPG funds upon award in Grant Fund (Fund 32).

Adopted

**6. 1855 WEST AVENUE DISABLED PERSON PARKING**

Proposed Motion:

Adopt Resolution No. 2025-016.

RESOLUTION NO. 2025-016 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING A DISABLED PERSON'S PARKING ZONE IN FRONT OF 1855 WEST AVENUE

Adopted

**7. 2024 EAST COMMONWEALTH AVENUE DISABLED PERSON PARKING**

Proposed Motion:

Adopt Resolution No. 2025-017.

RESOLUTION NO. 2025-017 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING A DISABLED PERSON'S PARKING ZONE IN FRONT OF 2024 EAST COMMONWEALTH AVENUE

Approved

**9. TEMPORARY USE AGREEMENT WITH NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT FOR THE LEMON / WHITING PARKING STRUCTURE**

Proposed Motion:

Authorize City Manager to execute and administer the Temporary Use Agreement with North Orange County Community College District for Lemon / Whiting Avenue Parking Structure and make amendments necessary to facilitate implementation, in a form approved by City Attorney.

**PUBLIC HEARINGS (Item 11)**

**11. SHORT-TERM RENTAL AT 1850 EDGECLIFF DRIVE PERMIT APPEAL**

Mayor Jung opened the Public Hearing at 6:06 p.m.

The following addressed City Council:

- Appellant, Todd Liberman, spoke in opposition to the short-term rental permit.

Mayor Jung recessed the meeting at 6:10 p.m.

Mayor Jung reconvened the meeting at 6:13 p.m.

- Appellant Michael Aquino spoke in opposition to the short-term rental permit.

Mayor Jung recessed the meeting at 6:22 p.m.

Mayor Jung reconvened the meeting at 6:24 p.m.

- Charlotte Aquino spoke in opposition to the short-term rental permit.

Mayor Jung recessed the meeting at 6:36 p.m.

Mayor Jung reconvened the meeting at 6:37 p.m.

Mayor Jung closed the Public Hearing at 6:37 p.m.

Dunlap moved, seconded by Valencia, to uphold the appeal.

Motion carried 5 – 0.

**REGULAR BUSINESS (Items 12 - 15)**

Introduced

**12. FULLERTON MUNICIPAL CODE SECTION 7.105.020 - CAMPING UNLAWFUL AND CHAPTER 7.36 - OBSTRUCTION OF PUBLIC RIGHTS-OF-WAY AND FACILITIES PROPOSED AMENDMENTS**

The following addressed City Council:

- Saskia Kennedy, Fullerton, encouraged safe places for the homeless.
- Diane Vena, Fullerton, opposed this item.
- Curtis Gamble supported this item.
- Todd Harrison, Fullerton, opposed this item.
- Anjali Tapdia opposed this item.
- Reverend Tanya spoke about clearing encampments.
- Unidentified speaker spoke about compassion.

Jung moved, seconded by Dunlap, to introduce Ordinance No. 3338 for first reading by title only and waive further reading of the ordinance.

ORDINANCE NO. 3338 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING SECTION 7.105.020 (CAMPING UNLAWFUL) AND CHAPTER 7.36 (OBSTRUCTING PUBLIC PLACES AND PUBLIC FACILITIES) OF THE FULLERTON MUNICIPAL CODE ESTABLISHING REGULATIONS PROHIBITING THE USE OF PUBLIC RIGHTS-OF-WAY AND FACILITIES FOR STORAGE OF PERSONAL ITEMS OR AS A PLACE TO SIT, SLEEP OR LIE DOWN

Motion carried 3 – 2 (Opposed: Zahra, Charles).

City Clerk Williams read the ordinance title.

Introduced

**13. FULLERTON MUNICIPAL CODE CHAPTER 7.108 - PROTECTION OF CRITICAL INFRASTRUCTURE PROPOSED AMENDMENTS**

The following addressed City Council:

- Curt Johnston noted the potential for abuse of this ordinance.
- Curtis Gamble supported this item.

The following addressed City Council remotely:

- Jose Trinidad Castaneda supported this item.

Jung moved, seconded by Valencia, to introduce Ordinance No. 3339 for first reading by title only and waive further reading of the ordinance.



ORDINANCE NO. 3339 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, REPEALING AND REPLACING CERTAIN SECTIONS OF FULLERTON MUNICIPAL CODE CHAPTER 7.108 (PROTECTION OF CRITICAL INFRASTRUCTURE), WHICH REGULATIONS PROHIBIT THE PRESENCE OF PERSONS AND THEIR PERSONAL PROPERTY IN AND NEAR CRITICAL INFRASTRUCTURE

Motion carried 3 – 2 (Opposed: Zahra, Charles).

City Clerk Williams read the ordinance title.

Direction provided

**14. CHARTER CITY COMPARISON AND PROCESS**

The following addressed City Council:

- Misty Omar asked City Council to consider the negative impacts of a charter city.
- David Gotz, Fullerton, opposed transitioning to a charter city.
- Karen Lloreda supported remaining a general law city.
- Molly McClanahan asked City Council to state their reasons for supporting a charter city structure.
- Keiko Suda, Fullerton, expressed concerns with charter cities.
- Hong Hwan expressed concerns with transitioning to a charter city.
- Vanessa Estrella expressed concerns with this item.
- Diane Vena opposed becoming a charter city.
- Lauren Klatzer expressed concerns with becoming a charter city.
- Joshua Ferguson supported further studying charter cities.
- Todd Harrison spoke about the timing of this item.
- Curtis Gamble supported this item.
- Ruthie Hanchet asked questions about charter city impacts.
- Z (no last name provided), Fullerton, supported receiving and filing this item.
- Anjali Tapadia opposed becoming a charter city.
- Kurt Johnston supported balance in considering this item.
- Carime (no last name provided) asked questions regarding this item.

