

# Intergovernmental Collaboration

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Institute for Local Government

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## The Institute for Local Government

**ILG is the non-profit  
research and education  
affiliate of**



**California Special  
Districts Association**  
*Districts Stronger Together*

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### ILG Mission

- Promoting good government at the local level
- Practical, impartial and easy-to-use materials

## Four Months In...

By now you've been assigned to various working groups and maybe even attended a few intergovernmental/collaborative meetings – What are your observations?



# Why work collaboratively?

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# What do you potentially gain / lose when working with others?

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# **What issues are you tackling collaboratively and with who?**

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# **When is the best time to collaborate?**

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# What do you need to move forward?

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# What is your role?

# What is your Board's role?

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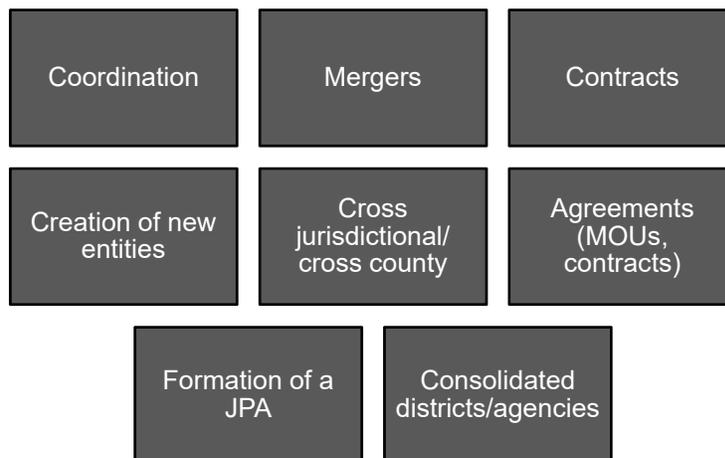


# How can you ensure success?

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## Collaborative models can look like...



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## Opportunities/Benefits

- Reduce cost to provide services
- Greater efficiencies in service delivery
- An inclusive process of all stakeholders at the table creates innovative and creative solutions – and creates “buy-in” and a sense of ownership of the process and outcomes
- Valuing diversity and inclusion creates a stronger culture and community
- Building and sustaining relationships with stakeholders creates a stronger culture and community



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## Challenges/Costs

- Not a magic bullet
- Far more difficult than it would seem
- Requires shared values, vision and outcomes, and an openness to share community cultures
- Must get past the “politics”
- Facilitator who can be neutral
- Don’t shy away from conflict – some of the most creative and innovative solutions are born from conflict.

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## What about the risk?

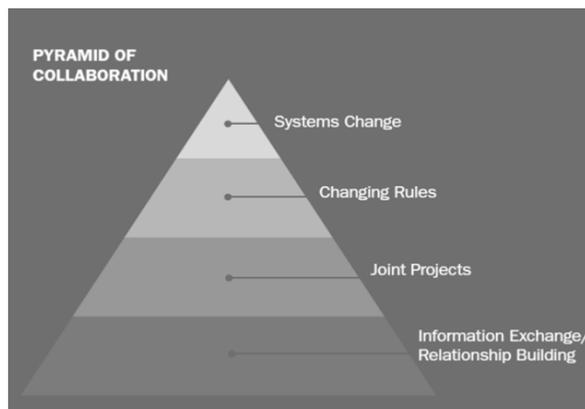
Make sure the opportunities and benefits identified outweigh the threats and costs. The risk must be worth the reward.



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## Pyramid of Collaboration



- Information Exchange/ Relationship Building
- Joint Projects
- Changing Rules
- Systems Change

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## Information Exchange/ Relationship Building

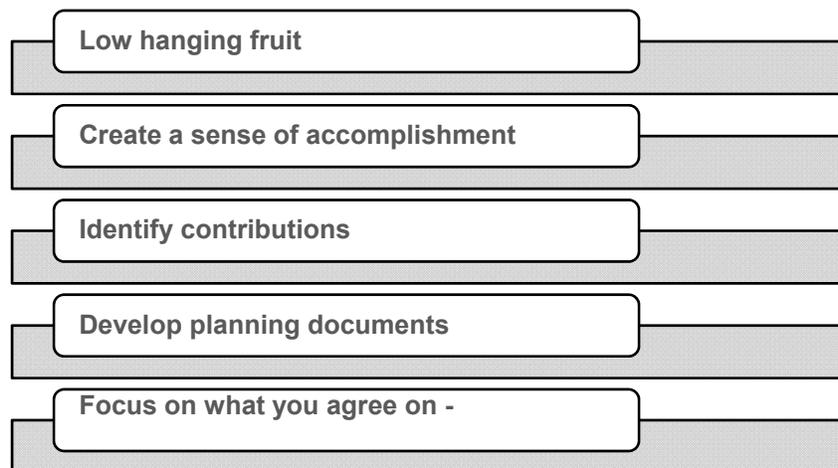
- Understand the current environment
- Focus on getting to know each other, not what you need from each other
- Assess needs
- Brainstorm collaborative solutions



