

Model Joint Use Resolution

This model resolution can help lay the groundwork for joint use agreements in a community. Adopting the model resolution is a first step in encouraging collaborative relationships among public agencies and community organizations to expand access to recreation facilities.

Ordinances and Resolutions

Local legislative bodies generally act by adopting ordinances or resolutions.¹¹⁶ Ordinances are binding legislative acts that have the same force of law as a statute passed by a state legislature.

Local governments enact ordinances when required to do so by state law or charter or when they want to impose laws that are binding on their citizens.

Resolutions, by contrast, are typically less formal statements of law or policy. While practices may vary by municipality, local legislative bodies often use resolutions to set official government policy, approve contracts, issue commendations, direct internal government operations, or establish a task force to study an issue. Resolutions are procedurally easier to adopt than ordinances and can be an effective step for public agencies to study and implement policies such as joint use.¹¹⁷

Model Joint Use Resolution

The purpose of this model joint use resolution is to help local governments lay

the foundation for establishing more formal joint use policies and agreements.

The model resolution provides comments explaining the different provisions in the agreement. The language in the agreement written in *italics* provides different options or explains the type of information that needs to be inserted in the blank spaces in the agreement.

This model resolution, designed to serve as a template, is also available (as a Word document) at www.phlpnet.org/childhood-obesity/products/JU-resolution.



RESOLUTION NO. _____ PROMOTING JOINT USE

RESOLUTION OF THE [CITY/COUNTY/DISTRICT] OF _____ PROMOTING JOINT USE AS A MEANS OF ENHANCING AND INCREASING ACCESS TO [CITY/COUNTY/DISTRICT] FACILITIES AND RELATED PROGRAMS

WHEREAS, in 2010, one in every three Americans was obese and 60 percent were either overweight or obese;¹¹⁸

WHEREAS, it is estimated that 50 percent of the U.S. population will be obese by 2030;¹¹⁹

WHEREAS, since 1980, obesity prevalence among children and adolescents has almost tripled;¹²⁰

WHEREAS, only 33 percent of school-age children attended daily physical education classes in 2009;¹²¹

WHEREAS, a significant number of Americans fail to meet the Centers for Disease Control and Prevention’s recommendations for daily physical activity,¹²² including 65 percent of all adolescents;^{123, 124}

WHEREAS, access to nearby recreational facilities leads to increased rates of physical activity;¹²⁵

→ WHEREAS, inadequate access to recreation facilities has played a significant role in rising obesity rates;¹²⁶

WHEREAS, children and adults who are overweight and obese are at a greater risk of adverse health effects, including type 2 diabetes, heart disease, high blood pressure, high cholesterol, certain cancers, asthma, low self-esteem, depression, and other debilitating diseases;¹²⁷

WHEREAS, nationally, the annual cost of treating obesity-related diseases is approximately \$147 billion;¹²⁸

WHEREAS, the annual cost of treating obesity-related diseases in [City/County/District/State] is approximately [_____];

WHEREAS, there is growing consensus among public agencies and community organizations that joint use of facilities and related programs can improve public health and preserve public funds, particularly during economic downturns;¹²⁹

Many segments of the population experience disparities in overweight and obesity prevalence, based on race and ethnicity, gender, age, and socioeconomic status.³⁰ In addition, children from lower-income families and children of color in urban America face limited access to parks, open spaces, and other opportunities for physical activity.³¹ A national study of 20,000 young people in the United States found that resources for physical activity – including public parks and recreation facilities, as well as private facilities – were distributed inequitably, with non-white and lower-income neighborhoods twice as likely as higher-income white neighborhoods to lack even a single facility for physical activity.³² Likewise, research shows that communities with higher poverty rates and higher percentages of African-American residents have significantly fewer parks and green spaces.³³

WHEREAS, identifying joint use opportunities among public agencies and community organizations can help in the long-term planning for and development of capital facilities and related programs;

Individual agencies should tailor the above recitals to reflect local needs. For example, if obesity prevention is less of a priority than efficient use of limited public resources, an agency may choose to include additional clauses concerning budget constraints and limit the number of clauses that focus on obesity prevention.

WHEREAS, the [City/County/District] of _____ is the owner of real property and capital facilities located at _____ (“Sites”);

WHEREAS, [City/County/District]’s governing body finds that the Sites can be used more efficiently to maximize use and promote [recreational/educational] activities for youth and other community residents; and

WHEREAS, [City/County/District] desires to promote joint use as a means of enhancing and increasing access to facilities and related programs with the ultimate goal of improving the public health of community residents and preserving public funds.

It is important to designate a body with accountability, whether it is a formal subcommittee or task force or informal citizens’ group; otherwise the intent and purpose of this resolution may never come to fruition.

The parties will determine how to allocate use of the properties, schedule the properties, and what payment each will require.

NOW, THEREFORE, BE IT RESOLVED by the governing body of [City/County/District] that the above recitations are true and correct.

By affirming the above statements, the public agency is providing the justification for expending resources (both monetary and non-monetary) to promote joint use of its facilities and related programs.

BE IT FURTHER RESOLVED that the governing body of [City/County/District] hereby promotes joint use as a means of enhancing and increasing access to [City/County/District] facilities and related programs;

BE IT FURTHER RESOLVED that a Joint Use Task Force (“Task Force”) is hereby created for the purpose of working with [City/County/District/Organization] to develop a long-term plan for the joint use of [facility/programs].

It is equally important to assign a leader of the committee/task force/group to ensure that an individual is accountable to the governing body and responsible for promoting joint use.

BE IT FURTHER RESOLVED that the [City/County/District] Manager, or his/her designee, is hereby assigned Chair of the Task Force;

BE IT FURTHER RESOLVED that as Chair of the Task Force, the [City/County/District] Manager, or his/her designee, is hereby authorized to take any and all actions necessary to achieve the purposes of this Resolution, including without limitation, appointing members to the Task Force, surveying existing [City/County/District] facilities and related programs to determine opportunities for joint use, meeting with key stakeholders to promote joint use, drafting a formal joint use policy, negotiating joint use agreements with partner [agencies/organizations], and educating [City/County/District] staff and community members about the importance of joint use.

This list is not meant to be exhaustive; it is intended to outline some of the tasks/actions the leader can undertake to ensure a robust and successful joint use program.

By including a monetary figure in the resolution, a public agency can demonstrate its commitment to executing a successful joint use program.

BE IT FURTHER RESOLVED that the [City/County/District] Manager is hereby authorized to expend up to and including _____ Dollars (\$ _____) to accomplish the intent and purpose of this Resolution.

Requiring the leader to report back to the governing body ensures accountability and increases the likelihood of a successful joint use program.

→ **BE IT FURTHER RESOLVED** that as Chair of the Task Force, the *[City/County/District]* Manager, or his/her designee, shall report back to this governing body on a *[monthly/quarterly/semi-annual/annual]* basis to update the body and the community on joint use accomplishments and progress

DULY ADOPTED this ___ day of _____, 2012.
