



City Council
Regular Meeting Minutes - Final

Tuesday, December 10, 2024

2:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor N. Rogers called the meeting to order at 2:02 p.m.

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

2. REMOTE PARTICIPATION UNDER AB 2449 (IF NEEDED)

3. ANNOUNCEMENT OF CLOSED SESSION ITEMS

No public comments were made.

Mayor N. Rogers recessed the meeting to closed session at 2:04 p.m. to discuss Items 3.1 through 3.3 as listed on the agenda.

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

John Paul Johnson v. City of Santa Rosa, et al.

United States District Court Northern District of California Case No. 3:23-cv-02478-JSC

This item was received and filed.

3.2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)

Property: 730 3rd Street, Santa Rosa, CA 95404

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

Negotiating Parties: 10 E Street, LLC and Burbank Housing Development Corporation, a California non-profit corporation

Under Negotiations: Price and terms of payment.

This item was received and filed.

3.3 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.

Mayor N. Rogers adjourned closed session at approximately 3:05 p.m. and reconvened to regular session at 3:30 p.m.

4. STUDY SESSION

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

4.1 TPW CAPITAL IMPROVEMENT PROGRAM PRIORITIZATION UPDATE

It is recommended by the Transportation and Public Works Department that the Council hold a Study Session to receive an update on the Capital Improvement Program and discuss prioritization criteria for future Capital Improvement Program investments. This item is provided for Council's information and no action is required to be taken except for possible direction to staff.

Attachments: [Staff Report Presentation](#)
[Late Correspondence \(Uploaded 12-10-2024\)](#)

Dan Hennessey, Director - Transportation and Public Works, presented and answered questions from Council.

PUBLIC COMMENT:

Chris Guenther, Bikeable Santa Rosa, spoke in support of Item 4.1 and strongly endorsed the proposed approach to prioritization.

This item was received and filed.

5. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

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

Teresa Stricker, City Attorney, reported that there was no reportable action from closed session Items 3.1 through 3.3.

7. PROCLAMATIONS/PRESENTATIONS - NONE.

8. STAFF BRIEFINGS

8.1 PREVENTION PILOT PROGRAM UPDATE

Staff will provide an update on the implementation of Keep People Housed Sonoma - Countywide Homeless Prevention Pilot Program. No action will be taken except for possible direction to staff.

Attachments: [Presentation](#)

Sasha Brown, Program Specialist - Housing and Community Services, presented and answered questions from Council.

No public comments were made.

This item was received and filed.

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

City Manager and City Attorney had no reports.

10. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Council Member MacDonald announced recusal from Item 11.2.1 out of an abundance of caution due to a possible economic interest conflict.

11. MAYOR'S/COUNCIL MEMBERS' REPORTS

Mayor N. Rogers provided comment on and an opportunity for all Council Members, City Manager Smith, and City Attorney Stricker to speak on former Council Member Chris Rogers' move to State Assembly Member. Assembly Member Chris Rogers addressed the Council.

Council Member Alvarez invited the community to the Hearn Community Hub vision on December 12, 2024 at 6:00 p.m.

Council Member Okrepkie provided a brief report on the recent

National Association of Counties event attended.

Council Member Stapp provided a brief report on the celebratory event related to the City's possession of the Southeast Greenway.

Mayor N. Rogers provided a brief report on recent community and leadership events attended.

No public comments were made.

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

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

Council Member Okrepkie 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)

11.1.9 Sonoma County Homeless Coalition

11.1.10 Renewal Enterprise District (RED)

11.1.11 Public Safety Subcommittee

11.1.12 Other

Council Member Stapp provided a brief report on the Violence Prevention Partnership Policy meeting.

11.2 BOARD, COMMISSION AND COMMITTEE APPOINTMENTS

- 11.2.1 The Council will consider the appointment of Scott Conrad to the Marin/Sonoma Mosquito Vector Control District Board of Trustees for a two-year term ending December 31, 2026.

Attachments: [Staff Report](#)
[Attachment 1 - Notice of Application Availability](#)
[Attachment 2 - Council Policy 000-06](#)
[Attachment 3 - Trustee Requirements and Information](#)

No public comments were made.

A motion was made by Vice Mayor Stapp, seconded by Council Member Okrepkie, to appoint Scott Conrad to the Marin/Sonoma Mosquito Vector Control District Board of Trustees for a two-year term ending December 31, 2026. The motion carried by the following vote:

Yes: 4 - Mayor Natalie Rogers, Vice Mayor Mark Stapp, Council Member Eddie Alvarez, and Council Member Jeff Okrepkie

Absent: 1 - Council Member Victoria Fleming

Recused: 1 - Council Member Dianna MacDonald

12. APPROVAL OF MINUTES

No public comments were made.

