

St. Joseph Mall
(electronic hallway)

Case summary

- ◆ Mayor has asked Planning Department to convene meeting of organization reps to reach consensus on the development of a large shopping mall
- ◆ 3 neighborhood orgs (loosely allied) are skeptical – lean toward opposing mall
- ◆ City planners unsure of their role in the process
- ◆ Businesses split

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Roles

1. Downtown Merchants Association
2. ANTI neighborhood association
 - MVRC
 - ENA
3. Intercontinental stores inc.
4. Planning Department
5. Chamber of commerce

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Process

- ◆ 5 roles assigned
- ◆ Read Part A
- ◆ Get "Eyes only" information
- ◆ Think about role, prepare strategy
 - Interests
 - Tentative initial position
 - Preferred ground rules to propose to full group
- ◆ Planning Dept. drops in on each "group" to
 - introduce themselves,
 - solicit input on process
 - Hear ideas about group interests and ground rules
- ◆ Begin ground rules negotiations (can caucus!)
- ◆ Press conference to announce agreement (or not)
- ◆ Discussion of ground rules process

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Ground rules

- ◆ What should they cover? Plan!
 - When, where, how often, how long
 - Who should be there?
 - ◆ Public? Which public? How selected?
 - ◆ Media presence? (Is it representing the public? How does it affect negotiation dynamics?)
 - ◆ What status at the table? Observers? Other? (what consequences for each stakeholder?)
 - Decision rules
 - Representation
 - Who does what (agenda, convening...)

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Ground rules debrief

- ◆ What process was used to discuss ground rules?
- ◆ What process factors were useful in reaching agreement?
- ◆ How did the parties' interests affect the ground rules that were approved?
- ◆ What other issues came up?

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Part B

- ◆ Read Part B
- ◆ Get "Eyes only" information
- ◆ Think about role, prepare strategy
 - Interests
 - Tentative initial position
 - Alternatives
- ◆ Negotiate substantive issues
- ◆ Record agreement and sequence of steps
- ◆ Press conference to announce agreement
- ◆ Debrief

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Part B neighborhood issues

- ◆ size of mall (50-75 acres)
- ◆ traffic through neighborhoods
- ◆ noise & light pollution
- ◆ property values
- ◆ open spaces
- ◆ use of mall parking for special events
- ◆ security
- ◆ child care space
- ◆ participation in mall design

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Part B merchants issues

- ◆ pedestrian mall in downtown
- ◆ city-owned free parking lot
- ◆ free shuttle between mall & downtown
- ◆ discount on space rental for relocations to the mall

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Agreement: developer (2007)

- ◆ Split costs of traffic island, pay for maintenance
- ◆ Regular mall security (city helps with police and fire)
- ◆ Downtown daycare
- ◆ (Chamber of commerce provides shuttle)
- ◆ Pedestrian mall (maintained by the city)
- ◆ Free parking downtown (take out meters)
- ◆ Low-level lighting and noise berms
- ◆ Neighborhood committee part of design team
- ◆ Donate 25 acres for park in the city (city landscapes, maintains)
- ◆ No promotional events
- ◆ Lease discounts to downtown businesses

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Part B debrief

- ◆ Did the ground rules help/hinder?
- ◆ What was most difficult/easy to accomplish?
- ◆ Who had power? Who had less?
- ◆ What issues were negotiated?
Did parties agree on what were the issues?
- ◆ Did you discuss packages?
- ◆ Is the outcome good? Why/why not?

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Key lessons

- ◆ Consensus processes unlikely to result in parties getting everything they ever wanted but
- ◆ Agreement must serve every party's interests so they "can live with it"
- ◆ Identifying, discussing and recognizing interdependence is crucial to reaching consensus

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Key lessons (cont.)

- ◆ Negotiating is NOT like playing poker
 - shared information is critical
 - Sharing has to be strategic
- ◆ Unequal power initially – process may help balance power
- ◆ Informal communication channels are useful
- ◆ It helps to communicate in the “other’s language”

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Key lessons (cont.)

- ◆ Negotiate groundrules before negotiating substance
 - ♦ Helps get parties used to each other
 - ♦ Hints at willingness to reach consensus
- ◆ In complex situations, 2 kinds of relationships
 - ♦ With constituencies
 - ♦ With negotiating counterparts
- ◆ Differences between negotiator, facilitator, mediator roles

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Key lessons (cont.)

- ◆ relationships developed through negotiations contribute as much as technical information
- ◆ how solutions are packaged/presented is key to reaching agreement
 - Proponents must remain able to
 - ♦ Compromise
 - ♦ Consider others’ interests
- ◆ recognizing likelihood of future encounters helps consensus
- ◆ Need to immediately move to implementation after reaching agreement

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15