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## Joint Projects



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## Changing the Rules

Change in mindset –  
first response to a  
new challenge/  
opportunity is to call  
partners

Policy change

Align funding  
streams

Focus on evaluating  
the process of  
collaboration not just  
the joint project itself

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## Systems Change

Happens overtime

Requires sustained leadership and sustained learning

Collective funding, staff and accountability

Focused on goals and concerns

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## Keys to Success

- YOUR leadership matters.
- Relationships matter. Develop and nurture them with all stakeholders.
- Gather and lead a guiding coalition.
- You are the one with the authority and influence to gather the necessary resources.
- Communicate and engage early and often.
- Ensure that intentions of all partners are aligned.



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## Keys to Success

- Is the culture of your organization ready for collaboration? If not, can you get it there?
- Identify the roles in the collaborative process and determine where everyone fits in.
- Respect the process. Collective impact that is embedded into the community culture is created over time not overnight.
- Demonstrate civility.
- As leaders, you are responsible for leading change processes and people through change in a way that creates systemic and sustainable transformation.

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## Stay in Touch!

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# Intergovernmental Collaboration: Strategies for Success

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 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, 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 to make sure that everyone has the same understandings as to each party's roles and responsibilities. Such agreements protect participating entities and prevent misunderstandings related to maintenance, operations, liability, ownership or cost sharing.<sup>1</sup>

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 [www.ca-ilg.org/post/shared-services-and-joint-use](http://www.ca-ilg.org/post/shared-services-and-joint-use)

## 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>).
- **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](#).

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

- **The California Counties Architects and Engineers Association** provides information on all county facilities throughout California: [www.ccaea.org](http://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](http://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 [www.jointuse.org](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 joint use agreement is available on CSBA's [website](http://www.csba.org/~media/AF2942EF51394C34AF2BB2F5639A0970.ashx) 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](http://citiesandschools.berkeley.edu/reports/Partnerships_JU_Aug2010.pdf).

## About the Institute for Local Government

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, the California State Association of Counties and the California Special Districts Association.

For more information and to access the Institute's resources on intergovernmental collaboration, visit [www.ca-ilg.org/collaboration-partnerships](http://www.ca-ilg.org/collaboration-partnerships)

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## Potential Areas of Shared Services

- Accounting/Payroll
- Animal Control
- Architecture
- Building Maintenance
- Building Inspection/Permitting/Plan Check
- Clerk Services
- Courier/Mail Handling
- Economic Development
- Energy
- Facilities
- Financial Analysis
- Fire Services
- Fleet
- Green Programs
- Grounds
- Housing and Community Development
- Human Resources/Risk Management
- Information Technology
- Law Enforcement
- Library Services
- Parks, Recreation, Public Property
- Public Information
- Public Health
- Public Safety/Dispatch
- Purchasing
- Real Estate
- Records
- Redevelopment
- Roads
- Safety Programs
- Sewer Collection and Treatment
- Storm water compliance
- Training and Illness/Injury Prevention
- Transportation, Transit, Taxis
- Water and Wastewater

# Partnerships: Common Elements of Success

*The following article is reprinted with permission from the Winter 2015 issue of California Schools magazine, a quarterly publication of the California School Boards Association.*

Under the Local Control Funding Formula and Local Control Accountability Plan, partnerships between school districts and community organizations have become vital to progress. While partnerships have always been important to community building, it is now a necessary element when discussing LCFF and LCAPs. And with all that is expected of schools — healthcare, mental health, socio-emotional support, health and wellness, out-of-school-time learning, and college pathways — it will be, if it hasn't been already, the new normal.

Because of this, in the next few issues, California Schools will explore the qualities of successful and sustainable partnerships and the steps involved in making them happen.

“Partnerships are essential in order to align goals in a community and to inspire action about how to achieve those goals,” says Jill Wynns, former chairperson of the Cities Counties Schools Partnership, past president of California School Boards Association and current CSBA Region 5 director from San Francisco County and Unified School District.

Cities Counties Schools began in 1997 when founding partners CSBA, California State Association of Counties, and the League of California Cities came together to identify common challenges and explore the possibilities of tackling these issues together, versus on their own. “Organizations can accomplish a lot more together than any one organization can do by itself,” adds Wynns.

