



**City Council
Regular Meeting Minutes - Draft**

Tuesday, March 26, 2024

1:30 PM

1. CALL TO ORDER AND ROLL CALL

Mayor N. Rogers called the meeting to order at 1:44 p.m

Present: 6 - Mayor Natalie Rogers, Vice Mayor Mark Stapp, Council Member Eddie Alvarez, Council Member Dianna MacDonald, Council Member Jeff Okrepkie, and Council Member Chris Rogers

Absent: 1 - Council Member Victoria Fleming

2. REMOTE PARTICIPATION UNDER AB 2449 (IF NEEDED)

3. ANNOUNCEMENT OF CLOSED SESSION ITEMS

PUBLIC COMMENT:

James Duncan spoke on Item 3.3 and asked for the reopen of the Jennings Crossing.

Keith Rogal spoke on Item 3.1.

Mayor N. Rogers recessed the meeting to closed session at 1:51 p.m. to discuss Items 3.1, 3.2, 3.3 and 3.4 as listed on the agenda.

**3.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)**

Property: 625 and 637 3rd street APN's: 009-013-011 and 009-013-012
("Garage 5")

Agency Negotiators: Jill Scott, Real Property Negotiator and Stephanie Valkovic, Associate Real Property Negotiator

Negotiating Parties: Rogal Projects

Under Negotiations: Price and terms of payment.

This item was received and filed.

3.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: Airport Business Center v. City of Santa Rosa, et al.
Sonoma County Superior Court Case No. SCV-272714

This item was received and filed.

3.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: Application of the City of Santa Rosa for Approval to Construct a Public Pedestrian and Bicycle At-Grade Crossing of the Sonoma-Marin Area Rail Transit ("SMART") Track at Jennings Avenue Located in Santa Rosa, Sonoma County, State of California.
Application No.: A.15-05-014 before the California Public Utilities Commission

This item was received and filed.

3.4 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of Case: Tomas Guerrero v. City of Santa Rosa, et al.
Sonoma County Superior Court Case No. SCV-272148

This item was received and filed.

Mayor N. Rogers adjourned closed session at 3:54 p.m. and reconvened the meeting to open session at 4:04 p.m.

4. STUDY SESSION - NONE.

5. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

Present: 6 - Mayor Natalie Rogers, Vice Mayor Mark Stapp, Council Member Eddie Alvarez, Council Member Dianna MacDonald, Council Member Jeff Okrepkie, and Council Member Chris Rogers

Absent: 1 - Council Member Victoria Fleming

6. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS

Teresa Stricker, City Attorney, reported no reportable action taken in Closed Session on Items 3.1, 3.2, 3.3, and 3.4.

7. PROCLAMATIONS/PRESENTATIONS - NONE.

8. STAFF BRIEFINGS - NONE.

9. CITY MANAGER'S/CITY ATTORNEY'S REPORTS

City Manager had no report.

Teresa Stricker, City Attorney, asked the Mayor to return to item 9.1 after Item 11.

10. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

No statements of abstention were made.

11. MAYOR'S/COUNCIL MEMBERS' REPORTS

Mayor N. Rogers asked that an item be added to a future agenda where staff looks at the impacts vacating portions of 4th Street temporarily to promote economic and community vibrancy.

Council Member C. Rogers concurred.

Mayor N. Rogers reported on the Santa Rosa City Schools Ad-Hoc and various national and community events/meetings attended.

Council Member C. Rogers provided a report on various community events attended.

Council Member Alvarez provided a brief report on recent community events attended.

Council Member Okrepkie provided a brief report on a LAFCO meeting and other events and meetings attended.

Council Member MacDonald provided a brief report on recent national and community events attended.

11.1 MAYOR'S/COUNCIL MEMBERS' SUBCOMMITTEE AND LIAISON REPORTS (AND POSSIBLE COUNCIL DIRECTION TO BOARD REPRESENTATIVE ON PENDING ISSUES, IF NEEDED)

11.1.1 Council Subcommittee Reports

Council Member C. Rogers provided a brief report on the Economic Development Subcommittee, clarified that Mayor N. Rogers' request for vacating portions of 4th street would be D Street to the Square - continuing to B Street to allow for bicycle and pedestrian access.

Council Member C. Rogers asked that an item be added to a future agenda to develop a new way to activate vacant parcels, particularly in the downtown, to provide amenities to create more community vibrancy. Council Member Okrepkie concurred.

Council Member C. Rogers provided a report on the recent Open Government Taskforce Subcommittee (OGTF) and announced that it will be working to update the lobbyist ordinance and review independent expenditure reforms.

Council Member Alvarez provided a brief report on the OGTF and using the Community Advisory Board (CAB) to increase participation.

Council Member MacDonald provided a report on the Violence Prevention Partnership.

Vice Mayor Stapp provided a brief report on a recent Long Term Financial Policy and Audit subcommittee meeting.

11.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)

Council Member C. Rogers provided a brief report.

11.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee

11.1.4 Association of Bay Area Governments (ABAG)

11.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee

11.1.6 Sonoma Clean Power Authority (SCPA)

11.1.7 Zero Waste Sonoma (formerly known as Sonoma County Waste Management Agency (SCWMA))

11.1.8 Groundwater Sustainability Agency (GSA)

Vice Mayor Stapp provided a brief report.

11.1.9 Sonoma County Homeless Coalition

11.1.10 Renewal Enterprise District (RED)

11.1.11 Public Safety Subcommittee

11.1.12 Other

9.1 REPORT OF SETTLEMENTS AND ACTIVE LITIGATION

The City Attorney will report on settlements over \$50,000 through February 2024 as well as provide a summary of pending litigation against the City.

Teresa Stricker, City Attorney, noted that the February litigation summary was attached in the agenda packet, reported that there were no settlements over \$50,000 in February and that the caseload remains consistent at approximately 28-30 matters.

No public comments were made.

11.2 BOARD, COMMISSION & COMMITTEE APPOINTMENTS

11.2.1 CHAIRPERSON APPOINTMENTS FOR BOARDS, COMMISSIONS, AND COMMITTEES

It is recommended by the Mayor that Council, by motion, approve new or affirm existing Chairpersons to Council Boards, Commissions, and Committees.

A motion was made by Mayor Rogers, seconded by Council Member Okrepkie, to approve re-appointment of the existing Chairpersons to Council Boards, Commissions, and Committees as presented.

**Art In Public Places Committee - Anne Baumgartner
Bicycle and Pedestrian Advisory Board - Kim Badenfort**

Board of Community Services - Logan Pitts
Board of Public Utilities - Dan Galvin
Community Advisory Board - Calum Weeks
Cultural Heritage Board - Brian Meuser
Design Review Board - Melanie Jones-Carter
Public Safety and Prevention Tax Citizens' Oversight Committee - Evette Minor
Personnel Board - Lisa Maldonado
Planning Commission - Karen Weeks.

The motion carried by the following vote:

Yes: 6 - Mayor Natalie Rogers, Vice Mayor Mark Stapp, Council Member Eddie Alvarez, Council Member Dianna MacDonald, Council Member Jeff Okrepkie, and Council Member Chris Rogers

Absent: 1 - Council Member Victoria Fleming

12. APPROVAL OF MINUTES

No public comments were made.

12.1 February 27, 2024, Regular Meeting.

Approve as submitted with Council Member MacDonald abstaining.

12.2 March 5, 2024, Regular Meeting.

Approved as submitted.

13. CONSENT ITEMS

No public comments were made.

Approval of the Consent Agenda

A motion was made by Vice Mayor Stapp, seconded by Council Member Rogers, to adopt Consent Items 13.1 through 13.3 and waiver further reading of the text. The motion carried by the following vote:

13.1 MOTION - FINLEY AQUATIC CENTER SPRAY GROUND AND RENOVATION PROJECT - CONTINGENCY ACTION

RECOMMENDATION: It is recommended by the Transportation and Public Works and Recreation and Parks Departments that Council, by

motion, approve construction contingency funds for the Finley Aquatic Center Spray Ground and Renovation Project, Contract No. C02336, in the amount of \$404,534, increasing the total contract amount to \$5,725,015.10.

This Consent - Motion was approved.

13.2 RESOLUTION - BID AWARD APPROVAL AND ISSUANCE OF A PURCHASE ORDER FOR THE PURCHASE OF TWO (2) FORD TRANSIT X2C BODY STYLE PASSENGER VANS

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments that the Council, by resolution, approve issuance of a Purchase Order for the purchase of two (2) 2024 Ford Transit X2C Body Style Passenger Vans for the inRESPONSE Program with Towne Motor Co dba Towne Ford Sales, Redwood City, California for a total amount not to exceed \$130,153.20.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2024-034 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA BID APPROVING ISSUANCE OF A PURCHASE ORDER FOR THE PURCHASE OF TWO (2) FORD TRANSIT X2C BODY STYLE PASSENGER VANS FROM TOWNE MOTOR CO DBA TOWNE FORD SALES IN AN AMOUNT NOT TO EXCEED \$130,153.20