- 12.1 November 12, 2024, Regular Meeting Minutes.

Attachments: [Draft Minutes](#)

Approved as submitted.

13. CONSENT ITEMS

PUBLIC COMMENT:

Steve DelPorto spoke in support of Item 13.2.

Duane De Witt spoke in support of Item 13.2 and Item 13.4.

Approval of the Consent Agenda

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

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

13.1 RESOLUTION - SIXTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002270 WITH GEARY, SHEA, O'DONNELL, GRATTAN & MITCHELL P.C. FOR LEGAL REPRESENTATION

RECOMMENDATION: It is recommended by the City Attorney and the Director of Santa Rosa Water that the Council, by resolution, approve the Sixth Amendment to Professional Services Agreement Number F002270 with Geary, Shea, O'Donnell, Grattan & Mitchell, P.C. in the amount of \$550,000 for a total contract amount not to exceed \$100,000 for continued legal representation through trial in the matter of *Pelayo, et al. v. Utility Partners of America, City of Santa Rosa, et al.*

Attachments: [Staff Report](#)
[Resolution](#)
[Exhibit A - Sixth Amendment](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2024-186 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SIXTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002270 WITH GEARY, SHEA, O'DONNELL, GRATTAN & MITCHELL P.C. FOR LEGAL REPRESENTATION

13.2 RESOLUTION - ADOPTION OF MEMORANDUM OF UNDERSTANDING AND SINGLE ROLE PARAMEDIC SIDE LETTER, UNIT 2 - FIREFIGHTING, REPRESENTED BY THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF), LOCAL 1401, EFFECTIVE JULY 1, 2024 THROUGH JUNE 30, 2027 (THIS ITEM WAS CONTINUED FROM THE NOVEMBER 19, 2024 REGULAR MEETING.)

RECOMMENDATION: It is recommended by the Human Resources Department and the City Manager's Office that the Council, by resolution, adopt both the Memorandum of Understanding and Single Role Paramedic Side Letter for an agreement for, and on behalf of, the employees in the City's Bargaining Unit 2 - Firefighting, represented by the International Association of Fire Fighters (IAFF), Local 1401, and

effective July 1, 2024 to June 30, 2027.

Attachments: [Staff Report](#)
[Attachment 1 - Redline MOU](#)
[Attachment 2 - Redline Single Role Paramedic Sideletter Resolution](#)
[Exhibit A - MOU Unit 2 - Firefighting](#)
[Exhibit B - Single Role Paramedic Sideletter](#)

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2024-187 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A MEMORANDUM OF UNDERSTANDING AND SINGLE ROLE PARAMEDIC SIDE LETTER FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 2 - FIREFIGHTING, REPRESENTED BY THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF), LOCAL 1401, EFFECTIVE JULY 1, 2024 THROUGH JUNE 30, 2027

13.3

RESOLUTION - ASSIGNMENT AND ASSUMPTION OF PROFESSIONAL SERVICES AGREEMENT F002061 AND FIRST AMENDMENT TO AGREEMENT WITH U.S. BANCORP ASSET MANAGEMENT, INC. FOR INVESTMENT ADVISORY SERVICES

RECOMMENDATION: It is recommended by the Finance Department that the Council, by two separate resolutions: 1) approve the Assignment and Assumption of Professional Services Agreement Number F002061 and Consent to Assignment; and 2) approve the First Amendment to Professional Services Agreement Number F002061 with U.S. Bancorp Asset Management, Inc., a Delaware Corporation, dba PFM Asset Management, for investment advisory services with the City of Santa Rosa, extending the term for five years, through October 1, 2029, and increasing compensation by \$1,720,000 for a total not-to-exceed amount up to \$3,220,000.

Attachments: [Staff Report](#)
[Attachment 1 - Investment Policy](#)
[Resolution 1- Assignment & Assumption and Consent to Assignment](#)
[Exhibit A \(Reso 1\) – Assignment & Assumption and Consent to Assignment](#)
[Resolution 2 – First Amendment to F002061 Resolution PSA](#)
[Exhibit A \(Reso 2\) - First Amendment to F002061](#)

These Consent - Resolutions were adopted.

