

Written Comments for
Regular Public Comment Section
- **Consent Agenda**
- **Non Agenda Items**

Metoo Moms Family Court

www.MetooMoms.org

Me2Moms@proton.me

Kristina Eisenacher

kriseisenacher@protonmail.com

September 9, 2022

San Mateo Board of Supervisors
400 County Center
Redwood City, CA 94063
Telephone: 650-363-4123

Re: Hodgin v. Eisenacher San Mateo
Superior Court Case 16-FAM-01318

Dear Sirs and Madam,

I have been representing myself in the above noted family law matter that has numerous problems in it. As the Board of Supervisors, case law relating to Monell v. NY Dept. of Social Services, 436 US 658 (1978) and its progeny notes that you have a duty to address such problems.

With striking similarities to the “Batmobile” case, San Mateo County Judges acted outside their jurisdiction and have held me and my daughter E.H. (age 6) hostage to San Mateo County since 2019 and continue to engage in ongoing misconduct.

1. Just as in the “Batmobile” case, the Father and his attorney were told by the District Attorney and Sheriff’s department they had no jurisdiction over me and my daughter and further would not reveal our location as my child and I were the victims of his domestic abuse and were protected by a Good Cause Report. The father and his attorney refused to take no for an answer and it appears they finally received a favor from Judge Elizabeth Hill to force his demands, despite San Mateo County having no jurisdiction.

On September 11, 2019, Judge Elizabeth Hill ordered my daughter (age 3 ½) to be taken by force of police from my care in Pennsylvania with absolutely no jurisdiction. EIGHT police officers swarmed my daughters daycare, woke her up from a nap and handed her over to the San Mateo County father.

The father had never even cared for our daughter, who lived most of her life away from him in Pennsylvania. Even worse, Judge Hill’s ex parte order required a hearing within 21 days by law. She refused a hearing for THREE MONTHS, denying me contact with my daughter - who had never been away from me. This was traumatic for both of us and a complete disregard for the law. Judge Hill was well aware of there being domestic abuse and a Good Cause Report. She ignored that and ordered my 3 ½ year old daughter into a dangerous situation, abducting her across state lines.

Going against the Sheriff and DA, Judge Hill treated us like mere property of the father or run-away-slaves. Judge Hill removed me from my daughter’s life like a criminal.

I have come to learn my case is not an isolated incident and happens as the pattern and practice of San Mateo County Courts.

In fact, the “Batmobile” case put this common practice on display to the entire country and Americans are outraged by arrogant, entitled Silicon Valley Elite controlled Judges making out-of-jurisdiction orders, disregarding the law and terrorizing people using the tyrannical force of a “police state” to do favors for male privileged tech, real estate and connected attorney friends.

2. Judge Gerald Buchwald also acted in both the “Batmobile” case and my case.

Judge Gerald Buchwald signed one of the “Batmobile” search warrants.

While the news coverage has focused on Sheriff Bolanos doing a favor for his wealthy real estate tycoon friend Sam Anagnostou, Bolanos could not act without the authorization of a Judge’s signature.

Judge Buchwald’s 18 page form 700 indicates he is a real estate tycoon. It appears Judge Buchwald may have also been doing a favor for Anagnostou, as a fellow real estate tycoon.

Judge Gerald Buchwald also acted in my case in an unethical manner. In September 2021, I requested an Emergency Protective Order from the San Mateo County Sheriff’s office for my daughter from her father. My daughter was also to be interviewed by the Keller Center the following day.

Family Court Judge, Rachel Holt went outside her judicial authority, calling Judge Buchwald sometime between 8pm and 11pm and instructed Judge Buchwald to not only deny my EPO request, but outrageously order the EPO against me stating my report of abuse was abusive to the alleged abuser. It gets worse, Judge Holt instructed the Sergeant that the Sheriff’s were not to provide any services to me or my daughter and ONLY SHE could handle civil or CRIMINAL matters related to us. Denying any person the Sheriff’s services is outrageous.

Judge Holt then used the EPO she architected to issue a Temporary Restraining Order against me and has held me in that temporary order without a hearing scheduled for 14 MONTHS. She has denied me all contact with my daughter for 12 months - all in temporary orders.

Judge Gerald Buchwald’s signature appears on the EPO and Judge Holt’s signature appears nowhere. Both Holt and Buchwald attempted to conceal her involvement until I informed her the Sheriff’s deputies told me what they did and I had it on video.

This is one example of continual and ongoing Judicial misconduct and bias in my case, where favors are done for the favored party who works in tech and his connected real estate attorney at the expense of protecting my daughter's best interest and following the law. Even after being caught red handed, Judge Holt is so embroiled in this case she refuses to recuse herself.

3. With further similarities to the "Batmobile" case, Mark Rycop the "Batmobile" maker is a Pastor. I am a deacon minister and was also a Professor for an online Christian College. This case has ruined my reputation and caused financial harm as well as prevented me from even obtaining employment and passing a required background check as my degree and education is in Psychology, Criminology and Ministry. I will also note that I have no background or behavior to justify this type of severe violation of my rights - I have no criminal history, substance abuse history or mental health history. By the admission of the father on police bodycam video, I am a good mother who would never harm my children. So why am I being forbidden all contact with my child for reporting abuse and asking for protection?

4. Mandatory Settlement Conference

On August 26th, 2022 I exercised my legal right to have a Judge other than the embroiled Judge Holt to oversee a mandatory settlement conference. I had court watchers attend and Judge Holt agreed it was my right to have another Judge, however she denied me a mandatory settlement conference with another Judge altogether, stating "there were no resources". To paraphrase, if I did not waive my rights to give her full control over my case, then I had no rights. Furthermore, I have reviewed the Court CEO's budget for this year and proposed budget for next year and I see no lack of resources.

I would like to know how it is reasonable to demand a person waive their legal rights if the Court does not have the resources to uphold them. Legal rights are legal rights, there is no clause in any statute that says these are your rights *unless* the county doesn't have the resources to uphold them. In this instance alone, we have a serious legal problem.

