



# City of Santa Rosa

City Hall, Council Chamber  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404

## City Council Regular Meeting Minutes - Draft

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Tuesday, October 22, 2024

12:00 PM

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### 1. CALL TO ORDER AND ROLL CALL

Mayor N. Rogers called the meeting to order at 12:03 p.m.

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

### 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 12:05 p.m. to discuss Items 3.1 through 3.5 as listed on the agenda.**

#### 3.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (THIS ITEM WAS CONTINUED FROM THE OCTOBER 8, 2024, REGULAR MEETING.)

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: two cases  
Potential litigation against Tyco Fire Products LP and BASF Corporation Related to PFAS contamination.

**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) (THIS ITEM WAS CONTINUED FROM THE OCTOBER 8, 2024, REGULAR MEETING.)

*In Re Aqueous Film-Forming Foams Products Liability Litigation (City of Camden, et al., v. BASF Corporation)*  
United States District Court for the District of South Carolina,

Charleston Division, MDL No.: 2:18-mn-2873 and Case No. 2:24-cv-03174-RMG

**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)  
**(THIS ITEM WAS CONTINUED FROM THE OCTOBER 8, 2024, REGULAR MEETING.)**

*In Re Aqueous Film-Forming Foams Products Liability Litigation (City of Camden, et al., v. Tyco Fire Products LP, et al.)*

United States District Court for the District of South Carolina,  
Charleston Division, MDL No.: 2:18-mn-2873 and Case No. 2:24-cv-02321-RMG

**This item was received and filed.**

**3.4 CONFERENCE WITH LABOR NEGOTIATORS**  
(Government Code Section 54957.6)

Agency Designated Representatives: Maraskeshia Smith, City Manager; Alan Alton, Chief Financial Officer; Dominique Blanquie, Human Resources Director; Siara Goyer, Employee Relations Manager; and Burke Dunphy of Sloan Sakai Yeung & Wong LLP.

Employee Organizations: Santa Rosa Firefighters Association - Local 1401 (representing City Employees in Unit 2).

**This item was received and filed.**

**3.5 PUBLIC EMPLOYEE - EVALUATION OF PERFORMANCE**  
(Government Code Section 54957(b))

Title: City Attorney

**This item was received and filed.**

**Mayor N. Rogers adjourned closed session at approximately 2:15 p.m. and reconvened to regular session at 2:22 p.m.**

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

## 4. STUDY SESSION

### 4.1 GENERAL FUND BUDGET REDUCTIONS

It is recommended by the Finance Department that the Council hold a Study Session regarding budget reductions in the General Fund. This item is presented for the Council's information and no action is required except for possible direction to staff.

Alan Alton, Chief Financial Officer, Scott Wagner, Deputy Director of Finance, and Veronica Conner, Budget Manager, presented and answered questions from Council.

#### PUBLIC COMMENT:

Duane De Witt spoke in thanks for the work done and for providing insights to the future financial difficulties, suggesting further community engagement and ideas for funding.

Eric Fraser, community activist active on the campaign for no on EE and FF, spoke on tax measures, overspending, the war on short-term rentals, special interests, performance based contracts and illegal campaigning by the city.

**Mayor N. Rogers recessed the meeting at 4:09 p.m. and reconvened at 4:18 p.m.**

**4:00 P.M.**

## 5. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)

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

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

Teresa Stricker, City Attorney, reported on the study session held with direction given to staff and 5 closed session items, and reported the City Council voted unanimously to opt out of the two class-action settlements with Tyco Fire Products LP and BASF Corporation, based on the City Council's concern that the City not

prematurely settle until it can better understand its potential claims as technology continues to evolve. There was no other reportable action from the closed sessions.

No public comments were made.

## **7. PROCLAMATIONS/PRESENTATIONS**

### **7.2 PROCLAMATION - WORLD POLIO DAY**

**Mayor N. Rogers announced that Item 7.1 would be taken closer to 5:00 p.m. and moved to Item 7.2.**

Vice Mayor Stapp read the proclamation and presented it to Jim O'Grady, Rotary District Governor of Northern California.

#### **PUBLIC COMMENT:**

Eric Fraser spoke in favor of Rotary with family having been members.

Duane De Witt spoke on the local Rotary Club providing help to sister city Cherkasy to improve the lives of their residents, and acknowledging their work with polio.

## **8. STAFF BRIEFINGS - NONE.**

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

### **9.1 REPORT OF SETTLEMENTS AND ACTIVE LITIGATION**

The City Attorney will report on all settlements authorized by Council in closed session that were finalized in September 2024, which includes but may not be limited to all settlements requiring the City to pay more than \$50,000. The City Attorney will also provide a summary of pending litigation against the City.