The Cities Counties Schools Partnership was a nonprofit until this year when it became a project of the Institute for Local Government. The three founding organizations are still heavily involved with connecting local government association leaders and providing resources “to improve the conditions of children, families and communities at the local level,” by promoting and nurturing coordination and collaboration with cities, counties and schools in California.

As with any good structure, such partnerships — schools and organizations working together to harness their collective talents and influence — start with a solid foundation. And while there are many layers of a partnership, one key ingredient to a strong foundation is a shared vision.

“One early key to success is to ensure everyone has a shared vision, a shared sense of purpose,” says Martin Gonzalez director of the Institute for Local Government. “Another key to success is taking the time

to clarify your group's expectations, roles and responsibilities," he says.

To assist in clarifying shared goals while community and partnership building, Cities Counties Schools developed a free resource guide for how to collaborate with other agencies, entitled, "Stretching Community Dollars: Building for the Future." First created in 2006 and updated yearly, the purpose of the guidebook is "to inspire, encourage and support local governments throughout California to achieve purposeful and sustainable intergovernmental collaboration."

According to the 2015 guide, the advantages of collaboration can be summed up in two points:

- More efficient with resources: Put simply, you can do more with less. By pooling financial and human resources, time and capital, the savings gained can go to other priorities. The cost of operations and services decreases while the quantity and quality of services increases. It decreases duplication and provides opportunities to enhance and expand programming.
- More effective in the community: The whole is greater than the sum of individual parts. By working together across jurisdictions, local government agencies will increase their reach, power and positive impact in the communities they serve. Collaboration allows agencies to increase their impact.

## Elements of Success

Partnerships usually begin informally. "In the beginning of a partnership, if there is a meeting of the minds of what the issue is and how to solve it, and it's a relatively short amount of time to accomplish the goal, it's ok to be informal. In those instances, partnerships usually exist informally without paperwork or budgeting of resources," says Jo Lucey, immediate past president of CSBA, board member of Cupertino Union School District, and member of the Cities Counties Schools Partnership leadership council.

"However, when the objectives are larger in scale and scope and when the efforts take or are projected to take place over a protracted period of time then a more formal arrangement is warranted," says the Institute for Local Government's Gonzalez.

Other key components for school and community partnerships that school boards should be aware of:

- Commitment to one's organization
- Thoughtfulness of how goals align with others
- Recognizing and identifying shared goals and priorities
- Moving forward together toward to strategic shared targets
- Spirit of candor and honesty
- Egos are put aside for shared priorities
- Dignity given to all stakeholders

## Redwood City 2020

Redwood City 2020 began in the early 1990s with a series of community discussions about the shape and look of the city in the new millennium. Originally called Redwood City 2000, the partnerships began with a series of community sessions where people came together to envision their community in the 21st century and beyond. Now, Redwood City 2000 is a community collaborative with a new name — Redwood City 2020, to reflect the organization’s long-term commitment to shared goals and collective impact. Goals include healthy, safe and academically strong students. Redwood City 2020 aims to reduce the impact of poverty, improve the academic success of students, increase community engagement, advance health and wellness and enhance safety.

The core group of partners include Redwood City School District and Sequoia Union High School District. Along with several other core partners, such as Sequoia Healthcare District, San Mateo County First 5, City of Redwood City, Kaiser Permanente, San Mateo County and the John W. Gardner Center at Stanford University, their three priority areas are community schools, health and wellness and community engagement.

“Awareness of issues that impact the community and strong leadership and networking between leaders has been critical to the organization’s long-term success,” says Jana Kiser, executive director of Redwood City 2020. “Partnerships that are healthy have shared power, shared decision making and shared leadership,” Kiser says.

Having the capacity — the ability to understand, experience and do the work — is another healthy trait of successful partnerships, adds Deanna Niebuhr, senior director of community schools initiative with Partnership for Children and Youth. PCY works with school districts and their partners, like Redwood 2020, to support community schools, after school and summer partnerships, “through training, assessment, planning policy and advocacy.” It is one of Redwood City 2020’s allies and thought partners.

“When getting started it sometimes makes the most sense for a school district to find its most critical partner — a partner that can help make a significant impact for students and families. For example, many school districts start by working with their local family resource center either by starting a new relationship or deepening an existing one. Starting this way, makes it possible to establish a deep partnership in which establishing shared goals and re-deploying existing resources, however challenging, is more easily done. Establishing a few deep partnerships is more important than having many partners.” Niebuhr says. “Less is more.”

## Moreno Valley USD Collaboration

In another example, Moreno Valley Unified School District, east of Los Angeles, is part of a partnership with an institution of higher education. The district’s school board recently approved an agreement with California State University, San Bernardino which would guarantee qualified students a place at the CSU. This ensures that students who have met the necessary requirements have a guaranteed university to attend after they graduate high school. This has given students the encouragement to fulfill college requirements and know that a local university is waiting and ready for them once they graduate. This is

exactly where Moreno Valley USD wants their students to go, fully prepared and without the need of taking any remedial classes.

“This incentive is critical, especially when many of our graduates are the first in their family to even consider college as a viable option. Our guaranteed-admission agreement with CSUSB gives those students a clearly marked path to college, makes it much more likely that they’ll actually get there, and increases the probability that they will complete and graduate from college and beyond,” says Moreno Valley USD board member and CSBA president Jesús Holguín. “Making connections and building relationships with higher education institutions is important to widen the pipeline for students to successfully access college. This is exactly where we want our students. The best strategy to accomplish this goal is by establishing effective collaborative partnerships between the K-12 system and higher education institutions.”

## Opportunities and Challenges

Establishing collaborative programs is daunting. But there is no better time than now for school districts. According to the Cities Counties Schools guidebook, “Stretching Resource Dollars,” opportunities for partnerships are abundant in the time of LCFF. The reasons for which the guide outlines:

**Engagement.** The LCFF requires districts to adopt a Local Control and Accountability Plan with solicitation and engagement from teachers, parents and the entire community. Each LCAP articulates the district’s goals for improving student outcomes and how spending will be aligned to meet the goals. Cities, counties and special districts have an opportunity to connect and work with their local school districts through the annual development of the LCAP to discuss collaborative solutions to meeting the needs of their children and families.

**Specific high-need populations.** One of the key priorities of the LCFF is specific funding and attention committed to the needs of foster youth, low-income students and English language learners. These student populations would benefit the most from intentional integration and alignment of city, county and schools and special district services. Local government officials and staff have an opportunity to coordinate efforts through the LCAP annual process and to share the challenges and rewards of meeting the needs of specific high-need populations, and sharing information/data gathered with other local agencies.

**Assessment.** Tracking, analyzing and sharing data across sectors and jurisdictions is critical to informing the development of comprehensive and collaborative solutions. Through the LCAP annual cycle, community members have the opportunity to conduct and incorporate community needs and health impact assessments into the planning and recommendations given to the school district.

Of course, there will be challenges. “Stretching Resource Dollars” describes them as follows:

**Attention.** School board members and district staff are focused on understanding the details and regulations of the new law, ensuring they are meeting the requirements and timelines, and exploring successful implementation strategies. This necessary attention and focus can make it challenging to explore collaborative efforts outside of their immediate scope.

**Time.** The transition to Local Control Funding Formula began in the 2013-14 school year, but full implementation is projected to take eight years. With a change this significant, school districts will need time to explore what will work best for their students, schools and community – there will inevitably be a lengthy period of trial and error.

Despite the many variables to consider when developing partnerships, there is one constant — resources and support. There are many resources that can assist school districts to develop their first partnerships or sustain current ones. There are also numerous guides and collaborations that use their experiences and expertise to illustrate the many ways to move forward toward successfully achieving student achievement goals. In the next issue of California Schools, the Partnership series will look at partnerships focusing on the achievement gap and the resources and guides available to school districts.

*By Gayle Romasanta ([gromasanta@csba.org](mailto:gromasanta@csba.org)), a staff writer for California Schools.*

## More Resources

### **Stretching Community Dollars Guidebook**

[www.ca-ilg.org/resource/stretching-community-dollars-guidebook](http://www.ca-ilg.org/resource/stretching-community-dollars-guidebook)

### **City Counties Schools Partnership:**

[www.ca-ilg.org/ccs-partnership](http://www.ca-ilg.org/ccs-partnership)





# Checklist for Developing a Joint Use Agreement (JUA)

Many communities lack safe, adequate places for children and their families to exercise and play. Schools might have a variety of recreational facilities – gymnasiums, playgrounds, fields, courts, tracks – but many districts close their property to the public after school hours because of concerns about costs, vandalism, security, maintenance, and liability in the event of injury.