5. Threatening With Contempt For Imaginary Guns

To add insult to injury, on September 19th I am being hauled into court by Judge Holt on false contempt charges, in furtherance of her embroilment in my case and retaliation for speaking out about her misconduct. While my daughter's best interest is completely ignored, I continue to endure a witch hunt and persecution which I can only accurately describe as Institutional Domestic Terrorism. The "contempt" stems from the illegal EPO, which Judge Holt architected,

concealed her involvement in, then used as “evidence” (that she herself manufactured) to issue a Temporary Restraining order against me - which One Year Later there has been no hearing on. Now there is a “contempt” alleging “The Court Has Knowledge I Have Not Turned In My Firearms”. I do not have any firearms. I have never even applied for a gun permit or even used a real gun. This has cost me thousands of dollars in attorneys fees and threatens me with quasi-criminal charges, jail time or sanctions. This is outrageous.

In conclusion, the tax-payers of San Mateo County (and Americans across the country) are furious about the misconduct in the Batmobile case - dealing with a mere car. How much more infuriating is this type of conduct concerning a little girl, a child. This has serious consequences for my daughter’s mental health, medical health and is a matter of child safety, children’s rights, human rights and civil rights, including a child’s civil liberty of a right to a family as afforded under the 14th Amendment of the Constitution and violations of my right to equal protection under the law and my due process rights.

I require an explanation in writing from San Mateo County that specifically states the Board of Supervisors official position on the following:

1. Is it the position of the SMC Board of Supervisors that children in other states may be taken by Family Court Judges with no jurisdiction and by police force?
2. Is it the position of the SMC Board of Supervisors that Judges disregard women and children’s reports of abuse, Good Cause reports and the UCCJEA, in violation of the law of the child’s best interest and the Elkin’s Task Force Guidelines?
3. Is it the position of the SMC Board of Supervisors that women who contact the SMC Sheriff’s to report and ask for protection in cases of abuse are committing domestic violence against the alleged abuser (in a perverse interpretation of the DVPA)?
4. Is it the position of the SMC Board of Supervisors that Judges may act outside their judicial authority and interfere in another Judge’s proceeding (the most common reason for discipline by the CJP) such as the EPO in my case, conceal their involvement and use their architected handiwork to issue further orders for their favored litigant?

5. Is it the position of the SMC Board of Supervisors that a Family Court Judge can act outside their judicial authority and order the Sheriff's department not to provide services to anyone - including those seeking protection from their favored litigant?

6. Is it the position of the SMC Board of Supervisors that law-abiding Americans and Christian's in any state are subject to ruin of their personal and business reputation, will be forced into the jurisdiction at their own expense and may incur financial harm, emotional harm and loss of rights, property and children by San Mateo County Judges who protect and provide favors for white privileged or wealthy tech and real estate men and their connected attorneys with no regard to the law?

7. Is it the position of the SMC Board of Supervisors that people must waive their legal rights if the Court asserts it supposedly "does not have the resources" to uphold their rights?

As the Board of Supervisors, case law relating to Monell notes that you have a duty to take notice of this. You may be deliberately indifferent to this petition. You have a duty to investigate, correct, cure, even hold hearings into what I am stating. I have qualified immunity with asserting my rights and informing you of what is going on. You have a duty and or may be liable if you do not correct, fail to train, fail to supervise and even hold the judge to account (See Canton v. Harris) as these all relate to Monell v. NY Dept. of Social Services, 436 US 658 (1978). If the judge has immunity to tort directly (as tends to be the case) and I am being harmed, then I am going to raise this issue to you and you either sort it or I bring a case in Federal Court based on Monell due to the actions of the judge in concert with the opposition.

I have no choice. The Judge is hiding behind her immunity and colluding with the opposition and I am harmed by this. This needs to stop. I will attack the general fund and then the county attorney will need to explain to the County Employees what is going on. Then the Judge should probably recuse herself and the next judge should follow the rules and you will not hear from me again. Your attention to this matter is urgent and necessary.

This type of extreme Judicial disregard for the law removes the safeguards and protections from a corrupt and out of control Judiciary that are awarded to us all in The United States of America.

In the words of SMC Supervisor Warren Slocum, quoting Nelson Mandela, “As long as poverty, injustice and gross inequality persist in our world, none of us can truly rest.” I implore this Board, as elected officials and public servants, to uphold that commitment and not rest until my daughter is protected and our rights are upheld.

Supervisor Slocum also stated in a news article by the Redwood City Pulse that “It seems like — and I don't have all the facts — there are two systems of justice here: one for a wealthy connected person,” he said, “and one for everyone else”. My experience has led me to agree. My six year old daughter is being harmed and I ask this matter to be escalated as an urgent priority for this Board as we are not dealing with a fancy automobile, but a little girl.

Sincerely yours,

Kristina Eisenacher

DocuSigned by:
K Lynn
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CALIFORNIA
NATIVE PLANT SOCIETY

Yerba Buena
Chapter

September 11, 2022

General Public Comments, Non-Agenda Item

Dear San Mateo County Board of Supervisors:

This letter is from the Yerba Buena chapter of the California Native Plant Society (CNPS-YB) regarding San Mateo County's landscaping building code.

The CNPS-YB aims to increase understanding of California's native flora and to preserve this rich natural heritage for future generations. We have over 650 members in San Francisco and Northern San Mateo County, plus over 10,000 statewide.

We're requesting that language in the code be changed from drought tolerant plants, specifically to local native drought tolerant plants.

Native plants are the base of our biodiverse food web. Requiring native plants in San Mateo county, city and state areas will enhance wildlife and biodiversity, meet drought tolerance requirements per Water Efficient Landscaping Ordinance (WELO) standards, are adjusted to climate extremes when planted together in their plant communities, and comply with the 2018 California Biodiversity Resolution. Landscape diversity (a bunch of different plants, even drought tolerant plants, from anywhere) is not the same as biodiversity. A biodiverse landscape provides food and habitat for local and migrating wildlife. Introduced, exotic plants fail to feed local wildlife, specifically the insects that co-evolved with our native plants. Many native insects are similar to the Monarch butterfly caterpillars, in that they require native plant leaves and pollen during the caterpillar phase of their life cycle. These insects, in turn, become food for birds and other wildlife as part of the food web.

Please follow the example set by MET. MET, the water wholesaler for Southern California, partnered with its retail water agencies in a new native plants and lawn

removal program, *Be Water Wise*, for landscape recommendations for 19 million people. CNPS State was funded by MET to help develop this program. MET no longer recommends just “drought tolerant” plants as part of drought tolerant landscaping. They recommend only local native plants. In order to slow the biodiversity crisis, you should too.

