

RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ~~CENSURING COUNCIL MEMBER DIANNA MACDONALD~~TAKING ADDITIONAL REMEDIAL ACTION BASED ON THE FINDINGS OF AN INDEPENDENT WORKPLACE INVESTIGATOR

WHEREAS, the Code of Conduct for Council Members and Board and Commission Members (Council Policy No. 000-51, “Code of Conduct”) requires Council Members to adhere to the highest standards of respect, Council Policies, civility, and honesty in ensuring the effective maintenance of intergovernmental relationships and treat others with respect to maintain public confidence in City government; and

WHEREAS, Council Members have primary responsibility for ensuring that the Code of Conduct is followed so that the public can continue to have full confidence in the integrity of City government; and

WHEREAS, the City’s Harassment, Discrimination, and Retaliation Prevention Policy (Policy No. 700-03, hereinafter, the “Anti-Harassment Policy”) is intended to prohibit and prevent discrimination, harassment, and retaliation in the City of Santa Rosa’s workplace, and sets forth procedures for reporting, investigating, and resolving complaints of discrimination, harassment, or retaliation in the workplace and for protecting City employees who make such complaints or participate in workplace investigations; and

WHEREAS, under the Anti-Harassment Policy, workplace harassment includes conduct that is intended, or actually does, unreasonably interfere with an employee’s work performance or creates an intimidating, hostile, or offensive working environment, including “unwelcome” conduct related to a romantic or sexual relationship between others in the workplace, even if the person engaging in the conduct had no intention to harass; and

WHEREAS, among other things, the Anti-Harassment Policy requires City managers and supervisors to model appropriate behavior, take all steps necessary to prevent harassment, discrimination, and retaliation from occurring, receive complaints in a fair and serious manner, monitor the work environment and take appropriate action to stop potential policy violations, implement appropriate disciplinary and remedial actions, and participate in appropriate periodic training; and

WHEREAS, the Anti-Harassment Policy specifically requires City Council members to treat City employees with respect and consideration, model appropriate behavior, and participate in periodic training where appropriate and required; and

WHEREAS, the City maintains a Romantic/Sexual Relationships Policy, but that policy does not apply to Council Members or address relationships between Council Members and City employees; and

WHEREAS, in June 2025, the City received allegations that Council Member Dianna MacDonald had allegedly engaged in negative and offensive behavior towards City employees

that appeared motivated by the Council Member’s publicly-known, consensual romantic relationship with a different City employee (“Consensual Relationship”); and

WHEREAS, the City followed the procedures set forth in the Anti-Harassment Policy by determining that an investigation was warranted and referring the matter to outside independent attorney investigator (“Investigator”); and

WHEREAS, the Investigator conducted a confidential, independent, and objective workplace investigation and determined whether it was more likely than not that the alleged conduct occurred and violated the Anti-Harassment Policy; and

WHEREAS, in the interest of appropriately balancing transparency regarding the conduct of the City’s elected officials, on the one hand, with the privacy and other rights of City employees and the City’s desire to maintain a positive and respectful workplace in which employees feel comfortable reporting violations of the Anti-Harassment Policy, on the other hand, the City provides the information below concerning the Investigator’s findings; and

WHEREAS, the Investigator concluded it was more likely than not that Council Member MacDonald (1) engaged in negative behavior towards City employees because of her Consensual Relationship; (2) made unwelcomed remarks of a sexual nature about her Consensual Relationship to City employees; and (3) attempted to influence a City operational decision based on her perception that it may benefit her romantic partner; and

WHEREAS, the Investigator further concluded, based on these findings, it was more likely than not that Council Member MacDonald’s conduct violated the Anti-Harassment Policy; and

WHEREAS, the City Council takes seriously its obligations under the Anti-Harassment Policy to take appropriate disciplinary and remedial actions in response to the Investigator’s independent findings~~;~~ and

WHEREAS, by Resolution RES-2025-XXX, Council took disciplinary and remedial actions based on the Investigator’s findings, and

WHEREAS, the Council desires to take an additional remedial action based on the Investigator’s findings.

NOW, THEREFORE, BE IT RESOLVED that ~~the Council of the City of Santa Rosa,~~ based on the independent findings of the Investigator, the Council of the City of Santa Rosa takes the following ~~disciplinary and additional~~ remedial ~~measures~~action:

- ~~1. The City Council hereby censures Council Member MacDonald.~~
- ~~2. The City Council urges Council Member MacDonald to re-commit to her obligations under the Anti-Harassment Policy and Code of Conduct.~~

~~3. The City Council directs the City Manager or designee, in consultation with the City Attorney, to implement any reasonable and appropriate operational steps in response to the Investigator's findings.~~

~~4. The City Council directs the City Manager or designee, in consultation with the City Attorney, to bring forward for the City Council's consideration any recommended changes to the Anti-Harassment Policy and Code of Conduct.~~

5. The City Council directs the City Manager or designee, in consultation with the City Attorney, to schedule a study session to obtain direction from the City Council concerning a possible new anti-fraternization policy to address intimate relationships between Council Members and City employees.

~~6. The City Council directs the City Manager or designee, in consultation with the City Attorney, to prepare and provide, by March 31, 2026, appropriate training for Council Members related to the Investigator's findings, with the understanding that such training shall be in addition to the legally required harassment prevention and ethics trainings in which Council Members already participate.~~

IN COUNCIL DULY PASSED this 16th day of December, 2025.

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney