



Common ground. Common good.

Principles for Citizen and Government Collaboration in Public Decision Making:

**Testing Common Ground Principles on the Central Corridor Light Rail
Transit (LRT) Project**

June 15, 2011

EXECUTIVE SUMMARY

Principles for Citizen and Government Collaboration in Public Decision Making: Testing Common Ground Principles on the Central Corridor Light Rail Transit (LRT) Project

For the last five years, the Citizens League has been defining the gap in expectations between government officials and citizens in how public decision-making processes play out through government agencies. Through the Minnesota Anniversary Project (MAP150), the Regional Policy Workshop, and the recently completed Central Corridor case study, we have been developing and testing ideas on how citizens and governments can better collaborate in ways that we have recently referred to as Common Ground Principles. We believe that the following principles will have a transformative effect when applied to decision-making processes and result in better results for citizens and government.

Common Ground Principle #1: Everyone “steps back” to ensure that all who have a stake are represented in the process.

Process Point #1:

It must be agreed that the initial purpose of the process is to recognize and understand everyone’s stake as the starting point.

Key Political Skill: Suspending judgment to get divergent points of view.

While the Common Ground Principles state that all who have a stake should be represented, it can also create confusion when large numbers of participants are involved in the process. For example, thousands of people engaged in the Central Corridor development process. With such a high number of participants in the development process, there were times when it was difficult for participants to know who truly represented “the community.” Ensuring all who have a stake are represented in a transparent fashion is important; equally as important is voicing those claims to the group, in order to create a shared understanding of interests.

Common Ground Principle #2: Ensure that all who have a stake are heard from at an authentic point in the process.

Process Point #2: Match the timing, content and structure of a public meeting with its purpose. If the public can no longer influence a decision, don’t ask what they think.

Key Political Skill: Asking open-ended questions to engage different perspectives.

In order to recognize and understand everyone’s stake as the *starting* point, there needs to be a dialogue on the costs and benefits of the development, according to each participant’s own value framework at the outset of a process. This is not typical and it is difficult to do authentically at the beginning of a

development process. The gap in expectations between citizens and government officials, as identified in the MAP150 survey results, plays a critical role in the tenor of public processes.

Common Ground Principle #3: Use an inclusive, interactive process that gives everyone the tools to understand the bigger picture and the trade-offs involved.

Process Point #3: Explicitly calculate the costs and benefits of a given project, taking into account the risk perceptions and perspectives of all parties. Everyone identifies costs and benefits from their perspective and are then asked how much confidence they have in the judgments they have made. Each group or individual examines their stake and voices it to the group, so that everyone understands the focus on each other's stake and what group or interest they represent.

Key Political Skill: Strategic listening to determine and clarify self-interest as it relates to common goals in order to learn together.

In a process where there is inclusive, open and interactive dialogue between all stakeholders – project officials, residents, developers, funders, and others – a shared understanding is created. Participants in this type of discussion have a better ability to gauge expectations in light of what it would take to achieve them. The process takes time, but the end result can be of great value to all involved and an important byproduct is legitimacy. In the process of asking participants to think through costs and benefits, everyone involved gets an idea of the different perspectives present in the process.

Common Ground Principle #4: Expect citizens to be problem-solvers, not complainers, and set up processes that put forth that expectation.

Process Point #4: Never assume that more information alone will settle a controversy.

Key Political Skill: Hold self and others accountable for follow through on agreements. All participants act as governing members; using their experience and self-interest in the context of the common good.

Acknowledgement of the values identified at the outset of the process helps participants work through the “constructive tension” that democracy requires. This is another key political skill in the Citizens League operating principles. If public officials enter a process believing that they must have “all the answers” they are more likely to depend on information alone to solve the controversy.

If this principle is followed along with the other three, citizens should not be comfortable approaching the process from a position of narrow self-interest (as a so-called NIMBYⁱ). Instead they will begin to accept their responsibility as citizens and policymakers.

Key Findings from the Central Corridor Case Study

- The Common Ground Principles were not broadly applied in the Central Corridor development process. Attempts were made to apply the principles in part, but those attempts were haphazard and depended upon who was in charge.
- The Common Ground Principles can be difficult to apply because, in many ways, they require a shift of thinking by everyone involved. Public officials and citizens have to allow each other to be full partners in the decision-making. It requires a new way of approaching public processes and, in some cases, dismantling existing –and deep-rooted– attitudes, structures and processes. While this can take time on the front end, it can also save time by avoiding drawn out disputes.
- Participants who said they felt they were a full partner in the process and who understood the risks and benefits associated with decisions, expressed a higher level of satisfaction with the process overall. This lends support to the value of the Common Ground Principles.

Common Ground Outcomes

Given the discussion presented in this paper, the general outcomes the Citizens League seeks through the Common Ground Principles are:

- Projects will be less controversial as costs and benefits are weighed from many different perspectives and different points of view are understood and valued at authentic points in the decision-making process.
- Citizens will be challenged and required to focus on more than narrow self-interest and explicitly value the project for its benefit to the common good.
- The principles will evolve into the approach for the region (however it is defined) and their use will be expanded.

Putting the Process Pieces Together

Since its inception in 1952, the Citizens League has focused on good processes that lead to good policy solutions. For decades, the study committee process was the way in which the Citizens League developed good ideas in partnership with members. Many of the solutions developed through that process led to effective policy changes.

Although we have issued reports over the years on how we think specific processes should change, in 2006 the Citizens League began to branch out. Guided by our new operating principles, and through the Minnesota Anniversary Project (MAP150), we began to think about what changes need to be made for citizens to be more engaged as policymakers in today's public decision-making.

For the last five years, the Citizens League has been defining the gap in expectations between government officials and citizens in how public decision-making processes play out through government agencies. Through the Minnesota Anniversary Project (MAP150), the Regional Policy Workshop and the recently completed Central Corridor case study, we have been developing and testing ideas on how citizens and governments can better collaborate in ways that we have recently referred to as the Common Ground Principles. We believe that the following principles will have a transformative effect when applied to decision-making processes and result in better results for citizens and government.

The foundation: MAP150

As part of the Minnesota Anniversary Project (MAP150), a non-scientific survey was given to nearly 700 citizens and public officials. The survey results suggested that there is a significant gap between the expectations of citizens and those of public officials around public decision-making processes. For example:

- 12% of the general public expects public officials to have all the answers, while 44% of public officials feel that citizens expect them to have all the answers.
- 93% of the general public agrees that their input is just one of many opinions public officials must account for, while 38% of public officials thought that citizens think this way.
- 40% of the general public said that they trust the information they receive from local and state government, while 20% of public officials think that citizens trust this information.
- 79% of public officials think that only those with a special interest want to get involved; 38% of citizens think this is true.
- 91% of citizens believe that policies cannot be effective unless input from those impacted by a problem have a role in solving it; 71% of public officials believed this to be true.

What is important about this information isn't whether either group is right or wrong about the current state of public processes, but rather that significant gaps in perception exist. These gaps are ingrained in the way public decision-making processes are set up and negatively affect them from the start.

Through MAP 150, the Citizens League also held conversations with Minnesotans from around the state. Four findings from those conversations are of particular relevance to improving the public decision-making model:

- Citizens want to know that their input/time will make a difference, that they will be listened to and how their input will be used. In other words, they want the interaction to be authentic.
- There is considerable reluctance to involve citizens integrally in decision-making processes.
- Citizens are not recognized for the value they add. They bring their values, information and capacity for action to policy-making. All are valuable.
- In processes that enable citizens to share information, interact and educate one another, citizens will seek to learn and their views will evolve. A requirement for this to happen is two-way dialogue with public officials.

These four findings, called to our attention through MAP150, formed the foundation for a new model for public decision-making.

The 2008 Regional Policy Workshop

In September 2008, the Citizens League held a Regional Policy Workshop to identify regional dynamics and priorities in the Twin Cities metro area. Results of a pre-event survey suggested that the public's view of their "region" depended very much on the activity or function in which they were engaging. Often the "region" identified was not the seven-county area that has been defined in state law since the 1960s.

The workshop was framed in three distinct policy areas:

- Creating a Regional Vision based on Competitive Advantage
- Creating a New Model for Resource Use
- Creating Communities for a Lifetime

The work that emerged was certainly not anticipated. We expected, on some level, participants to develop ideas and choose a policy area where they thought further work was important. Instead, when participants of the workshop were surveyed at the end of the day, the idea chosen by the most participants focused on the process of making decisions:

We form groups that exert claims relative to one another without holding these claims up in light of the common good. We need to change the current discussions/language so we can begin to see what we get and give each other and create a sense of community around it. This will require a new level of transparency and new forms of accountability.

- *2008 Regional Policy Workshop Findings*

It was decided that new processes, which establish common ground, are needed to address our "groups and claims," an idea produced by the "Creating a New Model for Resource Use" session. In the context of regional decision-making in Minnesota, we know that the most important decisions are defined by individual projects in specific communities that often have a regional benefit, but may be viewed as threatening to those who live closest. For the establishment of the Common Ground Principles, we have

generally substituted the word “stake” for “claim,” since without this context the word “claim” can have legal and other connotations that we do not intend.

In the decades since Minnesota established regional governing mechanisms, like the Metropolitan (Met) Council, the processes by which local and regional decisions are made have changed and are now strongly defined by an expectation that those who oppose projects and developments with regional significance cannot see beyond their own self-interest

What does it say about the health of our local decision-making processes if we assume that the very participants who are essential to judging the costs and benefits of a given proposal are only interested in the narrowest of self-interest? What if these expectations have driven the processes to fulfill that role for citizens, even as we do not expect or demand more from them?

Given that opponents to development projects are often characterized as unable or unwilling to consider the larger societal benefits of a transportation, housing, or development project that changes the place they identify as *home*, **is it possible that conventional public processes have actually become part of what fuels this behavior?**

The theory behind place identity

Building on the themes that emerged from MAP150 and the 2008 Regional Policy Workshop, the Citizens League hosted three conversations around the metro area in the fall of 2009 to explore residents’ views of the public process for making development decisions. The underlying question of these discussions was whether or not local processes fueled the assumption that opponents to development projects were only concerned with the narrowest of self-interest.

Those conversations yielded an important finding: **the impacts, both positive and negative, of potential development projects are rarely identified or discussed openly.** In fact, they are often not discussed at all and citizens are left to focus – understandably – on their self-interests. In the absence of an explicit discussion of costs and benefits, citizens are left to do their own mental calculations of how they will come out in the end.

The working paper that summarized these conversations prefaced the findings with a discussion of the theory behind how place identity affects the development processes. In summarizing literature on the topic, the paper reported:

Identity process theory suggests four principles that people use to develop and defend their identities in relation to place. These include the self-esteem that comes from living in a community that shares one’s values and norms; the sense of self-efficacy provided by an environment that facilitates one’s lifestyle; the need for one’s self-concept to have continuity; and the desire for distinctiveness (Twigger-Ross and Uzzell). (Becker, 2009)

People form their own unique attachments to communities, as well as with people *in* those communities. When citizens hear of a development project that will change their community – no matter the intention behind the project – they may feel the value they place on their community is being threatened. At this point, they are operating from a place of fear and may find it difficult to accurately judge the merits of the proposed change.

Variables, unique to individual development processes, can alleviate or exacerbate this fear. As reported in the working paper:

A long list of contextual factors may shape risk perception, including the ability to influence risks, whether the risk is undertaken voluntarily or not, familiarity with the hazard, potential for catastrophe, values, attitudes, social influences and interests, how institutions respond, cultural identity and perceived fairness (Renn et al). (Becker, 2009)

Risk perception is not a linear equation. Everyone comes to a development process with their own sense of community, their own history and their own experiences. Not everyone will perceive the process the same way; development officials cannot expect to alleviate the concerns of residents in the same way. A “one size fits all” approach to risk abatement will fail.

This is true for citizens, as well as those who are in some type of “official” position, such as developers, elected officials and staff. In addition to bringing their own perspectives and history, as the working paper reported, “They also wear their professional hats. Professional standards and rules influence how one perceives risk and these are internalized and reinforced through training, rewards (such as promotions) and belief in the produced output (Renn).” (Becker, 2009)

In any development process, there are bound to be varying perspectives and assessments of risk. In order to best address these individual and unique calculations – and not exacerbate them by overlooking some – understanding the perceptions of citizens shouldn’t be seen as a box to check off or a singular step in the development process, but as *a process of its own*.

Community perspectives on three controversial developments

The three community conversations held in the summer of 2009 yielded important findings regarding the aforementioned theory. The three communities – Lake Elmo, Apple Valley and Brooklyn Park – were chosen because they all recently completed controversial development projects. The Citizens League brought together people involved in each of the three development processes for discussions about their respective projects. The citizens were asked to list costs and benefits of each development and indicate the significance of a cost or benefit (by assigning it a point value). Some groups were then asked to take it one step further and to assign claimholders (developers, neighbors, city, region, etc.) to each cost and benefit. For example, if a cost was “more crime” how significant was that cost (point value) and who bore it (which stakeholder/s)? If a benefit was “more affordable housing” how significant was it (point value) and who received the bulk of the benefit (which stakeholder/s)?

After this cost/benefit exercise, the residents were asked how much faith they had in their ability to identify and allocate costs and benefits. As reported in the findings:

“All residents shook their head and smiled – they had no confidence; these were their perceptions; they lacked facts. However, they also suggested that they had identified important intangible costs that public officials had not considered... perhaps the Met Council or city officials did not have the full picture either.” (Becker, 2009)

With development officials wearing their professional hats and residents wearing their citizen hats, both groups are bound to approach the process from different perspectives and with different value frameworks. In addition, the three community conversations gave credibility to the idea that there were intangible costs that residents believe they bore.

The top three observations from these groups involved:

- notification,
- the quality of interactions with public officials, and
- trust.

Notification dealt with *who* told the citizens of the proposed development and *when*. As the findings reported, “On more than one occasion residents used language such as ‘the city was trying to pull one over on us,’ or ‘sneak one through.’ If the first contact with a proposed development occurs under circumstances like these, it is easy to see how residents might filter or interpret information with suspicion.” (Becker, 2009)

The second observation addressed the quality of interactions with public officials. Citizens reported that developers and city officials used complex, technical language. Citizens reported that public hearings were a poor use of their time. Public officials debated for lengthy periods before citizens were given very limited time (two minutes) to state their concerns to public officials who often wouldn’t or couldn’t respond to them. Additionally, citizens expressed frustration with getting their most basic questions answered. As the findings stated:

Local officials, developers, and even some residents argue that there is no set of facts that will satisfy residents’ concerns if they are set against the project. This appears to be grounded in research, but that same research suggests that the sheer act of providing facts may be important. Non-responsiveness may reinforce prior beliefs, such as “they don’t care what I think,” in which case the source of the facts may lose credibility and the facts will be dismissed. (Becker, 2009)

The third observation stems directly from the first two – trust. Citizens reported that they encountered dismissive attitudes of public officials, felt as though “the city was trying to pull one over on us” and had questions that went unaddressed, which resulted in distrust. Once citizens find themselves disappointed by an interaction or experience, the next time they encounter part of the development process they are more likely to be distrustful. These experiences can build upon themselves and quickly become disastrous for any development process.

If we recall the four findings from MAP150, it becomes clear that we could make changes to improve these observations and help form a better process for public decision-making:

- Citizens want to know that their input/time will make a difference, that they will be listened to and how their input will be used. In other words, they want the interaction to be authentic.
- There is considerable reluctance to involve citizens integrally in decision-making processes.
- Citizens are not recognized for the value they add. They bring their values, information and capacity for action to policy-making. All are valuable.
- In processes that enable citizens to share information, interact and educate one another, citizens will seek to learn and their views will evolve. A requirement for this to happen is two-way dialogue with public officials.

Establishing Principles for Public Decision-Making

Combining the above four MAP150 findings with outcomes of the 2008 Regional Policy Workshop and the three discussions in Lake Elmo, Apple Valley and Brooklyn Park in 2009, the Citizens League developed a new path for public decision making. This path, the Common Ground Principles, is a more authentic, more inclusive and more participatory model than the current framework of public hearings and public meetings.

In creating a new approach to public decision making, the Citizens League focused on the idea that creating a community vision and finding the common ground is a *process* built on trust. While we recognize that it's impossible to completely eliminate opposition in public processes –particularly when there are “unknowns” involved –we designed the process to maximize opportunities for citizens to authentically participate in public decisions.

Testing Common Ground Principles: Central Corridor LRT

In October 2010, construction began on the Central Corridor Light Rail Line. The 11-mile line will run from downtown St. Paul to downtown Minneapolis, along University and Washington Avenues. Expected to open in 2014, planners project an estimated weekday ridership of over 40,000 by 2030. According to the Metropolitan Council, the project's lead planning agency:

The Central Corridor links five major centers of activity in the Twin Cities region - downtown Minneapolis, the University of Minnesota, the Midway area, the state Capitol complex and downtown St. Paul - that contain almost 280,000 jobs. By 2030, this number is expected to grow to 345,000 jobs.ⁱⁱⁱ

Initial planning for the line began in 1981, but starting in April of 2006, upon the release of the line's preferred alignment and *Draft Environmental Impact Statement*, disagreement between the community and project officials arose. Over the next five years, two civil rights complaints and three lawsuits were filed, all of which objected to varying aspects of the project or process. Central Corridor project officials said that complaints and lawsuits are an "inevitable part of any massive transportation project"ⁱⁱⁱ, but it was clear the development process had become contentious. (A short summary of the legal objections can be found in the Appendix.)

In August of 2010, the Citizens League began an effort to look at the Central Corridor development process in light of the principles of the Common Ground Principles. We were interested in:

- What has the development process looked like to those involved?
- To what extent have Common Ground principles been applied? And to what effect?
- Are there lessons to apply to subsequent development processes, such as the Southwest Corridor? Or other public processes in general?

The principles presented in this report have been significantly refined through the findings in the Central Corridor case study.

Methodology

Approximately 30 individuals were interviewed, including corridor residents, business leaders, public officials and advocacy group members. (These individuals are referred to as "participants.") Participants were asked about their perceptions of the Central Corridor development process, whether or not the process created a shared understanding of costs and benefits – as emphasized in the Common Ground Principles – and to what effect. While the line runs for 11-miles from downtown St. Paul to downtown Minneapolis, most of the participant interviews were with individuals involved primarily with the eastern end of University Avenue. What follows is an outline of the Common Ground Principles and how it played out in the Central Corridor development process based on the conversations with participants.

Principles for Citizen and Government Collaboration in Public Decision Making

Common Ground Principle #1:

Everyone “steps back” to ensure that all who have a stake are represented in the process.

While the Common Ground Principles state that all who have a stake should be represented, it can also create confusion when large numbers of participants are involved in the process. Thousands of people have engaged in the Central Corridor development process. Considering the line is going through very diverse communities along its 11-mile route, public officials said they “[shook] all the bushes” to ensure they got more than the “usual suspects” participating. With such a high number of participants in the development process, there were times when it was difficult for participants to know who truly represented “the community.” One project official describes a meeting where a community leader stopped halfway through a meeting and said they were now “switching hats” to represent a different group of claimholders. Another participant reported hearing an individual introduce themselves with a different title and affiliation on different occasions, which led to confusion about who this person actually represented. Other participants expressed confusion over who was accountable for what and what role various people played within the development process. Ensuring all who have a stake are represented in a transparent fashion is important; equally as important is voicing those claims to the group, in order to create a shared understanding of interests.

Process Point #1:

It must be agreed that the initial purpose of the process is to recognize and understand everyone’s stake as the starting point.

Key Political Skill: Suspending judgment to get divergent points of view.

In order to recognize and understand everyone’s stake as the *starting* point, there needs to be a dialogue on the costs and benefits of the development, according to each participant’s own value framework at the outset of a process. This is not typical and it is difficult to do authentically at the beginning of a development process. The gap in expectations between citizens and government officials (as identified in the MAP150 survey results on page 1) plays a critical role in the tenor of public processes.

Although the Met Council approved the locally preferred alignment and assumed jurisdiction over the project in June of 2006, one could argue the process began in the 1980s, when there were preliminary discussions about where the Twin Cities’ first light rail line should go. Between the early 80’s and 2000 there were four separate Central Corridor alignment analyses done. Ramsey County began focusing on community involvement upon completion of the 4th alignment analysis, around 2000.

While early project officials report going “miles beyond the requirements” for public notification to get people involved in early conversations about the Central Corridor, by 2006 many of the citizens involved in the Central Corridor were new to the process and had serious concerns with the project. There is no doubt that revisiting the alignment decision would have slowed down the project, maybe even sidelined or ended it. However, despite the earlier community outreach efforts on the part of Ramsey County, the release of two planning documents in April of 2006 (the *Alternatives Analysis* and *Draft Environmental Impact Statement*) was the entry point for hundreds of residents and businesses along the route. Project officials’ perceived unwillingness to revisit prior decisions damaged the process from, what was effectively, the “beginning” for many participants.

One participant remembers a public meeting in 2004, attended by about 100 community members, in which attendees were surprised to see a computerized simulation of the line going down University Avenue; this participant said many of the citizens at the meeting had no idea planning had evolved to that point and the meeting “got a little hostile” as a result. While project officials had hosted previous community meetings and placed notices of these meetings in community newspapers, many participants said they didn’t hear or see about these prior opportunities for input. The community felt they were caught off-guard and unprepared to respond to a development they were, for better or worse, just hearing about for the first time. It appeared to them that project officials had been developing the project without the community’s knowledge for years.

Public officials, who had been working on the project for years, and had already hosted hundreds of community meetings, expressed exasperation that the community wanted to revisit the route decision – a step that would slow the development process down considerably, if not end it completely. One elected official reported thinking, “I’ve been at meetings for the past five years. Where were you?” Another participant said she was amazed at the patience of project officials who seemed trapped in the same discussions with participants. She added, “Why is it not ok to say, ‘We’re done with that issue.’?”

While businesses in downtown St. Paul indicated they didn’t hear of potential impacts to their businesses until late in the process, early project staff report going around and requesting meetings with each organization to explain the alignment and answer their questions. However, if discussions occurred, they may have taken place twenty years prior and there was simply no institutional memory of this for many organizations. On the other hand, business owners may have been reluctant to engage in discussions about an unknown transportation project that appeared to be decades away. This problem persisted; one participant reported that he couldn’t get business representatives to serve on a Business Advisory Committee in 2007 – well into the process – because the project wasn’t “concrete” to them.

Another important aspect of this principle is to understand and recognize *everyone’s* legitimate claims—this includes those of businesses, citizens and project officials. It’s clear that both citizens and project officials took great pride in their causes, but there was little acknowledgement of this by either group. In discussions with project officials, it was clear they believed they were making an important contribution to the region. As one official said, “We’re doing a good thing. We’re investing almost \$1 billion in the core of the city.” Likewise, community participants spoke highly of their participation and the way it united them

as a community. One participant said the distrust present in the Central Corridor was unnecessary because everyone had the best of intentions saying, “[In] all those years, I didn’t see one boogie man.”

Common Ground Principle #2:

Ensure that all who have a stake are heard from at an authentic point in the process.

Many Central Corridor participants expressed frustration with the timing, content, structure and purpose of public meetings; they felt project officials structured them primarily to meet federal requirements, not the needs of the community. When community members expressed dissatisfaction with the route, they were frequently told it was too late to revise it without jeopardizing federal funding. As one participant put it, “They wanted to talk about how to decorate the Christmas tree. We wanted to talk about where the Christmas tree was going to go.” Another added, “There was never an opportunity for [a community member] to say [to project officials], ‘I don’t want light rail for these ten reasons. Respond.’”

The Met Council, as project lead, established business- and citizen-led committees – the Business Advisory Committee (BAC) and the Citizen Advisory Committee (CAC) – in an attempt to engage these communities in the process. Project officials report the idea was for these monthly committee meetings to provide information to respective communities impacted by the project.

