



Staff Report

RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW THE CONTRACT WITH THE PENINSULA CONFLICT RESOLUTION CENTER (PCRC) FOR FISCAL YEAR 2011-2012 FOR AN AMOUNT NOT TO EXCEED \$12,500

Honorable Mayor and Council Members:

Summary

The City of Belmont has used the Peninsula Conflict Resolution Center (PCRC) for mediation and dealing with neighborhood issues for a number of years. The City of Belmont would like to renew our current contract with PCRC, which expired in June 2011. The contract for the upcoming fiscal year 2011-2012 is for \$12,500 to offer mediation and facilitation services.

Background

The Peninsula Conflict Resolution Center (PCRC), founded in 1986, is a public benefit corporation serving San Mateo County. The mission of PCRC is to work with individuals and organizations in the county. The focus of their work is to resolve non-criminal issues and provide mediation to individuals prior to any civil court action taken by the involved parties. PCRC also provides training for city staff, conflict assessment/consultation, and works with conflict between committees, city departments and councils.

The Police Department, along with Code Enforcement, is the primary user of PCRC services. Examples of a typical mediation that takes place would be parking issues in neighborhoods, issues over fences, access to property, and quality of life problems that do not typically fall into a criminal or administrative violation.

Belmont Mediation Case Summary for first three quarters of FY 2010-2011 (see attachment C):

- 5 new mediation cases were opened.
- Of these, 1 was landlord-tenant issues, 1 was consumer-business issues, and 3 were family conflicts.
- 2 mediations were held

Discussion

The mission of PCRC is to resolve community issues through active engagement with involved parties. The mediation conducted through PCRC consists of professionally trained, bilingual staff that is committed to engaging the community in face-to-face contact in a safe environment.

PCRC takes the time to investigate non-criminal issues normally done by city staff. This allows city staff, particularly in the Police Department to deal with more pressing issues. PCRC serves a vital function in this area.

By contracting with PCRC, it gives the City another option to deal with difficult issues in the community. PCRC charges the city \$500 per intervention, which can involve several meetings or about three hours of work. The participants pay \$25 each as a co-payment.

General Plan/Vision Statement

Entering into an agreement with PCRC will increase the service we currently provide to the community with ways in which “we get involved in town matters because we care about living.”

Fiscal Impact

The fiscal impact for Fiscal Year 2011-2012 would be a retainer cost of \$2,500. In addition, a balance of up to \$10,000 would be available to use on a case-by-case basis during the year. The allotted funding would cover about 20 cases at an average cost of \$500 per case (complex or involved cases may cost more). As of the writing of this staff report, the expense for PCRC for fiscal year 2010-2011 totaled \$11,000.00 (including retainer).

Recommendation

Staff recommends the City Council authorize the City Manager to renew the contract with the Peninsula Conflict Resolution Center (PCRC) for fiscal year 2011-2012.

Alternatives

1. Take No Action.
2. Refer back to staff for further information.

Attachments

- A. Resolution
- B. PCRC Proposed Service Description for fiscal year 2011-2012
- C. PCRC Quarterly Report for Quarters 1-3, FY 2010-2011

Respectfully submitted,

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Lieutenant

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Greg Scoles
City Manager

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RESOLUTION _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT
AUTHORIZING THE CITY MANAGER TO RENEW THE CONTRACT WITH THE
PENINSULA CONFLICT RESOLUTION CENTER (PCRC) FOR FISCAL YEAR 2011-
2012 FOR AN AMOUNT NOT TO EXCEED \$12,500**

WHEREAS, the City of Belmont previously maintained a partnership with the Peninsula Conflict Resolution Center from 1988 through 2004, with the partnership being temporarily discontinued from 2004 through 2007 due to budget constraints, and;

WHEREAS, the partnership was reestablished in 2007 and the City has renewed the contract yearly since that time, and;

WHEREAS, the City of Belmont has been utilizing mediation and facilitation services through the Peninsula Conflict Resolution Center for the past four years in addition to years past; and

WHEREAS, the City Manager has discussed with the current staff of the Peninsula Conflict Resolution Center and has determined that it would benefit the citizens of Belmont to renew their partnership; and

WHEREAS, the cost for the Peninsula Conflict Resolution Center to provide mediation, facilitation, training and community building services to the residents of Belmont is an amount not to exceed \$12,500.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belmont authorizes the City Manager to enter into a professional services agreement with the Peninsula Conflict Resolution Center to provide mediation, facilitation, training and community building services for an amount not to exceed \$12,500.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on July 12, 2011 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont

Attachment B



Peninsula Conflict Resolution Center
Empowering people. Building relationships. Reducing violence.

Proposed Service Description
to be included in a contract between
Peninsula Conflict Resolution Center and City of Belmont
for the 2011-2012 fiscal year.