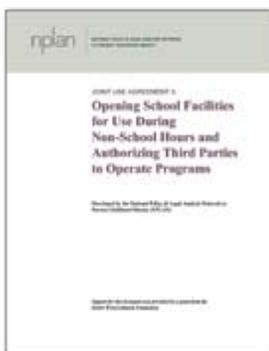
Most states currently have laws that encourage or even require schools to open their facilities to the community for recreation or other civic uses. Nonetheless, school officials may be reluctant to do so, cautious about the expense in times of increasingly tight budgets. The good news is that city, county, and town governments can partner with school districts through what are known as joint use agreements to address these concerns.

A joint use agreement (JUA) is a formal agreement between two separate government entities – often a school and a city or county – setting forth the terms and conditions for shared use of public property or facilities. JUAs can range in scope from relatively simple (e.g., opening school playgrounds to the public outside of school hours) to complex (allowing community individuals and groups to access all school recreation facilities, and allowing schools to access all city or county recreation facilities).<sup>1</sup>

Just as there is no one model JUA, there is no single method to develop an agreement. Successful JUAs require a lot of thought, effort, and cooperation to reach agreement on a range of issues.

This checklist is designed to identify issues for the parties to consider when developing a JUA to share existing facilities. Not all of the issues presented will be applicable in all situations, and there may be issues unique to a community that are not included here.

**We have developed four model JUAs as templates for communities to use to develop their own agreements. See all our joint use products online at [www.changelabsolutions.org](http://www.changelabsolutions.org).**





<input type="checkbox"/>	<p><b>Obtain Approval from Governing Entities</b></p>	<p>The school board and governing entity of the city, county, or town should first approve the <i>concept</i> of developing a JUA.<sup>2</sup></p>
<input type="checkbox"/>	<p><b>Select Negotiators</b></p>	<p>Identify the employees responsible for developing the agreement for each entity. They should have sufficient knowledge of their party’s facilities and the authority to make required decisions on behalf of the entity.</p>
<input type="checkbox"/>	<p><b>Work with Risk Management and Legal Counsel</b></p>	<p>At the beginning of the negotiations, and as needed at different stages of the development of the JUA, consult with risk management and legal counsel.</p>
<input type="checkbox"/>	<p><b>Identify Community and School Needs</b></p>	<p>Assessing the needs of the community and schools for additional recreation opportunities allows the parties to focus the scope of the agreement.</p> <p><b>Assess community needs to identify:</b></p> <ul style="list-style-type: none"> <li>▪ Underserved communities, such as lower-income or communities of color that lack access to neighborhood parks or community centers;</li> <li>▪ Unmet recreation needs;</li> <li>▪ Locations in the community where recreation needs can be met by school facilities; and</li> <li>▪ The types of recreation facilities required to meet those needs.</li> </ul> <p><b>Assess school/district needs to identify:</b></p> <ul style="list-style-type: none"> <li>▪ Unmet recreation needs (that the city might meet); and</li> <li>▪ Unmet recreation facility needs (e.g., for improvements, maintenance assistance, scheduling assistance).</li> </ul>
<input type="checkbox"/>	<p><b>Inventory Properties (all properties or in targeted areas)</b></p>	<p>Identify properties that best serve unmet needs (by location, facility type, or other factor), and assess their suitability for joint use. Factors to consider include the condition of the property, and buy-in from school personnel and school families.</p>
<input type="checkbox"/>	<p><b>Agree upon Scope of Joint Use</b></p>	<p>The parties need to agree on the scope of the agreement, including which facilities upon each property (e.g., outdoor, indoor, which indoor facilities) to include in the agreement; whether to allow third parties to operate programs on the facilities; whether to open city properties to school use; and whether to consolidate scheduling of properties.</p>
<input type="checkbox"/>	<p><b>Inspect Proposed Joint Use Facilities</b></p>	<p>Both parties should inspect proposed facilities together to establish an understanding of and document the baseline conditions of the properties and facilities.</p>



