

Intergovernmental Collaboration through Joint Use of Facilities

October 2012 Version

Local agencies throughout California are employing joint-use agreements as a tool to stretch taxpayer resources as far as possible in service to shared constituents.

“Joint use” refers to two or more entities sharing indoor and outdoor spaces like school facilities, civic centers and other kinds of public facilities. The concept is simple: Multiple organizations share a resource to keep costs down and more broadly benefit the community.

In this time of reduced local agency budgets and scarce resources, a collaborative joint-use approach can be a helpful, creative way to continue providing local services while reducing operation and maintenance costs.

Opportunities for Joint Use

- Civic Centers and Administrative Buildings
- School and Recreational Facilities: Parks, Pools, Gymnasiums and Sports Fields
- Libraries
- Maintenance Yards
- Transit Hubs

Elements of Success

Successful joint-use partnerships tend to be those with:

- Support from policymakers and the community;
- Clearly articulated goals;
- Careful planning, including financial and operational responsibilities;
- Ongoing communication with and input from the community;
- A process for resolving conflicts that may arise; and
- A long-term commitment.

Careful attention to legal issues and consultation with agency counsel is vital. Legal issues that may need to be addressed include restrictions on the scope of participating agency authority, contracting procedures (including bidding rules), funding restrictions, accounting procedures, open meetings requirements, conflict of interest rules, debt rules, personnel rules and regulations, and environmental review requirements.

The Importance of Written Agreements

In the past, joint-use arrangements were sometimes based on informal agreements. However, the better practice is to use written agreements, formally approved by each participating agency's governing body as a binding contract. Such agreements protect participating entities and prevent misunderstandings related to maintenance, operations, liability, ownership or cost sharing.¹

Joint use agreements typically include the following components:

- Authority for entering the agreement;
- Intent and purpose of the agreement;
- Description of the facilities, areas and equipment to be shared;
- Description of the activities and services to be offered;
- Staffing and supervision requirements;
- Financial arrangements and responsibilities;
- Operational policies and procedures;
- Provisions for dispute resolution;
- Allocation of risk and insurance responsibilities; and
- Termination procedures.

A series of sample joint use agreements are available at <http://www.ca-ilg.org/post/interagency-collaboration-sample-agreements>.

Resources for Local Officials on Joint Use of Facilities

Several organizations provide joint use of facilities resources to local officials. Much of this work has been motivated by public health goals of enabling both children and adults to be more physically active by joint use of school/recreational facilities. Irrespective of an agency's policy goals in pursuing joint use of facilities, these resources offer helpful guidance to local officials on joint use issues.

- **ChangeLab Solutions (formerly Public Health Law & Policy)**, is a team of attorneys, policy analysts, and urban planners dedicated to building healthy communities nationwide. ChangeLab Solutions has developed a toolkit to support joint use efforts (<http://changelabsolutions.org/publications/CA-JUA-toolkit>), that covers such issues as:
 - [Checklist for Developing a Joint Use Agreement](#)
 - [Profiles of Joint Use in Action](#)
 - [Financing Joint Use](#)
 - [Addressing Liability Concerns](#)
 - [Strategies for Scheduling, Relationship-Building, and Maintenance](#)
 - [A Legal Framework Supporting Joint Use](#)
 - [Sample Agreements and Related Documents](#)
 - [Model California Joint Use Agreements](#)

¹ See, for example, <http://www.westerncity.com/Western-City/September-2010/Making-Contracts-Stick/> (on the hazards of informal agreements for local agencies).

- **The Cities-Counties-Schools (CCS) Partnership** has prepared [*Stretching Community Dollars*](#), a workbook of materials to assist local officials in understanding the opportunities presented by joint use of facilities. The CCS Partnership is a joint effort of the [League of California Cities](#), the [California State Association of Counties](#) and the [California School Boards Association](#).
- **The California Counties Architects and Engineers Association** provides information on all county facilities throughout California: www.ccaea.org.
- **California after School Network** provides leadership and links to policy information, program quality resources, research and public awareness campaigns. These resources are available at www.afterschoolnetwork.org.
- **California's Project LEAN (Leaders Encouraging Activity and Nutrition)** is a joint program of the California Department of Public Health and the Public Health Institute that offers resources, particularly related to joint use of school facilities that promote community access to physical activities. Those resources are available at <http://bit.ly/oomFil>, which also refers visitors to <http://www.jointuse.org>.
- **The California School Boards Association (CSBA)** has developed a sample policy for use by school districts that elect to share school facilities and/or use community facilities. The sample policy is available on CSBA's [website](#) at <http://www.csba.org/~media/AF2942EF51394C34AF2BB2F5639A0970.ashx> .
- **The Center for Cities and Schools** is an interdisciplinary think tank based at the University of California, Berkeley. Relevant publications, such as the *Partnerships for Joint Use: Expanding the Use of Public School Infrastructure to Benefit Students and Communities*, are available at http://citiesandschools.berkeley.edu/reports/Partnerships_JU_Aug2010.pdf.

This tip sheet is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial, and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties. For more information and to access the Institute's resources on intergovernmental collaboration, visit <http://www.ca-ilg.org/collaboration-partnerships>.

The Institute welcomes feedback on this resource:

- *Email:* info@ca-ilg.org Subject: *Joint Use of Facilities*
- *Fax:* 916.444.7535
- *Mail:* 1400 K Street, Suite 205 • Sacramento, CA • 95814