Sincerely,

California Native Plant Society, Yerba Buena Chapter board members:

Eddie Bartley, President

Sophie Constantinou, Secretary

Bob Hall, Treasurer

Jake Sigg, Conservation

Noreen Weeden, Field Trips

Susan Karasoff, Outreach

Beth Cataldo, Volunteering

Libby Ingalls, Newsletter Production

Elliot Goliger, Horticulture

<http://cnps-yerbabuena.org>

San Mateo County Board of Supervisors Public Comment
September 13, 2022

Dear Board of Supervisors and County Executive Callagy,

Thank you for this opportunity to address you on behalf of the Age Forward Coalition of San Mateo County. My name is Christina Irving from Family Caregiver Alliance.

The Age Forward Coalition is a broad consortium of nonprofit and community organizations and advocates who have been serving older adults and adults with disabilities in San Mateo County.

The Coalition strives to ensure the highest possible attainment of independence, health, and well-being for this target population, and to make San Mateo County a more aging- and disability-friendly community. The Coalition provides a means for collaboration among the members to network, exchange information and knowledge, provide leadership, build community-wide capacity, and address goals for improving the lives of San Mateo County older adults, adults with disabilities, and their caregivers.

The number of people in California aged 60 and over is growing faster than any other age group. Current demographic data about San Mateo County indicates that over 28% of the population is 60 and older.

The following represents issues that members of the coalition wish to bring to your attention:

- One of the greatest challenges faced by older adults in San Mateo County is the high cost of living. An increasing number of county residents are outliving their savings. An often-overlooked group are middle-income seniors who are becoming a larger and more diverse sector of the senior population. They are often too wealthy to qualify for public means-tested programs, yet not wealthy enough to pay these high costs, especially cost of in-home or facility care.
 - Funds for care and subsidies for meals or food vouchers are needed to provide financial support to middle income seniors AND low-income seniors are needed.
- One of the highest expenses is housing. High housing prices have an impact on care givers and the cost of long-term care homes. Caregivers can't afford to live in the county and are forced to commute long distances.
 - Subsidized housing or other incentives for caregivers would be most helpful. In addition, training for caregivers should be explored with local community colleges.
 - We are losing many small affordable licensed residential care homes because of real estate prices and the retirement of experienced administrators. The average "low cost" facility is now \$4,200 - \$5,000 a month. Ombudsman Services has worked with the county to provide a one time "patch" for several folks who

were three to six months behind in rent and facing eviction. The possibility of combining this kind of fund with the Assisted Living Waiver funded by the state should be explored.

- We encourage the BOS to engage in a feasibility to determine the exact gap of services for older adults, especially since the closing of Senior Focus and the Adult Day Care Center in Burlingame.
- The COVID-19 pandemic has highlighted for everyone the inequities that exist within our communities. Many seniors who have been sheltering in place have experienced a greater burden of social isolation and loneliness. Isolation and loneliness are associated with declines in mental and physical health. Many service providers within the Age Forward Coalition have continued to work throughout the pandemic to meet the needs of their participants. They have engaged with their community through virtual meetings, wellness phone calls, and door stop visits, and connected them to resources and supports for both their mental and physical health.
 - Adequate funding should be allocated to organizations to address the following issues: (1) the mental health issues of grief, depression, anxiety brought on by the pandemic and found to be more prevalent in older adults who are isolated; (2) activities to keep older adults active and engaged such as clubs, classes, and events; and growing number of older adults developing or living with Alzheimer's or memory loss.
 - To accommodate the wonderful diversity that exists within San Mateo County, all information and resources should be available in multiple languages in addition to English, Chinese, and Spanish, such as Japanese and Russian.
- Covid restrictions have also highlighted the difficulty seniors have in communicating with families and service providers due to lack of access to or ability to use technology. We need to be sure that seniors are included in community efforts to provide and enhance Wi-fi /broadband access.
- Attention to work force development is imperative for all working aged adults, including seniors. Today's older Americans increasingly rely on income from work well beyond their expected retirement age, and as a result, have become a much larger proportion of all job seekers. They are an important component of aggregate labor supply, and they are the only age group with a rising labor force participation rate. Skills training and job search supports should include seniors.
- Transportation continues to be unreliable on the coast for our targeted population due to most services being "over-the-hill."

Many of these areas of concern are acknowledged in the California Master Plan on Aging which has 5 goals: housing for all stages & ages, health reimagined, inclusion & equity-not isolation, caregiving that works and affording aging.

Members of the Age Forward Coalition encourage the Board of Supervisors to consider the needs of older adults, adults with disabilities, and caregivers as you plan the budget for the next year, and we look forward to working with the you to provide the highest quality of service and support so that EVERY older adult in our county can live in an environment that meets their needs, enriches their lives and respects their creativity, dignity, and value.

Sincerely,

Christina Irving, LCSW

cirving@caregiver.org

<https://www.ageforwardsmc.org/>

Written Public Comments
for **Item No. 12**



September 1, 2022

Via Email: dpine@smcgov.org, cgroom@smcgov.org, dhorsley@smcgov.org,
wslocum@smcgov.org, dcanepa@smcgov.org, boardfeedback@smcgov.org

Dear President Horsley and Honorable Supervisors,

I am writing on behalf of the REACH Coalition in support of the draft ordinance proposed by [Fixin' San Mateo County](#) to ask the Board of Supervisors to use your legislative authority under [AB 1185](#) to enact a strong and independent Civilian Oversight Board and Inspector General office, both with subpoena power, for the San Mateo County Sheriff's Office.

REACH is a coalition of elected officials and community-based organizations of color in San Mateo County who are steadfast in dismantling systemic bias and long-standing barriers to access across our county. Civilian oversight of the county sheriff's office is a top priority for our group and we are committed to ensuring accountability across all of our systems.

Independent and effective civilian oversight is common sense, good government, and fiscally responsible. It will protect civil rights, support effective policing, ensure transparency and greater accountability, and help build more positive relationships between the community and the Sheriff's Office.

Moreover, it is undeniable that the impacts of the failure of elected officials to dismantle racist systems disproportionately impact people of color. According to [a 2020 study by Bay Area News Group](#), while Black people make up only 7% of the five biggest Bay Area counties, they accounted for 27% of those killed by police in the region **between 2015 and 2020** — the second largest disparity in the nation behind Oklahoma City. And according to a [2018 report by the Public Policy Institute of California](#) (PPIC), San Mateo County's arrest rate for Black people is nine times higher than for white people; for Latinx people, it's twice as high.