<input type="checkbox"/>	<p><b>Identify and Reach Agreement on Issues Involving Use</b></p>	<p><b>The parties need to agree on operational and management issues.</b></p>	
	<p><b>Priority of Uses</b></p>	<ul style="list-style-type: none"> <li>- Rank the priority of types of users to allocate facility use accordingly</li> </ul>	
	<p><b>Scheduling</b></p>	<ul style="list-style-type: none"> <li>- Determine which entity will be responsible for scheduling use</li> <li>- Determine how to accommodate schedule changes/cancellations</li> </ul>	
	<p><b>Access and Security</b></p>	<ul style="list-style-type: none"> <li>- Determine security needs</li> <li>- Identify employees who will need access to properties and facilities</li> <li>- Develop security protocol</li> </ul>	
	<p><b>Materials and Equipment</b></p>	<ul style="list-style-type: none"> <li>- Allocate responsibility for providing equipment/materials</li> <li>- Determine the need for storage</li> <li>- If storage is needed, determine location, access, and security</li> </ul>	
	<p><b>Supervision</b></p>	<ul style="list-style-type: none"> <li>- Determine the type of supervision required</li> <li>- Identify which party will be responsible for providing supervision</li> </ul>	
	<p><b>Custodial Services</b></p>	<ul style="list-style-type: none"> <li>- Determine the type of custodial services/equipment needed</li> <li>- Allocate responsibility for providing custodial services/trash containers</li> </ul>	
	<p><b>Toilet Facilities</b></p>	<ul style="list-style-type: none"> <li>- Determine access to existing facilities</li> <li>- Determine need for portable/temporary facilities</li> <li>- Allocate responsibility for providing and servicing portable toilets</li> </ul>	
	<p><b>Parking</b></p>	<ul style="list-style-type: none"> <li>- Determine access to parking facilities</li> </ul>	
	<p><b>Maintenance</b></p>	<ul style="list-style-type: none"> <li>- Allocate responsibility for regular property maintenance</li> <li>- Determine whether additional maintenance is needed, and which party will provide service</li> </ul>	
	<p><b>Inspection and Notification of Damage</b></p>	<ul style="list-style-type: none"> <li>- Determine the manner/frequency of property inspection</li> <li>- Determine protocol for notifying identified employees of damage,</li> <li>- including whom to contact, by what means, and deadlines for contacting and responding</li> </ul>	
<p><b>Restitution and Repair</b></p>	<ul style="list-style-type: none"> <li>- Determine the method and responsibility for property repair</li> <li>- Determine the methods of calculating and allocating repair costs</li> </ul>		



<input type="checkbox"/>	<p><b>Identify and Resolve Employment Issues</b></p>	<p>To cover the facilities' extended hours of operation, both the school district and the city will likely require some of their employees to work additional time. Consult with legal counsel to resolve any employment-related issues, such as amending labor agreements or determining whether the entities may use volunteers to carry out some of these duties.</p>
<input type="checkbox"/>	<p><b>Develop a Communication Protocol</b></p>	<p>One of the most important elements of a successful JUA is ensuring effective communication between the parties during the term of the agreement. Identify the employees from each agency who will be responsible for (a) communicating to the other party about the agreement and (b) who will be responsible for making decisions regarding the agreement. Establish a process for resolving disagreements regarding any aspect of the agreement.</p>
<input type="checkbox"/>	<p><b>Identify and Reach Agreement on Issues Involving Third-Party Use</b></p>	<p>If third-party users (such as youth organizations or youth sports leagues) will be allowed to operate programs using the facilities, the district and the city need to agree on various operational and management issues:</p> <ul style="list-style-type: none"> <li>▪ Establish the priority of uses for third-party programs</li> <li>▪ Agree on the protocol for scheduling properties</li> <li>▪ Ensure third party permitting or lease procedures are adequate: <ul style="list-style-type: none"> <li>- Address resource allocation pursuant to identified priorities</li> <li>- Access issues</li> <li>- Fees</li> <li>- Insurance and risk management issues</li> <li>- Liability</li> </ul> </li> </ul>
<input type="checkbox"/>	<p><b>Agree upon Improvements and Improvement Protocol</b></p>	<p>The parties should consider whether—and the conditions governing how—they will allow each other to make “improvements” (changes to the owner’s property made by or for the benefit of the party using the property). Determine whether the city will be authorized to improve district property, the conditions under which the city can improve property, how to allocate costs of improvements, and the ownership of the improvements.</p>
<input type="checkbox"/>	<p><b>Agree upon Cost Analysis and Allocation</b></p>	<p>The parties need to calculate the costs of the agreement and how to allocate those costs equitably. Determine which components of costs to measure, the methodology to use to determine costs, and how to allocate costs and fees.</p>
<input type="checkbox"/>	<p><b>Risk Management and Legal Issues</b></p>	<p>The parties must consult with risk management professionals and legal counsel to determine insurance requirements, allocate risk, and ensure the agreement is consistent with state and local laws and regulations.</p> <ul style="list-style-type: none"> <li>▪ <b>Determine the types and amounts of insurance to require</b>, consistent with legal and risk management requirements. Determine the types of documentation to exchange or require.</li> <li>▪ <b>Allocate liability risk.</b> Determine whether or what type of indemnification to require.</li> <li>▪ <b>Ensure the agreement is consistent</b> with existing state and local law and regulations, permitting procedures (or amend permitting procedures if necessary), and fee procedures or structure (or amend if necessary).</li> </ul>



