

# *Explaining Stakeholder Collaboratives:*

## A Charter Proposal for the Redevelopment of the Georgia-Pacific Mill-Site in Fort Bragg, Ca.

Drafted by;

The Institute for Study of Alternative Dispute  
Resolution ~ **Humboldt State University**

Director:

Betsy Watson, PhD.  
ew1@humboldt.edu  
(707) 826-5421

Project Lead:

Neil Peacock  
[npp1@Humboldt.edu](mailto:npp1@Humboldt.edu)  
(707) 826-4750 ~ (707)845-5880

## OVERVIEW

The community of Fort Bragg, with an approximate population of 7,000, is the largest urban center on the North Coast of California between San Francisco and Eureka. Over the last decade, Fort Bragg's economy has transitioned from a rural resource base focused primarily on the fishing and timber sector to emerge as a visitor destination and regional service center with a steadily diversifying local economy. Following this trend, in November of 2002 Georgia-Pacific (G-P), at one time the largest single employer in the community, announced that it would be permanently closing its operations in Fort Bragg. The G-P mill-site, containing approximately 430 contiguous acres and nearly four miles of coast line, comprises nearly one-third of the municipal boundary of Fort Bragg. Thus, the redevelopment of the mill-site will have immense impacts on the community's quality of life in terms of the historic, social, economic, political, and cultural significance it represents.

## BACKGROUND

Redevelopment of the mill-site, while providing many exciting possibilities for the future, also involves a variety of complex public policy and private development issues. This situation also presents a significant challenge to community leaders in terms of both crafting a community-wide consensus on the development policy that will guide the redevelopment, as well as a host of specific details concerning a Specific Plan that is required to amend the general plan and rezone the property for redevelopment. It is primarily due to this anticipated difficulty, the overall complexity of the situation, and the need to form lasting partnership arrangements that a proactive, collaborative process is recommended to carry forward with.

This is the position of North Coast Action (NCA), a local citizen-led group that seeks to promote an inclusive, transparent, democratic process that engages the community as an active partner in working cooperatively with other stakeholders on the mill-site redevelopment. In February of 2004, representatives of NCA contacted the Institute for Study of Alternative Dispute Resolution (ISADR), an arm of Humboldt State University (HSU) that specializes in collaborative problem-solving approaches to public policy issues. Specifically, ISADR focuses on facilitating collaborative processes that engage the public, private, and civic sectors as cooperative partners in constructive working environments. The Institute is also engaged in research and education on successful collaborative techniques, facilitation methods, productive public processes, case-studies, and professional skill-building on dispute resolution topics.

NCA has requested that ISADR prepare a draft proposal of a potential public process that could be designed specifically to address these issues in regards to the G-P mill-site redevelopment. ISADR director, Betsy Watson PhD., has accepted this request for a proposal and this document serves as the first draft available for review by other interested stakeholders. While NCA is recognized as the initial sponsor of this proposed collaborative process, input and endorsement is needed from all other relevant stakeholders in order to initiate and maintain a successful stakeholder collaborative.

## THE COLLABORATIVE PROCESS

The process designed for this draft proposal is referred to as the Charter. The Charter is an organizational method used to constitute an official facilitated partnership agreement amongst a diverse group of interdependent stakeholders with the purpose of mediating collaboration and cooperative problem solving according to a consensus-based decision making process. This is a formal agreement between parties to work together toward a common goal, to share resources when possible, and to mediate potential disagreement in a way that respects each party's basic interests. A Charter operates according to the mission, principles, agenda, and time-line set by its participants as applicable to the particular situation. While this draft proposal offers a possible starting point for several components to a Charter, stakeholder representatives would need to be convened with a neutral third party to formulate a Charter document that would be subject to further revisions, review, and ratification by all parties.

The intention set by a collaborative Charter is to structure a stable and equitable public process to operate in conjunction and coordination with long-term municipal and private planning activities taking place in regards to the mill-site's redevelopment. It would be the goal of a collaborative process to ensure that all stakeholder interests would be fairly represented and considered in the creation of a Specific Plan. The main purpose of a Charter is to create a stable process and constructive partnerships with which to develop a viable plan for this site that is acceptable to all parties and can be successfully implemented through multiple legally mandated public and regulatory reviews. ISADR advises that this collaborative Charter operates in a non-binding, advisory capacity. In no way would a collaborative process attempt to usurp the autonomy or authority of any stakeholder, whether they represent a property owner, elected body, citizen group, or state agency. The scope of this proposed Charter would be subject to consensus agreement between participants.

The Charter process establishes an operating group to facilitate communication, educational outreach, and partnership building to follow through with implementation of the community's development vision. The proposed collaborative would seek to coordinate and integrate existing information and independent studies supplied by the stakeholder groups. Specific projects or proposals that require supplementary expertise, additional analysis, or further feasibility study would be identified. Potential projects, proposals, and redevelopment uses would be categorized, prioritized, and assessed according to existing frameworks of evaluation in relation to community generated goals and the collaborative would work to integrate appropriate uses with the Specific Plan.

