

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: September 9, 2013**

<b>AGENDA ITEM:</b> Resolution of Intent to Participate in Alternative Dispute Resolution	<b>AGENDA SECTION:</b> Legal	
<b>PREPARED BY:</b> Gloria Hirashima, Chief Administrative Officer	<b>DIRECTOR APPROVAL:</b>	
<b>ATTACHMENTS:</b> 1. Letter from Snohomish County Tomorrow Co-Chairs 2. Resolution of Intent		
	MAYOR	CAO
<b>BUDGET CODE:</b>	<b>AMOUNT:</b> \$	

**DESCRIPTION:**

On September 11, 2012, the Snohomish County Tomorrow (SCT) Executive Committee approved the ‘Report and Recommendations’ for the Alternative Dispute Resolution (ADR) Study. This report recommended ways SCT could better support the resolution of land use disputes between jurisdictions located in Snohomish County. The Study’s recommended steps were intended to result in mediation that helps SCT members solve tough problems early, preserve relationships, and reduce the delay and expense associated with prolonged conflict.

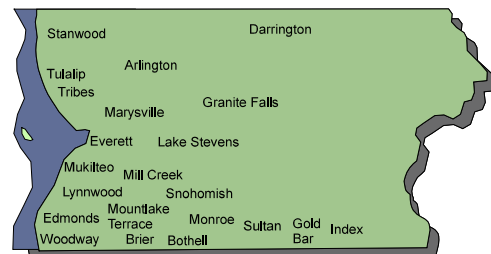
All SCT members have been asked to adopt a resolution of intent to participate in the program. In the event a situation arises where alternative dispute resolution would be an appropriate method of resolving the dispute, the city would then be eligible to access the SCT pilot program.

<b>RECOMMENDED ACTION:</b> <b>Recommend approval of the resolution.</b>
<b>COUNCIL ACTION:</b>

# Snohomish County Tomorrow

## *A GROWTH MANAGEMENT ADVISORY COUNCIL*

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County Administration Building  
3000 Rockefeller Avenue, M/S 604  
Everett, WA 98201

July 29, 2013

INSERT ADDRESS

Subject: Alternative Dispute Resolution Pilot Program

Dear Mayor:

On September 11, 2012, the Snohomish County Tomorrow (SCT) Executive Committee approved the 'Report and Recommendations' for the Alternative Dispute Resolution (ADR) Study. This report recommended ways SCT could better support the resolution of land use disputes between jurisdictions located in Snohomish County. The Study's recommended steps were intended to result in mediation that helps SCT members solve tough problems early, preserve relationships, and reduce the delay and expense associated with prolonged conflict.

In preparing the report SCT worked with consultants, staff and committee members to discover how disputes were currently being resolved. They conducted stakeholder interviews, developed options for dispute resolution mechanisms, and solicited input via an anonymous electronic survey about the nature of conflict experienced by SCT members, as well as the potential benefit of various methods for resolving conflict. Survey respondents identified tangible and intangible costs associated with inter-jurisdictional conflict. Those costs included waste of staff and consultant time, inability to move forward on key initiatives, missed opportunities to reach jurisdictional goals, erosion of goodwill between jurisdictions, and loss of public trust.

One of the study's recommendations was to conduct a Mediation Pilot Program that would provide some funding (\$2,000 - \$4,000) towards the cost of mediation for an SCT member. If you are experiencing some of these costs associated with land use conflict, we invite your city to take the steps towards applying for this funding.

As a first step, all SCT members are asked to adopt a resolution of intent to participate (see the resolution on pages 3-4 of this letter). If you are interested in pursuing the funding further, please send a letter to the SCT Executive Committee via:

Cynthia Pruitt,  
Coordinator, Snohomish County Tomorrow  
3000 Rockefeller Ave. M/S 604  
Everett, WA 98201

In the letter please give a brief description of the nature of the project and associated conflict, the “stakeholders” who will benefit from timely resolution of conflict, and your goal for resolving it and completing the project.

Please feel free to give Cynthia Pruitt a call at (425) 388-3185 if you have any questions.

Sincerely,



Mayor Jon Nehring  
SCT Co-Chair



Councilmember Brian Sullivan  
SCT Co-Chair

Copy to:           SCT Executive Committee  
                      Cynthia Pruitt  
                      SCT Planning and Advisory Committee  
                      SCT Managers and Administrators' Group  
                      SCT Community Advisory Board  
                      SCT Infrastructure Coordinating Committee

# Resolution of Intent to Participate

**CITY OF MARYSVILLE**  
**RESOLUTION NO. \_\_\_\_\_**  
**ADOPTING A STATEMENT OF INTENT**  
**TO PARTICIPATE IN DISPUTE RESOLUTION PROCESSES**  
**PURSUANT TO COUNTYWIDE PLANNING POLICY JP-2**

**WHEREAS**, the City/County is a participating member of Snohomish County Tomorrow (“SCT”); and

**WHEREAS**; Snohomish County’s Countywide Planning Policy JP-2 required SCT to develop a process for mediation and/or alternative dispute resolution; and

**WHEREAS**, SCT has developed a dispute resolution process to aid in the prevention and resolution of interjurisdictional land use disputes through dialogue, facilitation and mediation; and

**WHEREAS**, the City/County Council supports efforts to reduce interjurisdictional conflicts among jurisdictions in Snohomish County; and

**WHEREAS**, the dispute resolution process developed by SCT includes a mediation pilot program, conflict resolution training, and establishment of intergovernmental affairs committees by each SCT member jurisdiction; and

**WHEREAS**, the dispute resolution process development by SCT recommends that intergovernmental affairs committees of adjacent jurisdictions meet regularly with an agenda that includes any pending changes to land use and infrastructure plans, significant upcoming projects, and opportunities for coordination and cooperation; and

**WHEREAS**, SCT will fund 10 hours of mediation for a mediation conducted by a professional mediator(s) in 2013 to mediate interjurisdictional land use disputes that may arise between SCT members that participate in the SCT dispute resolution pilot program; and

**WHEREAS**, parties participating in mediation work together to find common ground, but the parties are not required to agree and the mediator does not make decisions or rulings, and

**WHEREAS**, the City/County Councils finds that it is in the public interest for the City/County to participate in the dispute resolution process developed by SCT.

NOW, THEREFORE, THE CITY OF MARYSVILLE, WASHINGTON HEREBY RESOLVES THAT:

Section 1. The City/County intends to participate in the SCT dispute resolution process that was developed to aid in the prevention and resolution of interjurisdictional land use disputes, including participation in the mediation pilot program, conflict resolution training, and intergovernmental affairs committees.

Section 2. A City/County intergovernmental affairs committee shall be created consisting of the mayor/executive, one or more council representatives but not a quorum, and the planning director.

Section 3. If a governmental jurisdiction adjacent to the City/County asks the City/County to participate in mediation regarding interjurisdictional conflict, the City/County intends to participate in at least one mediation session funded by SCT.

Adopted this \_\_\_\_ day of September, 2013 by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, and \_\_\_\_\_ abstaining.

APPROVED:

\_\_\_\_\_  
JON NEHRING, MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk