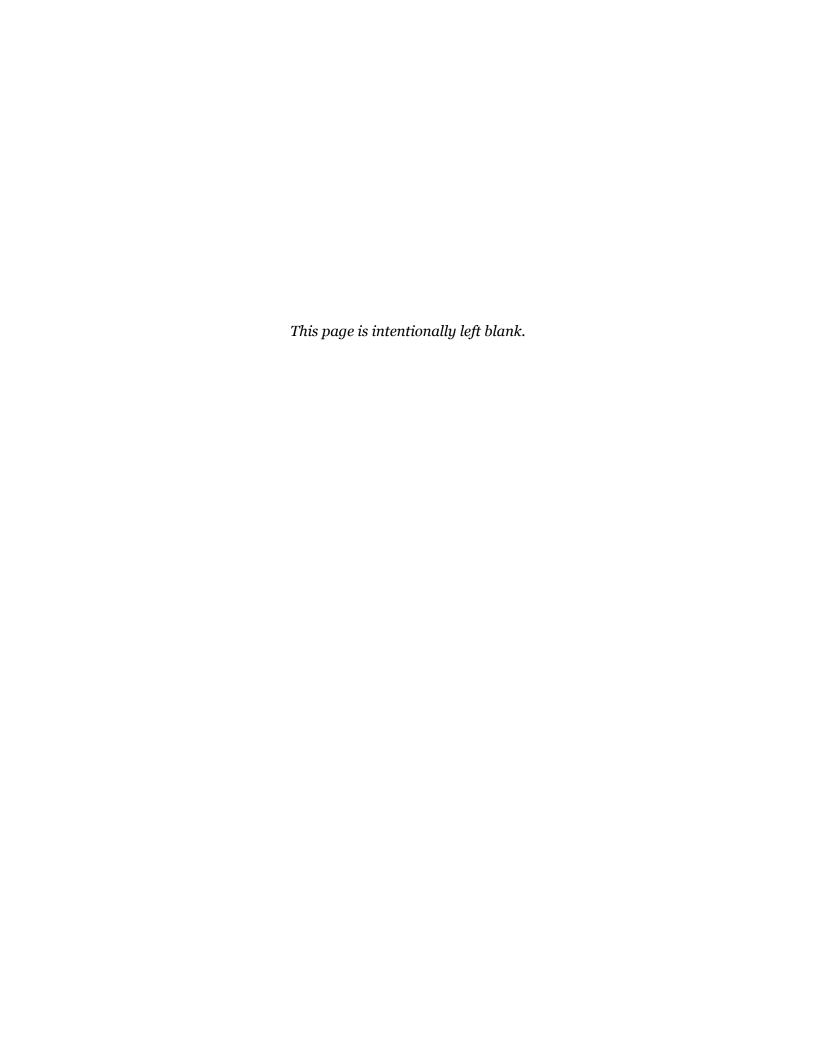**A Report of the**

NATIONAL ACADEMY OF PUBLIC ADMINISTRATION'S

CENTER FOR INTERGOVERNMENTAL PARTNERSHIPS

Modern Intergovernmental Governance Toolkit

NATIONAL ACADEMY OF
PUBLIC ADMINISTRATION®

July 2023

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EXPERT ADVISORY GROUP OF FELLOWS

Basil Gooden

Naim Kapucu

Elizabeth Kellar

Jan Perry

About the Academy

The National Academy of Public Administration (the Academy) is an independent, nonprofit, and nonpartisan organization established in 1967 and chartered by Congress in 1984. It provides expert advice to government leaders in building more effective, efficient, accountable, and transparent organizations. To carry out this mission, the Academy draws on the knowledge and experience of its approximately 1,000 Fellows—including former cabinet officers, Members of Congress, governors, mayors, and state legislators, as well as prominent scholars, career public administrators, and nonprofit and business executives. The Academy helps public institutions address their most critical governance and management challenges through in-depth studies and analyses, advisory services and technical assistance, congressional testimony, forums and conferences, and online stakeholder engagement. Learn more about the Academy and its work at www.NAPAwash.org.

About the Center for Intergovernmental Partnerships

The Academy established the Center for Intergovernmental Partnerships (the Center) in September 2021 in recognition that no significant public problem fits entirely within one government agency or even one level of government. The Center helps identify intergovernmental gaps and serves as a forum for dialogue and problem-solving on those issues across local, state, tribal, territorial, and federal levels of government. Through convenings, collaboration, and research, the Center will be a hub for solutions to our society's biggest intergovernmental challenges. It will bring leaders from every level of government and relevant sectors together to design solutions that create new governance models for the 21st century.

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FOREWORD

In the 21st century, no significant public problem fits entirely within one government agency or even one level of government. The federal system presupposes that all levels of government have an important role in the democratic process. Effective problem-solving requires federal, state, and local governments to work together, often with the private and non-profit sectors. And yet, building collaborative capabilities to develop and implement effective policies and programs across levels of government and sectors of society has not been prioritized.

In the wake of the COVID-19 pandemic, it is clearer than ever that the United States needs a revitalized intergovernmental system grounded in new partnerships and cross-cutting solutions. This National Academy of Public Administration (Academy) toolkit, funded by the Jane and Mark Pisano Foundation, will help all levels of government move in this direction. The Academy's Center for Intergovernmental Partnerships (the Center) formed a team of Academy Fellows and staff, including practitioners with expertise in network governance and leadership, decision making in complex environments, and collaborative public management. The team compiled examples and identified the key mechanisms of effective intergovernmental collaboration and cooperation, described the main obstacles of today's intergovernmental system, and developed strategies to surmount those obstacles. The result is a toolkit that government officials at all levels can use to address challenges and forge a path forward.

I extend my thanks to the Expert Advisory Group, all experienced professionals who offered their invaluable insight and keen analysis, and to the Academy's Study Team that provided critical support throughout the project.

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Teresa W. Gerton
President and Chief Executive Officer
National Academy of Public Administration

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ACRONYMS

ACTA	Alameda Corridor Transportation Authority
CIP	Center for Intergovernmental Partnerships
CoG	Council of Governments
ECOS	Environmental Council of the States
EMAC	Emergency Management Assistance Compact
FPISC	Federal Permitting Improvement Steering Council
FRC	Federal Regional Councils
JPA	Joint powers authority
LTT	Local, Tribal, and territorial governments
MARC	Mid-America Regional Council
MPO	Metropolitan Planning Organization
NEMA	National Emergency Management Association
NSDC	National Special Districts Coalition
NWS	National Weather Service
QGE	Quasi-governmental entity
RESTORE	Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act
SLTT	State, local, Tribal, and territorial governments
TACIR	Tennessee Advisory Commission on Intergovernmental Relations
USICH	United States Interagency Council on Homelessness

INTRODUCTION

A modern intergovernmental system can be a platform to promote good governance practices across all government levels. The intergovernmental system in the United States is the set of relationships and interactions among the federal, state, local, Tribal, and territorial (SLTT) governments, characterized by a division of powers and responsibilities. Governance is the set of governing processes, institutions, relationships, procedures, and practices through which decisions are made and implemented. Modern governance incorporates contemporary principles, practices, and institutions to effectively address a contemporary society's needs and challenges. It reflects and subsequently operates within the constraints of current political, social, and technological advancements.

