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STATEMENT BY THE CITIZENS LEAGUE  
 TO THE METROPOLITAN COUNCIL  
 JULY 11, 1972

We're pleased to have a chance to appear at these hearings. We have, as you know, been concerned with questions of regional functions, organization and finance for most of the last ten years. Our most recent comprehensive statement on this question was delivered March 1, 1971, to the House and Senate Committees on Metropolitan and Urban Affairs. We have reviewed this statement, after listening to the discussion at the first two hearings in this series . . . and have found that statement still largely appropriate to the issues as they are presented today. We would like, therefore, to review what it was we concluded a year ago, to comment briefly on certain developments in the past year that might suggest a reappraisal of the conclusions expressed in 1971, and, finally, restate our proposals for regional organization and finance, in the light of the present situation, as we approach 1973.

Essentials of our 1971 conclusions

In this statement, approved by the Citizens League Board of Directors, February 25, 1971, after a review by a special committee, we commented on several issues:

- \* The job of the Metropolitan Council is essentially the making of regional policy. That is, the determination of what the region wants -- from the state, and from the local units. We said then that the Metropolitan Council -- as a structure genuinely able to speak for the Twin Cities area as a whole -- has been generally successful.
- \* We noted then that the law was receiving intense attention nationally. In the past twelve months, of course, the Legislature's accomplishment has been further recognized with the All-America City designation.
- \* We said then that "more and more, we will see the federal government trying to deal with urban areas as a whole."
- \* We concluded then that the Metropolitan Council had respected the distinction between regional and local functions . . . and has moved fairly carefully in defining the actions of municipal and county units as matters of metropolitan interest.
- \* We said a year ago we sensed the Metropolitan Council has moved more slowly than it might have on the preparation of its Development Guide . . . and in the translation of the principles and policies of the Guide into specific situations on the ground.
- \* We concluded that experience supported the Legislature's decision to establish the Council on the same basis as other levels of government, that is, directly representative of the citizenry, and on a "one man, one vote" basis.
- \* We recognized the insertion of a level of regional decision-making into the governmental system would produce some uncertainty and some friction. We felt, however, that it was the early years, and not the present situation, that was "abnormal." Friction is characteristic of intergovernmental relations in our system.

And we felt the tensions between the regional structure and the state, on the one side, or the local units on the other, was no worse than, for example, the relationship between municipalities and counties, between local government and state, or between state and federal.

- \* We commented then on the criticism by local units of the regional agencies. We said this was perhaps because of a lack of contact by the members or staff of the Metropolitan Council, and we urged additional efforts and procedures to assure timely consultation with the affected local units.
- \* We noted that "visible conflict" was appearing between the Metropolitan Council and its subordinate boards. We said this conflict was probably not unhealthy . . . and that real disagreements over policy directions were, in this fashion, brought out into the open. "The aggressiveness of a subordinate agency may perhaps be pushing along the development of issues and of decisions faster than otherwise would occur." We drew attention to the Council/MAC relationship in particular, however, as one where the Legislature's failure to define the respective roles of each has made a decision difficult to the maximum degree.

How would developments since March 1, 1971 alter these conclusions?

In some respects the developments of the past 15 months have underscored all these points.

The job of the Council is, more than ever, the making of regional policy. In the past year, the emphasis has shifted still more toward a focus on decisions. The Council is -- subtly, yet really -- less a planning body, and more a governmental body. Its work is reminiscent, in several ways, of the period 1967-69, as it moved toward a decision on what to propose to the Legislature as a solution for the metropolitan sewerage problem. Now, the problem is transportation.

Certainly the law continues to receive attention, nationally. The Twin Cities area has been awarded the first regional All-America City Award. And the concept of the urban area as the "real city" is fundamental to the thinking of the Secretary of the Department of Housing and Urban Development.

Relationships between the metropolitan agencies and the other levels of government have tended to settle, increasingly, into the normal . . . semi-competitive . . . pattern. The 1971 Legislature -- while it did not expand the scope of the Council's responsibilities and did continue to treat the Twin Cities area as a single, real community -- did not give the Metropolitan Council everything it asked. County governments have been seeking a piece of the regional action in implementing regional programs. And municipal government has been pressing for a definition of the limits of regional, as versus local, responsibility.

Between and among metropolitan agencies, too, friction is more evident . . . particularly, between the Metropolitan Council, on the one hand, and the major regional service agencies -- the Sewer Board, the Transit Commission and the Airports Commission -- on the other. Partly, it appears to be a disagreement over the substance of the decision; partly it appears to be a disagreement over which agency is entitled to make the decision.

The key question is: How far do these developments alter the judgments we reached about the organization and operation of the metropolitan agencies in March 1971?