Maraskeshia Smith, City Manager, reported on free public transit on election day November 5, with a collaboration between Santa Rosa City Bus, Petaluma Transit and Sonoma County Transit. Information regarding schedules, routes and vote center locations is available at

srcity.org/yourridetovote and information will also be posted on the City of Santa Rosa website.

Teresa Stricker, City Attorney, reported on one settlement finalized in September where the City filed a lawsuit against 13 defendants who were alleged to be organizers of a side-show event in Santa Rosa. The City has settled with 12 of the defendants and a stipulation to continue the trial is pending with the court on behalf of the 13th defendant. The City's caseload remains constant with approximately 35 litigation matters as of the end of September, many in the discovery phase, most with trial dates set, and noted there is always an attempt to resolve smaller cases at little or no cost to the City.

No public comments were made.

**This item was received and filed.**

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

Council Member Alvarez announced abstention from Item 16.1 due to being involved in the cannabis industry and the potential of the item involving cannabis.

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

Council Member C. Rogers reported on an event recently attended.

Council Member Alvarez reported on an event recently attended.

Council Member Okrepkie reported on an event recently attended.

Council Member MacDonald reported on events recently attended.

Vice Mayor Stapp reported on an event recently attended.

**PUBLIC COMMENT:**

Eric Fraser spoke on how staff time is spent.

Duane De Witt spoke on Pearson Street and the Southwest Greenway.

**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**

Vice Mayor Stapp provided an update on the Long-Term Finance Committee meeting.

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

Council Member Okrepkie provided an update.

**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**

Council Member Okrepkie provided an update.

**11.1.12 Other**

**11.2 MATTERS FROM COUNCIL REGARDING FUTURE AGENDA ITEMS**

- 11.2.1** REQUEST FOR AGENDA ITEM REGARDING THE TEN PERCENT (10%) IN-PLACE TRANSFER RENT INCREASES IN CITY CODE 6-66.050(B)

BACKGROUND: At the October 8, 2024, City Council meeting, Council Member MacDonald requested a future agenda item to discuss the ten percent (10%) in-place transfer rent increases in City Code 6-66.050(B). Council Member Alvarez concurred with the request.

No public comments were made.

**A motion was made by Council Member MacDonald, seconded by Council Member Alvarez, to approve adding an agenda item regarding the ten percent in-place transfer rent increases in City Code 6-66.050(B). The motion carried by the following vote:**

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

**Mayor N. Rogers moved to Item 7.1.**

**7.1 PROCLAMATION - ANNUAL POMO AND WAPPO PEOPLE HONORING MONTH**

Council Member Alvarez read the proclamation and presented it to Jack Pollard, Chair of the Progressive Tribal Alliance.

**PUBLIC COMMENT:**

Duane De Witt spoke on a Pomo interpretive village along Roseland Creek.

Donna Legge, Public Relations Director for Progressive Tribal Alliance, spoke on opportunities to go beyond land acknowledgment in providing resources for local cities and native communities.

**12. APPROVAL OF MINUTES**

**12.1 October 8, 2024, Regular Meeting Minutes.**

No public comments were made.

**Approved as submitted.**

**Council Member Alvarez left the dais at 5:20 p.m. and returned at 5:26 p.m.**

**13. CONSENT ITEMS**

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PUBLIC COMMENT:

Duane DeWitt spoke in support of the extension of proclamation of local homeless emergency and the Roseland area.

**Approval of the Consent Agenda**

**A motion was made by Vice Mayor Stapp, seconded by Council Member MacDonald, to waive reading of the text and adopt Consent Items 13.1 through 13.7. The motion carried by the following vote:**

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

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

**13.1 MOTION - REJECT ALL BIDS - LOW IMPACT DEVELOPMENT AT MUNICIPAL SERVICES CENTER NORTH**

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, reject all bids received for Contract No. C02391, Low Impact Development at Municipal Services Center North (MSCN).

**This Consent - Motion was approved.**

**13.2 MOTION - TRANSIT MALL ROADBED REHABILITATION - CONTINGENCY ACTION**

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that Council, by motion, approve construction contingency funds for the Transit Mall Roadbed Rehabilitation Project, Contract No. C02395, in the amount of \$150,000, increasing the total contract amount to \$1,356,160.25.

