

**TWIN CITIES FEDERALISM:  
THE POLITICS OF METROPOLITAN GOVERNANCE**

by  
Steve Keefe  
Metropolitan Council Chair

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Metropolitan Council  
230 East Fifth Street, St. Paul, Minnesota 55101  
Tel. (612) 291-6359

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## INTRODUCTION

The Metropolitan Council of the Twin Cities Area of Minnesota is a widely respected experiment in regional government for a large metropolitan area. It was created in 1967 by the Minnesota Legislature to replace a regional planning organization much more like the councils of governments that provide regional coordination in most metropolitan areas in the United States.

The Council was created at a time when there was an increased national awareness of the problems of governing large metropolitan areas and the inadequacy of the existing governmental institutions. A number of urban problems transcended the jurisdiction of the many independent cities that made up the local government of these areas. Many advocates of regional government at that time believed that the best solution to these problems was to create a super-city government to govern the entire metropolitan area, including a fringe "greenbelt." Although such organizations are common in Canada and Europe, they are very rare in the United States. Even the Council falls far short of this "ideal."

The Council is one of the few regional agencies in the nation to have substantial independent powers. In some ways, it is the envy of the other agencies because of those powers, and it is one of the most widely studied governmental experiments in the country. Yet it may be the least widely copied. Although others interested in regional government frequently attempt to adapt principles from the Twin Cities experiment in their own regional efforts, the Council, now more than 20 years old, is noteworthy in that nothing very much like it actually has been adopted in any other metropolitan region. Since the Council is regarded as a considerable success by students of regional government, this situation seems odd.

After several years of discussing the Twin Cities experiment with other advocates of regional government around the country, I believe I understand this odd state of affairs. I think that when students of regional government see the Council, they conclude that what makes it strong are its special governmental powers, a not unreasonable conclusion. I would argue that that is only half of the case.

Instead, the Council is a compromise solution to the problem of governance of a large and diverse community. The term "compromise" has a pejorative implication for many people. It suggests a solution some distance short of the ideal, which has been watered down in an attempt to deal with "political considerations" that presumably are in some way disreputable.

The thesis of this paper is that this compromise is not a less-than-ideal solution to the problem. Quite the contrary. The compromise that made the Council an acceptable solution to the legislature, when it was struggling to deal with its continuing problem of governing its large and diverse constituency, is precisely what best equips the Council for dealing with the same problem.

This suggests a solution to the chronic difficulty of getting state legislatures to adopt regional governance solutions to important regional problems. It suggests that what is good politics for getting regional government adopted is also good regional government in the long run, and vice versa. This system of metropolitan governance was not adopted in the Twin Cities because there's something in the water that makes us appreciate regional government. It was adopted because it provides a solution to certain basic and fairly universal political needs that are common in large metropolitan areas. I believe that if the political reasons for the success of regional governance are understood, the lessons can be applied to other metropolitan areas and other governance problems.

The Metropolitan Council by itself is not regional government in the Twin Cities. It is the center of a regional governance scheme that includes other metropolitan agencies, local governments and the legislature itself. That scheme represents not a triumph of regional over local interests but, rather, a carefully constructed balance of the valid aspects of the two conflicting values. Its success is based, in part, on the recognition that regional government is not an unmitigated benefit. It has a potential for providing both positive solutions to complex regional problems, and excessive interference in the individual liberty and local control of smaller communities.

Rather than accepting regional government as an end in itself, the Twin Cities has built limited regional government around consensus on certain concrete issues. These issues involve the adoption of regionally agreed strategies to accomplish regionally agreed goals, with a minimum of intrusion into the liberty of communities and individuals. The political support for the Council's regulatory powers is based on its usefulness as an instrument to accomplish these widely shared goals, not on the much less widely shared belief in the general benefits of regional government. That limitation has forced the Council to seek broad regional consensus upon which to base its action. In the long run, that regional consensus is a far greater source of strength than any governmental powers.

In order to explain why this system of governance has worked so well in the Twin Cities, it is helpful to discuss the politics of the governance of a large, diverse constituency. That is not only the primary problem for the Council, it is the primary problem faced by most legislatures. It was the challenge of dealing with this problem that led the Minnesota Legislature to create the Council in the form it finally chose.

## 1. THE POLITICS OF GOVERNING LARGE AND DIVERSE COMMUNITIES

Governing a large and diverse community like a state or the Twin Cities Metropolitan Area is complex and difficult just because of that diversity. The difficulty is not just the diversity of special interests in the community but, even more, the diversity of perspectives about what's right and what's important. It is a problem that dominates the deliberations of the legislature, but is not adequately appreciated by its constituents.

Although many people appreciate the diversity of interests in society, they rarely appreciate the need for accommodating those interests. They think of their own interests as a reasonable and important part of society's general interest. They tend to attribute conflicting views to selfish interests. This relieves them of the responsibility of thinking about the sympathetic aspects of other perspectives. They tend to think of other interests that conflict with theirs as just wrong, not as different perspectives about what is right and what is important.

We advocates of regional government sometimes react the same way. We attribute our failure to a lack of vision on the part of our political leaders. We do not adequately appreciate the role of the legislature, or any representative body, as a place for resolving conflicts in community values. Nonetheless, a community's confidence in its government depends heavily on the legislature's success at fulfilling this role, just as does the reelection of its members. Contemporary American politics, as practiced by politicians, is our democratic society's mechanism for accommodating the actions of government to this confusing and internally conflicting will of the people. For a regional governance approach to be established in the first place, it must be good politics; but to do its job well, it must also be good politics. In an important sense good politics is good government.

### The "Just Tell Them" Syndrome

In 1981, I went to work as a government relations officer for the largest bank holding company in the upper midwest. One of my first responsibilities was to attend a meeting of people responsible for marketing automatic-teller machine banking. I was

supposed to learn what changes they wanted in the Minnesota statute regulating electronic funds transfer to improve their marketing prospects. I was somewhat apprehensive because I had been involved in the passage of that law somewhat earlier, when I was a state senator. I knew it was a very controversial statute based on a delicate compromise that would be difficult to change.

Nonetheless, I took my notebook to the meeting. There I found what they wanted changed in the law: everything, absolutely everything. I said as gently as I could that these changes might be somewhat controversial and asked if they had any priorities. That's when I first heard, "Just tell them..." They told me how I should explain to the legislature that the law was ill-conceived and didn't fit with their marketing plans at all.

I tried to explain to them that the law had been the result of an elaborate compromise and that the legislature was not only concerned with our marketing plan, it was concerned with the goals of consumers, retailers, smaller banks, etc.

Again, I heard, "Just tell them..." They told me to explain to the legislature how their version of the law would actually be much better for consumers, retailers and other banks. So I explained that consumers, retailers and other banks had been involved in the drafting of the original law and that, if a question arose as to their interests, the legislature would be more inclined to believe them than us.

Again, I heard, "Just tell them..." They told me to explain to the consumers and retailers how the existing law, by limiting our power and capacity, made it more difficult for us (and smaller banks) to serve them in the best possible way (especially us, since, of course, we would be more inclined to serve them well than would our competitors).

Finally, I explained to them that not everyone in the legislature would agree that increasing the power and capacity of the largest bank in the region was necessarily a good thing. I quoted a recent mayoral candidate who had taken advantage of our advertising slogan, "We're on your side." In

his nominating speech at a recent convention, he criticized large financial interests, saying, "You know the downtown banks, we're on your side...your back, and your neck!"

They were a little taken aback at this and finally sympathized with how difficult I must find it to be involved in politics, where people could be so unreasonable and self-serving.

The phenomenon that I call the "just tell them" syndrome will be familiar to anyone who serves as a communication link between a constituency and the government of a large community, whether as a lobbyist, a staff person or an elected official. People's view of the world is based on certain assumptions that depend on their perspective and life experience about what is right and what is important. When they draw conclusions in good faith about what ought to be done, they fail to appreciate that other people operating in equally good faith may draw entirely different conclusions if they begin from different assumptions.

Few people appreciate the need for accommodating the diversity of values in the community that may conflict directly or indirectly with their own. They frequently assume that the reason the legislature doesn't do what they want it to is because it does not understand. Of course, what the person usually means is, if only the legislature saw the problem the way I see it, it would do what I would do. This reasoning leads to letter-writing campaigns, the hiring of more lobbyists, the demands for more outspoken advocates and so on.

Serious students of the political process appreciate that this is rarely the case. The reason the government of a large constituency doesn't choose to do what any particular interest group wants it to do is rarely because it doesn't sympathize with that group. It is more often because what that group wants conflicts with the interests of some other group or groups. Child care advocates think the legislature is inadequately sympathetic to children because it doesn't fund as much child care as they would like. Actually, all legislators are sympathetic to children. The problem for legislators is conflicting interests. Taxpayers want less of their income taken in state taxes, while other interest groups want the money spent to improve the environment, advance the economy, help

agriculture or advance other important values held by important segments of the community.

This problem is compounded by what I call the "Jefferson fallacy" that we all pick up in high school history. Reading about the great political philosophers who founded our country, we learn to expect our political leaders to be great political philosophers. The first time someone with that idealistic view meets state Rep. Fred Blintz from the Lower East Side, whose major qualification for holding office is that the most popular bar in the Lower East Side has been in his family for three generations, he or she tends to conclude that the problem is with Rep. Blintz.

However, no one has proposed turning over the government of Minnesota to the Hubert H. Humphrey Institute of Public Affairs. The reason is not that the faculty of the Humphrey Institute is less knowledgeable about political philosophy than the state legislature. It's because few would trust "those eggheads" at the Humphrey Institute to share their values. Democratic institutions are not primarily for elevating the most wise to public office, although it is nice when that happens. They are first for representing the desires of the people in governmental decisions. Rep. Blintz may not know as much as Prof. Jones about political philosophy, but he may learn a lot in that bar about what his constituents want from their government. That representation of community values is what makes our democracy work. There are no educational or intellectual requirements for service in the Minnesota Legislature. The one critical requirement is the confidence of the majority of one's voting constituents. They may not think much of the legislature as a whole, but they think Rep. Blintz is one of the few legislators who understands the issues (the way they do).

Campaign strategists understand this relationship perfectly. That's why they focus so heavily on the similarity of candidates' values with those of their constituents. The average voter is not in a position to judge what is the most effective agricultural policy, nuclear deterrent or economic strategy. Voters can judge whether their elected leaders share their values about what is good for the community and apply those values to increasingly complicated governmental decisions. So campaign advertising is full of family pictures and other appeals to basic values. Negative

campaigning is usually not an attack on an opponent's views, but on his or her values.

In a large metropolitan area such as the Twin Cities there is a substantial divergence in values. A rural farmer on the fringes of the developing area, a successful businessperson with offices in the downtown center city, a poor member of a racial minority group in a densely populated low-income neighborhood, and a faculty member at the University of Minnesota are not likely to agree on the appropriate role of government and what it should try to accomplish. Each thinks of these things as part of what they think the general interest is, and each view may be perfectly valid in its own way. The people who make up the various constituencies rarely appreciate that diversity. As a result, they conclude that the reason the legislature doesn't do what seems right to them, in spite of all the efforts of outspoken sympathetic advocates, is because the legislature is either corrupt or inept.

#### Politicians Struggle to Accommodate Competing Interests

These frustrated expectations about representative government lead to several results. One is the frustration that politicians don't have the courage to stand up for "what's right." Of course, what that means to most people is the courage to stand up for what I believe is right, as opposed to what someone else believes is right. Politicians, aware of these conflicts among their constituents, frequently seem to be hedging or not taking courageous positions as they struggle to accommodate conflicting values among their constituents. Those with more uniform districts can afford to be outspoken for the values those people share. I represented a poor, center-city district in the legislature. I had to do things in support of the poor and minorities for political reasons that other politicians would have been afraid to do, also for political reasons.

One way politicians deal with the conflicting values within their own constituencies is to contrast values of their constituency with those of some other constituency whose values are even more different. Partisan appeals, rural vs. urban appeals, racial appeals, religious appeals, and others are frequently efforts by politicians to find some scheme of values that ties their own

constituency together in the face of a common enemy. This phenomenon works against political representatives developing community solutions that depend on local self-sacrifice to accomplish a greater goal. Some future election opponent may accuse them of sacrificing their own constituencies' interests to some other interest.

This phenomenon, for example, makes it more difficult for local officials in a council-of-governments type of regional planning agency to take bold steps in the regional interest. They may be accused by some future election opponent of sacrificing the interests of their constituency to those of the big city (wealthy suburbs, rich rural landowners--choose one). Even constituents who might be sympathetic to the regional interest as a whole worry about a situation where their parochial interest is not getting adequate advocacy. Such constituents might even prefer a policy designed to accomplish important regional interests if they felt their local interest was getting adequate defense in the course of developing that policy.

The Metropolitan Council, which is responsible to the constituents of the seven-county metropolitan area, has a more difficult job than someone elected to represent a smaller constituency. The Council must balance more of those varied interests, and do it more frequently on a greater range of complex and interrelated issues.

Fortunately, this is not quite as difficult as it sounds, because competing interests are rarely in direct conflict. In my experience, value differences are usually questions of emphasis. It's not that the group that wants lower taxes is against a clean environment or improved child care. It's that it tends to give more weight to one than another. It rarely appreciates the extent to which those interests are in conflict with other groups. The rural interests in favor of improved farm-to-market transportation don't consider themselves to be antagonists of the child care lobby, the environmentalists, or the lower-tax lobby. In fact, they may feel substantial sympathy with them.

The legislature, in the course of balancing all these interests, struggles to accommodate as many as possible. Individual legislators put emphasis on those that are most important to their own constituents. They struggle to develop alliances

and accommodate other interests in order to encourage others to accommodate theirs. The accommodations they develop are essential as a way for society to develop a consensus of community action when groups don't widely agree on the relative importance of their diverse goals. That process frequently involves agreeing on common means for accomplishing quite different (and sometimes conflicting) ends.

### **Values in Direct Conflict a Greater Problem**

This process doesn't work very well when values are directly in conflict and there's no way to accommodate one side without almost completely defeating the other. The most obvious example of that in recent times is the abortion issue. There is no way to accommodate simultaneously those who think it's a baby and shouldn't be killed, and those who think it is not and that government interference is an intrusion on a woman's freedom to control her own body. Most politicians hate those issues. It's not so much because they don't have moral courage to take one side or the other. It's because their natural tendency to be sympathetic to and supportive of the views of all of their constituents is impossible to achieve. As a result, politicians complain about "one-issue people," hoping they can broaden the perspective of their constituency and, of course, their own support. They do this by finding other ways in which they can accommodate the constituents who may be offended by their actions on one particular issue.

### **Why Politicians Behave Differently from Normal People**

In the course of pursuing these accommodations, politicians learn to behave somewhat differently from normal people. For example, the most effective tend to have a low respect for the ringing moral argument, at least in their dealings with each other. Constituents, on the other hand, expect their representatives, whether lobbyists or elected leaders, to be outspoken and determined in the defense of the right (as they see it). However, politicians correctly realize that exaggerating the moral rightness of any particular interest's view of the world tends to polarize and make it difficult to develop accommodations. They resort to hyperbole and polarization more often when appealing to their constituencies in an

effort to reinforce the sense of shared values<sup>4</sup> and the contrast with other conflicting values. They also do it when trying to bring external political pressure to bear on an adversary.

The political concept of comity--the idea of working together cordially in spite of fundamental differences to develop compromises--is highly valued by politicians. In order for the community to work together, it must not permit differences over some political issues to divide it and spread to issues over which accommodation could be reached.

In addition, political representatives, in the course of working toward these accommodations, learn to have a greater tolerance for conflicting perspectives than members of the general public. They are less inclined to think of conflicting interests as selfish interests fighting the general interest. They are able to work with a wide range of conflicting views, so long as their particular interest endeavors to be consistent with the general interest. It's not that politicians are naive enough to believe that people don't have selfish or base motivations. It's that they learn that the most effective political strategy is to try to extract the valid concerns from an adversary's argument. First, it may win over support; but, if not, it's a way of isolating the selfish or baser arguments and defusing them by accommodating their sympathetic aspects.

Even when accommodation cannot be reached, the good will generated by determined efforts to do so may lay the groundwork for future accommodations on other issues. As a result, there's a certain tolerance in the legislature for everyone pursuing their own particular advantage as long as they cooperate in support of the general interest. The groups that are most successful in advancing their particular interests tend to stress the concurrent benefits of their interests with those of the community as a whole, and try hard to accommodate other interests.

### **Roles of Policymakers and Experts: Ends and Means**

Although elected leaders essentially fulfill the role of representing the community's values, they tend not to talk or think in those terms. Occasionally, there are brilliant abstract thinkers elected to

public office. The most important virtue, however, both to getting elected and to doing an effective job, is to appreciate the nuts-and-bolts impact of various government policies. As a result, elected officials' debates tend to focus on the details of matters, not the underlying values of which they are the custodians and the community's representatives.

Experts, on the other hand, whether academic theorists, legislative or executive staff, or urban planners, are frequently better able and more inclined to discuss theoretical issues of community values. Their appropriate role is not to decide values for the community but, rather, to suggest effective means for accomplishing and accommodating those values. The most successful "experts" in dealing with the legislature are usually the ones who can listen to the nuts-and-bolts arguments about day-to-day effects of various programs and policy proposals on individuals. The experts then extract from those, and their own knowledge of community politics, the values that are motivating the elected officials, and design policies to accommodate those values that are efficient and effective.

When government staff or experts fail to perform that function, legislators or other elected officials, in their impatience, will design their own means to accomplish their values. But, because of their lack of expertise in technical issues, they may design ineffective, or even counterproductive, means. This process can be complicated by differences between the communities' values and the policymakers' necessarily imperfect representation of those values. Ordinarily, the policymakers' desire to represent the community well (and ensure the maximum chance of reelection) can be used to bridge that gap.

The experts' job is an imperfect science at best, and frequently requires several phases to get it right. The most effective proposals develop creative and innovative ways to accommodate a wide range of important community goals at the same time.

That's where efficiency in government comes in. Politicians frequently complain that their constituency wants more spending on programs near and dear to their hearts; and, at the same time, lower taxes. This should be neither

surprising nor distressing. It's an obvious call for doing as much as possible for as little as possible--something that's demanded of all institutions in our society these days, not just government. Creative proposals that accomplish more public policy goals with fewer public resources are ways of accommodating these different interests that don't require the surrender of either interest.

A good example is the food stamp program. Agricultural interests wanted more money spent on agricultural commodities; liberal interests wanted more money spent on helping the poor. The political accommodation that was reached was government funds to purchase agricultural commodities for the poor. Neither side was openly hostile to the other side. Each was focused on one particular aspect of the community's goals and a way was found to accommodate both goals at the same time. Each gave a little. Agricultural interests probably could have made better use of the money for their own purposes if it weren't encumbered by the need to make it suitable for the poor. The poor might have been better able to make use of money that was unencumbered. However, what each got was much more valuable than what they gave up. Their accommodation is the way in which democratic institutions resolve these kinds of conflicts at their best.

The food stamp program might be in conflict with other widely held community values. But the breadth of the coalition created by combining those diverse value perspectives has been extremely powerful politically, and has kept the food stamp program virtually unassailable in Congress.

### Appeals to More Fundamental Values Work

Value conflicts are frequently resolved by finding some more fundamental value--one that is more widely shared--that can bridge the gap between more superficial value differences. For example, at a superficial level, liberals can be characterized as believing that society should help the poor. Conservatives put more emphasis on individual responsibility and minimizing government appropriation of resources from one individual to another. Each side, however, concedes a certain validity to the other's position. Liberals don't want outrageous taxes; conservatives don't want the poor to starve. The difference is more one of

emphasis. Both groups can agree, however, on the more widely shared value that what money is spent to help the poor ought to be spent as efficiently as possible. Therefore, if programs can be proposed that will help the poor to become self-sufficient, they can simultaneously help the poor and increase individual responsibility.

The development of the Metropolitan Council by the Minnesota Legislature was just that kind of creative solution to an important value conflict.

## **2. DEVELOPMENT OF TWIN CITIES REGIONAL FEDERALISM**

The compromise that the Metropolitan Council represents evolved to accommodate the diverse values in the community, which were in conflict over how best to solve certain important regional problems. The success of that compromise in solving the legislature's problem is fundamental to the success of the Council in undertaking that same task. I don't think there is adequate appreciation of the importance of that compromise, both in getting political acceptance of the Council in the first place and in helping the Council accomplish its mission since then.

I believe those of us who are advocates of regional government in the Twin Cities and around the country think metropolitan government is a value in itself. We are sophisticated people with a broad understanding of the values of urban planning. We draw connections between the important issues that face society and the large urban areas in which we live. The interrelationship between jurisdictions in those metropolitan areas seems obvious to us. As a result, we expect our values to be widely shared. Like the "just tell them" advocates discussed above, we fail to appreciate the diversity of individual views of government's role and the community's ultimate goals. As a result, we tend to attribute resistance to regional government to baser ends, like parochialism, lack of vision, corruptness and ignorance on the part of political leaders. We fail to appreciate the strength and importance of the values with which regional government comes into conflict. We rail at the shortsightedness of legislators, who are more concerned about day-to-day issues of taxation and community pressure than about the long-term good of the region. We look for "visionary leaders" who will stand up for regional government and the long-term health of the community.

Those leaders do occasionally arise, as a matter of fact. They were very important in the creation of the Metropolitan Council. Visionary leaders, however, do not turn their backs on the important job of balancing the values of their constituencies. Instead, they tend to be particularly good at drawing the connections between means and ends. They don't so much overcome the resistance to a

good idea as they help find ways to accommodate important conflicting values.

Most of us "regional visionaries" have a vision of a super metropolitan government in the Twin Cities or any major urban center. It provides efficiencies by coordinating the delivery of government services across community lines. It is responsive to the needs of the wide range of people in the community and makes thoughtful, coherent decisions that result in a better community.

This vision flies in the face of experience. Larger governments with more diverse constituencies have greater difficulty developing rational, coherent policies, because of the political difficulty of accommodating the wide range of interests in the community.

The value of individual liberty that this vision of regional government comes into conflict with is much more fundamental and widely shared than our vision. The larger the government, the greater the difficulty in accommodating the diverse interests of its constituency, because that diversity increases with size. Small communities can develop public policy and deliver government services in ways that are much more easily accepted. The kind of garbage collection, fire service, police protection or citizen involvement in government that is needed varies quite a lot, from a densely populated, poor neighborhood in a central city, to an affluent suburb with winding streets and cul-de-sacs, to a rural small town far from urban population centers.

In a large, highly centralized governmental unit, it's difficult to make those services adequately sensitive to the wide range of the constituency. Even when one does, it's difficult to explain to the constituency and get their support for having the wide range of unequal services that demand dictates. Tax rates, for example, need to be fairly uniform across a large community, regardless of the relative desire for services and willingness to tax for them. Many large cities have needed to develop some sort of governmental structure that is smaller and closer to the average citizen, to

make government feel and be more responsive. Minneapolis and St. Paul, for example, have developed elaborate neighborhood organization structures. These structures give neighborhoods the opportunities to develop diversity in the way they plan for their community and deliver services.

The visionaries who developed the Metropolitan Council legislation in the late 1960s were sensitive to the validity and importance of protecting those values. As a result, what they created and put into law was not the super government originally envisioned by some advocates of metropolitan government. It was a hybrid designed to increase centralized efficiency while still protecting a maximum amount of local autonomy.

But just accommodating local interests was not enough. Much of the opposition to the Council was against creating "another level of government." Although to advocates of regional government that may seem a shortsighted efficiency argument, it also reflects a more fundamental value of resistance to governmental control where it can be avoided. Governmental bodies with broadly defined powers are inclined to use them. The city council, the county board, the legislature all tend to increase government's control over the lives of individuals and its intrusion into those lives. Had they been given a simple choice between the increased efficiency of centralization and coordination, as compared to the benefits of local autonomy, the people of the Twin Cities and their elected officials would almost certainly have preferred local autonomy.

#### Parallels With American Federal System

In a certain sense, this parallels the problem that faced our founders when they were trying to develop the United States of America. Their first solution, of course, was the Articles of Confederation, an organization designed to bring them together to protect against their large antagonist (which, incidentally, represented to them strong centralized government). The Articles of Confederation were, in many ways, parallel to the sort of council-of-governments arrangement that provides regional coordination in most major metropolitan areas of this country. They were a loose association of sovereign communities, each of which decided from day to day whether to continue to participate in the

association. If any community didn't want to contribute to the defense effort, or cooperate in regulating interstate commerce, it needn't.

The Articles of Confederation didn't work. Thirteen colonies, each allowed to go its own way, could not adequately concert their efforts to deal with certain major problems. These included defense, and encouraging trade and commerce for economic growth. On the other hand, the culturally diverse colonies could never have agreed to the kind of strong centralized government that was typical in European countries at the time--the kind that grew out of monarchy. American government, in a very real sense, grew out of anarchy. The population was self-selected as they fled the various drawbacks of strong centralized power, particularly controls on religion. As a result, Massachusetts and Virginia could never have agreed on terms for a strong centralized government. The very strength of that government to enforce a national vision on the individual states--the same sort of thing that many advocates value in the idea of strong regional government--would have meant the power to impose a vision on some states that conflicted strongly with the values of their people.

The solution that was developed, the U.S. federal system, was designed to centralize only the powers necessary for the community as a whole to continue to survive economically and militarily; that is, foreign relations, the ability to wage war, regulation of interstate commerce, etc. All other powers were explicitly reserved to the states, so they could continue to pursue their own vision of how life should be. It is now generally accepted that this approach was good. It provides greater liberty to residents of the individual states. It also offers the opportunity for the states to learn from each other's efforts. Each state experiments in finding effective ways to accomplish its values, and the diversity of their solutions helps to increase the policy choices available. However, at the last minute, it was realized that protecting the states from the federal government was not enough. In addition, individuals needed to be protected from centralized government in general through the Bill of Rights.

Protection for individuals from the intrusion of government onto their freedom to pursue their own values was aimed particularly at freedom of

religion and speech. This was in stark contrast to efforts of the great European monarchies to enforce religious uniformity. The Europeans wanted to strengthen central control and the capacity for joint action, particularly in waging war. The American system explicitly permitted diverse values to survive in a looser association, which in the long run has proven to be stronger.

Although the founders included some brilliant political philosophers, they were first and foremost politicians chosen to represent constituencies. What precipitated the creation of the U.S. Constitution was not just a debate over the philosophy of government, but the concrete nuts and bolts problem of the security threat posed by England. As a politician, I question whether any challenge to the Articles of Confederation could have been successful in the absence of that solid issue. No constituency, not even the United States at that time, is primarily or even substantially composed of people with an interest in political philosophy. Political philosophers' value to society is measured by most people in terms of their ability to solve society's more immediate problems.

#### Sewer Problems Precipitate Decision

This was precisely the case with the creation of the Metropolitan Council. Although the Twin Cities had a long history of inter-community cooperation, I doubt that the Council could have been created without an immediate precipitating cause-- a widely agreed-upon public problem that could not be solved any other way. In the late 1960s the most important part of that problem was the sewer situation in the Twin Cities.

As in most major American cities, development in the Twin Cities prior to that time tended to follow a haphazard pattern according to economic forces and opportunities for individual development. When development is not controlled, developers often prefer to purchase land far from the urban centers. The land is inexpensive and close to amenities that more affluent home buyers prefer-- open fields, trees, wildlife, etc. Buyers with the mobility that the private automobile provides find those housing opportunities relatively attractive. They compare them with housing opportunities in more densely populated urban areas, with the higher costs and higher taxes that urban services require. When they first buy the house they rarely question the relative shortage of urban services.

Septic systems work fine when first installed. Highways are rarely congested when they are first built. The portion of the value of a piece of property that represents valued urban services is very rarely understood by the home buyer.

As time passes, however, population densities grow as many other people make the same choice. The growth comes because of proximity to the urban area. The former residents of the cities bring with them certain expectations about government services, which are much higher than those in rural areas. Traffic becomes congested and schools crowded. Most to the point in this case, septic systems eventually overload the capacity of the environment to absorb human waste. This occurred in the Twin Cities in the mid-1960s. A number of home owners in fringe areas of the Twin Cities discovered that if you flushed a certain brightly colored dye down the toilet it would show up in the tap water two days later. Others began to notice pollution problems in lakes subject to heavy development pressure. This resulted in a clamor for sewer services, just as it had from other developing suburbs as they reached this density.

For the first time, however, the clamor was greeted with less than enthusiasm by the Minneapolis-St. Paul Sewer Board. The sewer board had had a very satisfactory situation since 1933. The legislature had forced the two cities to develop sewage treatment facilities jointly in order to save money (a fundamental value shared by legislators from the rest of the state as well as the Twin Cities). The cities had used Public Works Administration support to build more sewer capacity than they needed. So they were able to offer services to close-in suburbs, as they developed, at a reasonable price, with a significant profit margin.

In spite of occasional conflicts with suburbs over rates, that worked fairly well until the demand on sewer services started to approach capacity. The sewer board was then faced with very high costs to build new sewage treatment facilities and run interceptors out to remote communities with septic system problems. The sewer board balked at the idea of adding more sewage capacity. It argued that if it were going to add capacity, the new communities should pay for it at its fully allocated cost. Since new facilities or long sewage interceptors wouldn't have to be built without the

new demand, that cost was fairly high.

The suburban interests countered that it was unfair for the sewer board to make these decisions to tax them (taxation without representation) and, further, that the environment couldn't continue to sustain the kind of damage it was taking. The legislature was frustrated at the difficulty over resolving this conflict. The issue was not what to do about these problems. It was the more fundamental fairness question of who would control and who would pay--a governance question.

### Other Unresolved Regional Issues

Although the sewer problem caused the greatest political urgency, a number of other problems with similar characteristics encouraged many people to look to the idea of regional government as a solution.

The Twin Cities had a Metropolitan Airports Commission with a board controlled, like the Minneapolis-St. Paul Sewer Board, by the two center cities. It had been created in 1943 by the legislature to prevent the two cities from developing independent major airports. It worked quite successfully for more than 20 years, operating what is now Minneapolis-St. Paul International Airport on its own land between the two major cities. By the late 1960s, the airports commission was beginning a planning process to build a second major airport in the Twin Cities at a northern suburban location. This proposal was drawing heavy criticism from suburban neighbors of the proposed new airport. Environmentalists criticized the location under consideration for its impact on nearby wildlife preserves, and fiscal conservatives questioned the economic need for a new airport.

The privately owned Twin City Lines Bus Company was in severe financial difficulties. Caught in a vicious spiral of declining ridership, increased fares and reduced service, it threatened to collapse completely.

Sprawling development in the Twin Cities suburbs, encouraged by a practically unlimited supply of flat land without any important geographical barriers, was resulting in a number of suburbs with substantial disparities in tax base. Not only were

these new suburbs at the mercy of the center cities for sewer service, many had inadequate tax base to fund adequate local services as well. At the same time, the center cities blamed the sprawl for loss of their own population and tax base, and increased difficulty in funding their own services.

Some more visionary leaders noticed that this sprawling suburban development was consuming developable land and not continuing the example of the excellent Minneapolis and St. Paul parks systems, which were widely regarded as a critical asset of the region. The parks had been developed by visionary leaders in the center cities, who captured land for park development before residential development occurred. The same process was not taking place in the suburbs to anywhere near the same extent.

A number of environmentalists were becoming concerned about the land-dumping of solid waste. They were afraid that the solid waste system would create the same kind of environmental problems in the future that were now being caused by the lack of a comprehensive sewer system.

The sewage problem, however, was by far the most compelling problem. It led advocates of regional government to step up their call for the development of such a government.

### Political Responses to Regional Problems

As the Twin Cities struggled to deal with the sewer and other problems, interest in regional governance of some sort began to grow. The movement was led by certain civic groups that took a strong interest in regional governance. The Citizens League, a nonprofit public-affairs organization, did a number of studies indicating the benefits of regional government and aggressively pushed for improved regional governance. The League of Women Voters and other citizen groups joined the call and actively lobbied local officials for support. The mayor of Minneapolis (a political-science professor at the University of Minnesota) was a strong advocate of regional government. Legislative support arose because of frustration on the part of the legislators at the inability of local governments to solve the problem. The editorial pages of the Minneapolis Star, the largest daily newspaper in the Twin Cities, also did a detailed and aggressive editorial

campaign in favor of the development of regional government. The business community played a major role. Even the long-standing Metropolitan Planning Commission called for its own abolition. It concluded that its lack of authority made it unable to solve regional problems.

In addition, and more important, a substantial number of suburban mayors added their support. The League of Minnesota Cities established a special metropolitan cities group, which eventually became the Association of Metropolitan Municipalities. It was interested in regional governance to deal with some of the problems, but was anxious to protect local autonomy as much as possible. The suburban mayors, in particular, were motivated by their conflicts with the Minneapolis-St. Paul Sewer Board over sewer charges. They wanted to ensure that any regional solution to the sewer problem would give equal representation for suburban interests along with center-city interests.

Substantial resistance to regional government came from two important sectors. Some suburban communities, particularly those that had been most successful in the competition for tax base, feared that regional government would limit their development opportunities, or in some other way infringe on their local autonomy. In addition, important elements of the legislature, especially in the Minnesota Senate, were most reluctant to create a new power center to compete with the legislature. The arguments against the creation of regional government focused particularly on the desire to avoid creating elected officials with larger constituencies than state senators.

Much of the conflict occurred over the issue of whether or not Council members ought to be elected, and thus, presumably, more politically independent, with their own constituency; or whether they ought to be appointed.

### Creation of the Metropolitan Council

The legislature answered the call for a regional government in 1967. The Metropolitan Council that was delivered was not what some regional government advocates had originally proposed, however. It is much more limited in scope than is widely understood by its fans. There were actually two proposals. One, which was not adopted, would have created something much more like a

super city or county government. It would have provided for an elected Council from equal population districts. It would have provided certain general governmental powers to accomplish various regional goals.

What was actually adopted, however, was a much more limited proposal. An appointed Council was created and given the responsibility to come up with a solution to the sewage problem. It was given a small but significant tax base to fund its own operations, but virtually no actual governmental powers at that time. It was first and foremost a policy development agency, not a general government. Although its powers were drastically limited, it was given a very broad purview for policy development. The Council consisted of 15 (later 17) members. Fourteen were appointed by the governor for staggered four-year terms from equal population districts in the metropolitan area. The chair, appointed by the governor to serve at his pleasure, was appointed for the metropolitan area at large.

To develop a political solution to this problem, the common interest was essential but not sufficient. Just like the founders of the United States, the politicians struggled to accommodate the diverse conflicting interests. They weighed the relative advantages of centralized planning in providing services and controlling costs, and the relative benefits of individual liberty to pursue one's own lifestyle and values. The result that evolved over many years was a solution much more like the United States Constitution than like the theoretical model of a strong, centralized regional government. The legislature created an appointed Council. It did this because of resistance to having another layer of government, and because of its desire to maintain itself as the ultimate authority for the values of the community.

The legislature also wanted to insulate Council members from the pressures of their districts to free them to focus on the good of the region as a whole. Early Council members tended to be pillars of the community who very much took a regional view. They soon antagonized many suburban local officials, even those who had originally supported the creation of the Council.

As the Council has evolved, appointments by the governor have become more and more subject to

the input of local officials and legislators. As a result, although Metropolitan Council members still don't have the ultimate imprimatur of being elected officials, they tend more and more to be the kind of people who would likely be elected if it were an elected office. They come out of and are well connected in the local political system, and have a relatively high degree of sensitivity to the political perspectives of their districts. In this way the legislature kept for itself the ultimate authority over what is "the good of the region," while creating a Council that was as reflective as possible of the diverse values in the region. These changes paralleled the legislated increases in the Council's regulatory authority.

To what extent this was a conscious effort I can't say, but it didn't need to be conscious. Politicians focus instinctively on making sure the interests within their constituencies feel they have an adequate voice in public decision-making. They have a learned tolerance for protecting the voices of other interests as part of the accommodation of those interests. The legislature's decision to protect its ultimate authority was a way of minimizing government intrusion into individual liberties. By keeping the ultimate power, it limited the number of bodies that had the power to intrude on the liberty of individuals and local governments.

The powers that have been given to the Council over the years are not broad governmental powers like those of cities and counties. They are highly specific powers directed at providing solutions to specific, widely agreed-upon regional problems. The legislature did not choose regional government as a value intrinsically good for its own sake and reject the contrary values of selfishness and parochialism. Instead, it extracted the legitimate values that underlay arguments in favor of regionalism and local autonomy, and designed a system that accommodated both values simultaneously as much as it could.

### A Vision for a Diverse Region

They were right. The idea of developing a single regional vision of how the Twin Cities community should develop is based on a fallacious assumption. It assumes there is a shared vision among all the constituencies of what appropriate development is. That is clearly not the case, however. Anthony

Downs, of the Brookings Institution, has offered a brilliant description of the fundamental values that drive development decisions in most cities in the United States. He has pointed out that they are not the values typically shared by urban planners who work on the staffs, and even serve as members, of organizations like the Metropolitan Council. The urban planners' regional vision, of compact urbanized areas surrounded by greenbelts with high density and good rail transportation, etc., conflicts directly with the average American's desire for a single-family estate with rolling lawns, a two-car garage, privacy and extensive mobility.

Furthermore, the idea of a single vision of how development should occur in a city flies in the face of the values of cultural diversity, which we also say we cherish. The success of the Twin Cities Metropolitan Area in developing joint solutions to urban problems, dating back to the early part of the 20th century, may be in part the result of the relatively high level of cultural uniformity among the population. Until very recently, Twin Cities residents were overwhelmingly from white, northern European backgrounds. There were severe conflicts when early immigrants arrived, and Minneapolis was a very anti-Semitic city in the 1920s. Since then, the populations have lived together for a long time without substantial immigration except from the rural Upper Midwest. As a result, there was not nearly the same diversity of values as in cities subject to larger, more diverse and more recent immigration. Even within the community of white, long-time Twin Cities residents, lifestyles and values have diverged dramatically since the 1960s. There is much more to cultural diversity than racial or ethnic diversity.

A government with broad general powers can choose one constellation of values over another by a simple majority vote. Naturally, residents on the fringes of metropolitan areas and the rural areas immediately surrounding them resist the creation of a strong regional government. They recognize that in any such government urban residents will be the overwhelming majority. They also know that many urban residents have little understanding of, or sympathy for, the lifestyles and values common in more rural communities. They expect strong regional government to be insensitive to their perspectives, and they are probably right. A major drawback of democracy is the readiness of the majority to overrule

minorities, particularly those whose values they neither share nor understand.

A major strength of the American system is the controls placed on government by the constitution and the legal system to try to prevent that power from being used to disadvantage a minority. Still, many of the important controversies in this country are the result of individual minorities feeling disadvantaged by the majority's decision. Even someone who believes in the urban planner's vision of the ideal city can surely recognize that a vision developed by an overwhelmingly white, middle-class, Upper Midwest electorate, and imposed on racial and ethnic minorities with substantially different cultural values, is not to be regarded as an unmitigated benefit.

Our success in realizing the benefits of regional government has depended on an appreciation of its limitations. Regional government is a tool that has certain advantages for collective effort to accomplish community-wide goals. It also has the potential for intruding on individual and collective liberty to pursue diverse lifestyles. It should be used sparingly. Just as the Constitution needed to be amended with the Bill of Rights to protect the individual, the development of regional government must be accompanied by controls. It should be used only to accomplish widely agreed-upon community goals that cannot be accomplished as well in some other way.

#### Fundamental Values That Unite a Metropolitan Region

The dilemma is the difficulty in determining, in an increasingly diverse society, what the values are that tie our community together. In our enthusiastic American search for individual liberty, we have continually had to struggle with the question of what values society as a whole must uphold and enforce even on recalcitrant members of that society.

The same struggle has occurred in the Twin Cities Metropolitan Area. Although I believe very strongly in the widest possible social tolerance for different views, some values seem to be so critical to the survival of the community that society is justified in enforcing them. In the Twin Cities, these values also seem to be widely shared, although the means for accomplishing them are

frequently controversial. They include the following:

1. Protection of the regional environment. The survival of the city and the people who live in it, and their ability to enjoy life, are dependent on our not fouling our own nest. Much of the Council's mandate comes from the desire to develop collective solutions to broad, complex and obviously interjurisdictional environmental problems in the Twin Cities.

2. Protection of the regional economy. In a certain sense a metropolis is its economy. People gather in cities because of the economic opportunities that occur there. However insensitive people may be to "powerful monied interests," all of us agree that we can't afford to continue living here if we can't find economically remunerative activities.

3. Management of public conflict. The competition and open conflict that occur between various jurisdictions in the absence of some sort of regional control is widely abhorred by the electorate and, usually, by the parties to the conflict. It's considered wasteful of resources and an inappropriate use of governmental authority. To the extent that regional government can resolve those conflicts in ways that satisfy the parties, it helps to accomplish the other regional goals.

4. Fairness to each other. The value is widely accepted that the whole idea of community requires the members of the community to treat each other fairly and equally. This is the value upon which a number of fundamental human rights are based that many people consider to be moral imperatives. People in the Twin Cities do have widely differing views about how fairness and equality are to be accomplished, however.

5. Efficiency in the delivery of government services. In a certain sense, this is a means, but one so widely valued as to amount almost to an end in itself. It's the idea that government services should be delivered in a way that achieves the most desired outcomes with the least input of resources.

To this list, I would add a sixth value. Sadly, although honored in theory, in practice this value is not as widely shared as the other five. The

willingness of the majority to disregard the contrary interests of a minority is a major drawback of democracy. Nonetheless, I think it is essential to the adoption and survival not only of regional government, but any government that includes the consent of the governed among its principles. That is:

6. A minimum of intrusion into individual liberties in order to accomplish the agreed-upon community goals. I would include in this a certain caution about developing community goals. We must make sure that there is not only a majority in support of the goal, but that there is a broad consensus that includes the consideration and accommodation of important minority views. Just because we're mostly third-generation Americans from white, northern European stock does not mean that we should impose the values that come from that experience on residents who don't share those values.

In my experience, all the Metropolitan Council's actual governmental powers are based on one of these fundamental, widely held values. As a result, the Council doesn't have general powers to guide development in the region. It has specific powers to prevent or encourage specific aspects of development whose advantage or benefit is widely agreed on.

### **3. PHASE I: EARLY REGIONAL CONTROLS**

The Council, as originally created in 1967, was virtually without any actual power. It was authorized to develop a comprehensive plan to guide growth and development in the region. It was assigned to resolve the problem of failing septic systems in certain unsewered parts of the metropolitan area, while controlling costs to the developed parts of the metropolitan area. The Council also was given power over two other metropolitan agencies. To make sure that a decision to build a new airport would be sound, it was given the power to suspend plans of the Metropolitan Airports Commission. And it was given the responsibility to approve the capital budget of the new Metropolitan Transit Commission, which was created to take over the failing bus system.

#### **Development Control Through Sewers**

To deal with the critical sewer issue, the Council was charged in 1967 with developing a plan to take back to the legislature in 1969. The plan took a number of years to be implemented. The first part was creation of the Metropolitan Waste Control Commission, a government agency partly responsible to the Council but with considerable independence. The commission, created in 1969 (and described in more detail below), consists of members appointed from equal population districts covering the entire seven-county area, not just the developed and sewered areas. It took over responsibility for the sewers, reimbursing the central cities and several independent sewer districts for their costs in developing the system.

It is required to provide sewer service under only two circumstances. The first is in a relatively limited part of the Twin Cities known as the "metropolitan urban service area," as defined by the Metropolitan Council. The second is in areas where excessive population had already overburdened septic systems and created severe environmental problems. Development outside the urban service area is supposed to be limited by communities, so as not to exceed the density that could be supported without public sewers.

The aim is to minimize the cost of providing sewer service to the region by developing land first that is easiest to serve and limiting development outside that area until the land already served is consumed. The Council monitors the urban service area. It reviews the growth forecasts and considers extensions every five years, or when a city's developable land within the area falls below what amounts to about a 15-year supply. Sewer service within the area and in stages outside it is planned for at least 20 years in advance.

#### **Land Planning Mandated**

In the early 1970s, the Council did a series of studies on the cost of providing regional services under different development scenarios. The costs included were for sewers and other public services, including highways and transit. The studies concluded that the costs of public services to uncontrolled development would exceed those to compact development within a defined metropolitan urban services area (MUSA) by \$2.2 billion over 20 years. They established a convincing case for a regional interest in controlling urban sprawl, not just to control the cost of the metropolitan sewer system but to control regional costs in general.

This led the legislature in 1976 to pass the Metropolitan Land Planning Act. The Council was given limited control over local planning in order to control the impact of new development on highways and other systems of concern to the whole metropolitan area. The law required cities in the metropolitan area to develop comprehensive plans, which have to be approved by the Council as consistent with its plans for the metropolitan systems. However, the Council cannot require changes in a local plan unless it can demonstrate an adverse impact on these metropolitan systems--that is, sewers, highways and transit, parks or airports. To the extent that a city's development decisions don't affect its neighbors, it should have as much liberty as possible. On the other hand, a city doesn't have the right unilaterally to make decisions that raise public costs to the region--for example, by clogging the freeway system or

demanding unnecessary extensions to the sewer system. The Council has the right to control for adverse impacts, and the responsibility to see that infrastructure is provided in an adequate, staged and cost-effective way to support appropriately the region's projected growth.

Although the urban service area is treated as a single urbanized area, in practice extensions are granted on a city-by-city basis. This involves a negotiation between the Council and each city. The city demonstrates that it has consumed, or nearly consumed, the developable land remaining within the urban service area, so that less than a five-year excess remains over the amount required to support projected growth for the next ten-year period. A lot of conflict still occurs in rapidly developing communities near the urban service area border. They contest when and how the urban service area should be expanded, and how much development can be supported outside the urban service area without public sewers. The basic principle, however--controlling only those things that are legitimately in the interest of the region as a whole, but nothing else--seems to be widely accepted. The process of working out disagreements with Council projections by negotiation seems to work very well.

The seven-county metropolitan area in which the Council has authority is more than three times as large as the metropolitan urban service area. There are a number of relatively small development concentrations outside the urban service area that developed independently of the Twin Cities. Although their proximity undoubtedly helps their growth, these towns developed before the growth of the metropolitan area. They are referred to in the Council's system as "freestanding growth centers." They receive enough urban services to exist independently from the Twin Cities. They have sewer systems and good local road systems, but they are not entitled to state or regionally financed urban services that would treat them like suburbs. For example, they don't get freeways like those built in the urban service area to meet rush-hour capacity demands or mass-transit connections to the urban centers. Instead, roads are built to handle intercity traffic and, to discourage commuting, are not sized to manage rush-hour loads.

### Tax-Base Sharing

One major source of conflict between individual communities in the Twin Cities Area, as in many urbanized areas, is competition for high-density commercial and industrial development. This competition results from the perceived benefit of the additional tax base such development brings to the community in which it locates. The competition may be in the interest of individual communities that engage in it, but is not in the regional interest. The conflict that occurs can be destructive. It also results in substantial public resources being spent on trying to influence location decisions. In general, the individual residents of the region don't care whether a commercial or industrial development is located in their city or another. They care more whether its location provides them with access to jobs and stores.

To reduce the competition that occurs over this kind of development and to prevent its resulting in some communities enjoying rich tax bases while others have relatively low ones, the legislature adopted the Metropolitan Revenue Distribution Act in 1971. The law applies only to the seven-county metropolitan area. It provides that 60 percent of new industrial-commercial development tax base accrues to the local jurisdiction where the development occurs. The other 40 percent goes into a general pool, which is shared regionally by a formula that takes into account population and other tax base. The law has two valuable effects. It equalizes commercial-industrial tax rates somewhat, so development decisions are based more on sensible considerations of infrastructure capacity and proximity to appropriate markets, and less on artificial distinctions created by tax disparities between adjacent communities. It also results in a certain equalization of tax base, so communities that make independent decisions to choose residential character do not suffer from inadequate revenues. As a result, local development strategies are more diverse, and can provide a greater diversity of potential locations for Twin Cities residents to choose for housing and businesses. Furthermore, it provides support for local infrastructure to communities that may incur costs because of traffic generated by dense development in nearby communities.

## Metropolitan Significance

Also in the Metropolitan Land Planning Act of 1976, the Council was given the power to delay individual developments under certain circumstances for a short time. If the Council, at the request of a local government in the region or on its own initiative, concludes that a development has an adverse impact of "metropolitan significance" on the region, it has the authority to stop that development for up to a year. The Council can make that decision if it concludes after a formal review that the development has an adverse effect on the capacity of a metropolitan system, or on a local system in another community.

Metropolitan significance reviews have almost always been based on impacts on transportation, sewers, another community's surface water runoff or traffic on local streets. The idea is to protect the big metropolitan systems, which belong to the whole region, from development decisions by individual communities. It's also to protect communities from adverse impacts of development decisions made by neighboring communities. The Council has had this authority since 1976; yet, it has never formally used the power to delay a development, even though it's been asked to undertake metropolitan significance reviews 15 or 16 times.

The power is limited. The development can be delayed only for a year. For large development projects, if the metropolitan significance review request comes early enough, a year's delay could have no impact. In fact, at least one community requested a review of its own project, in order to have the option of getting the one-year delay out of the way before it needed to proceed with construction. The reason for this one-year power is presumably to give the legislature, which meets annually, the opportunity to step in and take more drastic action if it concludes that the development is inappropriate. However, the situation has never come to that. The Council and the affected communities have invariably been able to work out compromises and modifications in the development to mitigate its impact on regional or local systems. This is partly because the political ramifications of the Council's concluding that a development has an adverse effect on the region or another community are much feared by developers.

The most common local system disputes are situations where a shopping center would provide tax base to one community, and traffic and surface water runoff to an adjacent community. In those circumstances, the Council has helped work out various accommodations. These involve agreements mitigating the immediate impacts on the adjacent community and balancing the future rights of the communities to develop across the border from each other in such a way that the impacts are balanced.

In the case of metropolitan systems, the most interesting metropolitan significance development review was the case in 1985 of the "Mega-Mall," a giant shopping center. It was proposed for Bloomington, the largest suburb of Minneapolis, and on an intersection of two major freeways where the old Metropolitan Stadium had been torn down. Minneapolis and St. Paul were particularly worried about the development because its large size threatened very serious competition to their downtown retail communities. They requested a metropolitan significance review. The Council wasn't, and isn't, interested in interfering in competition between private businesses, but was concerned about three important factors.

First, although the size of the development was substantial, it was no larger than anticipated by regional plans. However, the development was earlier than had been planned for in the metropolitan systems. Highway upgrades had not yet been put in place to handle the increased density. A unique solution was reached, where Bloomington bonded and loaned money to the Minnesota Department of Transportation to complete the highway improvements ahead of schedule at the city's expense. It will pay the costs with the tax increment that accrues as a result of the development. The money will be repaid to the city by the state Department of Transportation when the improvements were scheduled to have occurred.

Second, the development provided excessive rush-hour traffic loads on Interstate Hwy. 494, the major freeway connecting southern and western suburbs with the Twin Cities airport. Upon reflection, the developer agreed to reduce the office space component of the development to reduce rush-hour traffic.

Third, the development included a convention center that would have been in direct competition with a publicly built convention center then under construction in Minneapolis. The Council did an analysis of the markets for convention centers and concluded that the market could not support two major convention centers in the Twin Cities. The developers agreed to modify their proposal to remove the convention center. With these accommodations to the regional interest, the development was allowed to proceed.

In this case and many others, the Council has been able to use the implied threat of a finding of adverse metropolitan significance to influence communities and developers to prevent adverse regional impacts, with limited interference in normal market competition.

### **Rural Policy**

Although the Metropolitan Land Planning Act requires every city to have its development plan approved by the Council, the Council cannot require amendments unless there is an adverse effect on one of the big regional systems, that is, highways and transit, sewers, parks or airports.

As a practical matter, some communities still have comprehensive plans that are in conflict with the Council's rural policy, which calls for very low-density development outside the urban service area. These communities fall mostly to the north and east of the Twin Cities, where soil conditions make farming a relatively unprofitable occupation. In these same areas, wetlands and the proximity to northern Minnesota lake country make rural homesites attractive. Development pressures still cause people to prefer to subdivide their land into smaller lots to sell for more urban-type development. However, the number of building permits for this sort of development outside the urban service area has declined by about two-thirds since the land-planning process began in the early 1970s.

Conflict with Council rural policy is not common in areas where large-scale agriculture is still profitable. In those areas, regional land use standards make it feasible to farm across the street from a densely developed suburban subdivision. The farmland cannot be sewered until the regional plans call for it. That means its value for

development doesn't rise as rapidly as it would otherwise, and so the property taxes that the farmer has to pay while he's farming are not affected. In addition, the Twin Cities Area has a state-passed Agricultural Preserves Law. The law provides certain property-tax and special-assessment protection for farmers in the rural service area who agree to keep their land in farming for at least eight years. Because of these land use controls, in areas where large-scale farming is a viable endeavor it continues to be viable even very close to the urbanized area.

#### **4. AGENCIES TO IMPLEMENT REGIONAL POLICIES**

The legislature, in wanting to limit the Council's intrusion into the land-use-planning affairs of communities, was not only interested in protecting local liberty. The Council's founders expected it to be a proactive agency for policy development in the region, a hope that has been borne out. They were afraid that if the Council got into too much local implementation, those operational activities would tend to drive out the long-range planning and policy development functions. They applied this same principle to the delivery of regional services. Rather than giving the Council direct control over the delivery of regional sewer, transit, airport or park services, the legislature created over the years a system of single-purpose metropolitan agencies to operate these services. Each agency is tied to the Council in some way, although for some the relationship is quite loose. The Council has enough authority to enforce its long-range plans, but each agency has enough independence so that the Council will be less tempted to become embroiled in day-to-day implementation activities.

Each metropolitan agency is structured differently and has a slightly different relationship with the Council. Each has been created specifically to deal with concrete regional problems, and is designed to balance carefully the value conflicts that are most important in dealing with those problems.

##### **Sewers**

The Metropolitan Waste Control Commission was created by the legislature in 1969 to replace the old Minneapolis-St. Paul Sewer Board. Its board consists of nine members, eight from equal population districts appointed by the Metropolitan Council. The chair of its board is appointed by the governor with the advice and consent of the Minnesota Senate. Until 1989, the waste control commission was required to have its capital budget approved by the Metropolitan Council. This authority has expanded to a system whereby the Council develops a regional policy plan for sewers to carry out its development goals. The commission is required to develop an implementation plan (including a financial element

covering capital expenditures) to carry out the policy plan, which must be approved by the Council as consistent with the policy plan.

A number of conflicts have arisen between the Council and the commission over the years, usually based on a fundamental difference in interests. Sewer authorities may sometimes prefer to overbuild rather than take the chance of underbuilding. The Council, because of its desire to control growth in certain areas, wants to limit not only the costs of overbuilding; but, also, the impetus to premature development that excess capacity provides.

Although the Council appoints the commissioners, strong chairs and chief administrators of the commission have frequently fought with the Council over the years. Over time, however, that relationship has worked into a relatively cooperative one. The Council tries to stay out of the operational details and the commission tries to see that its sewer activities are effective in supporting the Council's development policies.

In a certain sense, the waste control commission, like other metropolitan agencies, operates as "wholesale" government. It provides major interceptors and sewage treatment plants, and charges the costs of those facilities back to the communities. They, in turn, pass them along to their residents in water and sewer bills. Connections for individual houses and businesses are the responsibility of communities which, in a sense, handle the "retail end" of sewers. This provides an excellent compromise between the benefits of local and metropolitan government. Local government, with its high level of responsiveness to citizen concerns, deals with individual sewer customers on a day-to-day basis. Metro government, with its greater size and scope, takes advantage of the economies of scale involved for large construction and maintenance projects like sewage treatment facilities and major sewer interceptors.

Over time the waste control commission has come to think of the local governments with which it deals as its most important constituency. The

cities pay very careful attention to its operations, and its success with the legislature usually depends in large part on their support. As a result, the regional agency is politically accountable to the local governments that deal directly with the people of the region. Nonetheless, many of the serious problems it deals with are technical rather than political. It has a great deal of independence so the engineers can pursue the correct technical solutions.

### Transit

The Metropolitan Transit Commission (MTC) was created in 1967, also loosely responsible to the Metropolitan Council. Its board was appointed by the Council, but its chair was appointed by the governor, with the advice and consent of the Minnesota Senate. Over the years, dissatisfaction of the legislature with this system led to the development of a new structure. In 1984, the legislature inserted a planning agency, the Regional Transit Board, between the Council and the MTC. The chair of the transit board is appointed by the governor, and the eight members are appointed from equal population districts by the Council. In 1988, the legislature added two at-large members, appointed by the governor, to represent senior citizens and handicapped people, and required six of the eight council appointments to be local elected officials.

Members of the MTC are appointed by the transit board. The MTC is still the large bus company that provides most transit service in the Twin Cities. Dissatisfaction with the old MTC was based on a belief that it wasn't aggressive enough in developing alternative transit approaches, particularly for the less-served suburbs, because of its vested interest in the bus system. As a result, the transit board was created to do transit planning and, particularly, to contract for bus service with private bus companies and other vendors, as well as with the MTC. The vendors were to provide specialized transit services, particularly to low-transit-service suburbs and, through a special ride service called Metro Mobility, to handicapped transit riders.

As is the case with the sewer planning, the Council develops a policy plan for transit as part of its metropolitan transportation plan for the region. The transit board is required to develop

an implementation plan to carry out the policy plan, which must be approved by the Council.

Conflicts between the Council and the transit board, and before them the MTC, have frequently arisen. Both transit agencies are outspoken advocates of transit. Although the Council strongly supports transit, it occasionally has taken a more cautious approach. It has insisted that transit solutions be cost-effective, as compared with similar investments in highway alternatives, and consistent with other regional transportation policies. The Council actually prevented the MTC from developing a heavy rail system in the 1970s, concluding that its expense was not justified. The legislature has actively encouraged this "creative tension" between regional agencies because it helps to clarify the policy choices for the legislature itself.

### Highways

There is no metropolitan highway agency in the Twin Cities. Highway construction and maintenance are carried out by the Minnesota Department of Transportation. The Metropolitan Council develops a surface transportation plan for the Twin Cities, which provides planning for the regional freeway system. The Department of Transportation, although not required to follow the plan, usually does for two reasons. First, the Council has veto power over the department's development plans for controlled-access highways in the region. And second, the Council engages communities and citizens in the development of solutions to highway problems. It manages many of the political difficulties associated with developing or improving freeways in densely populated urban areas for the Department of Transportation, and has resolved several difficult political conflicts at the department's request. As a result, the department, particularly in recent years, has been extremely cooperative with the Council in carrying out the regional transportation plan.

The Council is advised in its functions of choosing highway priorities and making decisions about the allocation of federal funds by the Transportation Advisory Board (TAB). This board, like highway planning agencies in many regions, is composed largely of local officials appointed by the Council or their own associations, but also includes some

public members. Final decisions are made by the Council, but in practice the recommendations of the TAB are almost invariably followed.

### Airports

The Metropolitan Airports Commission has the most independence of any of the metropolitan agencies. This is, in part, because the Minneapolis-St. Paul International Airport is considered by most legislators a statewide resource, not merely a metropolitan one. The relationship with the airports commission was established early in the Council's life. It was prompted by legislative concern over the commission's plans to build a second airport in the northern part of the Twin Cities region, near a game preserve, to supplement the existing airport in the southern part of the region.

A major early success of the Council was its analysis of the airport proposal. The Council used its authority in 1970 to suspend the airports commission's plans for a second major airport. The Council concluded that a new airport was not necessary for the Twin Cities, and that the existing airport could continue to handle the growth in traffic for some years. This turned out to be the case. Newer and larger airplanes, not taken into consideration by early commission studies, absorbed much of the growth in passenger demand and enabled the existing airport to continue to handle the traffic.

Over the years, the Council became more and more associated with the interests concerned about airport noise, while the airports commission became the champion of the economic growth resulting from the growth of the airport. As a result, after its initial victory over the commission, the Council's relative standing with the legislature gradually weakened over time. Council members and supporters frequently attributed this to more aggressive lobbying by the commission (the "just tell them" perspective). I believe the real political difference was the commission's association with the values of economic growth and strength of the airport. This was a much more widely shared value in the region than concerns about airport noise, which were important mainly to immediate neighbors of the airport.

Because of this greater political strength, and

because it has financed its operations for many years from user fees without tax support, the airports commission was much better able to resist Council control. Its chair and board members continue to be appointed by the governor. Members are from equal population districts. The districts can be reapportioned by the governor at his pleasure.

The Council does develop a policy plan for the metropolitan airports system. The commission, which owns and operates the region's seven airports, is required to design a master plan for the development of each airport. Although the Council retains approval power over major airport capital expenditures, airport operations and most capital expenditures are handled without any control by the Council.

### Parks and Open Space

The least independent of the metropolitan agencies is the Metropolitan Parks and Open Space Commission. Members, including its chair, are appointed by the Metropolitan Council. Staff is provided by the Council, and the commission serves more as an advisory body to the Council than as an independent commission.

Funding for regional parks came originally from regional bonds sold by the Council, to be repaid by a regional property tax. Later these were replaced by state appropriations, as legislators from the Twin Cities and the rest of Minnesota reached a quid pro quo over parks funding. They concluded that regional parks in the Twin Cities Area serve the same purpose as state parks in the rest of Minnesota. As a result, they decided, it is appropriate for the state to provide equivalent funding for both kinds of parks. State funds, channeled through the parks commission and Council, are provided to local "implementing agencies," typically county and city park boards, which do the actual purchase, development and operation of the parks.

The Council, with advice from the parks commission, develops a policy plan for the regional parks system. The implementing agencies are required to develop master plans for each park. The Council also sets priorities, attempting to balance interests so that each part of the region is satisfied that it's getting its fair share.

Regional interest in the development of the commission came from two separate sources. First, the center cities, with the oldest, largest and most heavily visited parks, felt they were providing park services for a large part of the region not in their tax base. Second, there was a concern that as development occurred in the suburbs, land that would one day be wanted for parks was being consumed for private development before suburban tax base would be adequate to support its acquisition.

As a result, to go with the state-metropolitan quid pro quo, another quid pro quo was established between the center cities and the suburbs. This provided regional funding, most of it coming from state government, for the cost of redevelopment and operations for heavily visited center-city parks. It also paid costs of acquisition and development of parks and park reserves in rapidly developing areas. This arrangement has enabled the Council to create an extensive system of 40 regional parks, park reserves and trails, including several of the most important parks of the original Minneapolis and St. Paul systems. The regional park system is widely considered one of the most important assets of the Twin Cities.

### Housing

A major conflict with suburban local governments arose in the early 1970s. The Metropolitan Council issued a study criticizing suburbs for not providing adequate affordable housing, and suggesting racist and exclusionary motives on the part of suburban city officials. The Council actually drafted and introduced legislation that would have created a regional housing and redevelopment authority, with the power to condemn land and construct housing projects throughout the metropolitan area. A compromise proposal eventually passed, which created a Metropolitan Housing and Redevelopment Authority (Metro HRA) in the Twin Cities, but required local approval. The Council itself serves as the Metro HRA, with the help of an advisory board. The Metro HRA was created, in part, to answer the defense of suburban local officials that the center cities tended to monopolize the resources available from state and federal governments for the subsidization of affordable housing.

Although the Metro HRA has never undertaken construction projects, it now provides Section 8 and voucher programs in some 99 suburban communities in the Twin Cities that have preferred not to set up their own local HRA.

The Council further asserted its policy goals in the housing arena when given authority to review federal grants to cities in the 1970s under the A-95 review process. It refused to recommend grants for any cities that had not provided low-cost housing or adopted definite housing policies acceptable to the Council.

As time progressed, suburban communities that had at first resisted low-cost housing discovered that the housing did not result in large influxes of low-income center-city residents. It mostly provided housing opportunities for lower-income residents already in those communities who had been paying more than they could afford in housing costs. Since the Metro HRA was created, the proportion of subsidized housing in the suburbs has risen from barely 10 percent to over 40 percent of the region's supply. There is widespread acceptance among suburban local officials of the need for low-income housing in every community. Suburban communities actually have a slightly higher proportion of subsidized family housing, as compared with subsidized senior-citizen housing, than do the center cities.

Although the original conflict over the Council's housing studies and legislation was severe and long lasting, local resistance to the Council's using its federal A-95 review process to force communities to adopt low-income housing policies was actually less heated than might have been expected. Suburban officials knew that the low-income housing burden would be shared by many communities, and that they could deflect the political criticism from constituents by blaming the process on the Council. What had appeared to be the Council's enforcing its will on many suburban communities was, in fact, accomplished with the active cooperation of many visionary suburban officials. They appreciated the regional need for the policies in spite of their constituents' resistance to them.

## **5. POLITICAL APPEAL OF REGIONAL SYSTEMS TO LEGISLATORS**

Many of the Council powers described so far were at first opposed by at least some local governments. Eventually they were incorporated in compromise bills, which had the support of local government. Many local officials were genuinely interested in contributing to regional solutions. Others were encouraged to cooperate in these compromises, in part, by the implied threat of a less palatable solution imposed by the legislature. The compromise bills passed, in part, because of the legislature's reaction to political circumstances surrounding the conflicts over sewer and airport services. They were also a response to recommendations of experts, and businesses and civic groups, who sought stronger regional government as a way of solving these immediate nuts-and-bolts political problems.

Legislators from the Twin Cities Area tended to reflect the relative interests of their constituents. Legislators from the center cities were more in support of stronger regional government. Legislators from the developing areas, where the Council's development controls weigh most heavily, tended to favor more local autonomy.

A major factor in passage of these bills was the reaction of legislators from the rest of the state. They were also motivated to take sides in the debate over regional government, because it was likely to have an impact on state interests in three important ways. First, of course, legislators recognized that the economy of the Twin Cities is important to the state as a whole. But, of more immediate importance, the system of state assistance for various local problems meant that the Twin Cities area might require funds that would otherwise be available for other parts of the state. This could happen to the extent it had difficulty finding cost-effective solutions to its airport or sewer problems.

Second was the environmental component in many of these regional issues. Environmental impacts are obviously shared. Legislators from rural areas were delighted to insist that the Twin Cities "get its act together" in solving these important environmental problems.

Third, and perhaps most important politically, legislators from outside the Twin Cities were heavily motivated by frustration that Twin Cities' local conflicts frequently found their way to the floor of the legislature. Legislators who represented districts far from the Twin Cities resented having to spend substantial amounts of their time listening to arguments and debates among legislators from the metropolitan area over how to handle what they considered to be essentially local problems. They were anxious to have a system where those problems could be resolved within the metro region.

This legislative pressure helped encourage the more hesitant local officials to realize the importance of developing some sort of a cooperative regional solution that they would find acceptable. They eventually participated in compromises and supported the legislation that was passed.

Although the legislature limited the Metropolitan Council's authority mainly to protect local autonomy and to protect the Council from excessive involvement in operations and implementation activities, this apparent "weakness" added another strength to the Council. The Council rarely benefits directly from legislative appropriations of staff and facilities to implement its plans. Because it's not directly involved in carrying out its plans, it's able to keep a more strategic perspective about how implementation should be carried out. Also, its advice to the legislature and other government levels is less tainted with the appearance of conflict of interest.

## **6. PHASE II: CONSOLIDATION AND COOPERATION**

In spite of the success of early compromises, local officials continued to value the benefits of local autonomy over those of regional government. Conflict between local officials and the Metropolitan Council and its partisans got much worse in the early 1970s. At first there was competition over means for accomplishing regional goals and the scope of the Council's action. Local officials tended to believe that the Council should limit its activities to sewers, transit and airports. The Council's early 1970s housing studies were accomplished without much consultation with local governments. Suburban city governments, in particular, took offense at the charges of exclusionism. The situation was exacerbated when the Council began to use its A-95 review authority of federal grants to force certain suburban communities to develop subsidized housing policies that would meet the Council's demands. Suburban officials, many of whom thought of the Council as their local-government agency and a counterbalance to state agencies in the region, began to resent what they considered the Council's adversarial approach to dealing with them.

The first Metropolitan Council was appointed in 1967 by Governor Harold LeVander. The chair and most members were sophisticated regional government advocates. They valued strong regional government very highly and were unabashed in their pursuit of stronger regional powers. The first Council chair, James Hetland, Jr., played a powerful and important role in the development of early regional solutions to local-regional conflicts. The second chair, Al Hofstede, appointed four years later in 1971, was a city official from Minneapolis. The city's interests often coincided very closely with those of regional government, a big part of whose mission is the protection of the center city from excessive service costs and loss of population due to urban sprawl.

Under the Metropolitan Council Act, the governor has the ultimate authority for the appointment of the Council chair and members. However, both Gov. LeVander, who appointed Hetland, and Gov. Wendell R. Anderson, who appointed Hofstede, tended to focus their attention on state problems and leave metropolitan problems to the Council.

By the time Hofstede resigned to become mayor of Minneapolis in 1973, criticism of the Council from suburban interests had become heated. Gov. Anderson looked for a suburban elected official to put in charge of the Council to calm the political criticism. His appointee, Rep. John Boland, a suburban state legislator, served longer than any other chair to date. He correctly recognized that the conflict between the Council and local officials threatened the very existence of the Council and undermined its ability to do its work.

Boland embarked on a campaign to improve the Council's standing in the eyes of local officials. That campaign is probably as much responsible for the success and survival of the Council as its original development to solve regional problems. In the course of that campaign, the Council's powers were substantially increased. Local governments cooperated in developing the Land Planning Act, which was designed to protect as much local autonomy as possible, and still accomplish regional goals of controlling sprawl and public costs. The Council worked very hard on developing its function as a service to local governments. Council research and assistance in developing local government programs became more and more useful to communities. Furthermore, the most ferociously antagonistic communities hired their own planners to protect themselves from Council intrusion. They developed thoughtful, effective planning programs, which made intrusion by the Council much less necessary.

In this period, the single most important tool the Council had for influencing regional policy was its research capacity. With a small property tax levy, amounting to 8/30s of one mill, the Council was able to develop a staff of about 200 and become the focus for federal- and state-supported planning programs as they applied to the Twin Cities. Relations between the Council and local officials grew substantially stronger as a result of this high-quality research and the conscientious effort by Chair Boland to work cooperatively with communities.

The Council also developed an elaborate citizen

participation process. It established standing advisory committees for transportation, water quality, solid waste and other metropolitan issues. It also brought in representatives of affected interests whenever it was adopting a policy for any regional issue, to make every effort to accommodate those interests. In this way, the Council developed an effective way for arriving at a true regional consensus on particular issues. Because of its desire to maintain good relationships with communities, it studiously avoided pursuing courses of action that were not part of some broadly agreed regional consensus.

In a way, the very compromise the legislature imposed when it created the Council led to this way of operation. As a relatively weak organization, without the power to impose its vision on the rest of the community, the Council had to develop mechanisms to ensure community consensus on its initiatives. That community consensus was, and continues to be, a far greater source of strength than any regulatory powers. It was this history that calmed the fears of those who value local autonomy above regional planning. An atmosphere ensued where solutions to regional problems could be developed that were sensitive simultaneously to broad regional issues and to local autonomy.

The Council's "metropolitan significance" power is in some ways like having nuclear weapons. The reason you have them is not because you want to use them; it's because then you get invited to all the peace conferences. Once the Council had a means to force its way to the table, the broader regional perspective began to have a legitimate place along with the various particular interests of the communities involved.

The Council's place at the table was enhanced because the legislature had created the Council and tended to listen to its perspective on issues of regional interest. The legislature, which also represents a very large constituency, struggles to take a big-picture view. Because the Council is in a similar position, with a similar perspective, the legislature frequently listens to concerns it raises about regional issues. No developer or community can afford to disregard the Council's perspective because of the high likelihood of that perspective having credibility in the legislature. On the other hand the legislature doesn't accept the Council's

view at face value. It listens to contrary views from local officials and others as well. The Council's influence depends heavily on the strength of its recommendations. If it has done a good job of analyzing and balancing regional and local interests, it is likely to be effective. The same applies to the arguments of local officials. In the course of competing to do the best job of balancing local and regional interests, the two sides frequently reach a compromise.

The same applies to the Council's position on other issues. As the legislature struggles to find solutions to complex problems of solid waste, surface-water runoff and so on, the advice of the Council is frequently influential. Besides its similar big-picture perspective, the legislature respects the Council's capacity to do detailed, objective analysis and its lack of turf interest in the various solutions that might be recommended. Because the Council rarely gets into implementation, it is less likely to benefit directly from the strategies developed for solving problems.

Further, local officials recognized that if major regional problems went unsolved, the danger existed that the legislature would step in again. As it threatened in the late 1960s and early 1970s, the legislature could impose a solution that local officials might find unduly intrusive on their powers. Local officials began to realize that the best thing to do, to protect local autonomy, was to cooperate actively in the development of regional solutions to regional problems.

This has created an atmosphere where local officials place a much higher value on a regional perspective than they might have otherwise. They have a much higher awareness of the regional implications of local decisions, because the Council raises regional issues and is constantly articulating the regional interest in the development of solutions to public policy problems. This has led city leaders to expect that they should take each other's interests into consideration when developing their own programs. As a result, I think the Twin Cities has an unusually high incidence of cooperative local efforts, even for problems the Council isn't involved in. Cities are not shy about inviting the Council to assist in local efforts. The Council takes great pains to avoid intruding on local autonomy without a compelling reason, tries hard to come up with cooperative

solutions, and brings its substantial research and planning capacity to their assistance.

### **Conflict Between Local Autonomy and Regional Advocacy**

The Council's desire to consolidate its relationship with local governments led to what many advocates of regional government considered to be an excess of caution. The legislature chose to set up a special metropolitan commission to site a new combination football-baseball stadium in the late 1970s, rather than using the Council for the siting decision. This was partly because of low suburban confidence in the Council's fairness in a conflict between center city and suburbs. It was also partly because the Council itself had no desire to get involved in the issue. It wanted to avoid the political difficulties a siting decision would cause in its effort to pursue better relations with local officials, especially in the suburbs.

In a certain sense, the Council has been caught between two competing values. The regionalists think the Council should have the courage to stand up for regionalism the way they see it, regardless of conflicting interests of local governments. Local governments can't understand why the Council will not cater to the values of local elected officials, since the Council members are appointed officials, not elected policymakers.

The legislature itself has sent conflicting messages to the Council about the importance of the two points of view. It looks to the Council to provide the big-picture, general interest view, even when that view is in conflict with local officials. At the same time, the legislature has made the appointment process for Council members more and more dependent on the recommendations of local officials. The governor is required to consult with a panel of local officials whenever he makes an appointment to the Council. The panel is required to hold a public hearing and invite input from district legislators and local officials. Because the panel itself consists mainly of local officials, it gives the heaviest weight to those recommendations. The governor, who represents a big-picture interest because of his larger constituency, makes the appointments. But the political force of a recommendation coming from a body of people with strong local constituent bases is so powerful that the governor usually

appoints the person recommended. As a result, Council members, particularly new Council members, tend to identify very closely with legislators and local officials in their districts. They are heavily influenced by the values that those officials hold and represent. Where once Council members were accused of being insensitive to local interests by local officials, now they are accused by some of not advocating strongly enough for the region as a whole.

As in all "just tell 'em" controversies, there is a certain legitimacy to each perspective. The question is, can the Council provide a strong voice for regionalism and, at the same time, adequately respect the appropriate values of local autonomy and individual liberty?

## **7. A NEW KIND OF LEADERSHIP FOR METROPOLITAN COMMUNITIES**

The challenge for the Metropolitan Council is similar to the one facing every democratic government. To what extent does government have the responsibility to be forceful and aggressive in pursuing the common interest? And to what extent is it appropriate for government to minimize its intrusions into the liberty of individual citizens and smaller government units? I believe the answer, for the Council, is not the kind of "lone ranger" leadership that the "just tell 'em" syndrome calls for. It should not stand up for some sort of classical planner's vision of how a metropolitan region should develop as an end in itself, but as a means to accomplish more widely agreed ends. The Council must identify the community values that are widely shared or essential to the existence and success of the community. It must sort them out from values that are, and should be, a matter of personal choice and individual freedom.

For example, the traditional urban planner's model of the efficient city is probably not a widely held value among the residents of the Twin Cities. It should not be treated as an end whose intrinsic value is obvious. On the other hand, the value of minimizing the cost of providing government services and infrastructure is widely held. This value may lead to conclusions about the kind of development that ought to be encouraged that are consistent with the values of the community as a whole. The job of an enlightened government in the 20th century is not to dictate those values. It's to lay out the choices for the community so the community can apply its own values. It's up to the community to choose between higher costs for public services associated with the three-car garage or lower costs associated with mass transit.

I think it is clear to most serious students of government that there is a need for some sort of regional governance of large metropolitan areas, which are increasingly becoming the most important economic units in the United States. The great urban metropolises have problems that are very difficult to manage. Those problems are beyond the capacity of the large numbers of sovereign cities and counties in such areas. State legislatures have the powers, but are usually

unwilling, as they should be, to become embroiled in the details of the governance of a part of their jurisdiction. But when those problems have been laid out clearly and are well understood in the Twin Cities, there has been no shortage of willingness on the part of people or their governmental institutions to work cooperatively toward solutions.

It is difficult for this to happen without an organization like the Council. Besides the lack of trust between competing communities, there is a lack of awareness of the consequences of local and individual decisions on the region as a whole. Householders building a house in the developing rural areas don't think of the impact that growth is having on the freeway. Their individual house decision has a negligible impact on the congestion on that freeway, and they don't consider their decision a part of a larger trend.

Councils of government can play a valuable role in research, planning and coordination, but they rarely have adequate resources. Furthermore, their role as a creature of local government means it is extremely dangerous for them to pursue issues aggressively where the regional interests may conflict in some way with local interests. Although the Council's ultimate role should be to accommodate, rather than overcome, local interests with regional interests, the Council also must demonstrate the extent to which decisions made locally potentially threaten the regional interest. It's unfair to expect the staff of a council of governments to pursue that approach aggressively when it may lead to what amounts to political criticism of its own members.

The Council's greatest strength is its ability to use its research capacity, its clout as an independent power center and its role as a forum to bring together conflicting regional interests to work out joint solutions. Regional aspects and consequences of various individual and community decisions can be identified, forcing a debate on how the region can collectively solve its own problems. Because the Council is independent it can confront the conflicts between regional and local interests, the very issues where regional

action is most needed. Communities, for example, think of the solid waste issue from the perspective of the problems of garbage collection, the cost of dumping and so on. It takes some external force to identify and articulate the regional solid waste problem that results from the sum of local decisions, and to bring together the community as a whole to develop strategies to resolve that problem.

In the Twin Cities, this mechanism seems to work quite well. Local elected officials don't typically shrink from working together to help solve regional problems just because of potential limiting effects on local autonomy. Over the years a strong sense of community responsibility among local officials has grown up. I believe that is, in part, a result of the promise of protection communities have from the adverse decisions of other communities. But it is also because the Council has the ability to identify and analyze the nature of regional problems that affect the community as a whole. Since local officials' constituents operate in the metropolitan region, not only in their own cities, they create a certain pressure on those local officials to think about the regional consequences of local decisions. Furthermore, the cooperation local officials would be willing to undertake with other communities in a vacuum might be much more limited than if they can rely on the Council and the legislature to insist on reciprocity when they give up local advantage for greater regional interests. Because the Council is independent it can weigh in on the side of the wronged community before the legislature, and because it represents the region as a whole its influence can be decisive. Its regulatory powers give it even more leverage.

#### A Forum for Developing Regional Consensus

It's not a simple process to identify important regional issues and develop public policies that are in harmony with the region's fundamental, widely shared values. The analysis itself is an imperfect science. Although the Council knows there is widespread support for protecting the regional environment and for controlling government expenditures, it can't say for sure, in any given situation, which value will win out when the two come into conflict. As a result, its research and explication of issues is not more important than creating a forum for discussion among the various

affected interests in the community. The Council may know that the region wants to keep the Mississippi River clean and keep its taxes down. But it can't tell in advance whether the region will be willing to finance a particular environmental protection measure. That depends on the cost, the relative effectiveness, the number of competing demands for funds, and so on.

The widely shared regional values described earlier explain much of what the region has been willing to support in the way of community action to solve common problems. But the values of the community as a whole are far more complex than that. And the values implicit in any given policy decision are frequently more complex as well. Thus, laying out the consequences for the elected policymakers, both local officials and legislators, is a critical function to the Council's role of creating regional consensus. It means not only the regional consequences of decisions made locally but, also, the long-term consequences of decisions made in the here and now.

The next step is to work actively with the affected interests to craft policies that accommodate as wide a range of legitimate interests as possible, and build a broad consensus of support. Then, finally, it is advocating aggressively for the policy means to accomplish the goals that the region has agreed on.

Some questions in politics are about the most effective or efficient way to accomplish certain values. Those questions frequently are subject to objective analysis and have "right answers," in the sense that the way to maximize certain agreed values can be discovered by objective staff analysis. For example, what's the most effective way to build a bridge at a certain point across the Mississippi River that's consistent with the values that: a) we need a bridge; b) we don't want to spend any more on it than we have to; and c) it needs to be adequate to meet the purpose for which it's intended. These are questions to which a body with good objective research capacity can find a correct answer.

Other questions are questions of values that don't have a single "right" answer. Whether the bridge is needed depends on a whole series of value considerations. For example, what are the alternative ways of accomplishing the purpose,

what are the alternative demands on resources, and so on. To a certain extent, the people of the region are entitled to direct the region's development in the ways in which they prefer, whether others think that those are the best ways or not. Those questions should not be answered by experts. They need to be put to the population. This can be done either through broad public discussion, for issues of high importance; or through their elected officials, for issues that don't justify that sort of a broad-scale regional debate; or some combination of the two.

I don't mean to understate the difficulty of this process. The theory is simple, but the practice is frequently quite complicated. Getting the region to agree on fundamental values does not necessarily provide easy answers to questions like whether or not to develop a light rail transit system and where to locate the lines. The process requires an aggressive outreach effort to identify interests that are likely to be affected by regional policy, and actively seek their reaction and advice early in the process. One needs to really listen to the feedback, to analyze it for the legitimate interests and community values that are reflected in it, and to refine and develop policies continually as more reaction is received. Even then, the process is difficult and benefits greatly from creative thinking about ways to bridge value differences.

This is different from deciding what's right for people and trying to talk them into it. It's a way of using expertise about means to help the community more successfully accomplish the ends it chooses for itself.

The value of this kind of approach becomes even more critical as the Twin Cities region becomes more diverse. When the Council was created in the late 60s, most of the population was middle-class, white, third-generation Americans of northern European stock. A decision then about what was good for the region made by some planners in St. Paul, based on their own value structure, was much more likely to be widely agreed to than in the Twin Cities of the 1990s and beyond. The increased diversity makes it much less likely that such decisions will be consistent with the values of all the different cultural groups within the region. Instead, it's essential to take great care to ground proposed regional policies in

fundamental values that are widely shared and don't intrude on values decisions that ought to be left to individual communities or people.

Even dealing with current diversity in the region is not adequate. In the 20- to 30-year time frame the Council plans for, regional lifestyles and values are changing and diverging even more.

This protection of diversity is critical if we are to continue to compete in a world economy. Experts in the management of organizations have helped us learn that working teams are more likely to solve complex problems successfully if they are diverse. Teams that are too similar in their background and experience tend to share the same blind spots. Teams with greater diversity bring a broader range of perspectives to a problem and can increase effectiveness in dealing with the problem.

It's widely agreed that the success of the Twin Cities economy has been due partly to the high quality of its work force, and the resulting high productivity and creativity it has brought to innovative Twin Cities companies. On the other hand, the work force in the past has been relatively limited in its diversity, because a high proportion of people came from very similar cultural backgrounds. That lack of diversity is potentially a serious problem, as the world economy becomes increasingly interconnected. Economic success today requires more and more innovation, and more and more ability to deal with extremely diverse customers, competitors and markets throughout the world. It's very much in the interest of the Twin Cities region, for its long-term economic survival, to encourage diversity in the available work force that enterprises can call on to stay competitive. In the process, it's also important not to destroy the cooperative work attitude that comes from people whose diversity is limited enough that they get along well together. We must encourage diversity in such a way that Twin Citians learn to live with, and work cooperatively and effectively among, people who have very different perspectives and values.

I think, in the long run, that cultural diversity and its continued renewal through immigration have been very important to the strength of the United States. Cultural diversity offers a distinct advantage in future competition with Japan and

the strong economies of western Europe just because of its value in a competitive, market-based system.

But there is no question that greater cultural uniformity creates some short-term advantages. These advantages are probably being enjoyed by the Japanese right now. They may have been a factor in the success of regional government in the Twin Cities in the '60s and early '70s. The question is, how can the Twin Cities, the United States or any government of a large, diverse unit combine the benefits of both? How can they enjoy agreement on certain fundamental values that permit joint, coordinated effort, but still provide adequate individual freedom to support the diversity that leads to economic and cultural vitality?

That's the challenge for the Metropolitan Council and it's one that I think can be met successfully. It will require restraint in the use of regional powers and care to protect individual liberty. It will require an aggressive pursuit of the fundamental values that are widely shared. And it will require effective analysis and articulation of the public policy means for accomplishing widely agreed goals.

## **8. PHASE III: APPLYING NEW LEADERSHIP TO CHALLENGES OF THE 1990s**

In the late 1980s and early '90s, after a long period of consolidation, the Council is working on at least four regional issues for which this strategy is working. They are airports, water supply management, water quality management and housing. The strategy is resulting in a substantial advance of regional action to solve joint problems, without causing substantial conflict between the Council and local governments. To some, this may seem like dealing with easy issues. If one sees politics as a contest between the good and evil, the absence of conflict suggests the lack of courage to combat evil. Yet, if one sees politics as I do--as the attempt to develop community-wide accommodations of different value perspectives--the resolution of that conflict in a way that respects a broad range of values is very much to be desired and pursued.

The Council's success in pursuing these issues and increasing regional cooperation to find solutions is, in my opinion, the best measure of its success. It's a far better indication of success than the so-called "courage" to wage big battles with other interests in defense of regional interests. That "courage" may actually represent, along with zeal for regional interests, an insensitivity to other interests, and an inability to find ways to accommodate those interests with broader regional interests.

If one accepts the idea that part of the legitimate regional interest is protecting each of our individual interests--and the individual liberty and local autonomy that requires--then this approach is, in the long run, the most truly regional approach.

### **Airports**

During the 1980s, increased conflict arose over Minneapolis-St. Paul International Airport, which is located next to densely populated center-city and suburban neighborhoods in south Minneapolis and Richfield. Neighbors of the airport concerned with environmental impacts, particularly noise, clashed with supporters of the airport, who are mainly concerned with increasing economic growth. This was a classic values conflict. Neither side argued that either economics or noise was not

important; it was more a question of relative emphasis.

When this battle was carried to the legislature, the Metropolitan Airports Commission, as the most outspoken guardian of economic growth of the airport, was almost invariably successful over its antagonists. This was mainly because a majority of people in the region and state and, as a result, their elected representatives, valued the economic importance of the airport more highly than the noise problems it caused for its neighbors. They argued that neighbors of the airport chose to live there voluntarily and could, if they wished, sell their houses and move elsewhere. They also lacked an appreciation for the drastic increase in noise that occurred in the 1980s. Traffic had increased as a result of deregulation and, particularly, because Northwest Airlines selected the airport as a major hub.

A stalemate existed until about 1987, when some enlightened public officials in south Minneapolis began to see a possible accommodation between economics and noise values. They recognized that growth at the airport, which was causing unacceptable increases in noise for their constituents, was also putting greater strains on the airport's capacity. The ability of the airport to continue to meet its capacity demand, tightly hemmed in by densely populated, residential neighborhoods, might come into question. A Citizens League study urged planning to acquire a new airport site in case one might be needed in the future. As a result, they asked the Metropolitan Council to study the adequacy of the existing airport. They hoped, of course, that the Council would conclude the airport would not be adequate much longer and decide to move it. The Council was chosen, in part, because it had a fairly long history of antagonism with the airports commission.

When the study was first undertaken, it appeared headed toward another "my figures are better than yours" argument. Council projections of growth in the region's economy and the resultant passenger demand suggested that the existing airport would be hopelessly inadequate within 10 to 20 years.

The airports commission staff, although its growth projections actually exceeded those of the Council, continued to insist that the existing airport would be adequate for the indefinite future.

The Council realized, however, that if there were no agreement among the Council, Northwest Airlines (the key tenant at the airport) and the airports commission about conclusions of the study, it wouldn't matter what the study concluded. The decision either to expand the airport in its current location or to move it would be extraordinarily difficult politically. Unless there were a broad regional consensus, nothing would be accomplished.

The Council began to really listen to arguments being raised by the airports commission and Northwest Airlines. Up until that point, we had taken the "just tell them" approach to the debate. We had attributed the airports commission's position to baser motives, which allowed us to dismiss its arguments without careful analysis. Now, however, like good politicians, we began to analyze their arguments for valid aspects, in hopes of developing at least a partial accommodation that would isolate and weaken the more selfish aspects. We found their arguments were based, in part, on a more sophisticated analysis of the consequences of airport growth. In the 1960s, when the airports commission had attempted to justify building a new airport, it failed to consider actions the airline industry took as passengers increased; i.e., purchasing much larger airplanes that could handle more passengers with fewer takeoffs and landings.

In 1988, Northwest Airlines' representatives argued that, although it was true traffic was growing rapidly and no larger airplanes were on the drawing boards to handle it, this was a national and international phenomenon. The political difficulty of building new airport capacity was so great that even if the Twin Cities were able to do it, few other communities would. The airline industry, if it wanted to continue growing, would have to find strategies for increasing passenger capacity without increasing the number of takeoffs and landings.

The Council listened to that argument and accepted its validity. We countered that, if some communities were able to expand their airport

capacity substantially, they would benefit in increased air traffic. That, in turn, would increase access to other business centers. The local economy would benefit at the expense of communities in which no airport expansion occurred. And, incidentally, so would the airlines that were hubbing there.

The Council knew that the overwhelming majority of the Twin Cities' and state's population, and their elected officials, valued the economic strength of the airport over its environmental impacts. Any solution to the environmental problem would have to be compatible with and sensitive to the economic problem to have any political chance of success. It became clear that what divided the different factions over what to do about airport growth was based on their different conclusions about what might happen.

It is very difficult to make projections in the 10- to 20-year time frame about what's going to happen to air traffic. No such projections made 10 or 20 years ago would be at all reliable today. On the other hand, almost everyone agrees that if it's necessary to build a new airport, it would take 15 to 20 years to do the siting, environmental studies and construction. How, then, does one decide whether to proceed when one doesn't know whether one will need it until long after it's too late to build it?

The solution that the Council came to brought together drastically differing parties on a course of action to deal with the public policy problem. It was agreed that it is not possible to know how much airport capacity will be needed enough in advance to be able to build it in time. Therefore, the only way to prepare adequately for the future is to make sure that our successors have the options they will need to deal with the circumstances as they arise. We must be prepared either to expand the existing airport or build a new airport, whichever becomes necessary. Each requires very substantial preparation, in the way of environmental studies and analysis of the consequences of various policy alternatives.

The Council developed what we call a "two-track strategy" for dealing with airport capacity. The airports commission is to proceed with studies to determine how the existing airport might be expanded most effectively within the limits of its

current location. Council cost-benefit studies indicate that expenditures to expand the airport would not be wasted, even if a move to a new airport were accomplished eventually, because of the airport's user-fee financing. The more flights and passengers it has to finance the cost of a move to a new airport, the more easily those costs can be absorbed. If adequate capacity is not available at the airport to support growth, that growth will be permanently lost to other cities where airlines will prefer to locate their hubbing operations.

At the same time, the Council is undertaking a study to identify and set aside land in case a new airport is needed. The land can be purchased less expensively before it's consumed by the development that continues on the fringes of the Twin Cities Area. The environmental studies can be completed so that if it turns out that an airport needs to be built, it can be built in a much shorter period of time.

This strategy is based on the current values in the region, which heavily favor adequate economic growth at the airport. However, the solution is sufficiently flexible that it can accommodate a drastic change in values.

The choice among expanding the existing airport, moving to a new airport, or accepting the limits on growth that limited airport capacity implies, is quite difficult to make in the abstract. The region can do a much better job of making that decision when the real consequences of each alternative are known in detail. Where would runways go at the existing airport and what would the noise impact be on surrounding neighborhoods? How far would a new airport be from the Twin Cities and how much would the inconvenience of getting there trade off against the increased convenience of more flights? What impacts are constraints on airport capacity likely to have on the region? Would they really limit growth or would the airlines, over the next 10 or 15 years, find innovative ways to increase passenger traffic within existing constraints on takeoffs and landings?

If the region decides in 15 and 20 years that it doesn't want to continue to grow as rapidly as it can and is satisfied with the amount of airport capacity that it has, it need not build a new airport. If the region decides it does want to go ahead with the planned airport expansion, it has

the best ammunition to accomplish that expansion against the expected resistance of neighbors. In my experience, the only way to site really difficult land uses is to show first a powerful regional need for them and, second, that all other reasonable alternatives have been analyzed thoroughly and found less desirable. Not even this guarantees the siting of really unpopular regional facilities, but it gives the region the best chance.

Had we not come up with this strategy, we would be closing off our successors' options. They would be stuck with the no-growth option for years if demand reached the point where it overtaxed capacity at the existing airport. This public policy solution has changed the controversy over what to do about the airport from a hopeless mess into a situation where the region is moving forward expeditiously on a widely agreed course of action. This is happening even though different elements in the region don't agree on what they hope the outcome of this course of action will be. They do all agree that the information that comes out of it will help to make a better regional decision when the time comes.

The relationship between the Metropolitan Council and the airports commission has gone from open antagonism to a close working relationship. That relationship includes Northwest Airlines, because the region has begun to recognize that Northwest's interests in this matter are very similar to the region's interests. Northwest feared a new airport, in part because it thought it would be forced to pay for something that it didn't need and couldn't afford. The region should have precisely the same concerns.

In a certain sense, Northwest controls airport demand in the Twin Cities, since almost half of the passenger traffic consists of Northwest passengers changing planes in transit. Northwest could divert some of that traffic to other hubs. By creating an environment where the airline can operate comfortably, effectively and profitably, the region encourages Northwest to increase the number of flights available here. When it does, it improves access for Twin Cities business people to customers and markets around the world.

Now, after two years, this solution is almost taken for granted. It was criticized not long ago on the editorial pages of the Star Tribune as being good,

but too easy, because the Council had found an "easy" way out of the controversy. Had anyone suggested before the Council came up with its solution that there was any easy solution to the conflict between the neighbors of the airport and Northwest Airlines, they would have been laughed out of town. The assertion that this is an easy solution seems to be based on the idea that courageous government action requires taking on evil interests and defeating them. Actually, in this case as in most, government is faced with dealing with conflicting priorities of people, all of whom have goals that are at least in part valid and understandable. To find a truly regional solution we needed to analyze the legitimate concerns of the various competing interests and extract the fundamental values upon which most in the region can agree. Now, the Council can afford to advocate aggressively for the policy approaches established by the study without being in the position of trying to impose its own values on the region. It has listened to and understood the legitimate values of the different competing interests and found a way to pursue a solution that is sensitive to the legitimate interests affected.

In the late 1970s the legislature had chosen to avoid the Council when it sited a new football-baseball stadium. In 1988, the legislature passed legislation ratifying the Council's airport study and instructing it to identify the search areas for the new airport. This shows, it seems to me, an increased confidence on the part of the Council's constituents in the Council's ability to make a fair decision. That confidence is based, I believe, in no small part on the success the Council has had at listening to and accommodating the various conflicting values of the major players in this controversy. It also shows that the Council has increased confidence in its ability to handle this issue without unacceptable political consequences.

That's not to say that it will be easy to build a new airport even if the decision is eventually taken by the people of the region. The planning process that has been put in place will explore thoroughly the alternatives, including expansion at the existing airport, siting a new airport and accepting limits on growth in airport traffic. Working out the alternative means and their policy consequences isolates the values questions and lets the elected officials make the decision, as they should in a democratic society. The Council has shown

leadership, but not by telling the elected officials what to do. It has clarified the possible choices for them and the consequences of each alternative for the people of the region as a whole. We will have further advice for them when the time comes to decide.

### Water Supply

The management of water in the Twin Cities region is quite fragmented. Authority for various aspects of water management resides with various state agencies, cities and regional agencies. Through its long involvement in sewage issues, the Council has been heavily involved in planning for controlling pollution of the Minnesota and Mississippi Rivers in the Twin Cities Area. The Council was created, in part, to control water pollution occurring because of inadequate sewer and septic systems. Its interest in groundwater contamination has increased as it has become more involved in trying to solve solid waste problems, largely because of the groundwater pollution caused by failing landfills. Water supply, on the other hand, has traditionally been entirely a city responsibility. The center cities have systems primarily dependent on the Mississippi River, while most suburbs draw their water from wells. This system has allowed quite a lot of local independence.

In the early 1980s, however, the Council began to point out that this fragmented system might have some serious disadvantages. Water supply problems were becoming more pronounced. Groundwater contamination in suburban areas was increasing, from either leaking landfills, industrial waste dumps or failed septic systems. There was also a growing recognition that even if pollution from discharges from industrial and sewage treatment facilities could be reduced, that wouldn't be adequate to solve the region's water quality problems. The Council began to look for ways to assure more comprehensive management of the water system in the Twin Cities. It discovered several circumstances that helped to clarify the regional implications of the problem.

First, in the late 1980s, a serious drought resulted in a public policy conflict between residents of the Twin Cities area and the northern Minnesota resort area around the reservoirs for the Mississippi River. Those reservoirs had been built

to keep up the flow of water in the Mississippi for navigation. When the drought of 1987-89 reduced flow in the Mississippi, the Twin Cities area called on the Army Corps of Engineers to open the dams and reservoirs to keep up the flow in the Mississippi. The resort owners objected vociferously, because of the potential impact lowering the levels of those lakes might have on their economic livelihood. Even after conservation measures had been imposed in the center cities, which were drawing their water from the river, suburbs that relied entirely on groundwater were using it for relatively unimportant uses, such as lawn watering and car washing. This led northern Minnesota residents to question the appropriateness of lowering the levels of their lakes to keep the flow up in the river.

From the Council's point of view the problem was even more complex. River levels were not a problem just, or even mainly, because of water supply considerations. Minneapolis and St. Paul are both able to draw adequate water at flows that are only 25 percent of the Mississippi's lowest flows in 1988. The real problem, although it seemed to be a water supply problem, was in some sense a water quality problem. Although the Twin Cities take a substantial amount of water out of the river, they put much of it back in the form of effluent from sewage treatment. If the flow in the river isn't adequate to dilute that effluent, it could result in serious water quality problems downstream.

As a result of this conflict, the Council was called upon in 1990 to do a water supply plan for the region. It is to analyze the various water uses and determine the most appropriate way to obtain water for them. The legislature chose the Council, in part, because of confidence in the Council's research capacity and objectivity. It also valued the Council's arm's-length relationship with the cities involved, which inspired greater confidence on the part of northern Minnesota interests.

Although this was a substantial increase in Council authority over city water planning, it met with virtually no resistance from city governments in the Twin Cities. There was increased trust in the Council's objectivity and sympathy for the cities' interest in the water area. Over the years the Council had worked aggressively to control expenditures for sewage treatment facilities, which

ultimately are charged to city water departments. Furthermore, cities in the region recognized a greater regional interest in coming up with a plan to satisfy the political objections to adding water to the Mississippi River when a low flow put the Twin Cities in jeopardy. As a result, substantial new Council power was added by the legislature with virtually no city resistance. The Council is being careful to involve and engage the cities in developing the plan so their legitimate concerns are considered.

The resulting public policy improvement has gotten very little attention because it has not generated the kind of controversy that makes good press. However, as a practical matter, it is far better than provoking open conflict between various interests and arriving at a solution based on power and circumstance, rather than on an accommodation of all legitimate interests.

### Water Quality

In the late '80s, the Council and the Metropolitan Waste Control Commission were coming under heavy pressure from the U.S. Environmental Protection Agency. The EPA wanted further improvements made in two Twin Cities sewage treatment plants on the Minnesota River, because of the poor quality of water in the river. The Council believed that the \$200 million in improvements desired by the EPA would not solve the water quality problem. Because of recent improvements in sewage treatment, most of the pollution in the river is now coming from nonpoint sources. Stormwater runs off into the river, adding pollution from road salt, animal droppings, fertilizer, etc. The Council and waste control commission, joint permittees for the plants, and the Minnesota Pollution Control Agency, rather than litigating, had come together and developed an innovative solution. They agreed to an expenditure of several million dollars in Council and commission funds to do research on the nature of and possible solutions to the nonpoint runoff problem.

Planning for surface water runoff for the Twin Cities is handled by a fairly complex mechanism. Each watershed has a watershed management organization. If it's an older organization, it's probably a watershed district appointed by the county boards of the affected counties. Newer

watershed management organizations are usually joint powers agreements of the cities in that watershed. Most surface water runoff problems are very closely related to land use problems. Cities, with their control over land use decisions, play a heavy role in decisions that affect water quality.

Watershed management organizations are all required to develop plans. The Council comments on these plans, along with the state Department of Natural Resources and Pollution Control Agency. The plans are ultimately approved by the Board of Water and Soil Resources, a statewide organization heavily focused on rural water runoff issues. The Council found, after some time under this system, that the water quality aspects of water management plans were of drastically varying quality. The quality tended to be much better when there was an important recreational lake in the watershed. When the water quality issues were obvious local issues, they were well addressed. When they were more remote regional issues, the watershed management boards were less likely to be aware of their importance, or interested in their solution.

Cities resisted the Council's call for approval authority over watershed management plans. They feared that increase in Council power because of the substantial increased control over land use decisions it would give the Council. The cities did not trust the Council (probably appropriately) not to use its new authority to pursue other Council priorities dealing with density and urban sprawl.

In the late '60s or early '70s, this might have led to open conflict between the cities and the Council over turf issues. However, the solution in the 1990 legislative session was much different. Council staff and I met with the surface water management committee of the Association of Metropolitan Municipalities. The association discussed the importance of the cities' concerns about the Council's authority intruding on their local land use autonomy. The Council discussed its concerns about the pollution impact on the region's lakes, which are very important local resources to city officials. We also pointed out the potential impact of the \$200 million in increased sewage treatment costs that the EPA was threatening. Those costs would ultimately fall on the cities, which pass the sewage treatment charges

on to their residents in sewer bills. The upshot was an agreement between the association and the Council that substantial joint and regional interests were involved in these issues. The two organizations decided to get together in the 1990 interim and develop a joint strategy to take to the legislature to provide a solution to this problem.

In the meantime, the legislature imposed its own interim solution. It accepted the Council's arguments, supported by the Pollution Control Agency and the Department of Natural Resources, about the importance of solving regional surface water quality problems. It required the Council to develop a regional plan for controlling surface water quality, to be enforced by the State Board of Water and Soil Resources. The board took this legislative mandate very seriously, and is now working actively with the Council to develop rules to ensure enforcement of the plan. The legislative solution was a way of assuring joint regional action to solve the important regional environmental problem. At the same time, it insulated the cities from the danger of having the Council use authority in this area to enforce unrelated urban growth policies. Still, some are skeptical about the ability of this system to accomplish the regional goals without more direct power for the Council. There is no question that the cities, the watershed management organizations and the state board all have an important stake in making this decentralized system work. If it fails, the possibility of the legislature granting increased powers to the Council to enforce its plans continues to exist.

This solution is also accepted by the Council, at least for the time being. It offers some promise of a mutually agreeable solution to the problem. If it doesn't work it just improves the case for more Council authority. What is far more important to the Council than increasing its power is a concerted regional effort to deal with this problem.

### Housing

In 1988 and '89, the Council conducted a series of studies on housing issues. Now, it's leading the Twin Cities to reexamine all its housing policies, and state and federal housing policies as well.

The Council studies showed that the dramatic development in the suburbs was due to very high

growth in the number of households during the 1970s and 1980s. The aging of the baby boom generation caused large increases in both of the key age groups that drive the housing market. The 35-to-49 age group was driving much of the market for move-up or second, larger houses. And the 25-to-34 age group was providing much of the market for modest starter houses. The Council studies also showed that the 25-to-34 age group was peaking in the late 1980s. It would actually decline by more than 22 percent during the 1990s, even assuming fairly substantial growth in the region as a whole. Earlier, when this decline in population had occurred in the 20-to-24 age group, it had resulted in record vacancy rates in apartments.

The Council raised the question of whether continued rapid growth in developing suburbs wouldn't result in growing vacancies in single-family homes. The problems associated with vacancies and abandoned housing that these demographic trends might create would probably not be limited to the center cities, the Council predicted. They would probably occur throughout the inner-ring suburbs, where a lot of housing built in the 1940s and 1950s would find difficulty competing with older, but larger and more expensively built, housing in certain neighborhoods in the center cities.

The impact of the study on city planners and developers was slow but powerful. At first skepticism and arguments greeted the study. Expectations of dramatic increases in immigration to fuel further growth were raised. However, developers started noticing the first signs of the trends predicted by the Council in their own markets. They began to see there was a legitimate cause for concern, one that would raise serious public policy considerations for the region as a whole. City planners in suburban communities began to realize that the problems of neighborhood preservation and renewal, once mainly center-city problems, would be issues for them during the 1990s and the first decade of the 21st century. As a result, they showed a new interest in the Council study. Some suburban local officials began to call for increased Council action to limit growth in the developing areas, in order to hold down the vacancy rate for housing in the developed areas. They also wanted redevelopment of existing neighborhoods to become more

economically competitive with new development in the fringe suburbs.

Over a two-year period, the Council raised the level of understanding of this housing problem among local officials and private-sector professionals in the housing business. In 1990, the Council created a housing task force to bring representatives of those various interests together. The task force is analyzing all the region's housing policies, as well as state and federal policies, for their suitability to these changing market conditions. Its charge is to develop new strategies to prevent the undesirable effects of these market trends. The Council also asked the task force to find a way to take advantage of the likely excess supply of modest-cost housing to house the region's chronically underserved poorer families with children. The task force is not likely to stop there. It may very well take the opportunity to reconsider other housing issues as well.

The most controversial part of this debate revolves around the issue of clearing obsolete housing. The Council suggested that the demise of the slum clearance programs that occurred in the 1970s was probably appropriate. The rapid increase in households as the baby boomers left their parents' houses and formed their own families caused heavy demand for modest-cost housing units. Today, the picture has changed again. The growth in households will decline dramatically during the next 20 years. Programs to clear obsolete housing might be necessary if supply and demand are not to get too far out of balance. An oversupply could seriously undermine the equity young families have in their modestly sized and priced houses. On the other hand, the Council also pointed out that the chronic shortage of affordable units for the poor was probably heightened, at least in part, by the aggressive slum clearance programs of the '60s and '70s.

The Council has called on the region to find a more effective way of providing support for the clearance of obsolete housing so it won't seriously undermine the supply of affordable housing for poor people. I suggested an approach at the time that I call abandonment prevention assistance. It provides for using market forces to identify houses that are having difficulty finding a market, capturing those houses and using them as emergency housing for people who can't afford

anything else. Once enough land is assembled, major redevelopment efforts could begin. The proposal, although controversial, is being discussed seriously. But it is possible to attack very sensitive issues aggressively, once a clear regional consensus has been established about the nature of an important regional problem. Aggressive leadership in the promotion of means is not only easier, but far more appropriate, when a clear consensus about the ends to be accomplished has been established. Important value conflicts are still to be faced, but the process for developing regional consensus is well under way.

## **9. CHALLENGES OF THE '90S YET TO BE MET**

### **Parks**

The issue of parks and open space is an interesting example of a well-established regional consensus that began to break down during the late 1980s. Throughout the 1970s and '80s an understanding existed between metro and rural areas. They agreed that regional parks in the Twin Cities Area serve the same function as state parks in the rest of Minnesota and, therefore, should receive the same kind of state capital funding. That quid pro quo began to break down as rural people became less interested in the support of state parks. This resulted in funding declines for both state and regional parks. At the same time, most of the important land acquisition programs in Twin Cities regional parks were completed.

The political balance that the Metropolitan Parks and Open Space Commission had created, of distributing resources to all jurisdictions within the region regardless of the regional appeal of their proposals, meant parks of less and less widespread regional interest would get funds. As a result, starting in 1987 the legislature stopped fully funding the capital assistance program recommended by the commission and the Council. It began to fund parks selectively. It funded acquisition and development of the riverfront park in downtown Minneapolis, the North Mississippi Park in the northern suburbs, Big Marine Park on the St. Croix River, and Lake Minnetonka Park on the largest and most heavily developed lake in the Twin Cities Area.

Regional park advocates, and particularly local implementing agencies, reacted by calling for more aggressive lobbying of the legislature (a "just tell them" approach). However, that lobbying did not result in increases in funding. In fact funding continued to decline in 1989 and 1990. In my opinion the problem is not, as some have argued, that legislators are insensitive. It's that the parks commission's capital improvement program no longer has real regional political appeal. What the legislature's funding decisions should tell us is that parks that legislators have never heard of don't seem to them to be important regional priorities. Their regional priorities are the parks that strike

them as places their constituents would be interested in, whether in their district or not. The parks the legislature has funded are large, important parks that would be widely appreciated throughout the region.

The legislature's funding decisions have focused much more heavily on acquisition than on development. That is not necessarily inappropriate. The regional priority for parks acquisition may not be the same as for parks development. Capturing land so that there is an adequate supply of parkland before it's consumed by development may be more important to the region, while developing the land for picnicking and fishing may be more important to communities near it and, therefore, more a local priority.

The regional park system is one of the most important and valued resources in the Twin Cities Area. I believe that the thrust of the regional parks policy, if it is to continue to provide for that system, must be to reestablish the broad values agreement in its mission. The only way to do that, it seems to me, is to make sure that what the region is committing to as a whole is: a) worth using regional resources for, not just state resources; and b) widely agreed by the residents of the region to be an important regional resource, not just a local resource. If all the parks commission does is provide equalized funding for local activities by local park boards, it will not be able to attract continued regional support.

### **Siting Controversial Facilities**

One major area where the conflict between regional and local interests has not been resolved adequately is the siting of "locally unpopular land uses," sometimes called "LULUs." The opposition is the common local political phenomenon known as "not in my back yard" or "NIMBY." Zoning and planning tools have worked reasonably well within cities for segregating industrial development from residential development, for example. But the really detested local land uses are still very difficult to site. That makes it much more difficult to deal with the problems they are designed to treat. The conflict between the important values of meeting

regional needs and providing comfortable, safe and secure residential environments has not been resolved satisfactorily.

Solid waste is a good, current example. Center-city residents living near the new garbage incinerator in Minneapolis are violently opposed to incineration as a solution to solid waste problems. They do not focus the same sort of detestation on landfills, although there is good reason to believe that landfills are worse for the environment than incinerators. Opposition to landfills tends to be concentrated in rural areas where landfills are likely to be located. This phenomenon has seriously hindered the Twin Cities' ability to deal with its solid waste problem. Substantial progress has been made in increasing recycling rates and encouraging government expenditures for recycling. Nonetheless, we haven't been able to build adequate processing capacity to handle all the waste that is not being recycled. The waste stream continues to grow rapidly and landfill capacity is being consumed at a very rapid rate.

Community agreement seems widespread that reuse and recycling are the most appropriate strategies, although very little waste reduction has been accomplished. But the community does not seem willing to agree on a means of managing the waste that cannot as yet be recycled. In 1985, the Council adopted a policy that by 1990 no more raw waste should go into landfills without processing by resource recovery facilities. The policy was adopted by the legislature. In the policy, the Council recognized the environmental problems of landfills, particularly groundwater contamination. It also believed that processing plants would be easier to site and build than landfills. Processing plants have turned out to be much more expensive, however, even than state-of-the-art landfills with comparable environmental protections, and they're becoming nearly as difficult to site. From a planner's perspective, processing plants should be easier to site because they can be located in industrial areas zoned for that sort of facility. However, the very poor reputation processing plants have with neighbors has resulted in much more resistance than to other facilities that cause similar environmental impacts, but are more familiar to people, such as industrial plants.

The same conflicts occur when siting other kinds of facilities, from freeway expansion to group homes for mentally ill people. The Council will face an even tougher issue than these as it proceeds in its airport planning process.

In a region like the Twin Cities, with a strong tradition of activist citizens and open government, communities are highly inclined to resist unpopular facilities. They expect to succeed in stopping them if they make their case properly. The Council has frequently played a role in the resolution of these controversies because of its position on the cusp between local and statewide interests. But its success has been mixed. Frequently, compromises the Council has helped work out with communities have helped to site transportation improvements, but have not overcome all resistance.

Probably the most interesting effort to strike a balance between local and regional interests is in the landfill siting policy adopted by the legislature in 1980. The policy gives no government level unlimited control of the landfill siting but, instead, divides power in an attempt to be fair to all the interests involved. The Council is required to identify the need for landfills in various parts of the region and assign to certain counties responsibility for coming up with landfill sites. The counties are to select any landfill sites they think will be suitable to meet the need. But if they do not do so, the Council has the authority to step in and make the decision for them. The system is intended to encourage the counties to choose the best possible sites from a local perspective. Cities and townships retain their zoning authority to control or limit landfill siting. But in the event the counties are thwarted, they may seek override of local zoning control from the Council. The Council is required to go through a fairly elaborate process to establish the need for this override. Override will be granted only very reluctantly, if the landfills cannot be sited in any other way.

This policy reflects an appropriate recognition that both regional and local interests have a valid interest in the siting of landfills. Regional and state governments tend to see this from the perspective of the region, but local concerns are just as important. What good is a region that meets its regional needs, but has no livable neighborhoods for its residents? The policy also

takes into account what I consider to be the prerequisite for siting undesirable facilities. It requires a clear analysis of the alternatives. When the time comes to site the facility, it should be clearly demonstrated that, of all the reasonable alternatives, the one chosen is the least undesirable.

Nonetheless, the process has continued for almost 10 years and has still not successfully sited a landfill. Many who are familiar with the process believe that it will not. The highly public nature of the process and frequent opportunities for obstructionism on the part of communities and the political incentive to counties to choose unattractive sites, so as to be less likely to have landfills sited in their county, seem to combine to defeat the process.

On the other hand, sitings of solid waste facilities by private entrepreneurs continue to be somewhat more successful. It may very well be that the ability to proceed independently of the greater constraints on government action may be an essential advantage. Private landowners have more rights that they can exercise independently than does the government, whose every action is subject to public scrutiny and reversal.

### **Solid Waste**

In addition to the conflicts over siting controversial facilities, solid waste has caused considerable conflict over regional and local roles. The legislature recognized a regional interest in solid waste in 1969, when it authorized the Council to develop a regional policy plan for managing solid waste. However, the legislature was reluctant to take away the authority for garbage collection from the cities or garbage disposal from the counties, which wanted to retain control. It decided the counties should continue to implement the system, but required them to develop plans to be approved by the Council as consistent with its regional plan.

As time passed, awareness rose of the instability of the so-called sanitary landfills in the region. The Council assigned to the counties the responsibility for finding alternatives. In 1985, the Council went further and recommended to the legislature the 1990 prohibition on landfilling raw mixed municipal waste. Although that goal has not yet

been met, the counties proceeded aggressively in that direction. The region now has curbside recycling programs in virtually every community; and county processing facilities, either completed, under construction or in advanced stages of planning, in every county. In the course of competition among counties, each has chosen different processing approaches, including mass incineration, refuse-derived fuel plants and composting facilities. But all seven counties have relied heavily on recycling to reduce the demand for waste disposal capacity. Naturally, this competition has resulted in a great deal of controversy over which facility is best.

As the system has developed, however, it has become clear that its single most valuable characteristic is its diversity. To accomplish environmental goals, it's most effective if different types of solid waste are treated in the way that is more appropriate for that type of waste. For example, food waste and yard waste make very good compost, but cause serious environmental problems in incinerators. Plastics and coated papers, on the other hand, can contaminate compost, but burn relatively cleanly.

As experience developed with this system, it was clear that a county-by-county system had certain serious drawbacks. For one thing, different county decisions about subsidy levels for various types of facilities resulted in drastically different tipping fees and strong incentives for major waste generators to shop around for the best county deal. At the same time, county "flow control" ordinances required that adequate material go to processing facilities to support those facilities. That has probably resulted in unnecessary transportation costs. It also has resulted in the treatment of waste from a particular county by the type of the facility it has, rather than the type of facility that would be most appropriate for the type of waste.

In 1989, the Council began considering the development of a more regional system. The first proposal for such a system would parallel the Metropolitan Waste Control Commission. It would create a regional authority to buy the processing capacity from the various counties and provide regional management of county facilities. This approach was vigorously resisted by the counties, which have suggested an alternative.

They propose to develop a joint powers agreement to share waste and share capacity, so that the most rational decisions about processing different kinds of waste can be pursued by individual generators.

This proposal is consistent with proposals the Council is considering as it revises its regional plan for managing the solid waste system. The new policy proposals suggest putting a greater burden on individual waste generators to find the appropriate solution for their waste. They would establish fees for tipping at the various facilities that reflect the cost of operation and the true environmental consequences of those facilities. Under such a scheme, individual county designation ordinances could be modified to allow waste to go to the facility that made the most economic sense for that waste. That would encourage waste generators to sort their waste in such a way as to minimize its environmental consequences and, therefore, its cost.

The scheme anticipates discriminatory pricing at various kinds of facilities, depending on the type of waste delivered, with discounts and cost incentives for removing recyclables, removing toxics, and sorting waste in such a way that it's most easily processed with a minimum of rejects. The revenue from the fees would be used to fund projects that cannot be self-supporting, such as the collection and disposal of household hazardous waste.

### Human Services

Major controversy occurred at the Council in the late 1970s over the idea of a so-called "social framework" for the Twin Cities Area. The Council had devised a *Metropolitan Development Framework* in 1975, as a way of guiding physical infrastructure investments in the Twin Cities through regional agencies, the state Department of Transportation and local governments. An effort to develop a similar framework for the development of social policy in the region turned out to be much more controversial and was halted in the late 1970s.

I believe the reason the effort failed was that there are much greater value conflicts implicit in social policy than in physical policy. The idea of doing a good, solid cost-benefit analysis for the construction of sewers or highways is fairly widely agreed on. Doing cost-benefit for the provision of

assistance to the poor and the frail is much more controversial. The kind of activist government orientation typical in an urban planning agency tends to give a high value to government efforts to help the needy. That idea can be very threatening to local governments. They fear being criticized for inadequately funding programs or, contrarily, being forced or pressured to increase tax rates substantially. They aren't about to do this to meet standards established by planners who have no political accountability, and based on the planners' own values about government roles and responsibilities--which are not necessarily universally shared.

Nonetheless, in 1987 a task force established by the Council on its 20th anniversary to consider future Council directions started the debate again. It correctly pointed out that the Council's position in physical planning was well established and widely accepted. The toughest issues facing the region, it said, were not the problems of sewers and highways but, rather, the social problems of drugs, education, poverty, etc. The difficulty, of course, is that those problems are fraught with elaborate value conflicts. In a diverse region like the Twin Cities, it's difficult to develop wide agreement on what values to apply to our complex social problems.

The question we're exploring is, what is the appropriate role for the Metropolitan Council? Should it be developing "needs assessments;" in effect, trying to dictate to elected officials what they ought to provide in the way of social services to accomplish various social goals, which may or may not be agreed upon by the community at large?

Within the Council a substantial controversy has persisted about whether to pursue these issues. At one Council meeting, a majority decided to get the Council more actively involved in poverty, without specifying precisely how that activity might be pursued. At a Council meeting three months later, a very small poverty initiative was struck from the proposed budget.

Nonetheless, it ought to be possible to analyze the critical social issues. We need to identify both the values that are widely shared, and the means issues that are subject to rational analysis. The latter could probably benefit from the big-picture,

analytical approach that the Council is capable of bringing to an issue.

The Council has proposed several initiatives that I believe are founded in the bedrock of widely shared community values. Each offers the opportunity to clarify the likely consequences of various value choices for elected policymakers, who ought to be making the value decisions. These efforts are grouped into initiatives referred to at the Council as the "Human Investment Framework."

The idea behind this framework is that money spent on social programs is not merely money given to support dependents. The population of the region is its most important resource. Money spent on providing support to poor and frail people ought to be thought of as an investment in a resource, which can provide a substantial return to society if it is made wisely. The potential benefit, for example, of job training and self-sufficiency programs for poor people is obvious. However, even in the case of a frail elderly person, who may not be able to live independently, there is an important investment implication in the choice to be made between living in a nursing home and receiving home care services.