Regional collaboration and cooperation occur within and across SLTT governments throughout the United States. The forms vary with the legal, political, economic, fiscal, historical, and institutional contexts, as well as the capabilities, capacities, and resources of the governments involved. Establishing and sustaining a partnership is a multi-stage process. It involves one or more government units agreeing to address a common issue, negotiating terms, developing a governance structure to implement an agreed-upon strategy, managing relationships, deploying sufficient organizational assets and financial support to operate it, and pursuing outcomes. Just reading this list of requirements can be daunting, and there are many other obstacles that can undermine various and often multiple stages of the process.

This report aims to provide government leaders at all levels with strategies to mitigate these obstacles and tools to foster more productive partnerships as they seek to serve their residents effectively. To achieve this goal, the Study Team compiled examples, identified the key mechanisms of effective intergovernmental collaboration and cooperation, and identified the main obstacles of today's intergovernmental system. This report does not comprehensively document all forms of intergovernmental partnership or assess the effectiveness of each instance. Instead, it presents a set of key practices and tenets and an action plan to implement them based on careful examination of effective partnerships. The result is a high-level agenda for change applicable in various policy contexts and a launch pad for additional research on optimizing the intergovernmental system to address society's complex modern problems.

Characteristics of Intergovernmental Partnerships

The examples explored for this report have several common characteristics.

A non-profit, governmental, or quasi-governmental agency manages the partnership: The management entity has designated staff, funding, and other resources. If the management entity exists prior to the formation of the partnership, it may be instrumental in the partnership's creation. The manager may facilitate relationship-building, communication, policy development and implementation, conflict resolution, and resource management. A governing board or the membership-at-large may perform these roles when the manager is a non-profit or quasi-governmental agency. When the manager is a government agency, it is generally responsible for decision making and agenda-setting.

The structure is horizontal, vertical, or both: Horizontal partnership involves an agreement and joint activities among two or more governments at the same level, pursuing a shared objective. A vertical partnership involves different levels of government, with the higher level managing the relationship. A hybrid partnership is both horizontal and vertical. It may allow participants deliberative and planning processes to comply with central government requirements. It can also be an effective means to bring the central government's resources and capacity to bear as participants collaborate to address their common issues.

The partnership is designed to be durable: Laws, rules, administrative decision-making, intergovernmental agreements, compacts, contracts, memoranda of understanding, membership agreements, or similar instruments establish the governance terms of the partnership. The arrangements are designed to be sustained, if not permanent. For example, a multi-jurisdiction special district created by the state legislature may require legislation to dissolve. On the other hand, withdrawing from a local government association may be as simple as ending membership, although there may be political ramifications if withdrawal undermines the organization's stability.

Participation is voluntary: SLTTs choose to join the partnership, although in some cases, non-participation may carry a steep cost. For example, arrangements managed by or on behalf of federal agencies may require participation in exchange for access to information, resources, deliberation, and decision-making processes. Lateral or horizontal partnerships are voluntary by nature, as parallel SLTTs generally cannot require each other to take action.[1]

The partnership has a geographic component: Partnerships generally deal with place-based issues. The issue may relate to a shared resource, such as a valued natural feature, or a shared threat, such as a natural disaster. The horizontal partnerships studied involve states or localities in proximity to each other.[2] In contrast, vertical partnerships address geographically defined concerns or area implementation of federal policy that may not apply equally to each state and locality in that grouping.

The partnership may focus on single or multiple issues: Participants may collaborate on a single issue, such as a shared resource or threat, or focus on a broader set of shared interests. In the latter case, the partnership's objective may be regional engagement rather than addressing a specific issue. Multipurpose institutions with integrated funding arrangements may be able to break down silos and deal with complex issues.

Intergovernmental partnerships have a mix of characteristics, with some often occurring together. Arrangements and terminology vary across states, and exceptions to each statement below may exist. Nonetheless, these patterns provide insight into the landscape of intergovernmental partnerships.

Horizontal partnerships are managed by a non-profit organization or a special-purpose government entity, such as a special district, joint-powers authority, or quasi-governmental entity. Horizontal partnerships can also be multipurpose. Vertical and hybrid partnerships are managed by a state or federal agency.

Local governments must have the authority to create a partnership. State statute may allow local governments to form partnerships independently with no more than state registration or a compliance check. State agencies may have approval authority, suggesting they can create requirements within limits. In some states, the legislature approves requests to form a partnership on a case-by-case basis.

Financial support can come from many sources. An independent taxing authority may be available to a special-purpose government entity. Otherwise, revenue may come from member dues, contributions, user fees, grants, contracts, or other sources.

Types of Intergovernmental Organizations

This report examined several types of intergovernmental organizations, described below. This report, however, does not comprehensively document all forms of intergovernmental partnership.

Local Government Associations facilitate partnerships on behalf of their members. They provide a forum for local officials to develop relationships, discuss regional or state-wide issues, and share information. On behalf of their members, they may also advance a federal and state legislative agenda, conduct research, offer training, serve as consultants, and produce publications. Local government associations serving localities within a state are generally membership-based, non-profit organizations. Forty-seven states have county associations,[3] and 49 states have municipal leagues.[4]

Regional councils are similar to local government associations in that they are membership organizations promoting collaboration and cooperation. Members are the government entities themselves rather than individual officials. According to the National Association of Regional Councils, more than 500 regional

councils exist in the United States.[5] A common form is a council of governments, such as the Metropolitan Washington Council of Governments, the Southern California Association of Governments, and the North Central Texas Council of Governments. Planning districts, regional planning commissions, and regional commissions serve similar purposes. A regional council formed under joint power authority or as a non-profit organization is a separate legal entity, whereas a partnership established under an intergovernmental agreement is not. Membership in regional councils is generally voluntary.