I. What PCRC will provide

A. Information Services

All of the services in this category are unlimited and free of charge.

- 1) **Information and Referral:** A resource person is available by telephone, to assist residents who have specific questions relating to a conflict. Through this conversation the resident may clarify issues of concern, be given specific information about common practices related to their issue of concern and receive a referral to an appropriate agency/resource.
- 2) **Information and Assistance:** A resource person assists the concerned caller to de-escalate feelings, clarify issues and underlying needs, develop possible solution options, and begin to design an approach to dispute resolution.
- 3) **Promotion of Use of Conflict Resolution Services:** PCRC staff and volunteers will make presentations and develop press releases and media coverage. PCRC will provide brochures and other printed materials to be kept in public areas where community members are likely to seek resource information.

B. Mediation Services for Individuals

These services will be offered to the City of Belmont on a fee-for-service basis. Each case opened by a City of Belmont resident or business will be billed to the city at a \$500/case rate up to the total limit of \$10,000 (or 20 cases). Some services will also include a small fee charged to the participants (see below).

Mediation services include the following:

- 1) **One Party Assistance:** A resource person assists a caller to think through a conflict situation, including clarifying issues and interests of involved parties, exploring approaches to dealing with the situation and solution options and assisting with the selection of an approach to resolution.
- 2) **Conciliation:** Conciliation is the resolution of a conflict through the intervention of a neutral third party, without the disputing parties coming together in a face-to-face mediation. A case development process, involving contacts with both/all involved parties, is initiated and during that process, a resolution of concerns is achieved, to the satisfaction of the involved parties.
- 3) **Mediation:** Mediation through PCRC involves a face-to-face meeting between disputing parties. With the assistance of a panel of trained volunteer mediators, parties work through a non-adversarial problem solving process and attempt to develop a mutually acceptable resolution to the issues of concern. There is a two-fold focus: development of a satisfying and durable agreement and, when appropriate, the preservation of an effective relationship. If a mediation is scheduled, each party is asked to pay \$25.

Through this contract, the City is subsidizing the provision of private mediation services to those who reside or work in the City. These services assist with conflict situations between *individuals*. The types of conflicts may include: landlord/tenant disputes, issues between two neighbors (either owners or renters), consumer disputes, roommate problems, conflicts between friends, plus some domestic or family issues.

PCRC also provides mediation services in more complex situations that involve multiple parties and/or multiple issues. For example: workplace disputes; intra- or extra-organizational conflicts, multi-neighbor disputes or public controversies. See C. Additional Conflict Resolution Services.

C. Additional Conflict Resolution Services

If the City, residents or local organizations use the services described below, this contract provides a 10% discount off of PCRC's standard fee schedule (available upon request).

- 1) **Training:** PCRC offers orientations to city staff about the mediation program and its services as part of the basic contract. In addition, PCRC can train groups in theory and practice of interest-based conflict management, negotiation, communication, and facilitation skills. Training sessions are tailored to the particular needs of the group and have proven useful to city departments heads, front-line staff, commission members, workplace teams, community service providers as well as other groups.
- 2) **Conflict Assessment/Consultation:** PCRC can assist cities, as well as local community organizations and other groups to assess specific conflict situations, analyze concerns of stakeholders and develop strategies for pro-active and interest based conflict resolution. The conflict assessment process usually involves PCRC contacting stakeholders to gather input and provide information about conflict resolution options. An assessment report can be prepared and provided to the client.
- 3) **Mediation Services for Complex Situations:** PCRC's staff and volunteers provide the same high quality of mediation services in multi-party, multi-issue, complex disputes as we do for individual disputes. This requires a more advanced level of mediation training and experience and more a more intensive preparation process.

Examples of complex mediation situations include: workplace conflict between supervisor and supervisee; workplace issues affecting a whole team; a neighborhood issue involving multiple households; a public controversy in which the City or other institution is involved.

- 4) **Conflict Resolution System Design:** PCRC assists organizations in building internal conflict resolution capacity, i.e. the development of policies and procedures for interest-based dispute prevention and early resolution. This service is tailored to the unique needs of the individual group, but is based on recognized and proven design principles.
- 5) **Design and facilitation of Community Forums, Public Conversations, Dialogues:** Through its Community Engagement and Facilitation Programs, PCRC has developed expertise in managing public discussions. Working with local representatives, PCRC assists with the design and facilitation for a wide variety of

group sessions in which members of the public are encouraged to participate in dialogue about issues that affect the health and well-being of the community.

