

APPENDIX F
CONFLICT RESOLUTION PROCEDURE

SANBAG CONFLICT RESOLUTION PROCEDURE

1. Education

In order to provide member agencies with a working knowledge of dispute resolution options, to provide information on the methods and techniques for resolving disputes that require neutral intervention, and to reduce the frequency of unresolved disputes between local agencies, SANBAG shall provide an education program to Board members and staff in conflict management techniques.

2. Agreement to Participate

Local government agencies involved in an interjurisdictional conflict which cannot be resolved among the agencies may, through formal action of their policy bodies, agree to participate in resolving the dispute in accordance with this procedure. Evidence of the agreement to participate shall be forwarded by the local agencies to SANBAG, and shall describe the issue(s) for which review is requested. SANBAG's role shall be limited to providing assistance to the agencies in accordance with this procedure.

Participation in the conflict resolution process shall be voluntary, but is strongly encouraged prior to initiation of litigation by an agency. All parties involved in the dispute shall be requested to participate.

3. Implementation

The Conflict Resolution Procedure may be initiated by:

- one or more involved local agencies
- the SANBAG Board of Directors

4. Confidentiality

The process set forth in Section 5, below, shall be subject to the provisions of California law relating to confidentiality, and specifically the provisions of Section 1152.5 of the Evidence Code.

5. Process

- a. SANBAG staff meets with the affected agencies for purposes of interviewing them regarding the nature and scope of the conflict and to request all necessary information. Such

interviews shall be undertaken as soon as possible, but in no case later than 30 days from the date of agreement by the agencies to participate. **SANBAG and the member agencies shall attempt to resolve the conflict based on this information within seven working days, prior to a continuation of the process.**

- b. SANBAG staff facilitates the selection of a neutral third-party, **subject to approval and sharing of costs by both agencies**, to recommend an appropriate facilitation and negotiation model to be used in resolving the dispute which may include, but not be limited to:

- Mediation
- Arbitration

At any time, should the parties be unable to reach agreement on an issue associated with this conflict resolution process, they may choose to not continue further and attempt to resolve the issue by other means.

- c. SANBAG staff serving, where appropriate, as a resource to the agencies, and a neutral third party convene the conflict resolution conference using the model agreed to by the agencies.

The conference should generally consist of the following elements:

Stage I.	Introduction
Stage II.	Opening statement by the agencies
Stage III.	Exchange (for purposes of developing an understanding of each agency's issues and positions)
Stage IV.	Development of options
Stage V.	Draft and execute agreement

- d. The agreement is implemented by the agencies. Follow up of implementation of the agreement is done by SANBAG.
- e. The Executive Director shall report to the Board at regular intervals on the use of the procedure by local agencies.