13.3 RESOLUTION - FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT F002029 WITH JESSICA RASMUSSEN

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve the Fifth Amendment to Professional Services Agreement Number F002029 with Jessica Rasmussen, to continue art programming and project management services for the Public Art Program and Economic Development Division through June 30, 2024, and increase compensation in the amount of \$20,000 for a total amount not to exceed \$320,680 over the Agreement Term which began in 2019, with no impact to the General Fund.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2024-035 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIFTH

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002029 WITH JESSICA RASMUSSEN INCREASING COMPENSATION BY \$20,000 FOR A TOTAL AMOUNT NOT TO EXCEED \$320,680

The time not being 5:00 p.m. Mayor N. Rogers announced that Item 14 - Non-Agenda Matters will be heard later on the agenda and moved to report Item 15.1.

15. REPORT ITEMS

15.1 REPORT - SONOMA COUNTY WATER AGENCY 2024/25 WATER TRANSMISSION BUDGET AND RATE INCREASE

BACKGROUND: The City of Santa Rosa purchases approximately 90% of the water supplied to our customers from Sonoma Water. Sonoma Water is proposing to raise the wholesale rate of water by 9.88% from \$1,173.09 to \$1,289.02 per acre foot.

The Board of Public Utilities will review Sonoma Water's proposed budget and rate increase on March 21, 2024 and make a recommendation to City Council. The City Council may advise its representative to the Water Advisory Committee (WAC) prior to a WAC vote. The WAC is an advisory board to Sonoma Water. Ultimately the Sonoma Water Board of Directors will have final authority to approve the proposed budget and rate increase.

RECOMMENDATION: It is recommended that the Council, by motion, consider Sonoma Water's 2024/25 Water Transmission Budget and proposed rate increase and provide direction to its Water Advisory Committee (WAC) representative for the WAC vote on April 8, 2024.

Nick Harvey, Acting Deputy Director - Santa Rosa Water, Lynn Rosselli, Administrative Services Division Manager - Sonoma Water, and Jake Spaulding, Finance Manager - Sonoma Water presented.

No public comments were made.

A motion was made by Vice Mayor Stapp, seconded by Council Member Rogers, to approve Sonoma Water's 2024/25 Water Transmission Budget and proposed rate increase, and direct the City's Water Advisory Committee representative to vote accordingly at the Water Advisory Committee (WAC) meeting on April 8, 2024.

The motion carried by the following vote:

Yes: 6 - Mayor Natalie Rogers, Vice Mayor Mark Stapp, Council Member Eddie Alvarez, Council Member Dianna MacDonald, Council Member Jeff Okrepkie, and Council Member Chris Rogers

Absent: 1 - Council Member Victoria Fleming

14. PUBLIC COMMENT ON NON-AGENDA MATTERS

Steve Harris, Field Representative with NorCal Carpenters Local 751, spoke in support of the benefits of NorCal Carpenters Local 751 Union like its apprenticeship and healthcare programs, and encouraged that labor standard language should be improved to benefit.

Marco Alfaro, Field Representative with NorCal Carpenters Local 75, spoke in support the the future of the construction industry and the community by hiring locally and ensuring health care is provided for union workers, and choosing contractors that provide these benefits.

Susan Lamont spoke in support of Council adoption of a ceasefire resolution.

Ruby Nunn Curtis spoke in support of Council adoption of a ceasefire resolution.

Matt Conley spoke in support of Council adoption of a ceasefire resolution.

Ari Vinion spoke in support of Council adoption of a ceasefire resolution.

Jason Sweeney spoke in support of Council adoption of a ceasefire resolution.

Gary A spoke in support of Council adoption of a ceasefire resolution.

Tammy Jo spoke in support of Council adoption of a ceasefire resolution.

Michael Titone spoke in support of Council adoption of a ceasefire resolution.

16. PUBLIC HEARINGS

16.1 PUBLIC HEARING - SHARED SCOOTER SYSTEM PROGRAM ORDINANCE AMENDMENT

BACKGROUND: This ordinance will amend the existing code to allow for the shared scooter system program and to authorize the Assistant City Manager or Director of Transportation and Public Works Department to modify permit conditions related to the operation of a shared scooter system without requiring additional amendments to the ordinance.

This ordinance supports the following Council goals and priorities: 3) ensure a healthy and safe community for all, 4) promote economic and community vibrancy, and 5) build and maintain sustainable infrastructure. A shared scooter system will help to reduce vehicle miles traveled which helps the City of Santa Rosa (City) to achieve important Climate Action Plan goals. In addition, a shared scooter system supports the City's Silver Bicycle Friendly Community designation.

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council introduce an ordinance to amend City Code Chapter 9-22: Bicycles, Skateboards, Roller Skates, In-Line Skates, and Similar Devices to allow scooters to operate on public streets, public alleys, and public gutters as part of the Shared Scooter Program.

Alexander Ocegüera, Active Transportation Planner presented and answered questions from Council.

Mayor N. Rogers opened the public hearing at 5:27 p.m. and hearing no public comments closed the public hearing at 5:28 p.m.

Mayor N. Rogers re-opened public comments based on City

Attorney for clarification and seeing no additional comments, closed public hearing at 5:31 p.m.

A motion was made by Council Member Alvarez, seconded by Council Member MacDonald, to waive reading of the text and introduce:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING SANTA ROSA CITY CODE TITLE 9 - HEALTH AND SAFETY CODE CHAPTER 9-22, BICYCLES, SKATEBOARDS, ROLLER SKATES, IN-LINE SKATES, AND SIMILAR DEVICES TO ALLOW SCOOTERS TO OPERATE ON PUBLIC STREETS, PUBLIC ALLEYS, AND PUBLIC GUTTERS.

The motion carried by the following vote:

Yes: 6 - Mayor Natalie Rogers, Vice Mayor Mark Stapp, Council Member Eddie Alvarez, Council Member Dianna MacDonald, Council Member Jeff Okrepkie, and Council Member Chris Rogers

Absent: 1 - Council Member Victoria Fleming

16.2 PUBLIC HEARING - WAYFINDING SIGN ORDINANCE AND FEE RESOLUTION

BACKGROUND: City Code Chapter 20-38, Signs, has limited standards for public/civic wayfinding and explicitly prohibits business wayfinding. On March 8, 2023, a Temporary Use Permit was approved to allow a one-year wayfinding signage pilot program for businesses located within the Railroad Square area. The proposed Zoning Code Text Amendment will allow and provide standards for public/civic wayfinding and business wayfinding, as well as various text amendments to allow for the implementation of wayfinding signage within the boundaries of both the North Santa Rosa Station Area Specific Plan and the Downtown Station Area Specific Plan. The proposed text amendment would allow the temporary Railroad Square Business Wayfinding Pilot Program to apply for a permanent Wayfinding Sign Program. On February 22, 2024, the Planning Commission held a public hearing to consider the proposed Wayfinding Sign Ordinance and voted 5-0 (with two Commissioners absent) to recommend to City Council adoption of the proposed amendments.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the

Council: 1) introduce an ordinance amending the text of Title 20 of the Santa Rosa City Code, Chapter 20-38, Signs, to provide standards for Wayfinding Signs, and Section 20-70.020, Definitions of Specialized Terms and Phrases, to add definitions related to Wayfinding Signs; and 2) by resolution, establish Wayfinding Sign application fees.

Christian Candelaria, City Planner, presented.

Mayor N. Rogers opened the public hearing at 5:44 p.m. and hearing no public comment closed the public hearing at 5:45 p.m.

A motion was made by Council Member Okrepkie, seconded by Council Member Alvarez, to waive reading of the text and introduce:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING ZONING CODE TEXT AMENDMENTS TO TITLE 20 OF THE SANTA ROSA CITY CODE, SECTION 20-38, SIGNS, TO PROVIDE CLEAR STANDARDS FOR BOTH BUSINESS IDENTIFICATION WAYFINDING AND CIVIC/PUBLIC AMENITY WAYFINDING, AND SECTION 20-70.020, GLOSSARY, TO ADD DEFINITIONS RELATED TO WAYFINDING SIGNS - FILE NUMBER REZ23-009

and adopt:

RESOLUTION NO. RES-2024-036 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ASSIGNING EXISTING SERVICE FEES TO WAYFINDING SIGN APPLICATIONS

The motion carried by the following vote:

Yes: 6 - Mayor Natalie Rogers, Vice Mayor Mark Stapp, Council Member Eddie Alvarez, Council Member Dianna MacDonald, Council Member Jeff Okrepkie, and Council Member Chris Rogers