Participants had mixed feelings on these committees. Business representatives said they liked having a committee designed for their specific issues. The BAC gave them the opportunity to discuss issues without having to directly oppose community members, who were also their customers. One BAC member reported feeling BAC participation was important because it served as a check on project officials because they knew they would have to update the BAC members on their decisions saying, “It was a step in the process that [project officials] had to prepare for.” In addition, “there were things that didn’t happen [because the BAC and CAC existed] that we’ll never know about.” Citizens also indicated they appreciated the opportunity to have a citizen committee incorporated into the project’s operations. Many members of the CAC, however, became frustrated with the CAC’s limited ability to provide input on issues of importance.

In an effort to provide guidance to the CAC members on their role, public engagement staff on the project created a matrix which outlined three levels of public participation – inform, input and influence. Participants said that project officials looked to them to “influence” aesthetic elements of the process, such as public art and station design. Participants reported feeling exasperated that they were limited in where they were allowed to affect change; they wanted to influence more meaningful decisions. Furthermore, CAC members could comment on the agenda for meetings, but weren’t allowed to add to it. Participants were dismayed at their inability to make resolutions, vote on motions or forward recommendations on to the project’s oversight committee. With this sort of arrangement, CAC participants said they “gave up on the Met Council” and focused on other avenues – such as the *Stops for Us* coalition – to effect change. One participant who helped recruit members for the BAC and CAC said that

those recruited would “drop out” because “it wasn’t worth their time.” Project officials reported that the authority given to the CAC was borne out of necessity – with forty-three people on the CAC, voting was “pointless” because participants would vote in their self-interest and “everything would be voted down.”

Furthermore, participants in many areas of the Central Corridor process said they were wary of planning efforts because they were unsure if anything would result from their participation. For some this was leading them to question the value of their input. As one participant said, “It’s like football. You can keep moving the ball, but if you never score it’s not worth anything.” Another participant said, “There never seems to be any resources for implementation.” In addition, participants reported leaving seemingly productive meetings after which there would be no tangible developments. There was a sense by some participants that their participation was anything but authentic.

Process Point #2:

Match the timing, content and structure of a public meeting with its purpose. If the public can no longer influence a decision, don’t ask them what they think.

Key Political Skill: Asking open-ended questions to engage different perspectives.

Project officials were also frustrated with aspects of public engagement. The Met Council incorporated a number of design changes that came about through more than 1,000 hours of public meetings involving more than 25,000 people. They staffed community events and fairs, hosted community meetings with opportunities for “open mic” time, established community and business advisory committees and community liaisons, met with businesses on-site and translated materials and meetings. However, in many instances, understanding who truly represented the community, and not paid interests, was difficult. In addition to this, it seemed the list of community demands was never ending.

In addition, public officials point to the process surrounding the National Environmental Policy Act (NEPA) as one that would protect residents from having projects forced upon them without consideration to community impact. Created in 1970, NEPA “requires federal agencies to integrate environmental values into their decision-making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.”^{iv} Community members agreed that NEPA was a great stride forward, compared to decades past when there were no requirements for assessing the social, economic and environmental impacts of transportation projects. While a welcome addition, community members said project officials seemed to move through the NEPA requirements, “checking off boxes for citizen engagement” without attempting to involve the community in an authentic manner. One participant said the language used to outline the process indicated this approach. “[Project officials] said, ‘this is what the law requires,’ not ‘this is what we want to process to be.’” One participant said, “[Project officials] engaged in a surface process. They loved having meetings and counting people, but decisions weren’t made based on citizen input unless there was a lot of political pressure.” Another participant described the Met Council’s required public meetings as “kabuki theater.”

Part of the difficulty with regional development processes like Central Corridor is that there are likely to be several agencies and units of government that lead the process at different times. In the case of the Central Corridor, the project originated in Ramsey County; the Central Corridor Coordinating Committee, a multi-jurisdictional board, recommended the alignment, which was approved by the Met Council; and St. Paul and Minneapolis provided local approval. The final project lead, the Met Council, operationalized decisions and recommendations made by other public bodies.

Community involvement in the Central Corridor process was also complicated by the fact that the Met Council is a regional planning agency; their scope in the Central Corridor project was focused on the line's construction and they did not always have the jurisdiction to address concerns raised by participants. For example, residents along the route worried the line would increase property taxes and rental rates and wondered if property taxes could be held steady. The Met Council had no authority to freeze property taxes; only the City of St. Paul and Ramsey County had the authority to address those types of concerns. However, the Met Council had control of the project budget and was seen as the project's central authority to many. Part of an authentic process is ensuring that participants have access to authority – responsive decision-makers or public officials who can influence the project.

Furthermore, many participants said their elected city and county representatives were more responsive than appointed officials when it came to their concerns about project decisions. The Met Council is appointed by and serves at the pleasure of the governor. Participants expressed dissatisfaction with the Met Council's leadership, but were at a loss as to how to change that dynamic. There was no elected official they could contact with their concerns. When one participant expressed displeasure with the Met Council, someone suggested they get their supporters to "make the phones ring" at the Met Council offices. To which they replied, "Who should they call? What good would that do?"

As noted previously, Met Council was implementing the decisions of the very local governments that many people felt were now more responsive. The disconnect between timing of decisions and authentic access to authority regarding those decisions is very clear in the long and complex Central Corridor planning process.

Common Ground Principle #3:

Use an inclusive, interactive process that gives everyone the tools to understand the bigger picture and the trade-offs involved.

In a process where there is inclusive, open and interactive dialogue between all claimholders – project officials, residents, developers, funders, and others – a shared understanding is created. Participants in this type of discussion have a better ability to gauge expectations in light of what it would take to achieve them. Many community members said this sort of dialogue was often not present in the Central Corridor process.

For example, several Central Corridor participants spoke of a disagreement that arose over the involvement of a community organizer from Seattle who spoke about that city's light rail development process. This organizer spoke to University Avenue businesses about Seattle's \$50 million mitigation fund, which included \$12 million in business interruption grants. Upon hearing of a mitigation fund of this magnitude, community members began to envision a fund of similar size for the Central Corridor as well. Funders and project officials were upset that this speaker advanced unrealistic expectations.

