



Midpeninsula Regional
Open Space District

R-25-22
Meeting 25-04
February 12, 2025

AGENDA ITEM 7

AGENDA ITEM

Annual Ombudsperson Summary Report for Activities from January through December 2024
and Summary of the Ombudsperson Program Improvements

GENERAL MANAGER'S RECOMMENDATIONS *dlm*

1. Review and accept a report from the Midpeninsula Regional Open Space District Ombudspersons regarding Ombudsperson inquiries received in 2024.
2. Receive an overview of the Ombudsperson Program Improvements, including administrative procedural changes, which reflect the feedback received from the Ombudspersons.
3. Adopt amendments to the Ombudsperson Application, to update current communication channels, and the Ombudsperson Program description to clarify the engagement procedures and reporting requirements.
4. Accept the resignation of District Ombudsperson Bob Rosenberg.
5. Extend the terms of Ombudspersons Lisa Zadek and Kristen Yawitz through December 2025.

SUMMARY

Per the Midpeninsula Regional Open Space District (District) Ombudsperson Program procedures, this annual report summarizes Ombudsperson contacts received between January 1 and December 31, 2024. One inquiry was received through the Ombudsperson contact form on openspace.org during this period. This issue was outside the purview of the Ombudsperson Program and therefore not referred to an Ombudsperson. In addition, the District conducted a full evaluation of the Ombudsperson Program, including interviewing the Ombudspersons and staff, and identified numerous administrative procedural improvements and a few amendments that require Board of Directors (Board) consideration for adoption.

DISCUSSION

The District established a volunteer Ombudsperson Program (Program) to facilitate interactions with citizens as required by the Local Agency Formation Commission (LAFCo) during the 2004 annexation of coastal San Mateo County. The role and duties of the Ombudsperson were established by the Board in 2004 (see [R-04-74](#) and Attachment 1), which include: to listen to resident concerns; open avenues of communication between residents and neighbors with the District; gather information and educate residents on District policies or procedures and their

purpose or effect; facilitate conflict resolution; find other resources to meet resident needs, if applicable; and provide a written summary of citizen concerns as requested by the Board of Directors. Members of the public may request contact with an Ombudsperson via a form on the District website (www.openspace.org/ombudsperson), after first attempting to resolve their concerns with staff.

On January 11, 2017, the Board expanded the Ombudsperson Program by appointing a pool of three qualified volunteers to serve as Ombudspersons: Lisa Zadek of Half Moon Bay, Kristen Yawitz of Belmont, and Bob Rosenberg of San Jose. When an inquiry is received, all three Ombudspersons are notified of the concern by email. Staff then make the first attempt to resolve the concern. If staff is unable to resolve the concern, an Ombudsperson has traditionally been selected for involvement based on geography, availability or familiarity with the subject of the concern. The selected Ombudsperson then reaches out to the constituent to assist with the concern. More specifically, the Ombudsperson contact form explains, “Emails sent to the Ombudsperson will also be forwarded to the appropriate staff and General Manager. The General Manager and/or District staff will attempt to resolve the concern and notify the Ombudsperson of the status. If District staff is not able to resolve the concern, the Ombudsperson will then contact the citizen and attempt to resolve the issue.”

Annual Report for Calendar Year 2024

Per the Ombudsperson Program procedures, the appointed Ombudspersons provide an annual summary of activities. The Annual Report, which is provided as Attachment 1 and prepared by staff with review and confirmation from the Ombudspersons, summarizes the Ombudspersons activities for January 1, 2024, through December 31, 2024. For this period, one inquiry was received. This inquiry was regarding a legal matter, falling outside the purview of the Ombudsperson Program, and therefore not referred to an Ombudsperson. Ombudspersons Lisa Zadek and Kristen Yawitz reviewed and endorsed the report. Ombudsperson Bob Rosenberg offered his resignation in December 2024 (see below details), before the report was prepared, and therefore was not contacted in 2025 to review the report.

Two Ombudsperson Reappointments and One Resignation

Per the Ombudsperson Program procedures, the appointed Ombudspersons provide a statement of whether they are willing to continue their service to be considered for reappointment. Ombudspersons Lisa Zadek and Kristen Yawitz have indicated their willingness to continue in their role as appointed Ombudspersons. Both have served successfully in their Ombudsperson roles since 2017 (see [Report R-17-05](#)) and reappointment is recommended. The reappointment would cover a one-year term.