**This Consent - Motion was approved.**

**13.3 RESOLUTION - ADOPTION OF MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE SAMUEL L. JONES HALL HOMELESS SHELTER PHASE 2 IMPROVEMENTS**

RECOMMENDATION: It is recommended by the Transportation and



Public Works Department and the Housing and Community Services Department that the Council, by resolution, adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Samuel L. Jones Hall Homeless Shelter Phase 2 Improvements project.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2024-163 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE SAMUEL L. JONES HALL HOMELESS SHELTER PHASE 2 IMPROVEMENTS**

**13.4 RESOLUTION - APPROVAL OF ONE ADDITIONAL TOW VENDOR TO THE TOW VENDOR FRANCHISEE LIST FOR POLICE-GENERATED OPERATIONS**

RECOMMENDATION: It is recommended by the Police Department that the Council, by resolution: 1) grant a police generated vehicle tow franchise to tow operator Cream's Towing, Inc. dba Cream's Heavy Duty Towing & Storage of Santa Rosa, California pursuant to Chapter 6-84 of the Santa Rosa City Code for police-generated tow operations; 2) authorize a tow agreement with the franchisee in substantially the form of Exhibit A to the resolution; and 3) authorize the Chief of Police or designee to execute the tow agreement.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2024-164 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA GRANTING ONE ADDITIONAL VEHICLE TOW FRANCHISE TO CREAM'S TOWING, INC. DBA CREAM'S HEAVY DUTY TOWING & STORAGE AND AUTHORIZING A FRANCHISE AGREEMENT FOR POLICE-GENERATED TOW OPERATIONS**

**13.5 RESOLUTION - APPROVAL AND ISSUANCE OF A PURCHASE ORDER FOR THE PURCHASE OF TWO RESCUE AMBULANCES UTILIZING THE PRICING FROM THE HOUSTON GALVESTON AREA COUNCIL (HGAC) COOPERATIVE AGREEMENT AM10-23 WITH REPUBLIC EVS CONTRACT**

RECOMMENDATION: It is recommended by the Fire Department that the Council, by resolution, 1) approves and delegates authority to the

Purchasing Agent to issue a Purchase Order to purchase two (2) Medix Specialty Vehicles Type I ME 153" on 2024 Ford F-350 4 x 4 Diesel Powered Chassis, Two-Door Standard Cab to utilize to the extent possible, cooperative purchasing through the Houston-Galveston Area Council (H-GAC) Republic EVS Contract AM10-23 Huntington Beach, California for a total not to exceed amount of \$491,728.07 and 2) delegate authority to negotiate and execute any other documents, agreements or amendments related to the purchase that are in a form approved by the City Attorney.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2024-165 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE ISSUANCE OF A PURCHASE ORDER FOR THE PURCHASE OF TWO RESCUE AMBULANCES FROM REPUBLIC EVS IN AN AMOUNT NOT TO EXCEED \$491,728.07 UNDER THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC) COOPERATIVE AGREEMENT (CONTRACT AM-10-23) AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO NEGOTIATE AND EXECUTE ANY NECESSARY AGREEMENT(S) TO COMPLETE THE PURCHASE**

**13.6 RESOLUTION - APPROVAL OF SIXTH AMENDMENT TO GENERAL SERVICES AGREEMENT FOR CITYWIDE SECURITY GUARD**

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, approve the Sixth Amendment to General Service Agreement Number F001847A with Universal Protection Service, LP dba Allied Universal Security Services, Irvine, California to add additional parking garage security in the amount of \$430,002.22, for a total contract not to exceed \$3,712,452.13.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2024-166 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SIXTH AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F001847A WITH UNIVERSAL PROTECTION SERVICE, LP DBA ALLIED UNIVERSAL SECURITY SERVICES FOR CITYWIDE SECURITY GUARD SERVICES**

**13.7 RESOLUTION - EXTENSION OF PROCLAMATION OF LOCAL HOMELESS EMERGENCY**

RECOMMENDATION: It is recommended by the Housing and Community Services Department that the Council, by resolution, approve an extension of Resolution No. 28839 which formally proclaimed a local homeless emergency within Santa Rosa.

**This Consent - Resolution was adopted.**

**RESOLUTION NO. RES-2024-167 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA EXTENDING A PROCLAMATION OF LOCAL HOMELESS EMERGENCY (Government Code Sections 8630 et seq.)**

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

Duane DeWitt spoke regarding housing.

Adina Flores spoke regarding a flyer from the City regarding Measures EE and FF.

Eric Fraser, No on EE and FF, spoke regarding the drum circle and a mailing from the City regarding Measures EE and FF.