A process that engaged participants in a dialogue about the costs and benefits of a large business mitigation grant fund would likely have had different results. Instead of creating a shared understanding, relationships between project officials and community members suffered further damage. (Currently zero percent business loans are available. The current business mitigation grant fund stands at \$1.5 million.) Interestingly, despite all of the controversy surrounding business mitigation loans, no one ever asked the businesses how much money they would need to mitigate construction impacts. As one participant put it, "All that money on consultants and meetings and no ever asked businesses how much they would need [to survive]."

Participants report times when it was apparent there was not a shared understanding between claimholders. One participant described a well-intentioned business leader who held a meeting with corridor businesses at which he told them that they should all be afraid of the project and they were all going to go out of business. An inclusive, interactive process can go a long way to ensuring that participants have reliable information.

Another idea related to this principle involves the quality of the interactions between project and/or public officials and citizens. Participants in the Central Corridor process report that many of these interactions damaged the process. One participant reported asking what was happening with certain decisions, being told by project officials they were uncertain or undecided and then finding out later that decisions had in fact been made, but not communicated. Other participants report reaching what they thought was a clear understanding with project officials, only to find out that project officials were moving forward with another plan. Members of the CAC said the committee structure didn't allow them to influence critical decisions, which pushed them to other means, such as the *Stops for Us* coalition, to effect change.

Public officials were, at times, also frustrated at the quality of interactions with the community. One staff member remembers feeling the community was not investing in discussions and thinking, "When is there integrity in the partnership? When can I expect you to take a role in this partnership?" (see Principle #4 for more detail)

Process Point #3:

Explicitly calculate the costs and benefits of a given project, taking into account the risk perceptions and perspectives of all parties. Everyone identifies costs and benefits from their perspective and are then asked how much confidence they have in the judgments they have made. Each group or individual examines their stake and voices it to the group, so that everyone understands the focus on each other's stake and what group or interest they represent.

Key Political Skill: Strategic listening to determine and clarify self-interest as it relates to common goals in order to learn together.

At the root of the Common Ground Principles is the opportunity for participants to state their interests and evaluate the potential costs and benefits of the project in light of those interests. The vast majority of participants said there has been no such opportunity in the Central Corridor process; in the absence of this, they felt the construction of the line would come at their expense. While some stated that this happened to some degree during some of the “feeder” processes (e.g., the City of St. Paul's development strategy committee, the *Stops for Us* campaign, the development of the Business Resources Collaborative strategic plan), these were all separate processes led by subgroups. Central Corridor officials never initiated a process that would identify the values and objectives of participants and their respective costs and benefits. After all, legal requirements regarding public processes – such as NEPA – don't really envision or specify such a goal. Despite this, there were participants who said they felt they understood the costs and benefits well; it's interesting to note that those participants also indicated a higher level of satisfaction with the process overall.

Many participants reported that they wish they had been able to get a community benefits agreement (CBA) into place early on in the process.^v A CBA would be a legally enforceable agreement between the community and project officials that would state the benefits to the community in measurable ways. It's interesting to point out that establishing a CBA could go a long ways towards alleviating some of the questions around costs and benefits associated with the Central Corridor and it's an element that the many participants expressed disappointment over not having. Several participants said that a recently initiated attempt to draft a CBA was the closest they had gotten to explicitly identifying costs and benefits.

While the foundational piece of the Common Ground Principles is identifying and allocating costs and benefits, the process takes time. The end result can be of great value to all involved and an important byproduct is legitimacy. In the process of asking participants to think through costs and benefits, everyone involved gets an idea of the different perspectives present in the process. This can be seen in how one Central Corridor participant characterized another, “The time, energy and money [they] got to suck up was appalling. It wasn't just about them.” There is value in having participants examine their own

claims, voice them to the group and acknowledge each other's interests; it is an exercise in active citizenship and how the common ground is established.

Like many development processes, within the Central Corridor process, claimholders ran the gamut. The degree of legitimacy assigned to the various groups involved—residents, students, small and large businesses, the U, MPR, the Metropolitan Council—varied.

MPR and the U have high political profiles in the state and financial and technical resources at their disposal. When negotiations were failing, representatives from both MPR and the U were able to have high level conversations with project leadership and the Governor; the Rondo community reported that, while they were offered a meeting with project officials, this meeting was futile as they were told that, as a precondition to a discussion of their issues, they had to agree to support the goal that the project would be “on time and on budget.” The U and MPR settled their lawsuits. The PBHRC's lawsuit is, as of the writing of this report, still outstanding.

In some ways, the community is operating from a position of less power. The Common Ground Principles can help alleviate this unevenness to some degree. A process in which you take the time to understand the perspectives of those involved – if and how they will win or lose – begins to build relationships and commonality between participants. Participants don't feel the need to go to great lengths to be viewed as legitimate; they believe project officials are hearing their concerns. In addition, if participants feel their concerns are seen as legitimate, it may create an environment where they are more receptive to the information offered by project officials.

Common Ground Principle #4:

Expect citizens to be problem-solvers, not complainers, and set up processes that put forth that expectation.

One of the most contentious issues in the Central Corridor process involved this principle. Light rail transportation projects must meet prescribed Cost Effectiveness Index, or CEI, thresholds established by the Federal Transit Administration (FTA). The CEI is the ratio of the proposed line's annualized operating and capital costs divided by the travel time saved by the riders who use it. Any changes to the line's design that decreased riders or added costs and/or time could only be considered to the point that the CEI ratio stayed below the established threshold.

When the line design was originally unveiled in April 2006, the Ramsey County Regional Railroad Authority (RCRRA) planned for sixteen light rail stops. Some of these stops were spaced more than one mile apart along University Avenue. Project officials reported that this spacing was necessary to meet the CEI. Residents along the proposed route—comprised of neighborhoods with a high concentration of transit-dependent, low income and minority families – saw a major problem with this design. They began an intense grassroots effort, the *Stops for Us* coalition, to push for the addition of three additional stops at Hamline, Victoria and Western Avenues.^{vi}

When the Met Council officially assumed responsibility for the Central Corridor planning there was intense pressure to add the three stations. Operating under the funding constraints of the CEI threshold, the Met Council's response to the community's request was that there was no money available to add the three stations. In February of 2008, the Met Council agreed to include the underground infrastructure for three additional stations and build them out in full at a later date or add one station should money become available within the project budget. These assurances, however, did not alleviate the concerns of the community; they continued to advocate for the full inclusion of all three stations. Two years later, in January 2010, the CEI threshold was amended and the three stations were added – with the federal government agreeing to pay for half of the stations' cost.

