

TOWN OF PARADISE VALLEY

Resident Mediation Program

December 5, 2019



TONIGHT'S GOAL

Receive information regarding Mediation Programs and discuss a path forward to implementing a Town Program, if desired.



AGENDA

- **Benefits of a Mediation Program**
- **Existing Agencies Mediation Programs**
- **Possible Town Mediation Program**
- **In-House vs Third-Party**
- **Next Steps**



BENEFITS OF MEDIATION PROGRAM

- **Conflict resolution for residents**
- **Neutral third party assistance**
- **Mutually agreeable solutions**
- **Voluntary and Confidential**
- **Outside of court processes**
- **Fast and cost effective**
- **Civil issues, non-code related items**



EXISTING MEDIATION PROGRAMS

In-House Programs

- Chandler – Est 2014, annually average 9 requests, 5 mediated
- Scottsdale – Est 2001, annually average 3 requests, 2 mediated
- Tempe – Est 1994, annually average 4 requests, 2 mediated

Third-Party Programs

- Apache Junction, Casa Grande, Gilbert (Community Association Institute of Arizona)
- Town could use rotating pool of mediators depending on expertise and availability (i.e. Richard Fincher)



EXISTING MEDIATION PROGRAMS

Typical types of cases

- Barking dogs
- Landscaping
- Noise complaints

In larger municipalities, program is typically housed in a Social Services, Citizen Services, or Community Development Department



TOWN MEDIATION PROGRAM

Would be utilized by residents to solve civil matters

- **Noise**
- **Lights**
- **Easement/access**
- **Landscaping**
- **Other items that are code compliant or not code related but causing disagreement between neighbors**



TOWN MEDIATION PROGRAM

Possible Steps in Process

1. Mediation Request
2. Reply from Respondent
 - 2a. Respondent Agrees to Mediation (proceed to 3 below)
 - 2b. Respondent Declines/Ignores Mediation Request (end of process)
3. Confidentiality Agreement
4. Mediation Session
 - 4a. Settlement Agreement
 - 4b. No Agreement



IN-HOUSE VS THIRD PARTY

In-House

Pros

- Town provided service
- Control of process and timing
- Town residents as trained mediators

Cons

- Staffing of program, indirect costs
- Expectation Town enforces agreement

Third-Party

Pros

- Limited staff resources
- Trained, professional mediators
- Service is arms-length to Town

Cons

- Direct costs to be paid (by town or participants TBD)
- Control of process and timing by others

Either could require a Town Employee as subject matter expert determined by mediator



NEXT STEPS

Does Council want staff to further pursue implementing a Mediation Program?

If yes, should the Mediation Program be In-House or Third-Party?

For reasons listed on the previous slide, staff recommends Third-Party



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THANK YOU

Additional Questions?