- 6) **Facilitation for Committees, Departments, Councils:** PCRC will assist with the design and facilitation of all types of meetings for elected, appointed and civic groups.
- D. **Administration of a Community Mediation Program:** In collaboration with the contracting city, PCRC will administer a mediation program responsive to the needs of the community. PCRC may solicit input from city staff about unique areas of concern to a city and appropriate approaches to program implementation, improvement and promotion.
- E. **Recruitment and training of community volunteers:** PCRC will develop and maintain a pool of trained volunteer mediators, case developers and facilitators to serve the conflict resolution needs of the community. These residents of local communities will become skillful in the interest-based approach to conflict resolution. PCRC volunteers complete a minimum of 25 hours of training, according to regulations that govern programs receiving support from the California Dispute Resolution Trust Fund.

PCRC also offers on-going skill development opportunities to volunteers to improve and enhance their conflict resolution skills. These volunteers also serve as ambassadors in the community, promoting the ideas of interest-based conflict resolution.

II. **What the City of Belmont will provide:**

- A. Funding not to exceed a total of \$12,500 for fiscal year 2011-12. An initial fee of \$2500 will be paid at the outset of the contract. The rest will be billed as services are used, \$500/case. This fee is full payment for the services defined above. Payments will be made upon receipt of invoice.
- B. Support for the program from city officers and staff members, demonstrated through public statements, publicity, and referrals through city departments.
- C. At least one article or ad placed in a city run publication to promote the use of PCRC services among residents and businesses in the city. A PCRC staff person is available to work with a city contact person to develop this material.
- D. Assistance in scheduling appointments for PCRC representatives to make outreach presentations to groups of city staff, civic organizations and other relevant groups.
- E. No cost use of city-controlled public meeting space, as needed and as available, for training sessions, meetings and mediations. This use will be subject to the existing rules and regulations that govern the use of these spaces.

III. **Agreement by both parties, in concept:**

Both PCRC and the City recognize that this is an ongoing program. If the PCRC meets the terms of this agreement to the City's satisfaction, and in the absence of unexpected financial constraints, it is expected that the City will consider funding on an annual basis, as negotiated between the two parties.

Attachment C

Peninsula Conflict Resolution Center
2010-2011 Quarterly Mediation Report

2010-2011

Mediation Programs: Cases Opened and Calls Received

BELMONT	Types of Conflict									Inquiries		
	Landlord/Tenant	Neighbor/Neighbor	Consumer/Business	Workplace/Organizational	Inter-Organizational	Community	Family	Other	Total cases opened	Complex Cases	Info and referral	Info and Assistance
Totals: Quarter 1	0	0	0	0	0	0	0	0	0	0	3	0
Totals: Quarter 2	1	0	1	0	0	0	3	0	5	0	0	0
Totals: Quarter 3	0	0	0	0	0	0	0	0	0	0	2	0
Totals: Quarter 4	0	0	0	0	0	0	0	0	0	0	0	0
Totals to date	1	0	1	0	0	0	3	0	5	0	5	0
COUNTYWIDE												
Totals to date	21	26	11	2	1	5	17	4	87	10	74	23

Definition of Terms:

- **Family** - Included in this conflict type are cases managed through PCRC specialized mediation programs for families: Parent/Teen, Juvenile Dependency, and Family Visitation Mediation Programs.
- **Complex cases** - Cases are designated as "Complex" when they involve multiple parties and/or require on-going service. Complex cases are included in the total.
- **Inquiries** - Calls to inquire about services but do not result in a case are included here. "Info and Referral" includes those calls that are referred to another resource or agency. "Info and Assistance" includes those calls that require more extensive assistance, such as research done on behalf of the caller or coaching.

2010-2011

Mediation Programs: Disposition of Closed Cases

BELMONT	Case Outcomes									Mediation Agreements			Parties # of participants	
	Mediation	Conciliation	One Party Assist	Case Cancelled	Mediation Declined	No Response	Not Appropriate	Mediation Cancelled	Did Not Appear	Total cases closed	Fully sustained	Partially sustained		Not sustained
Totals: Quarter 1	1	0	0	0	0	0	0	0	0	1	0	1	0	2
Totals: Quarter 2	1	0	0	1	1	1	0	0	0	4	1	0	0	10
Totals: Quarter 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals: Quarter 4	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals to date	2	0	0	1	1	1	0	0	0	5	1	1	0	12
COUNTYWIDE														
Totals to date	15	1	6	4	10	15	0	1	0	52	8	4	2	142

Definition of Terms:

Mediation - Parties have met face-to-face in the presence of mediators for at least one session.

Conciliation - PCRC worked with parties individually, but the parties did not meet face to face. The majority of the time these cases result in an agreement that resolves the situation.

One Party Assist - If mediation or conciliation did not occur, but assistance was provided to one of the parties.

Sustained - If an agreement is reached, PCRC contacts the parties at a later date to determine whether the agreement was fully, partially, or not sustained.

Not Appropriate - PCRC staff determines that mediation is not appropriate in this particular situation.