



SPECIAL AND REGULAR MEETING

**BOARD OF DIRECTORS
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

Wednesday, September 14, 2022

The Board of Directors conducted this meeting in accordance with California Government Code section 54953(e) and Midpeninsula Regional Open Space District Resolution 21-33. All Board members and staff participated via teleconference.

DRAFT MINUTES

**SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA
REGIONAL OPEN SPACE DISTRICT – CLOSED SESSION**

President Kersteen-Tucker called the special meeting of the Midpeninsula Regional Open Space District to order at 5:00 p.m.

ROLL CALL

Members Present: Jed Cyr, Larry Hassett, Zoe Kersteen-Tucker, Yoriko Kishimoto, Curt Riffle and Pete Siemens

Members Absent: Karen Holman

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Controller Mike Foster, Human Resources Manager Candice Basnight, Human Resources Supervisor Rebecca Wolfe

**1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code
Section 54957(b)(1)**

Title of Employee: Controller
General Counsel
General Manager

**CONFERENCE WITH LABOR NEGOTIATORS. (GOVERNMENT CODE SECTION
54957.6)**

Agency designated representatives: Board Appointee Evaluation Committee (Directors Kersteen-Tucker, Kishimoto, and Riffle)

Unrepresented Employees: Controller
General Counsel
General Manager

Public comment opened at 5:00 p.m.

District Clerk Jennifer Woodworth reported no public comments had been submitted for the closed session items.

The Board convened into closed session at 5:01 p.m.

ADJOURNMENT

President Kersteen-Tucker continued the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District to the close of the regular meeting at ___ p.m.

REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

President Kersteen-Tucker called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:01 p.m.

ROLL CALL

Members Present: Jed Cyr, Larry Hassett, Zoe Kersteen-Tucker, Yoriko Kishimoto, Curt Riffle, and Pete Siemens

Members Absent: Karen Holman

Staff Present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant Assistant General Manager Susanna Chan, Chief Financial Officer/Director of Administrative Services Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Land & Facilities Manager Brandon Stewart, Visitor Services Manager Matt Anderson, Foothills Area Superintendent Brad Pennington

President Kersteen-Tucker announced this meeting is being held in accordance with Government Code section 54953(e) and Midpeninsula Regional Open Space District Resolution 21-33, allowing Board members to participate remotely. The District has done its best to conduct a meeting where everyone has an opportunity to listen to the meeting and to provide comment. The public has the opportunity to comment on the agenda, and the opportunity to listen to this meeting through the internet or via telephone. This information can be found on the meeting agenda, which was physically posted at the District’s Administrative Office, and on the District website. President Kersteen-Tucker described the process and protocols for the meeting.

CLOSED SESSION REPORT

President Kersteen-Tucker stated there was no reportable action from the closed session

ORAL COMMUNICATIONS

Eileen Midgard expressed concern regarding the Bear Creek Stables request for proposals process and provided additional information supporting her belief that Pamela Ashford should have been awarded the concessionaire agreement, such work and personal funding by Ms. Ashford.

Pamela Warren spoke in support of Ms. Ashford and the programs she created at Bear Creek Stables, such as the pony and goat co-op, which should be continued. Ms. Warren stated the boarding fees help fund maintenance and upkeep of the site and expressed concern that boarding fees will increase and current boarders may be evicted. Ms. Warren spoke in support of a seamless transition to the new concessionaire.

Ryan Augustine, member of the Midpeninsula Rangers Peace Officers Association (POA), commented regarding the potential for injuries to rangers and the associated costs for disability insurance. Mr. Augustine stated the District's annual budget surplus would be able cover an increase in costs to fund the POA's request for safety retirement.

District Clerk Jennifer Woodworth read the submitted comments into the record following the Measure AA Bond Oversight Committee interviews.

Alex Hapke, President of the Midpeninsula Regional Peace Officers Association, stated the Midpeninsula Rangers Peace Officers Association will be boycotting the upcoming staff recognition event due to its members belief that the District is not interested in listening to its employees or engaging on difficult issues during negotiations. Mr. Hapke asked the District's negotiators come to the negotiating table with an open mind and willingness to address concerns.

Sonia Roberts shared an experience she had at Bear Creek Stables where a boarder attacked Pam Ashford, but Ms. Ashford stated the boarder could not be evicted due to the rules and regulations set by the District.

Stacy Lane requested the Board reconsider its decision to award the Bear Creek Stables concessionaire agreement to Chaparral and expressed concern regarding Chaparral's safety regulations.

Garry Stewart requested the Board reconsider its decision to award the Bear Creek Stables concessionaire agreement to Chaparral due to a CalOSHA complaint against Chaparral.

