



Midpeninsula Regional
Open Space District

R-11-74
Meeting 11-19
July 13, 2011

AGENDA ITEM 5

AGENDA ITEM

Recruitment and Selection Process for the Midpeninsula Regional Open Space District
Ombudsperson

GENERAL MANAGER'S RECOMMENDATION

The General Manager recommends that the Board approve the recruitment and selection process for the District's Ombudsperson as outlined in this report.

SUMMARY

The San Mateo County Local Agency Formation Commission's (LAFCo) conditions of the District's expansion to the San Mateo Coast in 2004 included appointment of a District Ombudsperson to work as a liaison between the District staff and the public to resolve citizen inquiries and concerns. The Board appointed Carol Joyce as its first volunteer Ombudsperson in October 2004 and extended her contract through December 31, 2011. On May 24, 2011, Ms. Joyce notified the District that she is moving out of the area and can no longer fulfill the responsibilities of the Ombudsperson. It is therefore necessary for the Board to approve a recruitment and selection process for a new Ombudsperson.

DISCUSSION

At its May 26, 2004 Board meeting (see Report R-04-57), the Board adopted Resolution No. 04-13 establishing a process for appointment of a District Ombudsperson in conformity with LAFCo's conditions of approval. District Resolution No. 04-13 assigned responsibility for developing the recommendations for a selection and recruitment process to the Legislative, Funding and Public Affairs Committee (LFPAC).

On July 28, 2004, the Board approved the following LFPAC recommendations for appointing a District Ombudsperson (See Report R-04-74):

1. Description of the Roles and Duties(See Attachment A)
2. Desired Qualification Criteria (See Attachment B)
3. Volunteer Status with Reimbursement for Approved Expenditures
4. One Year Term of Appointment

5. Proposed Application Form (See Attachment C)

On September 22, 2004, the Board delegated the responsibility for screening the District Ombudsperson applications to LFPAC (See Report R-04-20). LFPAC was directed to screen applicants and select the top eight applicants for Board interviews.

After receipt and screening of applications for this volunteer position, the Board determined that it was in the best interest of the District to interview candidates that did not live within the District's boundaries. Some of the top candidates were not residents, but were highly qualified in the skills necessary to perform this function and familiar with the District. Accordingly, on October 13, 2004, the Board further amended Resolution No. 04-13 to delete the provision requiring District residency for the Ombudsperson to give the Board the flexibility it needed to select the best candidate (See Report R-04-140). The Board then appointed Carol Joyce to serve as the District's Ombudsperson on October 27, 2004 (See Report R-04-112).

With the resignation of Carol Joyce, it is now necessary to begin recruitment to fill this volunteer position. The Board's process can now be informed by seven years of experience with an Ombudsperson position. The Ombudsperson selection and recruitment process worked well. The Ombudsperson workload has been fairly light and the process has been successful.

The General Manager recommends following the same selection criteria, roles and duties, and application established by the Board in 2004. However, given the District's experience with this position, the General Manager recommends streamlining the original selection process.

The original process adopted in May 2004 required three Special Meetings of the Board. This level of scrutiny was felt merited at the time since the Board had no prior experience with an Ombudsman function. Given the passage of time, this level of review—comparable to that used to select an appointed Director—is no longer needed. Therefore, the General Manager recommends streamlining the process as follows:

After the Board's approval of the selection and recruitment process, staff will begin the advertisement process. After applications have been submitted, LFPAC will screen the applications and return to the Board with the top four applicants. The Board will then schedule interviews and appointment of an Ombudsperson either at an upcoming Regular or Special Meeting. If the Board desires to re-interview applicants, it can decide to hold another round of interviews as needed.

FISCAL IMPACT

There are no unbudgeted fiscal impacts with this report.

PUBLIC NOTICE

Notice was provided pursuant to the Brown Act. No additional notice is necessary.

CEQA COMPLIANCE

No compliance is required as this action is not a project under the California Environmental Quality Act (CEQA).

NEXT STEPS

Upon Board approval, staff will begin the recruitment process to fill the District Ombudsperson vacancy. The recruitment will begin on July 14, 2011, and will be open for at least 30 days. The District will advertise the recruitment on the District's website, in local newspapers, and will be posted in various public areas within District boundaries and in surrounding cities both within and without the District's boundaries.

Attachment(s)

1. Resolution
2. Description of Roles and Duties
3. Desired Qualification Criteria
4. Proposed Application Form and Supplemental Questionnaire

Prepared by:

Sue Schectman, General Counsel

Michelle Radcliffe, District Clerk

Contact person:

Steve Abbors, General Manager

RESOLUTION NO. 11-XX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT ESTABLISHING A SUCCESSOR PLAN FOR THE APPOINTMENT OF THE DISTRICT OMBUDSPERSON POSITION

WHEREAS, by adoption of Resolution No. 04-13 on May 26, 2004, the Board of Directors of the Midpeninsula Regional Open Space District established a plan for appointment of an Ombudsperson in conformity with San Mateo County Local Agency Formation Commission Resolution No. 960; and

WHEREAS, by adoption of Resolution No. 04-34 on September 22, 2004, the Board of Directors of the Midpeninsula Regional Open Space District delegated responsibility for screening the District Ombudsperson applications to the Legislative, Funding and Public Affairs Committee; and

WHEREAS, by adoption of Resolution No. 04-37 on October 13, 2004, the Board of Directors of the Midpeninsula Regional Open Space District deleted the requirement that the District Ombudsperson be a District resident; and

WHEREAS, the District Board and staff is strongly committed to establishing and maintaining good relationships with all residents and neighbors of the District and desires to appoint a skilled successor Ombudsperson;

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE DISTRICT DOES
HEREBY RESOLVE AS FOLLOWS:**

Section One. The District shall advertise in local newspapers and on the District's website for the Ombudsperson position within two (2) weeks of Board approval of a selection and recruitment process for this position. Applications must be received within thirty (30) days of date of publication of the first announcement for this position.