#### **15. REPORT ITEMS**

##### **15.1 REPORT - AMENDMENT TO COUNCIL MANUAL OF PROCEDURES AND PROTOCOLS REGARDING ABSENCES FROM MEETINGS**

BACKGROUND: Rule I.F. of the City Council Manual of Procedures and Protocols provides that “[i]f a Councilmember is absent without Council permission from all regular City Council meetings for thirty (30) days consecutively from the last regular meeting he/she attends, his/her office becomes vacant and shall be filled as any other vacancy.”

When that rule was adopted in 1999, the City Council routinely held three regular Council meetings per month. Since mid-2022, however, City Council has generally held two regular meetings per month. As a result, there are times that if a Councilmember is absent from a single regular Council meeting, the Councilmember could be in violation of the 30-day rule in Rule I.F (“30-day meeting absence rule”) unless Council permission can be obtained before the 30th day.

Automatic forfeiture of an elected official’s office because of a single

meeting absence is an extremely harsh consequence that may frustrate the will of the voters. There is no indication that the City Council intended that result when it adopted the rule.

Additionally, the 30-day meeting absence rule was adopted by resolution and not by ordinance as required by the City Charter when it comes to penalties City Council creates to compel Councilmember attendance at meetings. For that reason, the rule is not enforceable.

In the absence of an ordinance, the 60-day rule in Government Code section 36513(a), which is otherwise identical to the 30-day meeting absence rule in Rule I.F, governs Santa Rosa City Councilmember meeting absences. The City Attorney recommends that the City Council amend Rule I.F to reflect the 60-day rule in Government Code section 36513(a).

**RECOMMENDATION:** It is recommended by the City Attorney that the Council, by resolution, amend the Council Manual of Procedures and Protocol to modify Rule I.F regarding Councilmember absences from regular council meetings to reflect the requirements of Government Code section 36513(a).

Teresa Stricker, City Attorney, presented and answered questions from Council.

No public comments were made.

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

**RESOLUTION NO. RES-2024-168 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING CITY COUNCIL MANUAL OF PROCEDURES AND PROTOCOLS, RULE I.F - ATTENDANCE TO REFLECT THE REQUIREMENTS OF GOVERNMENT CODE SECTION 36513(a)**

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

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

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**15.2**      **REPORT - HEARN COMMUNITY HUB PHASE 1 CONTRACT  
AWARD, BUDGET AMENDMENTS, CEQA FINDINGS AND  
ADOPTION, DELEGATIONS OF AUTHORITY**

**BACKGROUND:** The Hearn Community Hub Phase 1 Project (Project) is an investment in the Roseland area in collaboration with the Sonoma County Library to develop a fire station and library. Using community input gathered in three separate community outreach events, the City has developed the “Hub” at Hearn Avenue. This resolution will award the Design-Build Contract with contingency, appropriate funds, make CEQA findings, and approve the cooperative funding agreement with Sonoma County Library. The Project furthers Council Goal #3 and Council Goal #5.

**RECOMMENDATION:** It is recommended by the Fire Department, Finance Department, and Transportation and Public Works Department that Council, by resolution: 1) find pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168 and 15162 that the Hearn Community Hub Project is within the scope of the previously certified 2016 Program Environmental Impact Report for the Roseland Area/Sebastopol Road and Roseland Area Annexation Projects Specific Plan and that no further environmental review is required as documented in the CEQA checklist prepared for the Hearn Community Hub Project; 2) award Design-Build Contract No. C02412, Hearn Community Hub Phase 1, in the amount of \$31,000,000 to the best value Design-Build entity, Swinerton Incorporated of Sacramento, California, approve a 6.4% contingency in the amount of \$2,000,000 for a total contract amount of \$33,000,000, and authorize the City Manager or designee to negotiate and execute the Design-Build Contract with Swinerton Incorporated and any amendments thereto and any related agreements pertaining to Additive Enhancements, Voluntary Enhancements and Additive Alternates; 3) amend the Fiscal Year 2024-25 budget to increase appropriations in the amount of \$3,000,000, from the Public Safety and Prevention fire fund reserves; and 4) approve the Agreement for Development and Construction of a Regional Library Branch in Southwest Santa Rosa with the Sonoma County Library and authorize the City Manager or designee to execute such agreement and to negotiate, appropriate and execute all related

agreements, documents and any amendments thereto with the Sonoma County Library required to receive any additional funding from the Sonoma County Library, including increasing appropriations for revenue, transfers and expenditures.

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

**PUBLIC COMMENTS:**

Duane De Witt spoke in support of a library on Sebastopol Road for Roseland residents.

Ana Diaz from Roseland spoke in support of the library and the project.

