



City Council  
Regular Meeting Minutes - Draft

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Tuesday, November 28, 2023

3:00 PM

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**1. CALL TO ORDER AND ROLL CALL**

Mayor N. Rogers called the meeting to order at 3:00 p.m.

**Present:** 7 - Mayor Natalie Rogers, Vice Mayor Dianna MacDonald, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member Jeff Okrepkie, Council Member Chris Rogers, and Council Member Mark Stapp

**2. ANNOUNCEMENT OF CLOSED SESSION ITEMS**

PUBLIC COMMENT:

Thomas Ells spoke on Item 2.2.

**Council Member Alvarez joined the meeting at 3:01 p.m.**

**Mayor N. Rogers recessed the meeting to closed session at 3:02 p.m. to discuss Items 2.1 and 2.2 as listed on the agenda.**

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

Name of Case: Aqueous Film-Forming Foam (AFFF) Product Liability Litigation (MDL 2873)

District Court for the District of South Carolina Court Case No. Master Docket No. 2:18-MN-2873-RMG

**This item was received and filed.**

- 2.2** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: one case

Potential litigation against 3M Company and E.I. Du Pont de Nemours and Company (n/k/a EIDP, Inc.), DuPont de Nemours Inc., The Chemours Company, The Chemours Company FC, LLC, and Corteva, Inc. (collectively, "DuPont") Related to Per and Poly-Fluoroalkyl

Substances ("PFAS")

**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 4:01 p.m.**

**3. STUDY SESSION - NONE.**

**4. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)**

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

**Absent:** 1 - Council Member Chris Rogers

**5. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS**

Teresa Stricker, City Attorney, reported that on Item 2.2 Council determined by unanimous vote to opt-out of the two class action settlements against DuPont and 3M Company, and no other reportable action was taken.

No public comments were made.

**6. PROCLAMATIONS/PRESENTATIONS - NONE.**

**7. STAFF BRIEFINGS**

**7.1 TRANSPORTATION AND PUBLIC WORKS CAPITAL PROJECTS OVERVIEW**

Staff will provide a statistical overview of current capital projects as well as additional detail of specific projects. No action will be taken except for possible direction to staff.

James Jensen, Deputy Director - Transportation and Public Works Engineering Services, Greg Mariscal - Supervising Engineer, and Lisa Welsh - Supervising Engineer, presented and answered questions from Council.

Council Member C. Rogers joined the meeting at 4:08 p.m.

Thomas Ells spoke on Item 7.1 and showed several maps of highway crossings.

Peter Allen spoke in support of Item 7.1 and CIP projects, and requested the process on how to make a service request.

**This item was received and filed.**

**Present:** 7 - Mayor Natalie Rogers, Vice Mayor Dianna MacDonald, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member Jeff Okrepkie, Council Member Chris Rogers, and Council Member Mark Stapp

## **8. CITY MANAGER'S/CITY ATTORNEY'S REPORTS**

Maraskeshia Smith, City Manager, provided a brief report on the upcoming Transit "Stuff the Bus" event on December 2 at City Hall from 9am-3pm in partnership with Toys for Tots, and the 48th Annual Handmade Holiday Craft Fairs at the Finley Center on December 2 and 3.

City Attorney Stricker had no report.

## **9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS**

Council Member Alvarez announced his abstention on Item 14.1 due to his business being in the cannabis industry.

## **10. MAYOR'S/COUNCIL MEMBERS' REPORTS**

Vice Mayor MacDonald provided a brief report on recent events attended.

No public comments were made.

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

#### **10.1.1 Council Subcommittee Reports**

#### **10.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)**

#### **10.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee**

**10.1.4 Association of Bay Area Governments (ABAG)**

**10.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee**

**10.1.6 Sonoma Clean Power Authority (SCPA)**

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

Vice Mayor MacDonald provided a brief report.

**10.1.8 Groundwater Sustainability Agency (GSA)**

**10.1.9 Sonoma County Continuum of Care (CoC)**

**10.1.10 Renewal Enterprise District (RED)**

**10.1.11 Public Safety Subcommittee**

**10.1.12 Other**

**11. APPROVAL OF MINUTES**

11.1 November 14, 2023, Regular Meeting Minutes.

No public comments were made.

Approved as submitted.

**12. CONSENT ITEMS**

No public comments were made.

**Approval of the Consent Agenda**

**A motion was made by Vice Mayor MacDonald, seconded by Council Member Rogers, to waive reading of the text and adopt Consent Items 12.1 through 12.3.**

**The motion carried by the following vote:**

**Yes: 7 - Mayor Natalie Rogers, Vice Mayor Dianna MacDonald, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member Jeff Okrepkie, Council Member Chris Rogers, and Council Member Mark Stapp**

12.1 RESOLUTION - APPROVAL AND ADOPTION OF THE CITY'S

## SALARY PLAN AND SCHEDULE

RECOMMENDATION: It is recommended by the Human Resources Department that the Council, by resolution, approve and adopt the amended City of Santa Rosa Salary Plan and Schedule.