Endorsement and co-sponsorship of this proposed collaborative process by several key stakeholders would ideally be required to continue. If this proposal evolves into an official document, all participants would be considered bound signatories with rights and responsibilities therein. It would be advisable for all parties to have a final Charter contract reviewed by their legal representation prior to establishing membership. Further specific details regarding a budget for this process and any resources that would need to be allocated would be negotiated between the sponsoring stakeholders and the contracted facilitator according to the process needs identified at that time.

## DRAWLBACKS TO TRADITIONAL PRINCIPLE PARTY NEGOTIATION

Complex, long-term planning processes at the nexus between public policy and private development that rely upon the traditional approach of principle party negotiation (e.g. exclusive negotiations between a municipality and a private development interest) often experience some of the following difficulties.

- Lack of trust and transparency in decision making is often problematic in communities where citizens have a strong expectation to be actively involved regarding participation in the decision making process.
- Lack of appropriate setting for regular, effective communication between all stakeholders can limit the development of productive alliances and partnerships.
- Presence of historic interpersonal animosity and adversarial posture between groups process can create barriers that prevent constructive dialog and result in impasse or division within the community
- Lack of inclusive, cooperative disputes resolution mechanisms often lead to litigation from parties outside the negotiation process, thus slowing progress and adding to the long-terms costs of time and money.
- Legal, regulatory, and economic requirements and responsibilities are extremely complex are often not well understood by parties not included in principle party negotiation.

## THE BENIFITS OF A COLLABORATIVE PROCEESS

As opposed to the traditional approach of principle party negotiation, a stakeholder collaborative can present many advantages. While the benefits of a collaborative process are often specific to an individual stakeholder group according to their particular needs, the following are common benefits that generally accrue to all parties of a collaborative.

- Greater degree of control and predictability of outcome for all stakeholders by establishing and preserving healthy, long-term working relationships.
- Cost/benefit analysis can show that a “front end” investment in long-term planning processes can ultimately save time and money by establishing cooperative dispute resolution methods, thereby avoiding conflicts and protracted litigation in the future.
- Consensus can translate into concrete actions that can be implemented through partnership arraignments that can provide research, development, implementation, and maintenance resources for a variety of individual projects.

- Create proposals that are feasible from both economic and community perspectives, as “ownership” of a viable solution by several stakeholders is often necessary for successful implementation of joint venture, public/private, and public benefit projects.
- Enhances social and political capital among participants and with in the community as a whole by addressing and reducing politization and polarization through encouraging cooperation, creativity, and innovation.
- Gives elected officials and private development interests an opportunity to demonstrate cooperative intention and good faith by involving other stakeholders who are affected by the outcome of planning and decision making processes.

### CONSENSUS BUILDING STEPS

A consensus-building process is most often designed specifically to suit the unique needs of a particular situation. Some components required to craft consensus may exist in an uncoordinated state, while individual stakeholders progress on separate, parallel tracks toward the same goal. The following steps outline the typical pattern used to combine and coordinate the efforts of various stakeholders for a common purpose.

1. Identify and convene stakeholder group.
2. Select a consensus-building strategy and design a process (e.g. Charter process).
3. Collect and analyze background information and contextual constraints.
4. Identify general issues and specific stakeholder interests.
6. Establish and prioritize collective vision.
7. Create agenda and time-table to work through specific issues.
8. Generate options and explore alternatives (According to established agendas).
9. Assess options and alternatives with evaluation criteria.
10. Take “emerging plan” to public forum and constituent groups for feedback.
11. Refine alternative proposals for review and approval by stakeholder groups.
12. Outline implementation plan with monitoring measures.
13. Reach final agreement and submit plan for legally mandated public and regulatory review.

A consensus-building, collaborative process generally progresses towards accomplishing its goal according to several factors existing in the particular situation. Primary among them are;

- The complexity of issues and interests involved.
- The level of conflict or cooperation existing among stakeholders.

## GETTING STARTED

A stakeholder collaborative is often initiated by an individual key stakeholder or coalition of groups that support the need for a consensus process. The following are common steps used to start on this path.

### 1.) Assemble stakeholder support for consensus building process;

- Identify and contact key stakeholders with needs assessment and invitation to participate or request to endorse establishing a consensus building process.
- Garner political sponsorship through education and grass roots action.
  - A.) Publicity campaign, petition drive, and ballot measures are sometimes used to acquire the backing of the public and elected officials.
- Identify funding sources, foundation backers, and government programs that can be used to sponsor a consensus building process.
- Overcome resistance to collaboration by detailing the benefits of cooperation for the reluctant party.

### 2.) Clarify legal issues in consensus building;

- Relationship between a consensus process and the legal responsibility of municipal or county government, state or federal agencies, the courts, and private parties.
- Procedural requirements imposed by laws and regulations, including substantive restrictions on the power of government representatives, disclosure and public notification requirements, confidentiality protections, and liability concerns.