Our conclusions as of Summer 1972

We have been reasonably close to developments during the past year, and have made some special efforts to talk with persons more knowledgeable about the particular, current, controversies. Our best judgment, on this basis, is that:

- \* The friction evident reflects very largely the success of the Metropolitan Council in moving its programs, and in representing the regional interest effectively.
- \* This is particularly true with respect to the subordinate boards.

The Sewer Board has organized, and moved, the regional sewer program faster than most persons would probably have thought possible, in 1969. Almost inevitably, its aggressive program has presented issues, and problems, for the Council . . . as, indeed, have those of the MAC and the MTC.

There was no way these conflicts could have been avoided: They are as real in the metropolitan level of government as they are between department heads and the policy-making councils in municipal, county, state or federal government. They could only have been suppressed, or taken largely out of public view.

And the relationship between the Council and these semi-independent agencies . . . which has in it something of the tension between legislative and executive, in other levels of government . . . was structured, in part, precisely to ensure that such differences over program did get argued about -- and in public.

It would be a mistake to conclude that what the area has been watching, this past year, is simply controversy. It has been, really, the most intense and searching debate over basic policy about the future development of the Twin Cities area . . . precisely the kind of debate -- leading toward well-informed decisions -- the Legislature had in mind when it set up the Council to replace the Metropolitan Planning Commission in 1967.

It has not been easy on the agencies, and the individuals, directly engaged in it. But this clash of points of view . . . between the program officials driving hard for the "best possible" system, and the members of the Council concerned about inter-relationships among systems, about overall costs, and about such intangibles as "community impact" . . . has been highly beneficial for the public.

- \* This is true also . . . though to a somewhat lesser degree . . . with respect to local government.

We do not believe the Metropolitan Council has deeply invaded the powers and prerogatives that belong to local government. It has, this past year, been criticized on more than one occasion for "passing" on some municipal action that others felt was, in truth, a matter of metropolitan concern. And, where it has acted directly against an action of some particular municipality, it has most frequently done so, not arbitrarily, but in the assertion of a reasonably clear interest of the region as a whole.

Yet, municipal officials have a valid point, in pressing for a clearer definition of what is regional and what is local.

To a large degree it is, of course, impossible to separate the two. There are few wholly regional programs, or wholly local programs. Rather, there are parts

of programs that tend to be regional, with other parts local. (Law enforcement, with its break-down into regional communications and local enforcement, is an example.) At times, too, regional and local considerations are involved in a program at the same time, inextricably. (Housing is an example.)

But the regional interest could, frequently, be better defined by the Metropolitan Council . . . and its limits more clearly stated, to allay the fears that it has no limits at all. And, when expressed, it could probably be better expressed.

It seems clear -- from the past year, and from the testimony at these hearings -- that the relationship between regional and local planning is not working well -- from the point of view either of the local or of the metropolitan agencies.

Generally, the Council is to set the comprehensive development plan, and policy . . . with the local units responsible for the actions that really determine development.

It is the "linkage" between the two that is giving trouble. Neither party is happy with a linkage that consists solely of late-stage review, in which the Council can disapprove some project a municipality is about to undertake. Both parties speak more favorably of a more "positive" arrangement, in which the Council expresses its guidance early in the planning stage.

Even here, however, real problems exist. Municipalities, counties and watershed districts seem, uniformly, to feel the Council's early guidance is much too specific and detailed. The Council, for its part, appears to feel that it can direct effectively only where it is specific as to details -- and, better, where some legal requirement lies on the local unit to follow the plan presented.

It is possible that the local units' urging the Council to be "broad and general" is simply an expression of a hope that the regional planning and policy-making will, in fact, be innocuous. This would not be tolerable, however, and, on the whole, we do not believe this is what they mean.

It is possible they are right in their complaint that the Council's early planning ought to be much more strategic . . . much more concerned with the "what" than with the "how" of it . . . leaving the local units to work out the specifics.

The Council needs to establish what is really central to metropolitan objectives, and what (even if done badly, by a municipality) is not. The Council needs to state its objectives in terms that local officials -- the planning commissions and village or city councils, and their engineers and attorneys and zoning officials, who work with lines on the ground -- can relate to.

It is worth while, too, to address a suggestion, early, to a local unit even where no legal authority exists to require that locality to adopt, or to conform to, it. Granted: the suggestion will then have to be sold to the municipal government (or, perhaps, to the citizens of that municipality, who will in turn sell it to their local government). But this is probably a sound -- and can be a feasible -- way to go about implementing proposals.

#### Our Proposals for 1973

These conclusions suggest the following changes, as we look toward 1973:

Changes in existing independent special districts. We believe the remaining area-wide special districts, not now clearly under the policy direction of the Metropolitan

Council, ought to be brought into this relationship in 1973. There will need to be some variations from one district to another. And, not every district should continue to exist separately once brought under the Council's jurisdiction.