In alignment with the ACLU, we support enactment of the ordinance that Fixin' San Mateo County has provided to you. Essential, non-negotiable, elements of oversight include that it is:



- Independent: it is not associated with, or part of, the Sheriff's Office;
- Empowered: it has subpoena power to question witnesses and demand documents;
- Community-Driven: the Oversight Board must be composed of, and run by, people most impacted by policing in the community; it should not have members or former members of law enforcement;
- Proactive: it is not merely reviewing misconduct complaints, it has authority to independently investigate individual and systemic problems;
- Transparent: meetings, reports, and operations of the Oversight Board are open to the public;
- Funded: an adequate budget is provided to do the work and hire people with expertise.

Communities everywhere are becoming more aware of law enforcement abuses, including the murder of George Floyd. Our county will join a rapidly growing movement of civilian oversight in our country, which includes 220 cities and counties nationwide (25 in California).

Please use your legal authority as our elected officials to enact a strong and independent Civilian Oversight Board and Inspector General office.

Sincerely,

Reach Coalition Board

Paul Bocanegra, Co-Founder, ReEvolution

Hector Camacho, Trustee, San Mateo County Board of Education

James Coleman, Councilmember, City of South San Francisco

Noelia Corzo, Trustee, San Mateo-Foster City School District

Lissette Espinoza-Garnica, Councilmember, City of Redwood City

Eddie Flores, Councilmember, City of South San Francisco

Maurice Goodman, Trustee, San Mateo County Community College District



Clayton Koo, Trustee, Jefferson Elementary School District

Andrew Lie, Trustee, Jefferson Union High School District

Daina Lujan, Trustee, South San Francisco Unified School District

Rudy Espinoza Murray, President, SMC Latinx Dems

Ever Rodriguez, Founder, North Fair Oaks Community Alliance

Kalimah Salahuddin, Trustee, Jefferson Union High School District

Cecilia Taylor, Councilmember, City of Menlo Park

Lisa Tealer, Executive Director, Bay Area Community Health Advisory Council (BACHAC)

Rosie Tejada, Trustee, Jefferson Union High School District

Shara Watkins, Trustee, San Mateo-Foster City School District

Ligia Andrade Zuniga, Trustee, San Mateo Union High School District

From: [Nancy Goodban](#)
To: [Dave Pine](#); [Carole Groom](#); [Don Horsley](#); [Warren Slocum](#); [David Canepa](#); [CEO BoardFeedback](#)
Subject: Agenda Item 12 (September 13) - I support the oversight subcommittee
Date: Saturday, September 10, 2022 2:52:42 PM

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear President Horsley and Honorable Supervisors:

I am writing in support of Item 12 on the Board of Supervisors agenda for September 13, 2022.

Thank you for taking up civilian oversight of the Sheriff.

I support the oversight subcommittee and urge you to:

1. Ensure that representatives of Fixin' San Mateo County are represented on the subcommittee to finalize the ordinance and to develop an implementation plan with details.
2. Ensure that the subcommittee work expeditiously to pass an ordinance by year-end. This will help the incoming Sheriff and will be a wonderful accomplishment for the current Board.

Fixin' SMC looks forward to working with the Board and other stakeholders to help finalize the ordinance and the implementation plan. It will help to provide transparency and accountability build positive relationships between the community and law enforcement, and support the Sheriff's Office in its mission to protect and serve.

Fixin' SMC is especially appreciative of having come to an agreement in principle with the incoming Sheriff on a phased implementation plan, and we are committed to working with her in a collaborative fashion.

We are also grateful for the for the twenty-one community, faith, political, and civic organizations that have sent letters or passed resolutions asking the Board of Supervisors to pass an ordinance for strong and independent civilian oversight of the sheriff:

- ACLU Mid-Peninsula Chapter
- ACLU Northern California North Peninsula Chapter
- Belmont Neighbors Against Racism
- Center for Common Ground, Peninsula-South Bay Chapter
- Coastside Democrats
- Coastside Families Taking Action
- Community Legal Services of East Palo Alto
- Faith in Action Bay Area
- Half Moon Bay City Council

- North Fair Oaks Community Council
- REACH Coalition
- San Francisco Peninsula People Power
- San Mateo County Behavioral Health Commission
- San Mateo County Coalition for Immigrant Rights
- San Mateo County Democracy for America
- San Mateo County Juvenile Justice Delinquency Prevention Commission
- San Mateo County Law Enforcement Accountability Group
- Sisters of Mercy Solidarity Committee
- Unitarian Universalist Fellowship of Redwood City
- Woodside United Methodist Church

Thank you for your attention.

Sincerely,

Nancy

Nancy Goodban
Executive Director, Fixin' SMC
www.FixinSMC.org
nancy.goodban@gmail.com
650-787-9859

,

From: [Ann Myers](#)
To: [Dave Pine](#); [Warren Slocum](#); [David Canepa](#); [Don Horsley](#); [Carole Groom](#); [CEO BoardFeedback](#)
Subject: Agenda Item 12 on Sept 13: support FxSMC strong independent oversight
Date: Monday, September 12, 2022 10:37:18 AM

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

To the San Mateo County Board of Supervisors:

My name is Ann Myers and I live in Redwood City. I am a member of SURJ (Standing Up for Racial Justice) San Mateo, and I support the goal of Fixin' San Mateo County to pass a strong ordinance for civilian oversight of the Sheriff's Office.

Thank you President Horsley for proposing setting up a committee to establish civilian oversight of the Sheriff. And thank you to the full Board for considering this proposal.

As you consider this proposal, I would ask you to keep the following points in mind:

- Representatives of Fixin' San Mateo County should be included on the subcommittee.
- The ordinance should be adopted before the end of December, understanding it will take longer to work out the details.
- Civilian oversight of the sheriff is common sense good government, and the concept is supported by both the current sheriff and the incoming sheriff.
- Civilian oversight of the sheriff provides transparency and accountability, and supports positive relationships between law enforcement and the community. This is especially important now in San Mateo County as public trust in the sheriff has been severely eroded in recent years.