Metropolitan Planning Organizations (MPOs) carry out metropolitan transportation planning processes. MPOs are required to represent localities in all Census-designated urbanized areas with populations over 50,000. Participation is not voluntary, but MPOs are relevant because they facilitate horizontal collaborative planning and decision-making. MPOs have a hybrid partnership structure. The U.S. Department of Transportation bases funding decisions on priorities set by MPOs. MPOs can exist within regional councils or as stand-alone organizations. They are generally created as government agencies or special-purpose entities, often with a governing board composed of local elected officials, transportation agency representatives, and other stakeholders.

A **special district** is a local government entity created for a specific purpose or to provide specific services within a defined geographic area. A legislative or administrative process typically establishes it, and it operates independently of localities. Special districts have their own governing boards or commissions. They may have the authority to levy taxes or fees, receive grants or subsidies from other levels of government, issue bonds, or enter into cost-sharing agreements with other government agencies. State statute defines the permissible scope of special districts' activity.

A special district may be a **quasi-governmental entity** (QGE), which generally has characteristics of both public and private organizations. Created by general-purpose governments, it allows for the pooling of resources, joint decision-making, and unified action to carry out specific functions or provide particular services. They may operate with some autonomy and independence from direct government control.

A **joint powers authority** (JPA) is a legal entity formed by multiple public agencies, such as cities, counties, or special districts, to exercise common powers jointly. A JPA enables collective decision-making and resource-sharing to address common issues or undertake projects that benefit their respective jurisdictions. Authority for JPAs varies across states.

An **interstate compact** is a legally binding agreement between two or more states. Each state's legislature and governor must approve the same language for it to be binding. Many address coordination on regional issues, such as natural resource management, fire protection, and transportation. More than 250 compacts in the United States are active.

IMPLEMENTATION STRATEGIES: THE PATH TO PARTNERSHIP

Establishing and sustaining a partnership involves one or more government units creating a supportive context for partnership, agreeing to address a common issue, exploring options, negotiating terms, developing a governance structure to implement an agreed-upon strategy, managing relationships, deploying sufficient organizational assets to operate, and pursuing outcomes. It is a complex process that can unfold over several years.

Even for those most intent on collaboration, many obstacles can undermine the effectiveness and hinder the creation of new partnerships to address longstanding, far-ranging, "wicked" problems. Federal and state governments, non-profit organizations, and philanthropies can invest in reducing or working around these issues. Local, Tribal, and territorial governments (LTTs) can also take steps to lay the groundwork and improve the effectiveness of cross-jurisdictional collaboration and cooperation.

Roles

Several actors are involved in various stages of creating a partnership.

Potential and committed partners: In a horizontal arrangement, participants identify the need and negotiate the terms of the partnership. They commit organizational assets to support it. They establish procedures, develop the agreement, and sustain the partnership's viability. A top-down, vertical partnership often creates a much smaller role for participants.

Manager: An existing institution or agency might manage the formative stage. Once the partnership has been formed, a manager ensures effective resource use and capacity deployment. The manager may be responsible for operations, internal and external relationships, performance tracking and reporting, and compliance. The manager is usually a non-profit, governmental, or quasi-governmental agency.

Facilitator: A facilitator is an entity with resources and capacity to support and encourage the formation of a partnership. It may be the central government, a potential partner, a non-profit organization, or philanthropic support. The central government can use legal requirements and programming to remove obstacles and increase incentives for partnership. The facilitator may be actively involved, or it may operate in the background.

A Facilitator Can Create a Supportive Context for Partnership Formation

During planning and formation, potential partners need sufficient capabilities, capacity, and resources to take on an issue and establish a partnership. For example, officials might not know enough about partnerships to see them as viable. They might need help understanding what it is and how to set it up. They might not have or be able to commit the organizational assets to undertake the process.

A facilitator can create a supportive context for partnership formation by covering some of the fixed costs of forming a partnership, such as providing a platform for negotiation and information-sharing, determining authority under state statutes, and identifying options to deal with the issue. The state government might take on the role of facilitator to encourage local governments to work together on a regional issue. The facilitator could be an existing regional institution, such as a council of governments, that sees an opportunity to expand its portfolio. Or, it could be a local government taking a leadership role in the area.

OBSTACLES	FACILITATOR STRATEGIES
Insufficient professional capabilities: Potential partners may lack the relationships, expertise, or experience to make decisions and solve problems related to partnerships and the regional issue.	• Increase officials' awareness, knowledge, understanding, expertise, and experience with intergovernmental partnerships, alternative forms of governance, and the region through training, education, communities of learning, and resource libraries. • Support relationship-building among officials across units and levels of government.
Lack of information: Potential partners may lack the knowledge to recognize or understand partnership as an option.	• Provide information to improve understanding of the issue and the potential for better outcomes through partnership. • Clarify available authority.
Lack of instrumental leadership: The cause may lack a champion; an influential leader with a vision to convince potential partners to come to the table and work toward consensus has yet to emerge.	• Foster a culture of visionary leadership. • Equip officials with the skills, mindset, and support needed to navigate complex challenges and plan for the future.

Inadequate capacity: Potential partners might not have sufficient staffing levels, internal systems, structures, processes, and technical tools to perform tasks and achieve objectives.	• Reduce capacity needs by establishing model partnership frameworks matching the state's legal requirements. • Create structures and platforms to facilitate negotiation and provide technical assistance. • Simplify the process of requesting and receiving authority to form a partnership.
Inadequate or unstable resources: Partners might lack adequate funding or tools to deploy the capacity.	• Reduce resource needs by developing and deploying efficiency-increasing tools such as information and communication technology, performance measurement systems, data-driven decision-making, analytical frameworks, and streamlined regulatory frameworks. • Free up or supplement resources through incentives such as streamlined processes, funding, technical assistance, and collaborative purchasing. • Develop a financing structure that is sufficiently politically insulated to withstand a change in administration.

Features of the Intergovernmental System Can Create Obstacles

Features of the intergovernmental system can create obstacles, but several strategies can help surmount those obstacles.

OBSTACLES	FACILITATOR STRATEGIES
Overlapping responsibilities and complex governance structures: State, local, Tribal, and territorial governments (SLTTs) may be unable to successfully navigate the division of powers, leading to uncoordinated decision-making and complicating efforts to implement coherent and integrated policies.	• Tackle specific issues areas by aligning multiple units and levels of government. • Identify and clarify the rules that are relevant in each partnership setting.
Inflexibility and lack of adaptability: Federal requirements may limit SLTTs' abilities to effectively develop tailored solutions to address changing circumstances and evolving needs.	• Balance flexibility with compliance and risk minimization. • Ensure that rules, interpretations, and program guidance are clear, complete, and consistent, making innovation a viable path to problem-solving and realigning programs to current needs and priorities. • Create or streamline waiver and pilot approval processes.
Complex grant processes: SLTTs most in need of federal assistance are the least able to obtain it through the competitive grant system.	• Streamline and consolidate grants administration through process re-engineering. • Create and prepopulate a "common app" to reduce the administrative burden associated with grant applications.
Compliance measures that interfere with effectiveness: Federal agencies monitor the use of federal funds to ensure compliance with program requirements, but strict adherence to rules can lead to unintended consequences.	• Re-orient oversight to focus on well-defined outcome measures in addition to administrative process requirements.

Officials May Need to Break the Hold of the Status Quo

Institutional inertia—pressure to preserve the status quo, avoid taking proactive steps, and resist giving up control—can undermine exploring and establishing partnerships. The pressure arising from political and value-based differences can be formidable.

OBSTACLES	FACILITATOR STRATEGIES
Organizational (internal) pressure to stay the course: Officials responsible for dealing with a problem may be unwilling to prioritize it or take risks associated with breaking the status quo.	• Reduce risk and uncertainty by improving information, lowering penalties, and providing "safe harbors."
Lack of external pressure to collaborate: Stakeholders advocating a response to a problem might not advocate partnership.	• Raise the public's awareness of the benefits of collaboration and address their concerns.
Short-term focus: SLTTs prioritize addressing short-term, proximate needs over long-term concerns.	• Create incentives to address long-term issues.

External Factors Shape Feasibility

Factors related to authority, relationships, priorities, and context may hamper efforts to establish a partnership. Negotiations and the partnership instrument can address some of these factors.

OBSTACLES	FACILITATOR STRATEGIES
Lack of authority to establish a partnership: The authority might not exist or be hard to attain.	• Create the needed authority. • Simplify the processes of requesting and receiving authority.
Unequal organizational assets: Potential participants might need help to muster organizational assets at the same level.	• Calibrate each partner's contributions to their capacity.

Lack of trust: Officials may lack confidence or faith in other officials' intentions, actions, or reliability, undermining the basis of negotiation and willingness to sustain the partnership.	• Support relationship-building among officials across governments. • Establish open and transparent agency-level communication. • Start with small-scale collaboration in areas of agreement and shared goals. • Develop procedures for conflict management and decision-making.
Lack of commitment to address an issue jointly: Potential partners might not conclude they are better off working together than alone or agree that the issue is a priority.	• Focus on areas of agreement and celebrate small wins. • Provide information to improve understanding of the issue and the potential for better outcomes through partnership.
Changing landscape: The political, economic, and other circumstances initially favorable to the partnership may shift.	• Develop a governance structure that is flexible and adaptable. • Understand and monitor partners' legal and policy constraints.
Changing needs: Terms of the partnership may limit its ability to develop tailored solutions to address changing circumstances and evolving needs effectively.	• Revisit organizational arrangements periodically. • Build flexibility into the partnership agreement, and provide an agreed-upon level of autonomy.

THE PARTNERSHIP AGREEMENT

In any setting, the "best" intergovernmental model is the one that is most feasible. A partnership that works well in one situation may not be attainable or effective in another. However, this does not mean that all models are created equal. On the contrary, several principles of good governance describe how public institutions *should* manage resources and make decisions to address the needs of society. The partnership agreement should reflect a shared understanding of these principles, describe how the partnership will implement them, and provide agency to individual partners.

PRINCIPLES OF MODERN INTERGOVERNMENTAL GOVERNANCE

CATEGORY	PRINCIPLE
Accountability and transparency	The partnership is accountable and transparent to its members and stakeholders, with appropriate oversight and performance measures.
Community participation	Community members and stakeholders have access to and are meaningfully engaged in deliberations.
Empowerment	The partnership helps the lower levels of government pursue their objectives.
Structural equity	Resource-constrained SLTTs can participate on par with other partners; communities in resource-constrained jurisdictions are as well represented as communities in high-capacity jurisdictions.
Partner equity	Participants benefit in proportion to their contributions, but partners agree to calibrate contributions as needed to achieve regional equity objectives.
Independence	Arrangements provide sufficient autonomy to individual participants without compromising the collaboration.

Accountability and Transparency

The organization is accountable and transparent to its members and stakeholders, with appropriate oversight and performance measures.

Accountability refers to government officials' and agencies' responsibility and answerability for their actions, decisions, and outcomes. They may be obliged to explain, justify, and assess performance to relevant stakeholders, such as the public or oversight bodies. The objective is to allow stakeholders to hold individuals or entities accountable for performance, failures, or misconduct.

Transparency ensures that the necessary information is available for scrutiny and evaluation. Transparency requires providing clear and comprehensive information to the public about government activities, policies, and decision-making processes. The information should be easily available, understandable, and shared promptly.

Accountability and transparency enhance public trust and confidence. When governments are transparent, the public has greater confidence in the fairness and integrity of their actions. Trust in governance institutions is vital for societal stability and cooperation, as it enhances legitimacy and encourages compliance with laws and regulations.

Accountability and transparency can also improve decision-making. Making information readily accessible lowers the barriers to active participation and policy formulation, implementation, and evaluation. Public consultation, town hall meetings, and online platforms for feedback and suggestions enable citizens to voice their concerns, provide input, and influence decision-making.

Strategy: Negotiate and commit to measures that incorporate accountability and transparency into the partnership agreement.

- Document members' and stakeholders' concerns and describe steps taken (or to be taken) to alleviate those concerns. Acknowledge concerns that cannot be fully addressed.

- Publish and publicize organization documents and operational and performance data to encourage public oversight.

- Develop processes and procedures to measure, report, and review the partnership's performance.

- Create and publicize the availability of an ombudsman or similar function, giving community members a clear access point to direct questions, concerns, and complaints. Create mechanisms to ensure a response and report feedback to partnership officials.

- Provide for independent oversight and reporting.

- Adopt a code of conduct and ethical standards, outlining expected behavior, addressing conflicts of interest, and establishing guidelines for ethical decision-making.

Community Participation

The community has access to and is meaningfully engaged in deliberations.

A closely related principle is participation, which is achieved when the community affected by a decision has access to the deliberations and is involved meaningfully in reaching that decision. Like accountability and transparency, participation can improve decision-making by broadening the information available to officials. The community can speak to, and help officials understand the most important challenges. Keeping the public in the process also ensures that their needs remain centered.

Strategy: Negotiate and commit to measures incorporating community participation into the partnership agreement.

- Create mechanisms that allow the community to participate productively in decision-making.

- Ensure those mechanisms are accessible by a broad range of individuals without unnecessary barriers or discrimination. Consider adaptations needed to serve persons with disabilities, diverse cultural and linguistic communities, older adults, socioeconomically disadvantaged individuals, and others who may need accommodation.

- Create procedures to ensure community input is meaningfully incorporated into decision-making.