<input type="checkbox"/>	<b>Determine Term of Agreement, Methods of Evaluation, and Renewal</b>	Determine the duration of the agreement, and the bases for cancelling or terminating the agreement before the term ends. Also determine what data to collect during the agreement, the nature and timing of its evaluation, and the process and conditions for renewing the agreement.
<input type="checkbox"/>	<b>Identify Training Needs and Develop a Training Plan</b>	Determine whether agency personnel need training to carry out the agreement, including instruction on any new procedures required by the agreement or any new duties assigned to employees. Determine who is responsible for conducting training, and identify employees who need to undergo training.
<input type="checkbox"/>	<b>Develop Ancillary Documents</b>	<p><b>Develop exhibits to the agreement, as necessary:</b></p> <ul style="list-style-type: none"> <li>▪ List of properties subject to the agreement</li> <li>▪ Inventory of the conditions</li> <li>▪ Hours of use</li> <li>▪ Operating rules</li> <li>▪ Insurance documentation</li> <li>▪ Third-party user forms</li> </ul>
<input type="checkbox"/>	<b>Receive Formal Approval</b>	The final step in completing the agreement is to ensure the governing entities formally approve the agreement.

*ChangeLab Solutions is a nonprofit organization that provides legal information on matters relating to public health. The legal information provided in this document does not constitute legal advice or legal representation. For legal advice, readers should consult a lawyer in their state. ChangeLab Solutions formerly existed under the name Public Health Law & Policy (PHLP). Any references to PHLP in this publication should now be understood to refer to ChangeLab Solutions.*

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<sup>1</sup> In addition, in some communities JUAs are used to construct new recreation and leisure facilities for use by schools and community members.

<sup>2</sup> Depending on the state and locality, a city, county, or town could enter into a JUA with a school district or community college district. For purposes of this document, we will use "city" to refer to the local government and "district" to refer to the school or community college district.





## Tips on How to Work With Community-Based Organizations

### Why work with community-based organizations?

As resources for local governments and public agencies dwindle and the demand for services grows, public entities will out of necessity turn to other sources in the community to fill in gaps or provide for unique needs. Among the partnerships and collaborations public entities will turn to are community-based organizations.

Community-based organizations interact daily with members of the community and are often located in neighborhoods. These organizations have unique and important insight into the challenges and opportunities facing children and families in their neighborhood. Frequently staff at community-based organizations speak the language(s) of the surrounding community and from the ethnic and cultural populations being served. People in the neighborhood trust community-based organizations to understand their unique situation and to offer sound advice and appropriate services.

There are also non-profit organizations that provide other types of services like community housing developers, visitor bureaus or non profit hospitals to name a few. While the purpose of the organization or the scale and nature of the work may be different from the social service type of organization, the financial management and reporting will be similar as will their greater knowledge of the community.

### Suggestions for Success

- 1. Determine which community-based organizations are the most appropriate partners.** Larger cities will have numerous community-based organizations that provide services to families in neighborhoods or that provide other non-social service/health related services. Do some investigating to determine which of these have the strongest connections to and the most respect from the population you wish to engage. In smaller communities you may have only a few organizations from which to choose or perhaps only a single organization available for partnering. If there are options, examine the pros and cons of working with an organization prior to making a commitment. This is especially true if the work you will be contracting for is of significant size or duration.
- 2. Examine the financial status of the organization.** If you will be using a community based organization to provide services or undertake a significant program, it is important to know if it has the financial capacity to sustain the effort. It is appropriate to ask to see the organization's financial statements. The statements will help you to understand the extent to which the organization would be dependent on your agency's funding to continue its work and can provide insights into the stability of the organization. You might also call foundations that fund the organization and talk to the program officer that oversees the grant the organization has. The foundation program officer will be able to tell you about the

performance of the organization in terms of delivery of services and financial management. If you are unfamiliar with financial management of community-based organizations, a foundation program officer can advise you of resources to help expand your knowledge.

Another important element to evaluate prior to contracting with a community-based organization is whether it has an appropriate level of liability coverage, including limits, standards and workers' compensation coverage. Your risk management department will know the appropriate levels. It is good to include an agency staff person with knowledge of liability coverages in the review of potential requests for proposals and development of contracts or agreements.