Fixin' San Mateo County has been endorsed by all five of our federal and State elected officials - Congresswoman Jackie Speier, Congresswoman Anna Eshoo, Senator Josh Becker, Assemblymember Kevin Mullin, and Assemblymember Marc Berman, as well as by 38 elected officials in San Mateo County.

In my own neighborhood, the North Fair Oaks Council has written a letter to the Board of Supervisors asking you to pass an ordinance for strong and independent civilian oversight of the sheriff. This, as well as many other local community organizations' support should, I hope, convince you that the time is now to enact this proposal.

Thank you for your support in setting out to establish strong and independent civilian oversight of the sheriff.

Sincerely,

--Ann Myers

From: [Cathy Baird](#)
To: [Dave Pine](#); [Carole Groom](#); [Don Horsley](#); [Warren Slocum](#); [David Canepa](#); [CEO BoardFeedback](#)
Subject: Agenda Item 12 on Sept 13: support FxSMC strong independent oversight
Date: Monday, September 12, 2022 1:12:09 PM

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Supervisors:

Thank you to Board President Horsley for putting this item on the agenda and appointing Supervisors Pine and Slocum to the Ad Hoc Committee to research civilian oversight of the Sheriff's Office.

I support the creation of strong, independent civilian oversight, as proposed by FxSMC. Such oversight is good sense government and will promote transparency and good relations between the community and the Sheriff's Office. The concept is supported by both the current sheriff and the incoming sheriff.

I also ask you adopt an ordinance creating civilian oversight before the end of December, with details to be worked out later, if necessary.

Cathy Baird
San Carlos

Written Public Comments
for **Item No. 14**

From: [Dave Olson](#)
To: [Don Horsley](#); [Dave Pine](#); [Warren Slocum](#); [David Canepa](#); [Carole Groom](#); [CEO BoardFeedback](#)
Subject: Item 14: Appeal of Planning Commission approval of CDP to legalize propane storage (PLN2018-00057)
Date: Monday, September 12, 2022 10:15:26 AM

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Please uphold the Green Foothills appeal of the Planning Commission decision to approve the CDP for PLN2018-00057 for the Amerigas facility at 399 Airport St, Moss Beach.

This is a copy of the email I sent to the Planning Commission on behalf of the Midcoast Community Council requesting that the CDP not be approved.

From: Dave Olson <daveolsonmcc@gmail.com>
To: San Mateo County Planning Commission <planning_commission@smcgov.org>, Summer Burlison <sburlison@smcgov.org>
Cc: Janneth Lujan <jlujan@smcgov.org>
Date: Apr 25, 2022, 10:26 AM
Subject: PLN2018-00057 Midcoast Community Council Comments on Buck's Butane-Propane CDP

After reading the staff report for this item, prepared for the April 27th, 2022 meeting of the Planning Commission, we do not feel that the conditions and comments in the staff report address the concerns of the MCC, nor of the community, most especially those of the immediately adjacent residents of the Pillar Ridge Manufactured Home Community.

Our concerns are expressed in our two letters, included in the staff report, and in more detail, with slides, on our website:
<https://midcoastcommunitycouncil.org/propane-facility-airport-st>

Please do not approve the requested Coastal Development Permit for this project.

Thank you,

Dave Olson
Midcoast Community Council
daveolsonmcc@gmail.com
650.387.3618 (cell)
<http://www.midcoastcommunitycouncil.org/>

Thank you,

Dave Olson
Midcoast Community Councilmember
daveolsonmcc@gmail.com
650.387.3618 (cell)
<http://www.midcoastcommunitycouncil.org/>



September 11, 2022

Don Horsley, President and Members of the
San Mateo County Board of Supervisors
400 County Center
Redwood City, CA 94063

Re: Item #14 on the September 13, 2022 Board of Supervisors Agenda: Bucks Butane/AmeriGas. Appeal of Planning Commission's approval of a Coastal Development Permit to legalize unpermitted development at an existing propane storage and distribution facility at 399 Airport Street, Moss Beach. County File: PLN2018-00057

Dear President Horsley and Members of the Board,

On behalf of Appellant Green Foothills, I respectfully request that you uphold our Appeal, and take all necessary steps to abate the hazardous situation at the AmeriGas facility at 399 Airport Street, Moss Beach. The presence of the 15,000-gallon propane storage tank at this facility is an ongoing clear and present danger to the residents of the adjacent 227-space Pillar Ridge Manufactured Home Community as detailed below.

The U.S. Department of Housing and Urban Development recognized this fundamental safety risk in 2004 when Pillar Ridge residents were successful in having the manufactured home community acquired by a non-profit to ensure that their rental rates remained affordable. At that time, the Pillar Ridge community also applied for federal funds to assist with housing upgrades. Due to the adjacency of Pillar Ridge homes to the AmeriGas propane site, HUD determined that federal funds could not be approved. HUD stated at the time: ***"The existing stationary propane tank has the capacity of containing 15,000 gallons of propane fuel. HUD charts show a catastrophic accident would result in a 250-foot fire width and height"... "Explosion blast overpressure for buildings and people within 560 feet would be life-threatening."***

The AmeriGas 15,000-gallon propane tank is also located within the Half Moon Bay Airport's Zone 2 Inner Approach/Departure Protection Zone (IADZ), as detailed in the C/CAG Half Moon Bay Airport Land Use Compatibility Plan (September 2014): "The accident risk level in Zone 2-AIDC is **high. Hazardous Uses, including above ground bulk fuel storage tanks, are prohibited in Zone 2.**" (emphasis added)

For these reasons, Green Foothills believes that the Board of Supervisors has a duty to abate this ongoing hazardous situation. The 15,000-gallon propane tank poses extraordinary risks to a historically marginalized population. In addition to the residents of the 227-unit Pillar Ridge community, the Big Wave Project has broken ground, and when occupied, Big Wave's special needs population of 57 developmentally disabled adults plus caregivers will also be living adjacent to AmeriGas' 15,000-gallon propane storage tank.



The “M-1” District (Light Industrial) zoning provides: “No use shall be carried on in a manner that is, in the opinion of the Planning Commission, objectionable from the standpoint of odor, dust, smoke, gas, noise or vibration.”

Throughout San Mateo County, all 20 cities and the County are developing new programs and policies to use energy more efficiently and decrease fossil fuel use in buildings and transportation, aligning with state targets. As more and more homes, businesses, and farms on the coast convert to clean, renewable energy sources, there will be increasingly diminished demand for propane service. It makes no sense to continue this hazardous use in such close proximity to two vulnerable communities.