At the January 11, 2017 Board meeting, the Board appointed Bob Rosenberg as the third District Ombudsperson (see [Report R-17-05](#)). Mr. Rosenberg fulfilled his annual Ombudsperson responsibilities responsibly, with the Board renewing Mr. Rosenberg’s appointment throughout the subsequent years. On December 3, 2024, Mr. Rosenberg submitted his resignation as a District Ombudsperson citing a desire to reduce his total number of commitments. Mr. Rosenberg’s contributions are greatly appreciated and the District thanks him for his years of service as an Ombudsperson.

Given the number of public inquiries received annually, maintaining two active Ombudspersons in the Program will be sufficient to provide effective and timely responses for the public.

Summary of Ombudsperson Program Improvements

On February 14, 2024, the Board requested the General Manager bring a review of the Ombudsperson Program with identified program improvements to the Board in early 2025.

The new public affairs manager was hired in July 2024; and thereafter, a review of the Ombudsperson Program policies and processes took place, which included Ombudspeople interviews that were conducted in early fall. The overall findings and identified program improvements were shared with the District's management team and Ombudspersons for additional feedback in the winter. The Ombudspersons provided valuable feedback, which is included in the new program improvements.

The District has been highly successful at resolving concerns at the staff level. Over the program's five-year period, 15 inquiries were received, two were outside the Ombudsperson scope and 12 were resolved by staff. However, to further refine the program, the following key areas were identified for improvement: public interface, selection and onboarding, transparency for ombudspersons and operational efficiencies. Most of these improvements are reflected in the administrative procedures for managing the Ombudsperson Program.

Public Interface

To increase the ability of the public to obtain information about the program and better understand the Ombudsperson process, the "Contact Us" and "Ombudsperson" webpages were updated with clarifying information and with adjustments to text placement; in addition, inclusive language was implemented replacing "citizen" with "resident" to better align with the District's public engagement and inclusivity principles.

Ombudsperson Selection and Onboarding

As the existing District Ombudsperson application contained only three general questions, the application has now been refined (Attachment 2) with an additional question and contextual information to better assess future candidate qualifications, experience and suitability. Onboarding new Ombudsperson appointees with the Visitor and Field Services Assistant General Manager and Public Affairs Manager has also been included to help further deepen the new appointee's understanding of the Ombudsperson role and the program's processes. A ride-along will also be offered to new appointees.

Transparency

The Ombudspersons can now request a copy of the tracking log of program inquiries and resolutions to see the most up-to-date program information and to learn from the program's history. Additionally, a conflict-of-interest statement was added to the Ombudsperson Roles and Duties (Attachment 3) to build public trust in the impartiality of the program. Regarding closing an active item, staff will coordinate with the Ombudsperson and seek the Ombudsperson's feedback and concurrence in making a determination to close an item.

Operational Efficiency

The online Ombudsperson form was modified to enhance routing processes to ensure inquiries are directed to the most appropriate contact, thereby better serving the public and ensuring public resources are used most efficiently. Flexibility in designating which Ombudsperson receives a particular item will continue to be at the discretion of staff, allowing for considerations such as geographic location, expertise and workload.

In addition to submitting an annual summary of activities to the Board, the Ombudsperson Program will be reviewed every five years to evaluate for possible program improvements and adapt to evolving needs.

Summary of Ombudsperson Activities Over the Last Five Years, 2019-2024

To provide the Board with a longer view of Ombudspersons activities over the last five year, below is a summary of the inquiries received, and other Ombudsperson engagement work completed during this period.

Summary of Public Inquiries, 2019-2024

For the recent five-year period, the District received 15 Ombudsperson contact form submissions (inquiries). Of the inquiries:

- 12 were successfully resolved at the staff level without Ombudsperson involvement
- Two (2) were determined to be inquiries outside the purview of the Ombudsperson Program; (one regarding termination of a Boarder Agreement with a third-party concessionaire; and one regarding a legal property issue); and
- One (1) required Ombudsperson engagement (related to the District's vegetation management practices).