**This Consent - Resolution was adopted.**

### **RESOLUTION NO. RES-2023-189 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND ADOPTING THE CITY'S SALARY PLAN AND SCHEDULE**

- 12.2 RESOLUTION - APPROVAL OF SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH GREEN VALLEY CONSULTING ENGINEERS, INC. CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES ASSOCIATED WITH FIRE DAMAGED ROADWAY LANDSCAPING

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve a Second Amendment to Professional Services Agreement Number F002460 with Green Valley Consulting Engineers, Inc. of Santa Rosa, California, for Construction Management and Inspection Services associated with the Fire Damaged Roadway Landscaping Project, increasing compensation in the amount of \$384,890, for a total contract amount not to exceed \$1,031,932.

**This Consent - Resolution was adopted.**

### **RESOLUTION NO. RES-2023-190 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002460 WITH GREEN VALLEY CONSULTING ENGINEERS, INC. OF SANTA ROSA, CALIFORNIA, FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES ASSOCIATED WITH THE FIRE DAMAGED ROADWAY LANDSCAPING PROJECT**

- 12.3 ORDINANCE ADOPTION SECOND READING- ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE TO EXTEND THE EXPIRATION DATE OF ZONING CODE CHAPTER 20-16, RESILIENT CITY DEVELOPMENT MEASURES, AND ZONING CODE SECTION 20-28.100, RESILIENT CITY (-RC) COMBINING DISTRICT, BY ONE

YEAR, FROM DECEMBER 31, 2023 TO DECEMBER 31, 2024

RECOMMENDATION: This ordinance, introduced at the November 14, 2023, Regular Meeting by a 7-0-0 vote, extends Zoning Code Chapter 20-16, Resilient City Development Measures and Zoning Code Section 20-28.100, -RC Combining District for a period of one year, until December 31, 2024, to allow additional time to complete a comprehensive update and recommendations to Council, including additional community and developer outreach, for codification of both Ordinances into appropriate sections of the Zoning Code, with no sunset date.

**This Consent - Ordinance was adopted on second reading.**

**ORDINANCE NO. ORD-2023-015 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE TO EXTEND THE EXPIRATION DATE OF ZONING CODE CHAPTER 20-16, RESILIENT CITY DEVELOPMENT MEASURES, AND ZONING CODE SECTION 20-28.100, RESILIENT CITY (-RC) COMBINING DISTRICT, BY ONE YEAR, FROM DECEMBER 31, 2023 TO DECEMBER 31, 2024**

**Mayor N. Rogers announced that as the time not being 5:00p.m. Item 14.1 would be heard before Item 13.**

#### **14. REPORT ITEMS**

##### **14.1 REPORT - CANNABIS EQUITY ASSESSMENT**

BACKGROUND: On March 1, 2022, the Council, by Resolution No. RES-2022-042, granted approval to accept a Type 1 grant of \$75,000 from the California Governor's Office of Business and Economic Development (GO-Biz) and authorized the City Manager to execute the Standard Agreement. This funding was allocated for the purpose of conducting a cannabis equity assessment, which has been prepared for the Council's acceptance. The City would become eligible to apply for Type 2 grant funding which would be dispersed to eligible applicants following acceptance of the Cannabis Equity Assessment and the creation and adoption of a cannabis equity program.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution: 1)

accept the City of Santa Rosa Cannabis Equity Assessment; and 2) direct staff to prepare a cannabis equity program.

**Council Member Alvarez left the dais at 4:44 p.m.**

Jessica Jones, Deputy Director - Planning, Monet Sheikhal, Senior Planner, Gabe Osburn, Interim Director - Planning and Economic Development, and Kyle Tankard, SCI Consulting Group, presented and answered questions from Council.

**PUBLIC COMMENT:**

Thomas Ells spoke on the item and suggested that cannabis may not be the right industry to start an equity assessment within the City.

Moses Flickenger spoke in support of the item and requested that it be expedited.

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

**RESOLUTION ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING THE CITY OF SANTA ROSA CANNABIS EQUITY ASSESSMENT AND DIRECTING STAFF TO PREPARE A CANNABIS EQUITY PROGRAM. The motion failed by the following vote:**

**Yes:** 3 - Mayor Natalie Rogers, Council Member Victoria Fleming, and Council Member Chris Rogers

**No:** 3 - Vice Mayor Dianna MacDonald, Council Member Jeff Okrepkie, and Council Member Mark Stapp

**Abstain:** 1 - Council Member Eddie Alvarez

After Item 14.2 was heard, City Manager Smith requested through the Mayor that Council return to Item 14.1 for additional discussion.

**Council Member Alvarez left the dais.**

At the request of staff, City Attorney Stricker made a

recommendation that Council adopt an amended resolution to accept the Cannabis Equity Assessment only which was part of the Type 1 grant requirements.