Empowerment

The partnership helps members pursue their objectives.

A vertical or hybrid partnership empowers lower levels of government by helping them pursue their priorities and objectives. Empowerment may involve giving or preserving partners' authority, autonomy, capacity, funding, flexibility, or opportunities to address local issues, tailor policies to local needs, or make decisions responsive to their communities. It may also mean devolving certain responsibilities and functions from federal agencies to SLTTs (or states to localities).

Empowerment is beneficial for many reasons. Because SLTTs are closer to the grassroots level, they better understand their communities' specific needs, constraints, and viewpoints. Allowing lower levels of government to engage with the design and planning stages of government strategies leads to policies and procedures better aligned with on-the-ground realities. It can also heighten trust and bolster the relationships among SLTTs.

Empowerment is related to the concept of "subsidiarity," which suggests the level of government closest to the policy problem should make the related decisions. In

this formulation, central or higher levels of government have a subsidiary role, providing resources such as logistical or strategic support when needed. Subsidiarity promotes local autonomy, local knowledge, and democratic participation while avoiding unnecessary centralization of power and decision-making. It can facilitate efficient and effective decision-making, give citizens greater access to the policy process, and provide flexibility to respond to problems, making governments more resilient and agile.

Strategy: Negotiate and commit to measures that incorporate empowerment into the partnership agreement

- Create decision-making procedures that give deference to the level of government closest to the policy problem.

- Empower that level of government to address the policy problem.

- Identify and mitigate compliance or other risk.

Structural Equity

Resource-constrained SLTTs can participate on par with other partners.

A partnership offers structural equity when a lack of resources, capacity, and/or influence does not hobble individual partners' ability to participate effectively. As a result, people and organizations within the area covered by the partnership are all well-represented, regardless of their SLTT. This concept of equity aligns with the ideal of equal representation by creating a structure where all partners can express their perspectives, contribute to discussions, and influence decisions that impact their well-being.

Strategy: Negotiate and commit to measures incorporating structural equity into the partnership agreement.

- Ensure resource-constrained partners are as able to participate in deliberations and decision-making as partners with greater capacity.

- Provide for capacity-building activities to offset the gap, recognizing that other measures may be needed.

Partner Equity

Participants agree on each partner's benefit in proportion to their contributions.

One of Elinor Ostrom's eight rules for jointly managing shared resources is establishing a proportional equivalence between costs and benefits. This principle can mean that partners must earn their benefits by making an upfront investment or covering ongoing costs. It can also mean that partners with limited resources can participate at a level commensurate with their contributions. To

improve equity, participants should negotiate the balance of costs and benefits that each will carry, shifting a larger share of costs to resource-rich partners.

Strategy: Negotiate and commit to measures incorporating partner equity into the partnership agreement.

- Create a contribution and benefit plan that improves partner equity.

Independence

Arrangements provide sufficient autonomy to individual participants without compromising the collaboration.

The intergovernmental system involves cooperation, coordination, and sometimes tension between different levels of government. It is a system of checks and balances, where each level has some degree of autonomy and authority. SLTTs may be reluctant to join an intergovernmental collaboration if it requires them to give up some of that autonomy. Elected and appointed officials may prefer to maintain control over a policy area they know their communities care about. Independence may support empowerment if it does not cut off access to needed resources and the capacity to act.

Strategy: Negotiate and commit to measures incorporating independence into the partnership agreement.

- Establish and provide independence to partners that does not undermine the partnership's effectiveness.

CONCLUSION

Intergovernmental partnerships can be an effective strategy to address wicked problems. It is a good choice when potential partners agree the issue is a priority, they would be better off working together than separately to address it, and they have the capabilities, capacity, and resources to commit to it. It is also a good choice when authority is available, or the partnership can fairly easily arrange permission.

In any setting, the "best" intergovernmental model is specific to the context. A partnership that works well in one situation does not necessarily work well in another. The best form in any setting depends on the nature of the issue and the resources available to commit to it. Government officials' experience, knowledge, and expertise can be critical.

The federal government, states, non-profit organizations, philanthropies, and other area leaders can take additional steps to make partnerships more feasible. They can provide training, education, clear information, incentives, leadership, and a platform to create the needed relationships.

APPENDIX A: EXPERT ADVISORY GROUP OF FELLOWS AND STUDY TEAM

Expert Advisory Group of Fellows

Basil Gooden: Director of State Operations for Rural Development, U.S. Department of Agriculture; Former Secretary of Agriculture and Forestry, Commonwealth of Virginia; Virginia State Director, Rural Development, U.S. Department of Agriculture; Chief Deputy Director, Virginia Department of Housing and Community Development, Commonwealth of Virginia; Coordinator of Outreach and Community Relations, Office of Multicultural Affairs, Virginia Polytechnic Institute & State University; Extension Specialist, Virginia Cooperative Extension.

Naim Kapucu: Pegasus Professor, School of Public Administration; School of Politics, Security, and International Affairs; and Center for Resilient, Intelligent and Sustainable Energy Systems, University of Central Florida; Associate Dean, Research and Innovation, College of Community Innovation and Education; Director, School of Public Administration, University of Central Florida; Founding Director, Center for Public and Non-profit Management, University of Central Florida.

Elizabeth Kellar: Former President and Chief Executive Officer, Center for State and Local Government Excellence and Deputy Executive Director, International City/County Management Association. Other positions with ICMA: Director of Public Policy, Associate Director, and Director of Communications. Community Relations Officer, City of Sunnyvale, California; Public Relations Director, Central Ohio Heart Association.

Jan Perry: Executive Director, Infrastructure Funding Alliance; Executive Director, Shelter Partnership, Inc.; Former General Manager, Economic and Workforce Development Department, Los Angeles, CA; Former Los Angeles City Council Member, 9th District, Los Angeles, CA; Executive Director, 2000 Census Outreach Project, City of Los Angeles; Senior Legislative and Policy Advisor, City of Los Angeles, CD 10; Chief of Staff, City of Los Angeles, Council District 9; Land Use and Planning Deputy, City of Los Angeles, CD 13.

Study Team Biographies

Nancy Y. Augustine, Ph.D.: Nancy joined the Academy in January 2019 and was named Director of the Center for Intergovernmental Partnerships in July 2021. She has led projects for the Legislative Branch, the Department of Commerce Office of Inspector General, and the U.S. Merchant Marine Academy (DOT). She specializes in intergovernmental relations, public management, policy assessment, comprehensive and strategic planning, state and local fiscal issues, and planning for facilities and infrastructure investments. Nancy has previously researched housing and social support programs for the Department of Housing and Urban Development, the Department of Labor, the District of Columbia Auditor, and the Pew Charitable Trusts. She also worked in local government for ten years in long-range planning and policy development. Nancy has a Ph.D. in Public Policy and Public Administration from the George Washington University and has taught at the Trachtenberg School (George Washington University). She also has an M.A. in Economics from Georgetown University and a Master of Urban and Environmental Planning from the University of Virginia.

