



## THE RANCH

(Belvedere Tiburon Joint Recreation Committee)

### Special Meeting Minutes

Monday, October 7, 2021 6:00 p.m.

Dairy Knoll, 600 Ned's Way, Tiburon CA 94920

#### Call to Order and Roll Call

Chair Rosell called the meeting to order at 6:05p.m., with the following Board Members present:

Jason Rosell - Tiburon Representative, Chair	Present
Chelsea Schlunt - Belvedere Representative, Vice Chair	Present
Jerry Riessen - Tiburon Representative	Present
Eduardo Dominguez - Tiburon Representative	Present
Jon Welner - Tiburon Council Member	Absent
Melissa Feder - Belvedere Representative	Present
Julianne Schaefer - Belvedere Representative	Present
Sally Wilkinson - Belvedere Council Member	Present
Sherry Wangenheim - RUSD Representative	Absent

Ex Officio:

Jessica Hotchkiss, Recreation Director  
Michelle Barsky, Office Manager & Minutes  
Winter Hankins, Lawyer

#### I. Public Comment

No public comment.

#### II. Action Items

##### A. Resolution 2021-10-1

Resolution to conduct meeting virtually in reflection of AB 361. AB 361 enables local public agencies to continue to use teleconferencing without complying with certain Brown Act Provisions.

*Recreation Director recommends we approve this resolution to comply with AB 361.*

Feder asked to clarify if they would be able to have the choice of meeting in person and virtually moving forward if this resolution is signed into effect. Hotchkiss stated that this needs to be passed if they wish to meet virtually at all.

**Motion Wilkinson Second Riessen Vote 6 In Favor, 0 Against, 0 Abstained, 3 Absent Resolution passes.**

Voted on as follows

AYES: Rosell, Schlunt, Riessen, Feder, Schaefer, Wilkinson

NAYS: None

ABSTAINED: None  
ABSENT: Dominguez, Welner, Wangenheim

## **B. COVID19 Mandatory Testing and Vaccination Policy for The Ranch, Belvedere Tiburon Joint Recreation Committee**

At the September 20, 2021 Regular Board Meeting, the Board of Directors passed an action item to create written policy on a COVID19 Vaccination Mandate for staff and independent contractors of The Ranch. Action Item is to vote on this now written policy.

Schlunt noted that the verbiage in this policy shows that officers/board members must be included. Hankins recommends removing “and its officers” from the policy because they are appointed officials and cannot be terminated by The Ranch for non-compliance. Wilkinson asked if administrative leave is indefinite, Hankins confirmed that it is not. Wilkinson asks who is responsible for paying for the testing. Hankins said that The Ranch would be responsible. Wilkinson asked if we knew of any other local municipal agencies that are requiring a vaccine mandate. She also asked what qualifies as proof of religious exemption. Hankin was not certain of any local municipalities. She confirmed that a letter from a clergy member or a self-attested letter of beliefs from the employee would qualify. She recommends proceeding with caution when evaluating proof.

Schlunt asked what the financial implications are of placing an employee unpaid leave. Hankin said that the leave would have to be determinate. Schlunt followed with questioning if this policy would be forever or if it is temporary and if it would extend to booster vaccines as well. Hotchkiss stated that this policy would be permanent unless down the line another action item was presented to amend or remove the policy. Wilkinson is on record as not wanting this policy to pass. Feder states that she is concerned that passing this policy would open a huge financial and legal risk to The Ranch especially during a time where the organization is financially fragile. Hankin stated that with the vaccine having full FDA approval, there is grounds both federally and at the state level to require a vaccine for employees. Feder does not want The Ranch to lead the charge on this, would be more comfortable following the city or town’s lead.

Hankin stated that there is a risk of lawsuit on both sides—whether a child contracts the virus from an unvaccinated staff or whether an unvaccinated staff is terminated for failure to comply. Schlunt pointed out that within a few weeks, children under 12 will be eligible for the vaccine and parents who are concerned, will get their child vaccinated. Riessen doesn’t see a huge financial risk. Feder asked for Hotchkiss’ opinion. Hotchkiss says that we should protect children and seniors to the best of our abilities and that there will be a lot of work to do regardless of implementing this policy or not implementing it.

**Motion Riessen Second Schaefer Vote 4 In Favor, 3 Against, 0 Abstained, 2 Absent Passes with the condition that “The Ranch officers” be removed.**

Voted on as follows

AYES: Rosell, Riessen, Dominguez , Schaefer

NAYS: Schlunt, Feder, Wilkinson

ABSTAINED: None

ABSENT: Welner, Wangenheim

## **C. Amend The Ranch Personnel Policies to include section Chapter 3, 3.07 COVID19 Vaccine Mandate**

### 3.07 COVID19 Vaccine Mandate

All Prospective employees must be fully vaccinated for COVID19 and comply with the reporting requirement at the time of hire as a minimum qualification and condition of employment, unless a documented medical or religious exemption is approved.

**Motion Riessen Second Rosell Vote 4 In Favor, 3 Against, 0 Abstained, 2 Absent**

Voted on as follows

AYES: Rosell, Riessen, Dominguez , Schaefer

NAYS: Schlunt, Feder, Wilkinson

ABSTAINED: None

ABSENT: Welner, Wangenheim

Feder would like to note that it is inconsistent that they are excluding Board members from the vaccine requirement.

### **VI. Adjourn**

The next regular meeting is scheduled for Monday, November 15, 2021 at 7:00pm. (3<sup>rd</sup> Monday of the month)

There being no further business before the Board, Chair Rosell adjourned the meeting at 7:26 p.m.

Respectfully submitted,  
Michelle Barsky