Please uphold our Appeal, deny the Coastal Development Permit and take all necessary steps to abate this ongoing existential threat to the safety and well-being of the current and future residents at Pillar Ridge and Big Wave.

Sincerely,

Lennie Roberts, Legislative Advocate, Green Foothills





SIERRA CLUB

LOMA PRIETA CHAPTER

SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES

April 25, 2022

Planning Commission
455 County Center, 2nd Floor
Redwood City, CA 94063

Email: planning_commission@smcgov.org
Janneth Lujan, Planning Commission Secretary
Email: jlujan@smcgov.org

Re: Item #5 on the April 27, 2022 Agenda: PLN2018-00057 (Buck's Butane/AmeriGas) Coastal Development Permit to legalize unpermitted development

Dear Chair Manuel Ramirez and Commissioners,

In furtherance of the Sierra Club's Environmental Justice policy and of our ongoing support for the California Coastal Act/San Mateo County Local Coastal Program we urge the San Mateo County Planning Commission to **deny** the after-the-fact Coastal Development Permit (PLN 2018-00057) for the unpermitted past expansions as well as newly proposed additions to the propane distribution center located on the west side of Airport Boulevard **in proximity to the Pillar Ridge Manufactured Home Park**. The residents of Pillar Ridge are just as entitled to the environmental protections of a rigorous coastal development permitting system as are residents throughout the California Coastal Zone.

There are historical reasons - the leaks in 2017 as one major example - for the Pillar Ridge residents and the planning commissioners to be doubtful about mere promises of better behavior. Given these past incidents of public health endangerment it would be right and proper that the operator at minimum be constrained to the parameters of the existing permit or, better yet, required to relocate to an area well separated from family dwellings.

Sometimes denial is the best tool to encourage better decisions and this application is in need of that tool to be applied for the wellbeing of the residents of the Pillar Ridge Manufactured Home Park as well as the future residents of the special needs housing development (Big Wave Wellness Center) as permitted by San Mateo County next door to this applicant.

We appreciate the Planning Commission's past attention to our public input, and we are hopeful that you will find this comment to be of assistance to your decision.

Sincerely,

Mike Ferreira
Coastal Issues Committee
Sierra Club Loma Prieta Chapter

Cc: James Eggers
Executive Director
Loma Prieta Chapter Sierra Club

Cc: Gladwyn d'Souza
Conservation Committee Chair
Loma Prieta Chapter Sierra Club

Written Public Comments
for **Item No. 15**



GENERAL MANAGER
Ana M. Ruiz

BOARD OF DIRECTORS
Jed Cyr
Larry Hassett
Karen Holman
Zoe Kersteen-Tucker
Yoriko Kishimoto
Curt Riffle
Pete Siemens

September 7, 2022

VIA ELECTRONIC MAIL: Boardfeedback@smcgov.org

TO: San Mateo County Board of Supervisors
c/o Clerk of the Board
455 County Center
Redwood City, CA 94063

RE: Proposed Johnston Ranch land division application

Dear Board of Supervisors,

The Midpeninsula Regional Open Space District (“District”) along with Peninsula Open Space Trust (“POST”) request your approval of the Johnston Ranch land division application (“Project”). A brief summary of the proposed project is provided as Attachment 1 to this letter.

The District and POST would like to respond to the letter transmitted by Osha Meserve to the San Mateo County Planning Commission on May 23, 2022, which serves as the basis for the San Mateo County Farm Bureau’s appeal of the Project to the Board of Supervisors. The District/POST provided an initial response to the Planning Commission to address the issues relevant to the approvals that were before the Planning Commission (attached to this letter as Attachment 2). This letter responds to other issues raised in Ms. Meserve’s letter that were not addressed in the District/POST’s response to the Planning Commission (except for the County’s CEQA review of the Project, with which the District concurs).

The County does not have jurisdiction over the Memorandum of Understanding between the District and the Farm Bureau

While the District continues to honor its commitments to the Farm Bureau set forth in our 2004 Memorandum of Understanding (“MOU”), the MOU is not relevant to the County’s approval of the Project. Nevertheless, the District would like to provide a brief summary of how it is performing its commitments set forth in its MOU with the Farm Bureau, and in its Coastal Service Plan. This information illustrates how all of the District’s and County’s shared policy goals for the coastal area are satisfied in the proposed Project.

The District’s project goals, working alongside San Mateo County, POST, and the farming community, are to provide public access while supporting long-term agricultural viability, consistent with the District’s and the County’s policies for the coastal area. Cooperation and consultation between the District and the Farm Bureau are woven into District policies and practices, which include but are not limited to its Coastal Service Plan and the terms of the MOU. Consistent with this spirit of cooperation (though not acknowledged in

the Farm Bureau's letter), District representatives consulted with the Farm Bureau, as contemplated by the MOU, on at least four occasions regarding the Johnston Ranch project. First, on August 31, 2021, an on-site District Real Property Committee meeting was attended by Mr. Sturgeon (Farm Bureau officer), the Johnston Ranch farm tenant Mr. Giusti, and grazing tenant Mr. Pacheco (both of whom are Farm Bureau members and are supportive of the project). Second, on October 4, 2021, District representatives attended the Farm Bureau's Board meeting for formal consultation regarding the Johnston Ranch project. At this meeting, Mr. Sturgeon commented that the Johnston Ranch project is "the type of project that the District and POST should be doing." Third, District staff also provided three (3) separate tours of the Johnston Ranch project for Agricultural Advisory Commission members on February 24, and March 7, 2022, and these tours were joined by interested members of the Farm Bureau Board including Mr. Figone, Mr. Oku, Mr. Marchi and Mr. Sturgeon, all of whom are Farm Bureau directors and officers.

The Farm Bureau urges the County and the District to implement provisions that would ensure that recreation is compatible with agriculture, and alleges without evidence that the District "*allows non-agricultural uses to... encroach on the limited agricultural land remaining*" in the County. To the contrary, existing agricultural operations will be retained and strengthened as a result of the Project. This is, in fact, exactly what is stated and contemplated in the District's policies, and the District has a very strong record of retaining and strengthening agricultural operations since annexing the coastal area in 2004.