Miles Murphy: Miles is a Senior Research Analyst with the Center for Intergovernmental Partnerships, overseeing the coordination, planning, and facilitation of meetings, research, and analysis related to all aspects of the Academy's intergovernmental activities. He is developing subject matter expertise for various CIP projects and organizes the creation/development of social media and web content for the Academy/CIP. Miles graduated from Wake Forest University in 2011 and later earned his M.S. in Coastal and Ocean Policy, a degree focused on the overlapping interests of environmental science and public policy, from UNC Wilmington in 2015. He has experience working in both the private and public sectors, most recently acting as the Senior Planner for the Town of Carolina Beach

Brad Riley: Brad is a Center for Intergovernmental Partnerships Research Associate. He offers over 20 years of servant leadership in the public and non-profit sectors, focusing on housing policy, social epidemiology, and advocacy for historically excluded populations. Brad is also known as Councilor Riley, serving as City Councilor At-Large for the City of Easthampton, Massachusetts. He serves as the Ordinance Committee clerk and chairs the Appointment Committee overseeing 30 community boards and commissions. Brad graduated from the University of Illinois with a Master's in Education Policy and the University of Massachusetts with a Master's in Public Policy and Administration. He also has a Bachelor's in Workplace Diversity and Inclusion from the University of Massachusetts Amherst's University Without Walls and professional certifications in applied positive psychology, epidemiology, and diversity and equity.

APPENDIX B: METHODOLOGY AND SCOPE

This report aimed to design a governance model for federal and state/local partnerships to address some of society's compelling problems. To achieve this goal, the Study Team compiled examples, identified the key mechanisms of effective intergovernmental collaboration and cooperation, and identified the main obstacles of today's intergovernmental system. This report does not comprehensively document all forms of intergovernmental partnership or assess the effectiveness of each instance. Instead, it presents a set of key practices and tenets and an action plan to implement them based on careful examination of effective partnerships. The result is a high-level agenda for change applicable in various policy contexts and a launch pad for additional research on optimizing the intergovernmental system to address society's complex modern problems.

Research Questions and Phases

Four research questions guided the project.

1. What are the most significant barriers and problems with the current intergovernmental system, and how do they inhibit the nation from implementing effective, efficient, and equitable policy and program changes?

2. What are the key elements and practices of modern intergovernmental models, and how could they solve the significant barriers and problems with the current intergovernmental system?

3. What are the most promising intergovernmental models in the nation?

4. What are the most significant steps to transition to a new I.G. model, where must the steps be implemented, and who must undertake the actions?

The project occurred in three phases. The first phase entailed a survey and subsequent interviews with experts and practitioners conducted February-April 2023. Interviewees were Fellows of the National Academy of Public Administration (Academy), individuals recommended by Academy Fellows, and members of the Academy's Intergovernmental Systems Standing Panel.

Respondents identified examples of practical problems with the current system, key features of successful intergovernmental partnerships, and effective, modern governance systems. Phase one culminated in a set of governance examples and key elements for further study.

Phase two analysis and document review focused on two lines of investigation. First, the Study Team conducted side-by-side comparisons of examples to identify the key characteristics, create categories, and develop standard language to describe both. Shared features helped refine "what counts" as an intergovernmental partnership. Dissimilar characteristics formed the basis of a

rough typology. The second line of investigation validated the key features of successful intergovernmental partnerships by checking for those features in the sample and looking for additional key features in the cases.

Phase three entailed identifying the obstacles to partnership and developing strategies to address those obstacles. Then the Study Team organized the strategies by stage of development to create an implementation strategy.

Survey

The Study Team distributed the survey to members of the National Academy of Public Administration Intergovernmental Systems Standing Panel and colleagues at select associations working in intergovernmental systems. Intended recipients received an email during the week of January 2, 2023. The Study Team delivered the survey to 190 email addresses on January 4, 2023, by Constant Contact. Recipients received a reminder during the week of January 9, 2023.

The Study Team received 24 responses to the following questions:

1. In no more than one sentence, please describe what you think is the most significant impediment to the optimal function of the current intergovernmental system.

2. What is an example of effective intergovernmental collaboration or action that improves government operations, works(ed) well, and could be widely adopted among government agencies?

3. Who was involved, and what was it trying to accomplish? Why do you think it was effective?

4. What aspects of your example, or intergovernmental collaboration in general, contribute(d) to its effectiveness?

5. What is an example of effective intergovernmental or governmental collaboration with the private or non-profit sector? Who was involved, and what was it trying to accomplish?

6. What aspects of your example or collaboration, in general, contribute(d) to its effectiveness?

7. What is an example of ineffective intergovernmental collaboration or action? Who was involved, and what was it trying to accomplish?

8. What aspects of your example, or intergovernmental collaboration, in general, contribute(d) to its ineffectiveness?

9. To further aid our research, can you suggest contacts or documents we can consult, related or unrelated to your examples?

Interviews

The Study Team interviewed two groups, including 15 survey respondents who indicated they would be willing to engage in a follow-up meeting and eight additional individuals suggested during the project. Each interviewee received an interview guide which included (1) a project summary, (2) an overview of how the Study Team would use their input, (3) notification that interviews are not for attribution, and (4) general questions.

The Study Team interviewed 23 individuals between February 10, 2023, and May 8, 2023, using the following general interview guide:

1. What is an example of *effective* intergovernmental collaboration?
2. What qualities or features contributed to its effectiveness?
3. What agencies or governments were involved? What role did they play in furthering intergovernmental collaboration?
4. What is an example of *ineffective* intergovernmental collaboration?
5. In that example, what was the intended goal or outcome for collaborating?
6. Who were the key players in this example? Are there any strategies you recommend that would have advanced intergovernmental collaboration?
7. What is an example of an *effective* intergovernmental or governmental collaboration with the private or non-profit sectors?
8. Who was involved in that collaboration, and what was it trying to accomplish?
9. Based on our conversation and your knowledge of intergovernmental systems, could you name three criteria for successful intergovernmental collaboration?
10. Are you aware of any examples of effective intergovernmental collaboration with the Tribes and/or territories?

Theories and Frameworks Informing the Report

Many scholars have written about intergovernmental governance, providing insight into its forms, applications, key characteristics, challenges, and opportunities. Several concepts from this literature, and the fields of public administration and management, inform this report.