RESOLUTION NO. RES-2024-188 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING ASSIGNMENT AND

ASSUMPTION OF PROFESSIONAL SERVICES AGREEMENT NUMBER F002061 AND CONSENT TO ASSIGNMENT WITH PFM ASSET MANAGEMENT, LLC AND U.S. BANCORP ASSET MANAGEMENT, INC., A DELAWARE CORPORATION DBA PFM ASSET MANAGEMENT

RESOLUTION NO. RES-2024-189 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002061 WITH U.S. BANCORP ASSET MANAGEMENT, INC., A DELAWARE CORPORATION DBA PFM ASSET MANAGEMENT FOR INVESTMENT ADVISORY SERVICES

- 13.4 RESOLUTION - APPROVAL AND ISSUANCE OF A PURCHASE ORDER FOR THE PURCHASE OF ONE (1) RAPIDVIEW IBAK SEWER INSPECTION VEHICLE (THIS ITEM WAS CONTINUED FROM THE NOVEMBER 19, 2024, REGULAR MEETING AND HAS BEEN CONTINUED AGAIN TO THE DECEMBER 17, 2024, REGULAR MEETING)**

RECOMMENDATION: It is recommended by the Transportation and Public Works and Finance Departments that the Council, by resolution, approve the issuance of a Purchase Order for the purchase of one (1) RapidView IBAK Sewer Inspection vehicle in the amount of \$420,342.17, utilizing the pricing from the Sourcewell Cooperative Agreement No. 120721-RVL with John Doheny Company of Northville, Michigan.

This item was continued to the December 17, 2024, regular meeting.

The time not being 5:00 p.m., Mayor Rogers announce moving to Item 15.1 and would return to Item 14 later in the meeting.

15. REPORT ITEMS

- 15.1 REPORT - FY 2023-24 PUBLIC SAFETY AND PREVENTION TAX ANNUAL REPORT**

BACKGROUND: Ordinance 3680 added Chapter 3-26 to the Santa Rosa City Code establishing a special transaction and use tax. The special tax measure, known as Measure O, increased sales tax by a quarter percent to fund specific Police, Fire, and the Violence Prevention Partnership, which was originally known as the Gang Prevention and Youth Programs, as set forth in the Ordinance. The Ordinance also

established a seven-member Public Safety and Prevention Tax Citizen Oversight Committee, with members appointed by the City Council, to annually review expenditures and appropriations of the tax revenues to ensure that all such revenues are spent or appropriated for the purposes and uses set forth in the Ordinance. Each year, an Annual Report is prepared by City staff, reviewed by the Public Safety and Prevention Tax Citizen Oversight Committee, and presented to the City Council reporting on expenditures and activities during the past fiscal year.

RECOMMENDATION: It is recommended by the Finance, Fire, Police, and Recreation and Parks Departments, the Violence Prevention Partnership Program, and the Public Safety and Prevention Tax Citizen's Oversight Committee that the Council, by motion, accept the Public Safety and Prevention Tax Annual Report for Fiscal Year 2023-24.

Attachments: [Staff Report](#)
[Attachment 1 - PSAP Annual Report 2023-24 Presentation](#)

Scott Westrope, Fire Chief, Sara Rogers, Budget Analyst - Fire, John Cregan, Police Chief, Pam Lorence, Administrative Services Officer - Police, Jeff Tibbetts - Deputy Director - Recreation, Danielle Garduño, Program Manager - Violence Prevention Partnership, and Joanna Moore, Recreation Supervisor, presented and answered questions from Council.

PUBLIC COMMENT:

Duane De Witt spoke on the item.

A motion was made by Council Member Alvarez, seconded by Council Member MacDonald, to accept the Public Safety and Prevention Tax Annual Report for Fiscal Year 2023-24. The motion carried by the following vote:

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

Mayor N. Rogers returned to Item 14.

14. PUBLIC COMMENT ON NON-AGENDA MATTERS

Duane De Witt spoke on the Southeast Greenway project parking considerations.

Connie Aust spoke on storage facilities and a public hearing related to a Quick Quack Carwash in her neighborhood.

16. PUBLIC HEARINGS

16.1 PUBLIC HEARING - PUBLIC HEARING TO REVIEW EVIDENCE OF DEFAULT BY CORNERSTONE PROPERTIES II, LLC ON THE PROPERTY LOCATED AT 410 B STREET, SANTA ROSA, CA APN 010-045-025

BACKGROUND: Pursuant to an Agreement of Purchase and Sale for Future Infill Development and Joint Escrow Instructions (“Agreement”), the City sold the property located at 410 B Street in downtown Santa Rosa (APN 010-045-025) (“Property”) to Cornerstone Properties II, LLC (“Cornerstone”) on August 27, 2021, subject to the requirement that Cornerstone satisfy specific development milestones by specified deadlines. The City has granted Cornerstone two extensions of the deadlines for completion of the development milestones, totaling an additional 2.5 years. Because Cornerstone did not complete the development milestones by August 24, 2024, the second extended deadline, it is in material default of the Agreement. After meeting with Cornerstone, City staff determined that Cornerstone is not likely to move forward with the timely development of the Property even if the City further extends the milestone deadlines and issued a notice of default on August 29, 2024. The Agreement stipulates that following issuance of a notice of default, the Council must hold a public hearing to review evidence of defaults by Cornerstone and may elect to repurchase the property from Cornerstone for the Call Purchase Price of \$1,340,000 (which is equal to the original purchase price) in accordance with Section 23(d) of the Agreement if Council determines that Cornerstone is in default.