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

**RESOLUTION NO. RES-2023-191 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING THE CITY OF SANTA ROSA CANNABIS EQUITY ASSESSMENT.**

**The motion carried by the following vote:**

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

**Abstain:** 1 - Council Member Eddie Alvarez

### **13. PUBLIC COMMENT ON NON-AGENDA MATTERS**

Thomas Ells spoke on the Hearn highway overcrossing.

Peter Allen spoke on 805 White Oak Drive easement and notice of violation.

**Council Member Alvarez returned to the dais at 5:51 p.m.**

#### **14.2 REPORT - HOME INVESTMENT PARTNERSHIP - AMERICAN RESCUE PLAN (HOME-ARP) FUNDING AWARDS**

BACKGROUND: In Fiscal Year 2021/2022, the City was awarded \$2,737,433 in HOME Investment Partnership American Rescue Plan (HOME-ARP) funds by the U.S. Department of Housing and Urban Development (HUD). Through HUD's required consultation and public participation process, the City developed a HOME-ARP Allocation Plan (Plan) which identified the use of HOME-ARP funds for supportive services, specifically focusing on homelessness prevention. On February 28, 2023, Council authorized submittal of the Plan to HUD. On August 31, 2023, a Request for Proposals (RFP) was released, with a due date of October 2, 2023, and sought proposals from qualified and experienced organizations to provide supportive services starting

January 1, 2024. Two proposals were received, one from COTS and one from CCDSR. Based on the review and scoring of the proposals, staff recommends funding awards to COTS and CCDSR in the respective amounts of \$711,375 and \$1,615,444 for an eighteen-month period January 1, 2024, to June 30, 2025.

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution: 1) approve a Grant Agreement for the HOME-ARP Program with Committee on the Shelterless (COTS) in the amount of \$711,375 for an eighteen-month period January 1, 2024 to June 30, 2025; 2) approve a Grant Agreement for the HOME-ARP Program with Catholic Charities of the Diocese of Santa Rosa (CCDSR) in the amount of \$1,615,444 for an eighteen-month period January 1, 2024 to June 30, 2025; and 3) authorize the Director of Housing and Community Services to execute the grant agreements for HOME-ARP Program funds with COTS and CCDSR in the total amount of \$2,326,819.

Sasha Brown, Program Specialist Housing and Community Services, and Kelli Kuykendall, Housing and Community Services Manager, presented and answered questions from Council.

**PUBLIC COMMENTS:**

Jennielynn Holmes, Catholic Charities, spoke in support of the item and spoke of the services that this agreement affords them to provide to the community.

Sanford Robinson, COTS, spoke in support of the item.

Thomas Ells spoke in support of the item and allocation of funds and miscellaneous accounting and reporting requirements of receiving these funds.

**A motion was made by Council Member Fleming, seconded by Vice Mayor MacDonald, to waive reading of the text and adopt**

**RESOLUTION NO. RES-2023-192 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING TWO GRANT AGREEMENTS FOR THE HOME INVESTMENT PARTNERSHIP - AMERICAN**

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**RESCUE PLAN (HOME-ARP) PROGRAM WITH COMMITTEE ON THE SHELTERLESS AND CATHOLIC CHARITIES OF THE DIOCESE OF SANTA ROSA IN THE RESPECTIVE AMOUNTS OF \$711,375 AND \$1,615,444 FOR AN EIGHTEEN-MONTH PERIOD JANUARY 1, 2024 TO JUNE 30, 2025**

**The motion carried by the following vote:**

**Yes:** 7 - Mayor Natalie Rogers, Vice Mayor Dianna MacDonald, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member Jeff Okrepkie, Council Member Chris Rogers, and Council Member Mark Stapp

**15. PUBLIC HEARINGS - NONE.**

**16. WRITTEN COMMUNICATIONS - NONE.**

**17. PUBLIC COMMENTS ON NON-AGENDA MATTERS**

None.

**10.2 ELECTION OF VICE MAYOR**

**10.2.1** The Council, in accordance with the City's Charter Section 15 and the City Council Manual of Protocols and Procedures, will elect a Vice Mayor from among its members. The Vice Mayor will serve a term of one year.

Mayor N. Rogers acknowledged Vice Mayor MacDonald's work in the position as Vice Mayor.

Vice Mayor MacDonald provided brief comments.

No public comments were made.

**A motion was made by Council Member C. Rogers, seconded by Council Member Okrepkie, to nominate Council Member Stapp as Vice Mayor. Council Member Stapp accepted the nomination. There were no other nominations therefore Council Member Stapp was selected as Vice Mayor by unanimous consent.**

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

**19. ADJOURNMENT OF MEETING**

Mayor N. Rogers adjourned the meeting at 6:25 p.m. in honor of Frances Diaz, former Planning Commissioner for the City of Santa Rosa. The next regular meeting will be held on December 5, 2023, at time set by the Mayor.

## **20. UPCOMING MEETINGS**

### **20.1 UPCOMING MEETINGS LIST**

**This item was received and filed.**

**Approved on:**

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**Dina Manis**  
**City Clerk**