Janet Shaw supported Pam Ashford continuing to manage the Bear Creek Stables due to her stellar reputation and hard work to give the best to her students. Ms. Shaw stated complaints against Ms. Ashford were false.

Michael Billings expressed concern regarding the amount of money budgeted by Chaparral for maintenance for Bear Creek Stables and stated this amount is too low to adequately pay employees to maintain the site.

Anne Mulligan expressed concern regarding Chaparral being awarded the concessionaire agreement for Bear Creek Stables due to an ongoing class action lawsuit against Chaparral by former employees.

Caitlin Morais expressed concern regarding Chaparral being awarded the concessionaire agreement for Bear Creek Stables due to a CalOSHA complaint against Chaparral, an ongoing class action lawsuit against Chaparral by former employees, and incomplete information included in the submitted financial statement.

Lisa Moore expressed concerns regarding the financial information submitted by Chaparral as part of the request for proposals process and suggested the District learn more about the corporation before entering into an agreement with them.

Susan Rice asked that the District release documents that have been requested by members of the public regarding Bear Creek Stables.

ADOPTION OF AGENDA

Motion: Director Cyr moved, and Director Riffle seconded the motion to adopt the agenda.

ROLL CALL VOTE: 6-0-0 (Director Holman absent)

SPECIAL ORDERS OF THE DAY

Introduction of Staff

- Andrea De Lara, Public Affairs Specialist II

CONSENT CALENDAR

Public comment opened at 7:18 p.m.

Ryan Augustine spoke in favor of a return to in person public meetings to ensure the members of the Board hear all public comments.

Public comment closed at 7:20 p.m.

Motion: Director Riffle moved, and Director Kishimoto seconded the motion to approve the Consent Calendar.

ROLL CALL VOTE: 6-0-0 (Director Holman absent)

1. **Approve the August 24, 2022 Board meeting minutes**
2. **Claims Report**
3. **Teleconferenced Board Meetings Pursuant to the Brown Act and Assembly Bill 361 (R-22-104)**

General Manager's Recommendation: Adopt a resolution affirming findings on the continued need for remote teleconferenced public meetings pursuant to AB 361.

4. **Capital Equipment Purchase for Fiscal Year 2022-23 (R-22-102)**

General Manager's Recommendation:

1. Authorize the General Manager to execute a purchase contract with the California Department of General Services and associated contract dealers for two patrol vehicles and one administrative vehicle, for a total cost not-to-exceed \$250,000.

2. Authorize the General Manager to execute a purchase contract with the California Department of General Services and associated contract dealers for one green mower, one track flail mower, and one track chipper for a total cost not-to-exceed \$350,000.

5. Consultant Contract Amendment for the Radio System Assessment and Upgrade Project (R-22-103)

General Manager’s Recommendation:

1. Authorize the General Manager to amend a contract with Forrest Telecom Engineering, Inc., in the amount of \$90,660 to support expanded scope and additional tasks associated with the Radio System Assessment and Upgrade Project, bringing the total not-to-exceed contract amount to \$201,660.
2. Authorize a 10% contingency of \$20,166 to cover unforeseen tasks beyond the amended scope to complete the Project for an aggregate not-to-exceed contract amount of \$221,826.

BOARD BUSINESS

6. Measure AA Bond Oversight Committee Interviews

The Board of Directors interviewed the applicants for the three positions on the Measure AA Bond Oversight Committee for terms ending 2026.

Public comment opened at 8:59 p.m.

Ms. Woodworth reported no public comments were submitted.

Public comment closed at 8:59 p.m.

No Board action required.

INFORMATIONAL REPORTS

A. Committee Reports

Directors Hassett and Siemens Legislative, Funding, and Public Affairs Committee met on September 13, 2022 to discuss proposed parking lot naming conventions and the proposed design guidelines for the Highway 17 crossing.

B. Staff Reports

General Manager Ana Ruiz reported on the District’s recent 50th anniversary Coastside event on September 10, 2022 and thanked staff for their work to create and support an incredible event.

Public Affairs Manager Kori Skinner provided highlights from the 50th anniversary Coastside event, including the number of attendees, music and dance performances, and educational talks.

C. Director Reports

The members of the Board commended staff for the wonderful 50th anniversary Coastside event and thanked them for their hard work to make it a success.

Director Kishimoto reported she attended the Santa Clara County Special District's Association meeting on September 12, 2022.

President Kersteen-Tucker shared an email she sent praising the 50th anniversary Coastside event and the employees' work to support the event. President Kersteen-Tucker reported on the recent San Mateo County Board of Supervisors meeting where the Board of Supervisors took action to enable the Johnston Ranch project to move forward.

ADJOURNMENT

President Kersteen-Tucker adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 9:37 p.m.

Jennifer Woodworth, MMC
District Clerk