Participants said the project officials repeatedly said the three stations couldn't be added because of the CEI. In hearing this response, some participants said they told project officials to get the CEI calculation changed. Project officials responded by saying that that was not an option. In the end, however, that's the major reason the three stations were added – the CEI was increased and funding variables were re-weighted. Granted it came with a change in leadership at the FTA (President Obama was elected and appointed a new FTA administrator), but a new FTA administrator heard about the difficulties of the Central Corridor CEI and had the calculation changed. Hearing project officials repeatedly say that increasing the CEI wasn't possible and then – in the end – having the CEI changed didn't do much to improve the trust between the community and project officials.

Public officials felt at times that responding to community concerns after years of planning would slow the project down, increase the budget, jeopardize federal funding and effectively "kill" a valuable development. In response to questions and disagreement over project plans, one participant said they were told "delay is death" for the project. Participants said project officials said things like "get in line" and "look united" so as not to "mess this up" and jeopardize federal funding. As one participant said, "The urgency of the project got in the way of good dialogue." Another added, "By doing it in a hurry, they slowed it down."

Project officials reported intense pressure surrounding federal funding. Other communities around the country, such as Denver, were competing for federal dollars. Project officials worried about any signs of community discontent regarding the Central Corridor line. Federal funding was essential for the project to move forward and federal consultants were keeping close tabs on the Central Corridor's development process. In addition, government budgets across the board were tight. The state (Met Council), city (St. Paul and Minneapolis) and counties were all operating under intense budget pressures due primarily to the downturn in the economy. There was little money anywhere to accommodate participant requests. The Met Council itself was limited in its ability to engage claimholders; according to CEI rules, outreach efforts were not included in the project budget unless directly related to construction mitigation.

The constraints of the CEI cut off important areas of communication and created numerous barriers between stakeholders and project officials. A lot of the participants' frustration can be attributed to limitations of the CEI. As one participant said, "Clearly there was not enough money to do this project right." In an interview with Minnesota Public Radio, the mayor of St. Paul said, "Too often, for the last

several years, because of the [CEI] funding formula, it was: 'Well, we can't even talk about that because there's no way we can fit it in under the formula. So I think some of the distrust that you see in the community, some of the frustration, were a result of a project that was trying to be built under some strict guidelines.'^{vii}

This principle of expecting citizens to be problem-solvers sets up a process whereby citizens are expected to view their direct self-interest in light of the benefits to the broader community and act as policymakers who can govern for the common good. For this to occur the first three principles must be met to some degree and the process cannot be constrained in major ways that close off areas of discussion.

Looking back over project specifics, the CEI is one of many factors that did not build in this expectation, leaving project officials to rely on more and more information to support a project they felt they could not change in major ways.

Process Point #4:

Never assume that more information alone will settle a controversy.

Key Political Skill: Hold self and others accountable for follow through on agreements. All participants act as governing members; using their experience and self-interest in the context of the common good.

Looking back to the discussion of finding common values under Common Ground Principle #1 (see page 10) makes it clearer that information alone will not resolve controversy. Acknowledgement of the values identified at the outset of the process helps participants work through the “constructive tension” that democracy requires. This is another key political skill in the Citizens League operating principles. If public officials enter a process believing that they must have “all the answers” (see page 1) they are more likely to depend on information alone to solve a controversy.

This approach also allows citizens to be comfortable approaching the process from a position of narrow self-interest (as a so-called NIMBY^{viii}) and does not challenge them with the mantle of their responsibility as citizens and policymakers. The idea is that more information will allow citizens to see the good in the proposal. One example of this in the Central Corridor process involves the history of the Rondo neighborhood.

In the 1960s, construction of Interstate 94 between Minneapolis and St. Paul bisected the Rondo neighborhood, a vibrant African-American community. Homes were taken through eminent domain and hundreds of residents were displaced. Many of those residents now reside in the Aurora-St. Anthony neighborhood, directly south of the approved light rail alignment. The development of I-94 has left many residents with a distrust of public projects— particularly transportation projects. Participants said they felt

public officials did not fully acknowledge – intentionally or not – how Rondo’s history impacted citizens’ views of the light rail project.

Project officials disagree with this saying they knew from the beginning that there was a lot of hurt that still existed and they anticipated the Central Corridor process would be impacted by that history. They rejected the comparisons to the I-94 project, noting that they assured residents that no homes would be acquired as part of the line construction and, in all likelihood, nearby properties would increase in value. Participants point to this mentality as indicative of the problem. They said that when I-94 was developed, government officials promised the community benefits, which they didn’t deliver. Residents along the Central Corridor felt they had no assurance this wouldn’t happen again. Their distrust was heightened when they entered into a process where they felt there were not allowed to revisit critical prior decisions – such as the alignment – and that their concerns were not seen as legitimate. As one participant said, “The Mayor says no one is going to get displaced. That’s easy to say, but we don’t know that.” Applying the principles of the Common Ground Principles would be an opportunity to build trust when such a complex, long-term dynamic is in play.

Key Findings from the Central Corridor Case Study

- The Common Ground Principles were not broadly applied in the Central Corridor development process. Attempts were made to apply the principles in part, but those attempts were haphazard and depended upon who was in charge.
- The Common Ground Principles can be difficult to apply because, in many ways, they require a shift of thinking by everyone involved. Public officials and citizens have to allow each other to be full partners in the decision-making. It requires a new way of approaching public processes and, in some cases, dismantling existing –and deep-rooted– attitudes, structures and processes. While this can take time on the front end, it can also save time by avoiding drawn out disputes.
- Participants who said they felt they were a full partner in the process and who understood the risks and benefits associated with decisions, expressed a higher level of satisfaction with the process overall. This lends support to the value of the Common Ground Principles.