### 3.) Provide leadership and coordination for existing and emerging working groups to aid in Vision implementation;

- Increase volunteer involvement, community outreach, and partnership building.
- Initiate fact finding and information exchange between stakeholders on specific projects.
- Use social activities to enhance civic engagement.
- Acquire resources or funding to support organizing efforts.

### 4.) Express uncertainties associated with unknown factors in the future.

## CHARTER OUTLINE

### *Note:*

While ISADR has supplied both an overview describing a stakeholder collaborative process, common steps in getting started, and this basic outline of a Charter document, the contents of each section to a Charter would need to be filled through direct communication between potential participants and a third-party mediator contracted to write and facilitate the proposed Charter. The Institute recommends that NCA convene an exploratory meeting with representatives of key stakeholder groups in order to pursue this proposal further. An exploratory meeting would be used to explain the proposed process, to detail the benefits for each party involved, to gauge the degree of interest that exists among other stakeholders, and to seek endorsement or co-sponsorship by other stakeholders. If an interest to continue exists and other stakeholders endorse or co-sponsor a collaborative process, then ISADR could be contracted to facilitate dialog concerning these sections of an official Charter document. At this point, a cumulative or phased budget could be created for this potential stakeholder collaborative process for the purpose of securing the funding and resources necessary to see the process through to consensus.

## CHARTER TITLE

### **I. Mission Statement**

A mission statement should acknowledge the basic interests of each stakeholder group and often serves the common purpose or the guiding principles for the Charter's scope of work.

### **II. Participants/Signatories/Members**

This section includes;

- A. Executive and operational sponsorship
- B. Constituent groups and rules for vertical negotiations
- C. Specific representatives
- D. Role of the general public
- E. Working group members
- F. New parties or "outside" partners

### **III. Goals/ Objectives/ Deliverables**

The goals, objectives, and the deliverable product of a collaborative Charter are decided upon by the convening stakeholders that preside over the constitution of the Charter.

## **IV. Decision Making**

As all decisions and advisory positions should be reached by mutual agreement, a consensus-seeking process should be defined by the stakeholders as a first order of business. The agreements of this proposed stakeholder advisory council would be submitted for constituent review and upon approval would be summarized in written statements to be signed by all participants. These statements, or consensus positions, would serve as the guidelines for future evaluations and approval decisions to the maximum extent possible.

Working groups;

Smaller working groups may be formed to address specific additional issues. It is expected that these working groups would consist of between 5 and fifteen individuals with a maximum of twenty. The findings and agreements of working groups would be reviewed by the whole advisory council for consensus.

## **V. Ground Rules**

Ground rules set the tone for group discussion and are often decided based on the level cooperation existing between the parties in the situation.

Examples of possible ground rules;

- Participants will treat one another with respect, adversarial posture will be avoided.
- Participants will operate in good faith; all stakeholders' interests will be honored.
- Potential disagreements will be engaged as problems to be solved cooperatively.
- Facilitators will be impartial and serve at the will of the collaborative.

## **VI. Attendance**

All public meeting laws need to be consulted and abided by, meetings should be noticed to the general public well in advance with maximum visibility. Individual stakeholders often appoint regular representatives to attend meetings and to serve on working groups.

## **VII. Agenda/Time Table/ Meeting Schedule**

The time table of this process would need to be developed by consensus, considering the time constraints of each party. It is recommended that the agendas of each stakeholder group meeting be decided on a quarterly basis, allowing for sufficient preparation of tasks and notification to the general public. Any changes to the agenda

should be made no later than one week in advance of the meeting and should be submitted to the process facilitator for circulation amongst other participants.

## **VIII. Facilitation**

It is the responsibility of the process facilitator to keep the group on track during each meeting session, as well as handling preparation and logistics for the events. Facilitators are ethically bound to be impartial to the content of the discussions and they serve at the will of the collaborative.

## **IX. Communication**

While parties should agree not to withhold vital information from the group, direct communication with the process facilitator can be arranged to discuss concerns regarding confidentiality issues. All information, data, and documentation provided to the collaborative will become part of the public record. Notification of all working group meetings will be posted as announcements for the general group. A ground rule specifying the role of the media can be developed by the Charter group.

## **X. Other**

There may be other sections to a Charter document depending on the needs of the participants or the situation. These sections and any other sections needed would be filled out by the participants as the Charter evolved into its final form.

## **RESOURCES**

Arthur, Jim, Christine Carlson, Lee Moore. *A Practical Guide to Consensus*. The Policy Consensus Initiative, Santa Fe, NM; 1999

Cormick, Gerald, Norman Dale, Paul Edmond, S. Glenn Sigurdson, and Barry D. Stuart. *Building Consensus for a Sustainable Future: Putting Principles into Practice*. Ottawa: National Round Table on the Environment and the Economy, 1996.

McKinney, Matthew. *Resolving Public Disputes: A Handbook on Consensus Building*. Helena, MT: Montana Consensus Council, 1998.

Susskind, Lawrence. *A Consensus Building Handbook*. Thousand Oaks, CA.: Sage, 1999.