Summary of District-Requested Ombudsperson Engagement

For the five-year period 2019-2024, the District requested Ombudsperson engagement in one matter related to Bear Creek Stables to assist with communications and responsiveness between the boarders and former operator, particular in regards to boarding operations and horse care. The Ombudsperson was very helpful in relaying questions and concerns between the two parties and providing a channel for clear communications and status updates. In addition, the Ombudsperson was helpful in relaying questions and concerns to the District for items that pertained to District activities. The need for this role substantially diminished as the Board awaited the results of the Bear Creek Stables Ad Hoc Committee work and with the subsequent change in operator, and therefore is no longer active.

FISCAL IMPACT

None

PRIOR BOARD AND COMMITTEE REVIEW

There is no fiscal impact associated with the recommended actions.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. Notices were also issued to each Ombudsperson.

CEQA COMPLIANCE

This item is not a project subject to the California Environmental Quality Act.

NEXT STEPS

Staff will return in early 2026 with the Ombudspersons Summary Report of Activities.

Attachment

1. 2024 Ombudsperson Summary Report
2. Updated Application Form
3. Updated Ombudsperson Role and Duties

Responsible Department Head:

Ana Maria Ruiz, General Manager

Prepared by and contact person:

Lori Low, Public Affairs Manager, Public Affairs Department



Midpeninsula Regional
Open Space District

Memorandum

DATE: January 22, 2025

MEMO TO: Board of Directors

THROUGH: Ana Ruiz, General Manager *AR*

FROM: Kristen Yawitz and Lisa Zadek, Appointed Ombudspersons

SUBJECT: Ombudsperson Report for the Time Period of January through December 2024

As appointed Ombudspersons for the Midpeninsula Regional Open Space District (District), we submit this report of program activities for the time period of January 1, 2024, through December 31, 2024.

Inquiries

Over that period, one inquiry was received through the Ombudsperson contact form on *openspace.org*, and did not warrant Ombudsperson assistance. The inquiry was deemed to fall outside the purview of the Ombudsperson Program since it was regarding a legal matter. On December 16, 2024, Mr. Jeremiah Girouard used the Ombudsperson contact form to reach out regarding a property issue their family had been attempting to resolve with the District. Staff responded explaining that the Ombudsperson Program does not handle legal matters and that the Land and Facilities Department is handling this issue.

District-Requested Ombudsperson Engagement

During Chaparral Country Corporation's operation of Bear Creek Stables (BCS), the General Manager requested that Ombudsperson Bob Rosenberg act as a liaison between the boarders at BCS, Chaparral and the District. He served in that role for several months from May through September 2024. During that time, he brought several issues to the attention of District staff and staff worked with Chaparral and internally to address those issues. Issues raised included timely payment of Chaparral staff, feeding issues, provision of an overnight caretaker, arena maintenance, fire clearance, rodent issues, and clear communications. The District assumed responsibility for fire clearance and set up a monitoring program, including thresholds for ground squirrel management, as well as frequent communication with the boarding community. District staff worked with Chaparral, and Ombudsperson Rosenberg brought issues directly to Chaparral, to address feeding concerns and payment of their employees. Given the reduced programming allowed and limited revenue, while the District worked through insurance requirement agreement issues with Chaparral, they were not able to provide a consistent overnight caretaker or consistent dragging of the riding rings for maintenance.

Ombudsperson Rosenberg also mediated a dispute regarding a horse owner claiming they were excluded from the stables. This issue was resolved by determining that the person excluded from

the stables was not listed on the boarder agreement as the horse's owner and was therefore properly excluded from the stables as access is limited to boarders listed on a boarding agreement.

In addition to the report, we confirm each of us is willing to continue our services as volunteer Ombudspersons.

Respectfully submitted,

Kristen Yawitz
Ombudsperson, Midpeninsula Regional Open Space District

Lisa Zadek
Ombudsperson, Midpeninsula Regional Open Space District

Note: Bob Rosenberg resigned his role as Ombudsperson in December 2024, citing a desire to reduce his commitments.



Midpeninsula Regional
Open Space District

APPLICATION FOR OMBUDSPERSON

(Please Type or Print in Dark Ink)

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.

Signature of Applicant

Date of Application

Note: All applications will be made available for public inspection. You may use additional sheets to answer questions.



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 or 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. The ombudsperson should recuse themselves from any matter where a personal or financial interest could reasonably be perceived as influencing their judgment, creating a conflict of interest. Staff will then assign the issue to a different ombudsperson.

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's 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 and 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.