Common Ground Outcomes

Given the discussion presented in this paper, the general outcomes the Citizens League seeks through the Common Ground Principles are:

- Projects will be less controversial as costs and benefits are weighed from many different perspectives and different points of view are understood and valued at authentic points in the decision-making process.
- Citizens will be challenged and required to focus on more than narrow self-interest and explicitly value the project for its benefit to the common good.
- The principles will evolve into the approach for the region (however it is defined) and their use will be expanded.

An overriding outcome of the Common Ground Principles is *trust*. This cannot be overstated. The issue of trust consistently surfaced in the conversations that informed this work. Citizens didn’t trust project

officials to equitably distribute costs and benefits. Project officials didn't trust citizens to be full partners in the project because there was no expectation or process to look beyond narrow self-interest. Just as trust can feed upon itself and grow, distrust can feed upon itself and destroy. As one Central Corridor participant said, "Trust was the foundational issue."

Conclusion

Despite the enormous complexity of the Central Corridor planning process – the victories and set-backs, lengthy time frame and number of players, jurisdictions and agencies involved – the project has been steered through the maze constructed by existing systems and processes. Construction of the line recently began in downtown St. Paul and is now beginning on University Avenue. Understanding if, how, and to what effect the Common Ground principles have been applied can help ensure they are relevant and provide valuable lessons for future processes.

The Citizens League is built on the belief in the power and potential of all citizens to come together for the common good. Over the past several years we have heard citizen calls for a new path to public decision making. The Common Ground Principles lays the framework for the way forward that builds upon the Citizens League's operating principles, including that, "Democracy requires that citizens have the interest in governing for the common good; the facts needed to make informed decisions; and the practical skills and 'common ground' to analyze, debate, and solve public problems in light of shared democratic ideals and the long-term interest of Minnesota." It is our hope that the discussion presented in this report will inform subsequent processes and bring Minnesotans together in civic leadership and active citizenship; building the common ground necessary to achieve the common good.

APPENDIX - Legal objections

Three groups filed lawsuits in the Central Corridor process – the University of Minnesota (the U), the Preserve and Benefit Historic Rondo Committee (PBHRC) and Minneapolis Public Radio (MPR).

The U was involved in the Central Corridor process for decades. It was a member of the Central Corridor Coordinating Committee (CCCC), a steering committee that routinely met in 2000 and 2001 that was tasked with recommending transit options for the Central Corridor. (The CCCC ultimately recommended the alignment to the Met Council.) The U had objections to the alignment decision, but eventually supported it with the caveat that a tunnel be included at Washington Avenue, a heavily traveled intersection near campus. When the tunnel proved too expensive, the U began to negotiate mitigation measures for an at-grade line. The U's objections dealt with vibration and electromagnetic interference of the alignment, which ran close to some of the U's research facilities.

The relationship between the U, the community and the Met Council suffered to varying degrees due to the inability to reach an agreement on mitigation measures. The Met Council refused the U's five requests of mediation, saying not only had they negotiated with the U for over a year to address their concerns, but that \$27 million was being spent on mitigation efforts for the U.¹

In September of 2009 the U filed a lawsuit objecting to the impact the project would have on their institution. A judge ordered mediation, which resulted in an agreed upon mitigation plan in the fall of 2010. From the U's early involvement, to the completion of the mitigation agreement, hundreds of meetings and conversations happened between the U and the Met Council. The U estimates it spent over \$1.5 million dollars in consulting and staff time to get to the mediated MOU, including hiring a former US Secretary of Transportation to help them navigate the federal process.¹

The Preserve and Benefit Historic Rondo Committee (comprised of organizations located within the Rondo community) filed a federal lawsuit in January of 2010 maintaining that the transit planners failed to fully address the impact of the line on residents and businesses along University Avenue; they cited the likelihood of increased taxes and rental prices, division of the community, reduction in parking, interruption to business, and gentrification of the neighborhood¹. The PBHRC's lawsuit is, as of the writing of this report, still outstanding.

MPR engaged in the development process later than the U, becoming involved around 2000. Like the U, MPR had concerns over vibration and noise mitigation issues in light of the fact that their recording and broadcast studios were adjacent to the light rail tracks. Project officials initially assured MPR that there wouldn't be any problems and, should any arise, they would be fixed in the track bed. Initially, MPR believed they would be held harmless. MPR and the Met Council went into discussions and, in April of 2009, agreed upon a plan that outlined criteria for mitigation efforts. In February of 2010, MPR sued the Met Council saying it reneged on the agreement by planning to install a less costly system to reduce vibrations. MPR believed their broadcast and recording studios would be held harmless by a specific mitigation plan, which they believed project officials had agreed to. In late 2009 project officials went public with a plan different from what MPR believed was the agreement.

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ⁱ NIMBY – Not in my Backyard

Becker, Stacy. “Do Local Planning Processes Fuel NIMBYism? Place Identify, Risk Perception and Development Decision-Making in Three Suburban Communities.” November 2009.

ⁱⁱ Source: <http://www.metrocouncil.org/transportation/ccorridor/CCdescription.htm>. Retrieved December 31, 2010.

ⁱⁱⁱ Source: Minnesota Public Radio. Available at: <http://minnesota.publicradio.org/display/web/2010/02/04/mpr-lrtlawsuit/>. Accessed on December 15, 2010.

^{iv} Source: <http://www.epa.gov/compliance/nepa/index.html>. Retrieved April 25, 2011.

^v As of the writing of this report a Community Agreement Coordinating Committee was in the process of drafting a type of CBA. The scope and impact of these agreements are unknown.

^{vi} *Stops for Us* was originally convened by the University Avenue Community Coalition; the District Councils Collaborative and Aurora/St. Anthony Neighborhood Development Council reconvened the group in the summer of 2007. The *Stops for Us* coalition was awarded the 2010 Environmental Justice Award from the Environmental Protection Agency.

^{vii} Source: <http://minnesota.publicradio.org/display/web/2010/04/20/centcorridor4-politics/>. Retrieved December 31, 2010.

^{viii} NIMBY – Not in my Backyard