RECOMMENDATION: It is recommended by Real Estate Services that the Council: 1) conduct a public hearing to review evidence of the defaults by Cornerstone Properties II, LLC (“Cornerstone”) on the property located at 410 B Street, APN 010-045-025 (“Property”) in connection with the Agreement of Purchase and Sale for Future Infill

Development and Joint Escrow Instructions (“Agreement”); and 2) by resolution, elect to repurchase the Property for the Call Purchase Price of \$1,340,000 in accordance with the terms of section 23 (d) of the Agreement to facilitate the revitalization of the City’s downtown and Council’s goal to create more housing.

- Attachments:** [Staff Report](#)
[Attachment 1 - Agreement of Purchase and Sale](#)
[Attachment 2 - Extension Letter 1](#)
[Attachment 3 - Extension Letter 2](#)
[Attachment 4 - Notice of Default](#)
[Resolution](#)
[Public Hearing Notice](#)
[Presentation](#)
[Late Correspondence \(Uploaded 12-10-2024\)](#)

Jill Scott, Real Estate Manager, presented and answered questions from Council.

Mayor Rogers opened the public hearing at 6:09 p.m.

PUBLIC COMMENT:

Duane De Witt spoke in support of staff recommendation.

Mayor Rogers closed the public hearing at 6:13 p.m.

A motion was made by Council Member Okrepkie, seconded by Mayor Rogers, to approve a 120-day extension by from December 10, 2024 of the deadlines in the 2021 Agreement of Purchase and Sale for Future Infill Development and Joint Escrow Instructions for Cornerstone to obtain building permits on the Smart site and get entitlements for the 410 B Street site; and direction to staff to negotiate an amendment to the Agreement with Cornerstone within such 120-period that would include the scope of the revised project, number of units, proforma review, and timelines to finance and construct the project.

The motion carried by the following vote:

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

BACKGROUND: This is an update on the Marin Sonoma Coordinated Transit Service Plan (MASCOTS) effort including background, overview, timeline, and findings from the existing conditions analysis. MASCOTS is a multi-agency planning effort to comprehensively analyze transit service in the Highway 101 corridor and recommend changes to optimize the transit network.

RECOMMENDATION: It is recommended by Transportation and Public Works Department, that the Council receive a report on the Marin Sonoma Coordinated Transit Service Plan (MASCOTS). This item is provided for Council's information and no action will be taken.

Attachments: [Staff Report](#)
[Presentation](#)

Matthew Wilcox, Planner - City Bus, Cathleen Sullivan, Marin Transit, and Rachel Ede, Deputy Director - City Bus, presented and answered questions from Council.

No public comments were made.

This item was received and filed.

17. WRITTEN COMMUNICATIONS

No public comments were made.

17.1 STATE LEGISLATIVE UPDATE

- Federal Bill - Support Letter: This letter outlines the City's priorities within the National Defense Authorization Act - specifically regarding the authorization of the Economic Development Administration within the U.S. Provided for information.
- Federal Bill - Support Letter: This letter was organized by the U.S. Conference of Mayors and other key stakeholders regarding continued funding for disaster relief efforts among all federal agencies. Provided for Information.

Attachments: [Memorandum](#)
[National Defense Authorization Act - Support Letter](#)
[US Conference of Mayors Disaster Relief Funding Letter](#)

This item was received and filed.

- 17.2** NOTICE OF FINAL MAP - Brittain Oaks Airspace Condominium -
Provided for information.

Attachments: [Notice of Submittal](#)
[Location Map](#)

This item was received and filed.

18. PUBLIC COMMENT ON NON-AGENDA MATTERS

No public comments were made.

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 7:03 p.m. The next regular meeting will be held on Tuesday, December 17, 2024, at a time set by the Mayor.

21. UPCOMING MEETINGS

- 21.1** UPCOMING MEETINGS LIST

Attachments: [Upcoming Meetings List](#)

Approved on: January 7, 2025

/s/ Dina Manis

City Clerk