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

**RESOLUTION NO. RES-2024-169 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA FINDING PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15168 AND 15162 THAT THE HEARN COMMUNITY HUB PROJECT IS WITHIN THE SCOPE OF THE PREVIOUSLY CERTIFIED 2016 PROGRAM EIR FOR THE ROSELAND AREA/SEBASTOPOL ROAD AND ROSELAND AREA ANNEXATION PROJECTS SPECIFIC PLAN AND THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED AS DOCUMENTED IN THE CEQA CHECKLIST; AWARDING DESIGN-BUILD CONTRACT C02412, HEARN COMMUNITY HUB PHASE 1 (PROJECT), IN THE AMOUNT OF \$31,000,000 TO THE BEST VALUE DESIGN-BUILD ENTITY, SWINERTON INCORPORATED (SWINERTON BUILDERS) OF SACRAMENTO, CALIFORNIA, APPROVE A 6.4% CONTINGENCY IN THE AMOUNT OF \$2,000,000 FOR A TOTAL CONTRACT AMOUNT OF \$33,000,000, AND AUTHORIZE THE CITY MANAGER OR DESIGNEE TO NEGOTIATE AND EXECUTE THE DESIGN-BUILD CONTRACT WITH SWINERTON INCORPORATED AND ANY AMENDMENTS THERETO AND ANY RELATED AGREEMENTS PERTAINING TO ADDITIVE ENHANCEMENTS, VOLUNTARY ENHANCEMENTS AND ADDITIVE ALTERNATES; AMENDING THE FISCAL YEAR (FY) 2024-25 BUDGET TO INCREASE APPROPRIATIONS IN THE AMOUNT OF \$3,000,000, FROM THE PUBLIC SAFETY AND PREVENTION (PSAP)-FIRE FUND RESERVES; AND APPROVING THE AGREEMENT FOR DEVELOPMENT AND CONSTRUCTION OF A REGIONAL LIBRARY**

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**BRANCH IN SOUTHWEST SANTA ROSA WITH THE SONOMA COUNTY LIBRARY AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH AGREEMENT, TO NEGOTIATE AND EXECUTE ALL RELATED AGREEMENTS, DOCUMENTS AND ANY AMENDMENTS THERETO WITH THE SONOMA COUNTY LIBRARY REQUIRED TO RECEIVE ANY ADDITIONAL FUNDING FROM THE SONOMA COUNTY LIBRARY AND TO INCREASE APPROPRIATIONS FOR REVENUE, TRANSFERS AND EXPENDITURES RELATED TO SUCH FUNDING**

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

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

## **16. PUBLIC HEARINGS**

### **16.1 PUBLIC HEARING - AMEND THE SANTA ROSA FEE SCHEDULE TO ADD AN ANNUAL TOBACCO RETAIL LICENSE FEE (THIS ITEM HAS BEEN CONTINUED TO THE NOVEMBER 12, 2024, REGULAR MEETING)**

**BACKGROUND:** The City Council will hold a public hearing to consider adding an annual Tobacco Retail License Fee to the Fee Schedule to cover costs associated with compliance monitoring of Chapter 6-20 of the Santa Rosa City Code titled "Regulation of Retail Tobacco Sales", adopted by Council on August 6, 2024, and in effect on September 7, 2024. Council will be provided with a presentation describing how the proposed fee was developed in compliance with Government Code Section 50076 to ensure it does not exceed the estimated reasonable cost of providing the compliance monitoring activities. The public hearing will provide the public with an opportunity to provide feedback relating to the proposed fee.

**RECOMMENDATION:** It is recommended by the City Manager's Office that the Council: 1) hold a public hearing to discuss adding an annual Tobacco Retail License Fee; and 2) by resolution add an annual Tobacco Retail License Fee associated with one compliance visit per fiscal year to the Santa Rosa Fee Schedule as Section 7.07, effective January 1, 2025.

**This item was continued to the November 12, 2024, regular meeting.**

**17. WRITTEN COMMUNICATIONS - NONE.**

**18. PUBLIC COMMENT ON NON-AGENDA MATTERS**

Peter spoke on various topics.

**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 6:15 p.m. with mention of Linda Proulx, a founding member of the Southeast Greenway campaign and an active member of the community, who recently passed away. The next regular meeting will be held on Tuesday, November 12, 2024, at a time set by the Mayor.

**21. UPCOMING MEETINGS**

**21.1 UPCOMING MEETINGS LIST**

**This item was received and filed.**

**Approved on:**

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**Rhonda Bolla**  
**Deputy City Clerk**