Section Two. Within thirty (30) days of close of the application period, LFPAC shall hold a public meeting for the purpose of screening applications for the position of Ombudsperson to reduce the number to the four (4) best qualified applicants for interview by the full Board. LFPAC shall also be tasked with contacting the finalists' references on behalf of the Board.

Section Three. The Board shall promptly hold a special or regular meeting for the purpose of interviewing the recommended applicants and appointment of an Ombudsperson. Directors may request that applicants not selected by LFPAC also be in the interview group. Directors will receive a copy of all applications.

Section Four. The public shall be invited to submit questions to the Board that they suggest be asked during the interview process.

Section Five. Legal counsel shall thereafter promptly prepare an appointment agreement for signature by the District and Ombudsperson based upon the duties and conditions of appointment.

* * * * *

EXHIBIT 2



Midpeninsula Regional
Open Space District

OMBUDSPERSON PROGRAM

Role of Ombudsperson

The Ombudsperson is an appointee of the Board of Directors who follows up on resident and neighbor inquiries or complaints for the purpose of attempting to resolve misunderstandings or conflicts that have not been resolved satisfactorily by District staff. The Ombudsperson works independently and objectively to assist in maintaining positive relations with District residents and neighbors.

Duties of Ombudsperson

- ❖ Listens to resident concerns
- ❖ Opens avenues of communication between residents and neighbors and the District
- ❖ Gathers information and educates residents on District policies or procedures and their purpose or effect
- ❖ Facilitates conflict resolution
- ❖ Finds other resources to meet resident needs, if applicable
- ❖ Provides a written summary of citizen concerns as requested by the Board of Directors

Scope of Duties

The Ombudsperson would assist residents in their interactions with the District and facilitate conflict resolution when needed. The Ombudsperson would not handle issues that are privileged or confidential, or which involve personnel, labor relations, legal matters, or Board decisions. The Ombudsperson would present facts that may lead the Board or staff to improve operations or better address citizen needs, as opposed to advocating either for or against a resident, staff or Board policy. The Ombudsperson would not establish or recommend District policy, or affect or make fiscal or budgetary decisions.

Assignment and Reporting Responsibilities

If the initial contact from a citizen is the Ombudsperson, the Ombudsperson will contact the General Manager before taking further action. If the General Manager is not able to resolve the concern/complaint to the citizen's satisfaction, the Ombudsperson will follow-up with the citizen for further resolution efforts. If the initial contact from a citizen were a Board Member, the Board Member would immediately contact the General Manager. If the General Manager is not able to resolve the concern/complaint to the citizen's satisfaction, the General Manager shall inform the citizen of the District's Ombudsperson process and shall request the Ombudsperson contact the complainant to offer further assistance.

After completing inquiry and resolution efforts the Ombudsperson would then report back to the General Manager and provide a written summary report for the Board at least quarterly.

Ombudsperson Knowledge/Skills/Abilities

To be effective in this role, the Ombudsperson should demonstrate the following knowledge/skills/abilities:

- Facilitation and conflict resolution skills
- Ability to listen, understand and validate others' points of view
- Familiarity with the District mission and purpose and how the District programs fit into the greater region
- Knowledge of local government functions and operations and land and property use issues
- Interviewing skills
- Customer service skills
- Public speaking skills
- Analytic and evaluative skills
- Writing skills- the ability to express clearly and concisely complex issues and positions in writing
- Objectivity and good judgment
- Create credibility as an independent evaluator capable of independent conclusions
- Sense of humor
- Professional demeanor and appearance

Training, education and/or experience in public administration, management, psychology, public relations, customer relations, investigations, counseling, consulting, teaching, human resources, risk management, related field or as an elected official would likely provide the required knowledge, skills and abilities.

Compensation & Terms of Appointment

Volunteer status (unpaid), with full reimbursement for Board authorized expenses incurred (per contract). One-year term with the possibility of reappointment annually.



Midpeninsula Regional
Open Space District

EXHIBIT 3

OMBUDSPERSON Knowledge/Skills/Abilities

To be effective in this role, the Ombudsperson should demonstrate the following knowledge/skills/abilities:

- Facilitation and conflict resolution skills
- Ability to listen, understand and validate others' points of view
- Familiarity with the District mission and purpose and how the District programs fit into the greater region
- Knowledge of local government functions and operations and land and property use issues
- Interviewing skills
- Customer service skills
- Public speaking skills
- Analytic and evaluative skills
- Writing skills- the ability to express clearly and concisely complex issues and positions in writing
- Objectivity and good judgment
- Create credibility as an independent evaluator capable of independent conclusions
- Sense of humor
- Professional demeanor and appearance

Training, education and/or experience in public administration, management, psychology, public relations, customer relations, investigations, counseling, consulting, teaching, human resources, risk management, related field or as an elected official would likely provide the required knowledge, skills and abilities.

Compensation

Volunteer status (unpaid), with full reimbursement for Board authorized expenses incurred (per contract).



EXHIBIT 4

Midpeninsula Regional
Open Space District

APPLICATION FOR OMBUDSPERSON POSITION

(Please Type or Print in Dark Ink – You may re-type this document as long as it contains all of the requested information as well as your signature.)

Name _____

Residential Voting Address _____

Mailing Address _____

Daytime Telephone _____ Evening Telephone _____

Fax _____ Email _____

1) Please indicate why you are interested in serving as Ombudsperson of the Midpeninsula Regional Open Space District.

2) Please list applicable training/education.