- **Public Value Theory:** The central tenet is that government and public organizations should not solely be concerned with delivering outputs or achieving efficiency. Rather, they should also strive to create value for the public they serve. This "value" is delivered as societal benefits, such as improved well-being, increased equity, and the satisfaction of public preferences and needs. Creating public value is a justification for intergovernmental partnerships. [6]

- **Wicked Problems**: Many of society's most insidious problems are difficult or impossible to solve due to their complex and multi-faceted nature. They often have incomplete, contradictory, and changing requirements and tend to develop over a long period of time, resulting from multiple mutually aggravating phenomena. Intergovernmental collaboration and cooperation are primary tools to address wicked problems.

- **Common Pool Resource Theory:** Elinor Ostrom's Common Pool Resource theory posits that users can effectively manage and sustain rivalrous and non-excludable public goods by establishing certain mechanisms and institutional arrangements. For example, the principle of proportional equivalence suggests that those jurisdictions should compromise on dividing costs and returns fairly. The principle of clearly defined boundaries recommends defining each participant's right to use the facility and how far that right extends.

APPENDIX C: EXAMPLES OF EFFECTIVE INTERGOVERNMENTAL GOVERNANCE

To develop the toolkit, the Study Team examined several cases of effective intergovernmental partnerships. Several examples below illustrate how they achieve the principles described in the report.

Alameda Corridor Transportation Authority

The Alameda Corridor Transportation Authority (ACTA) is a joint powers authority (JPA) created by the cities and ports of Los Angeles and Long Beach, California. The JPA allows two or more public agencies in California to collaborate and exercise common powers without additional approval from the state. It was established in 1989 to manage the development, financing, construction, and operations of the Alameda Corridor, a 20-mile rail cargo expressway linking the ports of Los Angeles and Long Beach to the transcontinental rail network near downtown Los Angeles.

Political Insulation

The structure of the seven-member Governing Board provides continuity. It includes two representatives from each port, a member from each city council, and a Los Angeles County Metropolitan Transportation Authority representative. Shifts within any of those organizations will have a limited impact on ACTA.

Council of Governments

A council of governments is a form of regional councils, which are membership organizations promoting collaboration and cooperation among states, counties, and municipalities. According to the National Association of Regional Councils, more than 500 regional councils exist in the United States. Planning districts, regional planning commissions, and regional commissions serve similar purposes. A regional council formed under joint power authority or as a non-profit organization is a separate legal entity, whereas a partnership established under an intergovernmental agreement generally is not. Membership in regional councils is generally voluntary.

Structural Equity

A Council of Governments (CoG) can help limited-resource localities participate in regional decision making. A CoG brings together multiple local governments to collaborate on common issues, share resources, and engage in joint decision making. By pooling their limited resources, members can collectively address challenges that would be difficult to tackle individually and boost the capacity of all members. The CoG may provide technical assistance and support through

staff expertise, research and data analysis, policy development assistance, training, and workshops. However, these capacity-building activities might not offset power and influence imbalances within the region. CoG members might hold greater influence in their statehouses than they would individually. On the other hand, if the CoG crosses state boundaries, the involvement of out-of-state localities might weaken their impact.

Public Health: Dayton & Montgomery County

In 1969 the City of Dayton and Montogomery County Health Districts combined and then renamed themselves Public Health – Dayton & Montgomery County in 2021. The combined district's mission is to improve the quality of life in their community by achieving the goals of public health: prevention, promotion, and protection. The city-county collaboration helps to keep their "community healthy, safe, and thriving."

Collaboration

Since 2016, Montgomery County and Dayton, Ohio, have brought together diverse partners to address complicated public health issues, including data sharing. The city-county collaboration focuses many of its efforts on Collective Impact. "Collective Impact is a network of community members, organizations, and institutions who advance equity by learning together, aligning, and integrating their actions to achieve population and systems-level change." It includes multiple programs, including the Community Overdose Action Team, EveryOne Reach One Maternal and Infant Vitality Task Force, Food Equity Coalition, and LGBTQ+ Health Alliance. The Community Overdose Action Team provides a great example of Collective Impact. Building on the Dayton Hospital Association data framework, they track overdose deaths by city and township so that all participating jurisdictions can check progress. In addition to reducing deaths from drug overdoses, the team issues annual reports and identifies problems and gaps, filling them in with the right process, program, or resource. By coordinating closely with law enforcement, jail populations, mental health services, and social workers, more effective strategies are now in place to address the underlying addiction problem.

Emergency Management Assistance Compact

The Emergency Management Assistance Compact (EMAC) provides a legal framework for states to request and assist each other with personnel, equipment, and resources during governor-declared states of emergency or disasters. The National Emergency Management Association (NEMA) coordinates the EMAC system. NEMA is a nonprofit organization "dedicated to enhancing public safety by improving the nation's ability to prepare for, respond to, and recover from all emergencies, disasters, and threats to our nation's security." The federal

government provides limited financial support for training, coordination, and other activities.

Empowerment

EMAC empowers governors to act immediately in times of crisis. They do not have to wait for the federal government to respond, nor do they have to petition for approval. Every state in the compact can use this process equally, moving resources to the state who needs it the most. Local governments use EMAC to request specific teams and resources for disaster response.

Enhanced Infrastructure Financing Districts

Local governments and special districts in California can form an enhanced infrastructure financing district (EIFD), a form of tax increment financing. It diverts the increased property tax revenues from specific infrastructure investments to pay for those investments. Property owners do not have to agree to the designation but can contest it. EIFDs are governed by a Public Financing Authority (PFA) of five members of at least three elected officials and two local community members who live or work in the district area. The state legislature considers EIFD requests on a case-by-case basis.

Environmental Council of the States

Established in December 1993, the Environmental Council of the States (ECOS) is the national nonprofit, non-partisan association of state and territorial environmental agency leaders. In 1993, a group of 20 states created ECOS to bridge state agency stovepiping that had evolved, in part, because of the way federal environmental protection funds flowed to states. The Environmental Protection Agency provided a forum for the states to meet. ECOS relies on dues from its members as well as federal and private sources of funding.

Empowerment

ECOS recognizes state environmental agencies are critical to facilitating federal policies and providing leadership on national environmental issues. They empower state-level agencies through collaborative efforts, especially around articulating state positions to the federal government and building effective, efficient federal and nationwide relationships.

Federal Permitting Improvement Steering Council

Established in 2015 by Title 41 of the Fixing America's Surface Transportation Act (FAST-41), the Federal Permitting Improvement Steering Council (FPISC) is charged with improving the transparency, predictability, and outcomes of the Federal environmental review and authorization processes for certain large-scale

infrastructure projects. FPISC coordinates all Federal environmental reviews and authorizations.