The following addressed City Council remotely:

- Jack Dean supported further investigating the charter city process.
- Jose Trinidad Castaneda supported transitioning to a charter city.
- Phil (no last name provided) noted the benefits of a charter city.
- Matthew Leslie supported further exploring charter city governance.
- Maureen Milton asked why this item is on the agenda.
- Dominic Moonheart asked to further explore charter cities.

Jung moved, seconded by Dunlap, to direct staff to agendize a Study Session to further investigation and pursue next steps for charter city governance.

Motion carried 3 – 2 (Opposed: Zahra, Charles).

Adopted

**15. RETIRED ANNUITANT APPOINTMENT TO INTERIM DIRECTOR OF ADMINISTRATIVE SERVICES**

Jung moved, seconded by Charles, to adopt Resolution No. 2025-018.

RESOLUTION NO. 2025-018 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RATIFYING AN EMPLOYMENT AGREEMENT RETAINING KINGSLEY OKEREKE AS THE INTERIM DIRECTOR OF ADMINISTRATIVE SERVICES IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 7522.56 AND 21221(h)

Motion carried 5 – 0.

**ITEMS REMOVED FROM CONSENT CALENDAR**

Adopted

**3. SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT PROPOSED AMENDED RULES 1111 AND 1121 REGARDING NATURAL GAS-FIRED FURNACES AND WATER HEATERS OPPOSITION LETTER**

The following addressed City Council:

- Joshua Ferguson supported this item.
- Anjali Tapadia opposed this item.
- Hoang Ho opposed this item.
- Brian Yannity opposed this item.
- Todd Harrison spoke about the impact of this proposal on

mobile homes.

- Munish Bharadwaja supported this item.

The following addressed City Council remotely:

- David Martinez, Climate Action Campaign, opposed this item.

Jung moved, seconded by Dunlap, to:

1. Adopt Resolution No. 2025-014.

RESOLUTION NO. 2025-014 - A RESOLUTION OF THE CITY OF FULLERTON, CALIFORNIA, OPPOSING SCAQMD RULES 1111 AND 1121 RELATED TO GAS POWERED CENTRAL FURNACES AND AIR EMISSIONS FROM RESIDENTIAL NATURAL GAS-POWERED WATER HEATERS

2. Authorize Mayor to sign a letter requesting South Coast Air Quality Management District Governing Board delay considering and/or adopting Proposed Amended Rules 1111 and 1121 which ban natural gas-fired furnaces and water heaters.

Motion carried 3 – 2 (Opposed: Zahra, Charles).

Returned to TCC

**8. EUCLID STREET AND VALLEY VIEW DRIVE INTERSECTION SIGNALIZATION RECOMMENDATION**

The following addressed City Council:

- Manuel Walker, Fullerton, opposed this item.
- Kevin Bass, Fullerton, supported this item.
- Stephanie Valdez, Fullerton, supported this item.
- Erik Wehn, Fullerton, opposed this item.
- Karen Yingling, Fullerton, supported this item.
- Lauren (no last name provided), Fullerton, supported this item.
- Joshua Ferguson asked about liability for accidents from traffic driven through the alleyway.
- Laura Knight, Fullerton, opposed this item.
- Mike Scott, Fullerton, opposed this item.
- Unidentified speaker, Fullerton, supported this item.
- Munish Bharadwaja, Fullerton, suggested speed control in this area.

The following addressed City Council remotely:

- Melinda Walker opposed this item.
- Maureen Milton supported right hand turn signs

Jung moved, seconded by Valencia, to return this item to the Transportation and Circulation Commission for further consideration.

Motion carried 5 – 0.

Approved

**10. \$1,249,643 PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR ACTIVE TRANSPORTATION PROGRAM, CYCLE 6, NUTWOOD AVENUE BICYCLE AND PEDESTRIAN MOBILITY ENHANCEMENT PROJECT DESIGN**

Jung moved, seconded by Charles, to:

1. Approve scope and fee and authorize City Manager, or designee, to execute a \$1,249,643 Professional Services Agreement with Kimley-Horn and Associates, Inc. for Active Transportation Program (ATP), Cycle 6, Nutwood Avenue Bicycle and Pedestrian Mobility Enhancement Project design services.
2. Authorize Director of Administrative Services, or designee, to issue \$1,249,643 purchase order to Kimley-Horn and Associates, Inc., for ATP, Cycle 6, Nutwood Avenue Bicycle and Pedestrian Mobility Enhancement Project.
3. Authorize Public Works Director, or designee, to approve any change orders for professional engineering services within the approved project budget.

Motion carried 5 – 0.

10:59 p.m.

**ADJOURNMENT**

Mayor / Chair Jung adjourned the meeting at 10:59 p.m.

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Fred Jung  
Mayor

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Lucinda Williams, MMC  
City Clerk