Absent: 1 - Council Member Victoria Fleming

****16.3 PUBLIC HEARING - VERIZON TELECOMMUNICATION FACILITY APPEAL**

BACKGROUND: On January 11, 2024, the Planning Commission unanimously approved a Conditional Use Permit for a wireless telecommunications tower, along with supporting ground equipment, for the property located at 244 Colgan Avenue. On January 18, 2024, the

Design Review Board unanimously approved a Design Review application for the design of the proposed 69-foot tower and associated fencing. The Design Review Board included two additional conditions of approval in the resolution, 1) requiring that the chain-link fencing surrounding the equipment include brown slats, and 2) requiring that the tower be constructed as a monopole, not a monopine, with no foliage. On January 22, 2024, the City Clerk's Office received an Appeal of the Planning Commission's action, prepared by Paul-Andre Schabracq, Sidnee Cox and Kim Schroeder, requesting that the City Council deny the Conditional Use Permit for the proposed telecommunications facility. The Design Review Board's action on the design of the tower was not appealed.

RECOMMENDATION: It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council, by resolution, deny the appeal and uphold the decision of the Planning Commission to approve a Conditional Use Permit for a wireless telecommunication tower and associated ground equipment for the property located at 244 Colgan Avenue.

Ex-parte Disclosures:

Council Member Okrepkie visited the site and spoke with two Planning Commissioners.

Council Member MacDonald had nothing to disclose.

Council Member Stapp spoke with Planning Commissioners and the appellant team and had nothing further to disclose.

C. Rogers visited the site and spoke with several people who were opposed to the project but learned nothing that wasn't publicly available in the agenda documents.

Council Member Alvarez visited the site, communicated with the appellant, met with constituents but learned nothing that wasn't publicly available in the agenda documents.

Mayor N. Rogers had nothing to disclose.

Suzanne Hartman, City Planner, presented.

Karen Weeks, Planning Commission Chair, provided a brief report.

Mayor N. Rogers opened the public hearing at 6:04 p.m.

Carmen Gonzalez presented on behalf of the appellant.

Aaron DeLaO presented on behalf of the applicant.

PUBLIC COMMENT:

Michele deLuca spoke in support of the appeal.

Roxanne Lehius spoke in support of the appeal.

Mary Edity Dahl spoke in support of the appeal.

Kim Schroeder spoke in support of the appeal.

E. Orlene Koekle spoke in support of the appeal.

Richard Boyd spoke in support of the appeal.

April Anderson spoke in support of the appeal.

Jennifer LaPorta spoke in support of the appeal.

Alex Krohn spoke in support of the appeal.

Paul-Andre Schabracq spoke in support of the appeal.

Paul Albren - Outside counsel for applicant provided closing comments on behalf of the applicant.

Carmen Gonzalez and Sidnee Cox provided concluding comments

on behalf of the appellant.

Mayor N. Rogers closed the public hearing at 6:58 p.m.

Jessica Jones, Deputy Director, Suzanne Hartman, City Planner, and Susie Murray, Supervising Planner, responded to questions from Council.

David Cotton, Waterford Consultants, responded to Council questions.

Pablo Sanchez, RF Design Engineer with Verizon, responded to questions from Council.

A motion was made by Council Member Rogers, seconded by Council Member Okrepkie, to waive reading of the text and adopt:

RESOLUTION NO. RES-2024-037 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING AN APPEAL AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR A WIRELESS TELECOMMUNICATIONS TOWER AND ASSOCIATED GROUND EQUIPMENT - LOCATED AT 244 COLGAN AVENUE, APN: 044-011-053 - FILE NUMBER PRJ23-009 (CUP23-043)

The motion carried by the following vote:

Yes: 5 - Mayor Natalie Rogers, Vice Mayor Mark Stapp, Council Member Dianna MacDonald, Council Member Jeff Okrepkie, and Council Member Chris Rogers

No: 1 - Council Member Eddie Alvarez

Absent: 1 - Council Member Victoria Fleming

17. WRITTEN COMMUNICATIONS

- 17.1 NOTICE OF FINAL MAP - 3575 Mendocino Avenue Subdivision Phase II - Provided for information.

This item was received and filed.

18. PUBLIC COMMENTS ON NON-AGENDA MATTERS

19. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS [IF NEEDED]

20. ADJOURNMENT OF MEETING

Mayor N. Rogers adjourned the meeting at 7:26 p.m. in honor of Detective Marylou Armer. The next regular meeting will be held on April 9, 2024 at a time set by the Mayor.

21. UPCOMING MEETINGS

21.1 UPCOMING MEETINGS LIST

This item was received and filed.

Approved on:

Dina Manis
City Clerk