- 3. Be aware of the political and public connections the organization might have.** Many community-based organizations have relationships with public figures, ranging from informal connections to close political or other connections. It is important to understand these relationships when deciding how to work with a community based organization. In some cases, it is best to check with the agency's legal counsel depending upon the relationship between the local official and the organization. If your agency is using an application process to determine which organization to fund, it is important to use clear criteria for selection process and provide a summary of why each applicant organization was or was not awarded a contract.
- 4. Review your agency's labor agreements when evaluating whether to contract with a community-based organization for services.** In trying to cut costs, some agencies are looking to non-profits in the community to deliver services. One caution in this approach is that your agency's labor agreements may preclude contracting outside the agency for work that could be done by current or laid-off employees. It is best to ensure that the work of a community-based organization is not supplanting the work of your employees. If the work you will be contracting for is new and not covered under current contracts, generally there is no issue. You may be able to use a meet and confer process with the labor unions to be able to work with a community-based organization on certain projects. Short-term, one time money is easier for contracting-out projects. Therefore, before beginning a contracting process with a community-based organization be sure to check with the human resources department and/or legal counsel to be sure you are not violating an existing contract and to ensure that work jurisdiction issues are addressed.
- 5. The relationship you will have with a community-based organization is different from the one that you have with other contractors.** If you are contracting with a community-based organization to provide services of any type, the relationship will be a partnership. This will require a different type of contract management than if you are contracting for road repair or some other task. Therefore, a different set of interactions will need to take place.
  - a. Communication.** A clear plan for communication is needed. Establish regular contact times and determine who will be doing the communicating. A process for reporting changes will also be needed. This includes changes that are coming from your agency and changes happening at the community-based organization. It is important that the shifts in requirements or changes of staff be communicated as soon as they are known. This gives both parties the opportunity to prepare for the impacts of the change in personnel. Other important items to discuss on a regular basis are progress being made, insights

from the work, ideas for improvement and changes in the financial status of either entity. A communication plan helps establish the trust needed for effective partnership.

- b. Assessment and evaluation.** Have a clear assessment and evaluation plan in place. Build in regular reporting that accounts for more than just the amount of service provided. Include information about any significant changes in the organization including personnel and finances. Having a consistent format for applications and reporting across agency departments is helpful, since a community-based organization may have contracts with more than one department.

If the community-based organization has shortfalls in its performance, find out why. Look at such issues as changes in leadership, staff (including the need for more staff training), the financial situation, as well as changes in the surrounding community. It is best to see if the performance of the organization can be improved before ending a contract and seeking a new provider. Given the amount of time and resources invested in creating the relationship with an organization, cancelling or not renewing a contract often is last option to consider.

- c. Include staff from the community-based organization in planning the program or effort.** As you are developing the contract or considering making changes to the program, include staff from the community-based organization in the discussions and planning. They will bring a unique perspective and insight from the on-the-ground work. Including those affected by decision in shaping the changes will increase buy-in from those who will be performing the work.
- d. Build the capacity of the community-based organization.** Every organization benefits from training and support that expands its capacity. Community-based organizations seldom have the resources for such efforts. Investing in building the capacity of your community-based organization service providers will pay dividends in the long run. Services will improve, the trust between your agency and the community will improve, and you will be able to get more done with fewer resources once skills are enhanced. Some suggestions for capacity building are listed below:
  - i. Consider including staff from the community-based organization(s) in training for your agency's staff. For example, if your agency provides training to its staff in new customer service techniques, consider inviting staff from the community-based organization to participate. Or, if your agency conducts training for new staff, consider inviting new community-based organization staff to that training.
  - ii. If you are attending a statewide training related to the work the community-based organization, consider bringing someone from that organization with you to the training

- iii. Consider contracting with an existing, experienced and successful community-based organization to provide training and support to new or less experienced organizations.
- iv. Consider using your agency staff to provide training and support if the community-based organization is lacking in skills like budgeting or information technology.

**e. Develop a collaborative, collegial relationship.** Trust and mutual respect are the keys to a successful relationship between your agency and the community-based organizations with whom you contract. It takes time and effort to build trust but once it is there, the work will go more smoothly and problems will be easier to solve. Part of building that trust will be establishing clear communications and expectations. However, it is also important to create an atmosphere in which the community-based organization feels safe in sharing problems and difficulties. Since your agency is a source of funding, the organization may fear that if it shares problems with you this may result in negative consequences for current or future funding. A collegial, collaborative relationship can help the organization solve its problems and save a valuable resource in your community.

**6. Some things to consider about community based organizations.** In planning how to work with community-based organizations, consider the following observations:

- Each community-based organization has a mission that guides its work. It is important that the work you are asking the community-based organization to undertake fits within its mission.
- While community-based organizations can do many things very well, they also have limits. They have smaller staff size and more limited budgets than a public agency. In developing a request for proposals or a contract with a community-based organization, keep in mind their capacity. However, they do offer greater flexibility in how a program or project is implemented.