Coordination

The FPISC brings together multiple agencies required to permit projects involving federal property and other requirements. The FPISC not only improves permitting efficiency and outcomes but also looks to improve the process internally, improving coordination and streamlining procedures when possible. The steering committee also creates opportunities to establish or enhance relationships across agencies and with SLTT governments.

Federal Regional Councils

Federal Regional Councils (FRC) were established by the Nixon Administration in 1972 as a part of Executive Order 11647 to facilitate the "development of closer working relationships between major Federal grantmaking agencies and State and local government and improved coordination of the categorical grant system." The 10 participating federal agencies included the Departments of Labor, Health, Education, Housing and Urban Development, and Transportation, the Office of Economic Opportunity, the Environmental Protection Agency, and the Law Enforcement Assistance Administration.

Relationship Building

While no longer active, the FRCs aimed to increase coordination of federal and SLTT resources. A 1974 GAO report noted that the FRCs made strides in interagency and intergovernmental relationships. The program was discontinued under the Reagan Administration.

Metropolitan Planning Organizations

Metropolitan Planning Organizations (MPOs) are responsible for regional transportation planning and coordination. MPOs represent all localities in urbanized areas with 50,000 or more population. MPOs can exist within regional councils or as stand-alone organizations. They are generally created as government agencies or special-purpose entities, often with a governing board composed of local elected officials, transportation agency representatives, and other stakeholders.

Empowerment

MPOs have a hybrid partnership structure. They facilitate horizontal collaborative planning and decision-making. The U.S. Department of Transportation bases funding decisions on priorities set by MPOs.

Mid-America Regional Council

The Mid-America Regional Council (MARC) is a non-profit association of cities, counties, and the Kansas City Metropolitan Planning Organization (MPO), serving nine counties and 119 cities in the Kansas City region. It acts as both a CoG and an MPO.

Decision-making by Consensus

MARC provides "a forum for the region to work together to advance social, economic, and environmental progress." MARC convenes committees that focus on consensus-based decision making. For example, Partners in Quality for Early Childhood Education brings together a wide range of stakeholders to develop a coherent, viable, and high-quality system of early learning programs that benefit all children in the community. Its public policy workgroup works with several advocacy groups to build consensus around priorities. Another example is the Autonomous Vehicle Task Force. Among other activities, the group has resolved to build regional consensus on land-use policies related to implementation.

National Special Districts Coalition

Created by a 2018 memorandum of understanding, the National Special Districts Coalition (NSDC) represents, assists, and advocates for special districts. The organization shares resources and best practices. The coalition's objective broadened in 2021 to include federal advocacy to ensure that special districts have access to important programs provided to local governments.

Structural Equity

NSDC advocates for state and federal funding for special districts on par with local governments to ensure that every level and type of governance structure in the United States receives equitable support.

National Weather Service

The National Weather Service (NWS) delivers weather forecasts, hazardous weather alerts, and other weather-related products to organizations and the general public for protection, safety, and general knowledge. The NWS accomplishes its core mission through a network of national and regional centers and 122 local Weather Forecast Offices.

Iterative Design

The NWS recently underwent a restructuring process aimed at creating a weather-ready nation. It reorganized many elements of its internal structure and external efforts. Officials evaluate operations annually. The NWS recognizes that weather readiness requires constant environmental and societal adaptation.

Empowerment

The NWS supports local empowerment and decision making by providing actionable, meaningful, readily-available, and targeted data. The NWS established and improved engagement with those communities to ensure their awareness and understanding of the data.

Restore the Gulf

The Gulf Coast Ecosystem Restoration Council (Restore the Gulf/Restore) was established in July 2012 by the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act). It includes the governors of Alabama, Florida, Louisiana, Mississippi, and Texas, as well as the Secretaries of Agriculture, the Army, Commerce, Homeland Security, the Interior, and the United States Environmental Protection Agency Administrator.

Authority and Coordination

The program balances authority between federal and state governments and across jurisdictional boundaries, as the environmental impacts and recovery efforts do not stop at state borders. Through collaborative, consistent efforts, the region is responding to environmental challenges.

SA2020

SA2020 is San Antonio's non-profit organization created to implement the city's 2010 plan for its future, Community Vision 2020. It tracks community indicator data, conducts research and analysis, tells stories about the city's progress, and supports collaboration. A blend of communities, governments, grants, nonprofits, philanthropies, and private companies support SA2020 and the San Antonio Community Vision.

Political Insulation

Local, state, and federal funding supports SA2020's activities and mission, so it does not depend upon any local government administration, council, or agency for continued operations and success. Thus, most changes in administration will not lead to substantial changes or the cessation of activities for this community-created and supported initiative.

Tennessee Advisory Commission on Intergovernmental Relations

The Tennessee Advisory Commission on Intergovernmental Relations (TACIR) is a non-partisan advisory body that supports the Tennessee Legislature. It analyzes potential legislative decisions and related policies, programs, and projects.

Political Insulation

The Tennessee Legislature established TACIR in 1978. It can only be repealed or abolished by a majority in both houses. This permanence creates some political insulation that allows it to operate without significant impacts from a change in administration. Requirements for commission membership help to maintain a reasonably neutral group. It includes 25 members representing both legislative houses, the state executive branch, local government, and private citizens.

Empowerment

TACIR provides a passive form of empowerment by actively pursuing localities' and stakeholders' input on legislative proposals. Because the onus to make contact is with the commission, limited-resource localities and stakeholders are able to participate on par. Neither the commission nor the legislature is bound to follow local priorities, but the process ensures they know what they are.

U.S. Interagency Council on Homelessness

Established in July 1987, the United States Interagency Council on Homelessness (USICH) is a federal government agency that aims to prevent and eradicate homelessness. USICH collaborates with federal, state, and local governments, as well as the commercial sector, to assist communities in forming partnerships, allocating resources efficiently and effectively, and implementing evidence-based best practices.

Coordination

Families and individuals can become homeless due to a combination of life circumstances. The government agencies responsible for supporting programs that address these life events are not housed within any one agency or department, making coordination challenging. A council or similar interagency mechanism allows the often-siloed departments to collaborate, improving program design and the outcomes they facilitate at the SLTT level.

ENDNOTES

1 By contrast, in "hierarchical" relationships, the higher level of government reserves governance. SLTTs have an insignificant or incidental role in decision making. Wright, D. (1988) *Understanding Intergovernmental Relations*, Third Edition. Wadsworth.

2 While horizontal partnerships in this report all involve proximate jurisdictions, proximity, per se, is not a necessary condition. Agencies in different parts of the country can collaborate and learn from each other.

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