- \* Metropolitan Airports Commission. We urge the MAC be made a separate service commission under the Council on the "Sewer Board model." Representation should then cover the suburban as well as the central city portions of the area. The MAC, thus reconstituted, should continue to own and operate the airport system for the Twin Cities area. We fully recognize the interests of the state in this system. But it seems clear to us that the interest of the state requires, not a transfer of the administrative management of the system to some state agency, but rather a completion of the state's own plans for airports, indicating the way in which various cities are to be served. The Metropolitan Council and its subordinate MAC will then follow these guidelines.
- \* Intra-urban transportation. The Development Guide Committee cannot continue indefinitely on transportation planning to the exclusion of almost all else. We therefore renew our proposal for a statutory Transportation Board, with members selected by the Metropolitan Council. This board, taking its general direction from the Development Guide, should give direction, in turn, to the "operating" agencies responsible for the auto/highway and the transit modes. These agencies should have their roles redefined by the Legislature, so that the Highway Department -- as the competent public works agency -- becomes responsible for building the facilities both for autos and for transit; and the Metropolitan Transit Commission becomes an enterprise-oriented agency responsible for managing the use, and improving the utilization, both of the vehicles and of the rights-of-way.
- \* Parks and open space. We believe there needs to be a metropolitan program for site acquisition, which will need to be financed with the resources of the entire area. Individual counties should be given a role in the operation and maintenance of the parks in the metropolitan system to the maximum extent they desire.

Structure of the Metropolitan Council itself. Both the imminent redistricting of the State Legislature and the continuing growth of sentiment within the Twin Cities area for the election of the Metropolitan Council present the 1973 Legislature with important and complex choices about the restructuring of the Council itself.

- \* Area. We urge that, for the time being, the present seven-county boundaries be continued.
- \* Basis of representation. The fundamental principle which must be preserved is the use of equal population districts for the selection of members of the Council. We would like to see these continue to be tied to the reapportioned State Legislative Districts, if this is possible, even if it means -- with the growth of total population in the Twin Cities area -- some small increase in the size of the Metropolitan Council membership.
- \* Method of selection. We believe (updating our 1971 recommendations to the current biennium) the Council should, as a part of its proposal to the 1973 Legislature for a re-drawing of Council boundaries, present a proposal, and a rationale, for election. The Legislature then should make provision in 1973 for an election to begin in 1974. We believe the arrangements for election should preserve, so far as possible, what has made the Council effective . . . that is, its regional rather than localistic orientation; the needed continuity in the planning

of its development program; and its ability to concentrate on policy issues, in real depth. This -- together with the size of the districts and the cost of campaigning -- suggests the use of fairly long terms. We would prefer to see the transition made gradually, staggered over a set of elections for overlapping six-year terms.

The arguments surrounding the proposal are complex, and move in different directions. Nevertheless, a central rationale can be simply stated. (1) It is the involvement with policy, not with administration, that primarily requires officials to be responsive to the public, and the Council is now involved with policy. (2) The process discussion involved in the campaign that accompanies an election forces the contact with citizens and local officials now being so strongly urged on the Council. (3) And, with the vote of the electorate, positions and policies are "legitimized" and given a stature and authority which -- no matter how sound -- they cannot have when issued by a body whose members are appointed.

- \* Compensation. We have proposed members of the Council, when elected, be paid salaries consistent with attracting and retaining high caliber, less-than-full-time public officials. Members of the service commissions should be paid at per diem for their services.
- \* Chairman. It is important to distinguish clearly the two issues involved in the structuring of the chairman as the Council becomes elective. One is the question of the office itself; the other is the question of the method by which the individual is chosen for that office.

- We believe it is essential that the office exist clearly as a leadership office, and not simply as an additional duty imposed on one of the Council members elected from, and continuing to represent, one of the Council districts. The chairman should continue as a voting member representing and serving the area as a whole, and must be free of the potential conflicts of interest that could arise if he were to be also the representative of a district.
- The chairman should continue -- at least for the near term -- to be a resident of the Twin Cities area, selected by the Governor, with confirmation by the Senate. This will emphasize the character of the office as a leadership post, representing the area as a whole, in relation to a Council elected entirely by districts. It will clearly focus responsibility for the selection of the individual who will occupy the office. And it will continue a meaningful tie with the state government, on both the executive and legislative sides -- affording maximum opportunity for the coordination of metropolitan programs with the state programs in which they are so closely involved.

As relationships become better settled, and as the responsibilities of the Metropolitan Council expand, the need for a political leader directly responsible to the people of the Twin Cities area may dictate a shift to direct election of the chairman. This would also open up an opportunity for a reorganization of the metropolitan governmental structure into a more conventional legislative/executive relationship. We did not feel that the addition of an elective position at the metropolitan level was realistic, however, at this stage in the evolution of the areawide government.