Specifically, the District's Coastal Service Plan requires that any land in active agriculture at the time of purchase by the District must remain in agriculture, and it prohibits locating public access facilities on agricultural soils. Since 2006, the District has acquired 30 properties from willing sellers and protected 12,000 acres of coastal open space and agricultural land. None of these transactions have resulted in a loss of rangeland or farmland, and over 8,000 acres continue in agricultural uses under District ownership. In time and with improved access, grazing may be reintroduced on additional District lands, including on Johnston Ranch. Additionally, the District has reintroduced grazing on over 2,000 acres of open space lands outside of the coastal annexation area and consulted with the Farm Bureau even though these lands are not covered by the MOU. Therefore, the District has gone beyond what is required in its Coastal Service Plan and the MOU with the Farm Bureau, to provide additional protections for agriculture.

For all of these reasons, and after all of the opportunities for meaningful consultation, the District is disappointed that the Farm Bureau chose to undermine its relationship with the District by airing its perceived grievances in its letter to the Planning Commission and Board of Supervisors, which do not have jurisdiction over the MOU between the District and the Farm Bureau. The District's role as a public agency is to form partnerships with the agricultural community and reach a broad audience on the coast. The Farm Bureau is one of many entities that we still hope to continue to work productively with in the future. Unfortunately, the Farm Bureau's letter was not in the spirit of cooperation, which was intended to be the foundation of the MOU.

Williamson Act rescission does not change the existing agricultural use of the property

Ms. Meserve's letter suggests that the change in Williamson Act status is equivalent to a change in use from agriculture ("*the change in designation from Williamson Act... to Open Space Easements indicates that the agricultural uses of the land may be phased out...*"), and that the changes from Williamson Act contracts to Open Space Easements "*conflict with the purpose of the [Planned Agricultural District Zoning code]*". These statements are untrue. There is no suggestion anywhere in the Project application that agricultural uses of the land may be phased out. To the contrary, the irrigated and dry farmed agricultural land would be subject to a new 20-year Farmland Security Zone Williamson Act contract. On the upland portion of the property, a new long term grazing lease and rangeland management plan with the existing rancher has replaced a month-to-month grazing agreement. In addition, infrastructure improvements to the grazing area include new perimeter livestock fencing and structural repairs, re-siding, and re-roofing of the existing hay barn to support the viability of the grazing operation on the property. The existing Williamson Act contracts for upland area of the property would be subject to Open Space Easement contracts, which will allow continued

grazing on the property. The District remains unequivocally committed to retaining existing agricultural (grazing) uses on the Johnston Ranch property.

Similarly, there is no evidence to support the Farm Bureau's statement that "*the proposed trail and future low-intensity public recreational uses may interfere with agricultural activities*" or that "*Midpen has purchased land that is currently being used for agriculture and intends to transform it into open space for recreational purposes,*" without protecting agricultural uses. The proposed trail and recreational uses are not the subject of this Project application. Future changes to the property will undergo their own thorough public process and environmental analysis as part of the District's public process, in cooperation with partner agency City of Half Moon Bay. This process and analysis, as well as the County's Local Coastal Program and related zoning code, will ensure the compatibility of any future recreational uses and the existing agricultural use.

The Farm Bureau's position is based on a false premise that public access interferes with agricultural uses, despite plenty of successful examples demonstrating that these uses truly are compatible and mutually beneficial. These examples can be found throughout the region and the state. The District's policies are rooted in encouraging these two uses to coexist and support each other. For example, the District has successfully implemented public access on actively grazed property in Russian Ridge and La Honda Creek Open Space Preserves, which ultimately benefits both the ranchers and the public.

In summary, the rescission of the Williamson Act contracts is required so that new contracts-- both Farmland Security Zone contracts and Open Space Easement contracts-- would conform with the new parcels being created by the Project. The policy purpose of the Williamson Act is to limit property taxes so that land can be protected in agriculture. As a tax exempt independent special district, the District does not pay taxes. Therefore, the Williamson Act is not a particularly relevant tool in this regard, and there are several other mechanisms to ensure continued agriculture on the subject properties, including County conditions of approval for the project and longstanding District policies explained further in this letter. Therefore, the rescission of the Williamson Act contracts simply is not evidence that the District plans to interfere in any way with the existing agricultural use on Johnston Ranch.

The Johnston Ranch Project serves dual policy goals of public access and agricultural protection

The District is working to bring modern land management practices and policies to the coast in an effort to protect agriculture. The San Mateo County Agricultural Advisory Committee approved this project on March 14, 2022. It is unfortunate that despite the Agricultural Advisory Committee's approval and the Planning Commission's approval, the Farm Bureau chose to pursue an appeal. Unfortunately, the Farm Bureau's interests are not aligned with the public interest. Provisions that ensure that recreation is compatible with agriculture, even during land divisions, are found throughout the County's Local Coastal Program, and in the District's Coastal Service Plan. The Johnston Ranch project fulfills our shared public policy goals, by facilitating the transfer of the row-crop portion of property to a farmer and potentially enabling compatible recreational trail use with existing grazing uses. The District has a very strong record of accomplishing such compatible use since 2004 and the Johnston Ranch project is just another example of this. The Johnston Ranch project will provide continued viability of rangeland and farmland to the greatest extent possible, while fostering ecologically sensitive public access.

Through the Johnston Ranch project and many others, the District looks forward to continuing its work with the County, and its many partners in the agricultural community to fulfill our coastal mission. Thank you for your careful consideration of the Johnston Ranch project.

Sincerely,

Ana Ruiz, General Manager

Cc: Osha Meserve, Esq.
MROSD Board of Directors
San Mateo County Farm Bureau Board of Directors smcfbmb@aol.com

Attachments: Project Summary (Attachment 1)
MROSD/POST letter to Planning Commission dated May 24, 2022 (Attachment 2)

Attachment 1: Johnston Ranch Project Summary

September 8, 2022 Letter from MROSD to San Mateo County Board of Supervisors

JOHNSTON RANCH PROJECT SUMMARY

Johnston Ranch is an 868-acre property located along Higgins Canyon Road surrounding the City of Half Moon Bay's Johnston House property, at the City's southern boundary. The Ranch is located east of Highway 1, in unincorporated San Mateo County, west of Burleigh H. Murray Ranch State Park, and southwest of Miramontes Ridge Open Space Preserve. Much of Johnston Ranch is visible from Highway 1 and is located within the State Highway 1 Scenic Corridor. The entire Johnston Ranch property is currently owned by POST. MROSD leases and manages the 664-acre uplands portion. The proposed lot line adjustment would result in a 224-acre farm property and a 644-acre uplands property.

The uplands portion north of Higgins Canyon Road is leased to a local rancher for cattle grazing. Improvements include water and agricultural infrastructure. The uplands portion south of Higgins Canyon Road contains a seven-acre field that is used for cultivating hay for supplemental feed and is included in the grazing lease. The uplands south of Higgins Canyon Road have not been grazed for over 20 years and contain no improvements.

The 224-acre level farm portion of Johnston Ranch is leased to a local farmer for irrigated row crops and dry farming, with associated infrastructure. A privately-owned property (not part of Johnston Ranch) along Higgins Canyon Road serves as the farm center for the farming operation.

Reasons for Proposal

The current parcel boundaries fragment the farming ground and separate it from important irrigation infrastructure. Small historical parcels prevent logical fencing, and the overall configuration is detrimental to effective land management. As co-applicants, POST and MROSD seek to reconfigure and modernize the parcel boundaries. The adjustment will improve the viability of the 224-acre row crop area for eventual sale to farmer subject to an agricultural conservation easement. It will also allow 644 acres of Johnston Ranch to be transferred into public ownership for open space, grazing, and future compatible public recreational use.

Project Benefits

The proposed project, including the lot line adjustment and related Williamson Act contract changes, will:

- Realign parcel boundaries to include the existing irrigation reservoirs and to match the existing agricultural operations.
- Result in parcels that are easier to manage, while retaining existing agricultural production and enhancing the farmer's ability to control and monitor food safety.
- Protect coastal open space, grazing lands, and the Arroyo Leon Creek watershed, and provide opportunities for future public trails with the City of Half Moon Bay and California State Parks.
- Facilitate the sale of cultivated farmland to a private owner/operator, enabling them to build equity and ensure long-term benefits to local agriculture and the community.
- Better plan for and preserve productive farmland, open space, grazing, and allow for compatible future potential recreational uses.

Attachment 2



Midpeninsula Regional Open Space District

GENERAL MANAGER
Ana M. Ruiz

BOARD OF DIRECTORS
Pete Siemens
Yoriko Kishimoto
Jed Cyr
Curt Riffle
Karen Holman
Larry Hassell
Zoe Kersteen-Tucker

May 24, 2022

VIA EMAIL

Janneth Lujan, Planning Commission Secretary
San Mateo County Planning Commission
455 County Center
Redwood City, California 94063
Email: jlujan@smcgov.org; planning-commission@smcgov.org

RE: Comments on Johnston Ranch Lot Line Adjustment; Agenda Item No. 4
(May 25, 2022 Meeting)

Dear Members of the Planning Commission:

Thank you for your consideration of a lot line adjustment and related approvals for Johnston Ranch, scheduled for hearing on May 25, 2022 as Agenda Item No. 4. This letter is intended to respond to certain items mentioned in the letter from the San Mateo County Farm Bureau dated May 23, 2022 that specifically relate to the project that is before the Planning Commission. The purpose of the proposed project is to facilitate the purchase of productive agricultural land to a farmer and the transfer of upland property for both continued livestock grazing and future opportunities for low-intensity public recreation. I write on behalf of project partners Midpeninsula Regional Open Space District and Peninsula Open Space Trust to clarify and highlight certain aspects of the project in response to recent correspondence.

Johnston Ranch is currently used for two different types of agriculture. The flat areas on the western side of the property are in cultivated agriculture, including Brussels sprouts, fava beans, English peas, and hay. The majority of the prime soils are located in this area. In contrast, a portion of the upland, eastern side of the property is used for grazing, with hay production in the small section of prime soils along Higgins Canyon Road.

The lot line adjustment and related approvals are intended to facilitate and support these uses into the future. Specifically, modified parcels 1, 3, and 4 (as shown on the map on page 31 of the Staff Report .pdf), were designed to include *all* of the areas of Johnston Ranch that are currently used for and reasonably capable of supporting cultivated agriculture. This reconfiguration will allow a farmer to own and operate the amount of land necessary to support agricultural operations. If the lot line adjustment is approved, these areas will be protected by 20-year Farmland Security Zone contracts. After the

parcels are sold to a farmer, they will also be protected in perpetuity by an agricultural conservation easement retained by the Peninsula Open Space Trust. To the extent that the Planning Commission finds that the POST conservation easement is an integral part of the project, POST would be willing to accept a condition of approval requiring that the conservation easement be recorded upon sale of the reconfigured parcels to a farmer.

The proposed project was also designed to protect agriculture on the upland, eastern side of Johnston Ranch. Approximately 160 acres of the modified parcel 2 (as shown on the map on page 31 of the Staff Report .pdf) is currently used for a 20 to 40 head cow-calf operation, through a grazing lease with a rancher. In addition, the small area (approximately 7 acres) of prime soils located adjacent to Higgins Canyon Road is used for dry farming/hay production. If the lot line adjustment is approved, these areas would be transferred to the Midpeninsula Regional Open Space District. The existing cow-calf operation and hay farming would continue as currently operated under a long-term grazing lease and rangeland management plan. The District would also consider viable opportunities to reintroduce grazing on the portion of modified parcel 2 south of Higgins Canyon Road. Any future recreational improvements would be required to meet the standards found in Chapter 21A of the County Zoning Code, which include specific protections for prime agricultural soils and agricultural operations.

In sum, the purpose of the project is to align the parcel confirmation with the current use and agricultural heritage of Johnston Ranch. If approved, a farmer will have the opportunity to own the land they have managed for decades, and grazing tenants will continue to have access to the same or additional lands. This project meets both the letter and intent of the County's commitment to protecting agricultural lands and received a strong supporting vote from the Agricultural Advisory Committee which includes four farmers, two of whom are among the Farm Bureau's directors and officers.

We will be available to answer any questions you might have at Wednesday's meeting. Thank you again for the opportunity.

Sincerely,



Michael Williams
Real Property Manager
Midpeninsula Regional Open Space District



Ben Wright
Director of Land Transactions
Peninsula Open Space Trust

cc: Ana Ruiz, General Manager MROSD
Walter Moore, President POST