Of course it's less expensive to take care of someone in their home. But people who remain in the community not only consume fewer public resources. They also return something to the community in the taxes they pay, the volunteer work they do, the informal support they provide to friends, neighbors and family. In designing our expenditures for human services, we ought to take these things into account. Thought should be given to not only how the support can be provided most efficiently, but how the return can be maximized. This does not imply making a judgment about the proper level of support. That is a values decision, which ought to be made by elected officials. It does mean working out the consequences of various types and levels of support, so that elected officials can make those decisions based on a clear understanding of those consequences.

While the Council has been involved in human services planning from its early years, its planning has been targeted in certain well-defined areas--health, housing and aging, primarily. If the

Council were to propose a major initiative in the area of welfare or education, it might be greeted with some suspicion and potential hostility by the agencies already working in those areas. They might correctly ask why the Council, with no background, thinks it knows more about their job than they do; not unlike the questions asked by city planners when the Council first started. The Council does have some important areas of credibility and entre around these issues, which it can use to help develop a regional perspective on issues in these areas. For example, the Council's long-standing work in housing is well respected. This makes it appropriate for the Council to ask how dollars spent on housing subsidies can best contribute to efforts to increase self-sufficiency among poor and frail people.

Currently, most housing programs are essentially maintenance programs. Housing subsidies are isolated from other public subsidies and play little or no role in whatever efforts might be undertaken to promote self-sufficiency and independence. It seems to me, and to the Council, that it makes sense to integrate housing subsidies into efforts to help the recipients become more self-sufficient. If it improves the chance of success of someone pursuing a job training program to have an assured affordable housing unit, access to child care and good transportation, then government programs ought to be pursuing regional strategies to accomplish those ends. This is the case regardless of political differences about the level of housing subsidies or their appropriateness.

The Council is also using its health planning work to explore other issues surrounding teenage pregnancy, drug use and poverty. It has for several years been using its expertise and credibility in health, housing and aging to explore long-range public-investment issues in long-term care.

The most recent Council project in this area is an analysis of the impact of changing demographics on the demand for human services of all kinds. Our aim is to demonstrate the utility of regional planning assistance to support local programming to local and state officials in disciplines not accustomed to Council involvement.

## Transportation

In terms of long-term impact on development patterns, transportation is probably the most critical of the metropolitan systems. The Council's role at the center of surface-transportation planning activities is well established, and the Council has strong working relationships with local governments, the state Department of Transportation and federal transportation agencies. The Council's role and recommendations in transportation are probably more accepted by the public than in any other area. Nevertheless, certain major problems remain unresolved.

The love affair of the Twin Cities population with the automobile continues unabated. Government's increasing inability to provide the road and highway facilities to handle the rapid growth is a growing problem. The Council estimates that the number of miles of severely congested freeway tripled in the last 10 years and will triple again in the next 15, even if expenditures increase at the current rate. Efforts to persuade the legislature to give regional government the authority to begin to build a light rail transit system, or to assume the authority itself, have been unsuccessful. Development patterns based on the automobile continue to lead to such low density that rail transit is at best a marginal investment. The high cost involved meets serious resistance whenever financing plans are discussed.

In my opinion, if the people of the Twin Cities knew what was coming in the way of traffic congestion in the next 10 or 15 years, they would prefer a 50-cent gas tax increase. Although I've been "just telling them" that for three years, the message doesn't seem to be getting across. There's an ongoing conflict between the neighbors of urban transportation systems and users of those systems. They disagree over how the systems ought to be expanded and what is an acceptable impact on the surrounding community. This puts a further limitation on government's ability to provide this kind of infrastructure.

A major part of the political problem is a split between highway and transit advocates. Important constituencies in the Twin Cities have come to think of highway improvements, in the case of some groups, and light rail transit in the case of other groups, as values in themselves, rather than

means to other more widely valued ends. The Council's attitude is different. It believes that transportation in the region is a means to a more important end, that of tying the region, and particularly its economy, together.

Size is an important part of what makes a large urban economy like the Twin Cities work, particularly the size and quality of the work force available to businesses that choose to locate here. For a high-tech company in the world market in the next 30 years, access to specialized expertise is essential to success. As long as an employer at one end of region can hire away an expert from an employer at the other end of the region, that size and its benefit is maximized. If transportation becomes so congested that it is not possible to get to certain employers from certain residential areas, the region becomes a series of smaller, weaker economies, rather than one large one.

The Council is a strong supporter of light rail transit for several reasons. In 1984 it completed a study that analyzed different capital investments in transportation in 26 critical corridors of the region, and identified six where a modest light rail transit investment would be competitive with other alternatives. Advocates of light rail transit have proposed a 14-corridor plan costing almost \$2 billion. Light rail transit opponents, on the other hand, have argued that Twin Cities development density is too low to support light rail, and that further investments in the automobile and buses would be more cost effective.

The Council believes that excessive dependence on the automobile is itself a weakness for the Twin Cities economy. It leaves us more vulnerable in the event of fuel shortages, for example. The Council points out that in the corridors where the density is adequate to justify the expenditure, light rail development will encourage increased density and help minimize the costs of future public services. It will also help reverse the long-term decline in transit ridership in the Twin Cities, which has resulted in part from the inadequacy of the transit system.

The Council also argues that in high-density corridors, light rail transit allows politically acceptable transportation developments that are less expensive, but still provide adequate, long-term capacity. In the short term, planning light

rail for more riders than will actually choose to ride it, given the automobile alternative, is not a cost-effective idea. But using light rail to provide excess capacity for future growth makes much more sense. In the first place, the reserve capacity can be provided at less cost, since adding cars to light rail transit is relatively inexpensive. Second, as highway congestion increases, light rail continues to keep access available to people who need it for economic reasons, even if we are unable to provide adequate access for single-passenger private automobiles.

Furthermore, as long as the region continues to rely strictly on the automobile, the development patterns that make higher-volume public transportation uncompetitive will not change. Developing light rail transit in corridors where there's enough density to make it worthwhile would provide the capacity for those corridors to increase their density over the years. This would expand the number of applications where most cost-effective public transportation investments can be used.

A major part of the political deadlock appears to be the separation in people's minds of highway planning and transit planning. The very large light rail transit plan (more miles than the Paris rail system) was put together by an advisory task force of county board members, each of whom was unwilling to support a plan that didn't provide some service to his or her county, regardless of ridership demand. Highway funding increases, on the other hand, are frequently opposed by legislators from the center cities and fully developed suburbs, who have good highway service already and do not want highways expanded through their densely populated neighborhoods. We at the Council believe that the only way to break this deadlock is to change the region's perception from that of separate transit and highway systems to an integrated transportation system.

The Council is now working on a proposal to make transportation funding more flexible through a series of funding sources, including the dedicated gas tax and other undedicated regional and state funds. Priorities for transportation would be handled by the Council by first identifying regional transportation corridors without regard to mode. Then the Council would analyze individual

corridors for appropriate transportation investments. Alternatives incorporating light rail would compete with alternatives based on the single-passenger automobile, buses and high-occupancy vehicle lanes on freeways. We hope a system like this will facilitate the development of a regional consensus about transportation improvements over the next several years. In the meantime, the controversy continues unabated, and no regional consensus has yet been established.

## 10. ELEMENTS NECESSARY FOR THE SUCCESS OF REGIONAL FEDERALISM

Not only has the Twin Cities brand of regional federalism not been copied by any region, its form and functions are so idiosyncratic it's doubtful that would be a good idea. In fact, of the several Twin Cities' regional systems, no two are alike in their governance structure. Each was, in effect, built to deal with a particular regional issue and to balance the appropriate interests.

Nevertheless, certain elements in the political environment, and in the regional governance structure itself, led to the Council's creation, and seem to me essential to its effective function. These elements were essential to gain the political mandate in the first place, and have continued to be essential to protecting and keeping it over the long run. Unlike cities and counties, the Council's continued survival is by no means a foregone conclusion. Several serious and strongly supported efforts to abolish or substantially weaken it have been mounted over the years. In order to survive the Council has had to reassess continually the political foundations upon which its mandate was based and to make sure those foundations remain strong. Any attempt to apply the lessons of the Twin Cities experience to problems in other metropolitan areas will be more likely to succeed if it focuses on adapting of these lessons to the unique political circumstances of that region.

### Essential Elements of the Political Environment

1. A concrete problem with a regional character. Unlike the myth about the Twin Cities common among students of regional government, there is not a widespread acceptance and love for the abstract idea of regional government in the Twin Cities. Instead, the Twin Cities has always judged regional governance approaches in terms of their ability to solve real concrete problems that cannot be readily solved in any other way. Each addition to the Council's power has been based on consensus for a regional strategy to solve a problem that required some exercise of power on behalf of regional interests to ensure the effectiveness of the solution. Fortunately, or unfortunately, there is no shortage of such problems in large metropolitan areas around the country. The trick is the development of a

regional solution that is convincing and as unintrusive on local autonomy as possible.

2. Support of important citizens' groups associated with the regional interest to be protected. In the Twin Cities, a number of key groups played an important role in developing political support for the Council. Included were the Citizens League--a Twin Cities policy development organization that played a critical role, the Minneapolis newspapers, the League of Women Voters, the two Chambers of Commerce and the business community in general. In the development of various Council powers, the support of groups associated with the end the powers were intended to accomplish has been particularly important; e.g., business support for economic development and controlling public costs, and environmental groups' support for measures to improve environmental protection.

3. Legislative insistence on a solution to the regional problem. In many cases, influential legislators have provided an appropriate impetus to the development of regional solutions. They have insisted that solutions must be found for regional problems and implied the threat of a legislatively imposed solution in the absence of a locally developed solution. Because its jurisdiction is broad, the legislature tends to be sympathetic with regional perspectives and can provide assurance that such regional interests will not be sacrificed to protect local concerns. On the other hand, legislative willingness to accommodate local concerns as much as possible is a helpful lubricant to the process, but not so politically compromised as to be ineffective.

4. Involvement of local officials in the development of regional solutions. It is essential that local officials be engaged in the process. They are the main guardians of the values most likely to come into conflict with regional solutions, and they are most likely to raise political barriers to those solutions. In the course of working together across community lines, they frequently can be a source of creative techniques for solving regional problems without intruding on local autonomy, particularly in the presence of a solid regional issue and political pressure from the public and

the legislature to solve it. That pressure not only helps to encourage them in their pursuit of solutions. It also helps to insulate them from the political drawbacks of sacrificing parochial interests to a greater regional good, which is essential if enlightened local officials are to be able to continue in office.

### Essential Elements in the Regional Governance System

In order to work well, a regional governance system without the general governmental powers of a city, county or legislature needs to strike a very careful balance between conflicting interests. The Council has had considerable success with this, in large part because of nine key elements.

1. Narrow regional powers. The Council's actual regulatory powers are extremely narrow and focused on the problems they are designed to solve. This minimizes the intrusion on local autonomy and avoids the temptation that regional bodies might feel to impose their vision on the region as a whole without adequate political consensus.

2. Broad policy development powers. Although the Council's regulatory powers are quite narrow, its authority to pursue regional solutions is practically unlimited. In addition, the legislature has given it substantial independent resources for research and policy development. This is essential to the necessarily complex process of sorting out the regional implications of various issues so that the regional interest can be adequately represented. In many cases, regional problems arise from the fact that the long-term and regional consequences of local decisions are not immediately apparent. In order to raise the regional issue adequately, the Council needs the power and research capacity to lay those connections out in a clear and convincing manner. This issue-raising is the first step in the issue-development process that is critical to the Council's ability to provide regional governance without broad general powers.

3. Accountability to the region as a whole. A major handicap to councils-of- government systems of regional planning is that the local elected officials' first responsibility is, as it should be, to their local constituency. This could have the effect of discouraging them from boldly pursuing regional

issues that may ultimately come into conflict with the interests of their own constituency. There is more than one way to assure the accountability of a regional planning agency to a regional perspective on issues. Some believe that the election of its members is the best way, although elected officials thinking parochially about the interests of their own districts is not unknown.

The appointment of Metropolitan Council members by the governor for fixed terms provides a certain insulation from local political pressures that definitely encourages a separate regional identity on the part of the Council. That separate identity was most pronounced in early years when the governor's appointments were less restricted. Some believe that since local officials' recommendations have become so important in Council member appointments, Council members have become too sensitive to local concerns. It is not clear whether a perfect balance has been struck yet, even in the Twin Cities. However, there is no question that compared with regional agencies that consist mainly of local officials, the Council is freer to act independently in promoting the regional interest. This may be a distinct advantage for difficult regional tasks like siting locally unpopular land uses.

Other ways to accomplish this may be even better. There is no shortage of local perspectives on regional issues. The trick is to develop a truly independent and well-informed regional perspective.

4. Legislative support. In the absence of broad general powers, regional governance needs the legislature to insist that regional perspectives on issues be given an adequate hearing. Although the legislature need not give many actual regulatory powers to the regional governance system, if it provides the weight of its insistence that regional problems be addressed and solved, it can enhance dramatically the ability of regional government to develop the kind of consensus that is necessary for these cooperative solutions. And, for the most part, such consensus solutions are politically much more palatable to the legislature and much more likely to be successful. Where there is not yet a clear consensus on a regional strategy, the legislature can help by mandating the development of such a solution with a report back to itself.

5. A large role for local government. Because local government officials are the guardians of the values with which regional solutions are likely to come in conflict, it is essential that they be actively engaged in the policy development process at the regional governance level. The Council has a wide range of citizen advisory committees, many of which include local elected officials. Because local elected officials are assertive about making the Council aware of local government reaction to various policies, the Council is even more careful than it might be otherwise to take into account those considerations when developing regional solutions.

6. Aggressive outreach to interests affected by regional policy. To come up with truly consensus solutions to regional problems, it's not enough to develop proposals and announce public hearings. In any problem, the interests involved are much more complicated than can be represented adequately on the Metropolitan Council, or even in various advisory committees. The Council uses a wide range of advisory groups and task forces to bring together people who are likely to be affected by regional policies and to engage them in developing consensus solutions to those problems. It relies heavily on counsel from established interest groups and trade associations. Because regional government is, in a sense, wholesale government, it is frequently not well understood by people outside of state and local government. As a result, the Council must make a special effort to engage those people when regional policies are likely to affect them.

7. Focus on regional values. Another key to the success of regional government in the Twin Cities has been to focus on the fundamental political values that are widely shared in the region. It's always tempting for any particular council to try to use the research capacity and influence of the Metropolitan Council to pursue a more narrow political agenda. However, an organization like the Council depends heavily on broad-based political support that is bipartisan and comes from a wide variety of communities. So it's essential to stay focused on the fundamental values that are shared in the region as a whole and that are widely accepted by regional residents.

8. Separation of policy development activities from operations. One of the most important aspects of

the Twin Cities' form of regional government is the separation of operational activities from policy development functions. Council members and chairs are politicians. The temptation to become involved in the day-to-day operational activities of local governments and other metropolitan agencies is almost overwhelming. The danger of these activities consuming scarce resources and political attention must be avoided at all costs. If it can be, the resulting arms-length relationship between policy development and operations enhances the policy development role, making it more objective and more able to appreciate different perspectives.

It also enhances credibility of the organization, because it reduces the suspicion of conflict of interest aroused by regional policies that benefit the Council in increased staffing or appropriations.

9. The importance of solid policy development foundation for action. For an organization like the Council, with limited regulatory powers, the ability to influence public policy depends powerfully on the quality of the policy development activity. If the Council is to be more than just another voice in the din of competing interests, it must be able to use its research and policy development capabilities to create new perspectives and levels of understanding about the interrelationship between communities and issues. The really powerful contributions to developing public policy in the region are not compromises that split the difference between competing local and regional interests. They are totally new ways of looking at things that offer opportunities to accommodate both regional and local interests simultaneously. Such creative solutions do not come easily. They require adequate resources and high-quality staff, with freedom to explore potentially politically dangerous and unconventional approaches.

It seems to me that the lessons of both world politics and successful regional government in the Twin Cities are the same: The American federal system, with its limitations on government controls, is in the long run a far more powerful way of bringing a community to concerted action to accomplish its goals than systems based on a very strong central authority. The power comes because the system need not depend on the suppression of diversity to accomplish community action. Diversity is a critical strength that should be nurtured and encouraged. The lesson of world politics is that a world of law, where war is less

and less frequent, is more likely to come about as a result of loose associations based on mutual self-interest and tolerance of differences, like the North Atlantic Treaty Organization, than on the concentration of centralized power represented by the Warsaw Pact.

Furthermore, as the great powers should have learned in places like Afghanistan and Viet Nam, their true strength lies in cooperative relationships based on a mutual accommodation of interests, rather than on raw military force. This is the same lesson taught by the success of the United States at a time when European monarchies were trying to consolidate their control and eventually fell to revolutions or peaceful democratic change. The looser federation of the United States, with its limitations on the control of its government, ultimately led to a stronger nation better able to survive the hot wars and the cold wars than the alternative.

Advocates of regional government who look at the success of the Twin Cities experiment run the risk of being dazzled by the regulatory powers of the Metropolitan Council. Compared with the councils of governments in other areas, these powers seem dramatic and desirable. Yet, the other characteristic that makes Twin Cities metropolitan government work is its limitations, both those imposed by the legislature and those it imposes on itself. In this metropolitan area, regional government is used as an instrument to accomplish certain specific and narrow regional goals, not as an end for its own sake. Neither the legislature nor local governments will give the Council powers to use indiscriminately, but only when there is a clear regional interest and a widely agreed-upon strategy for accomplishing it. In an atmosphere like that, trust is more likely to develop. That helps local governments work together to accomplish collective solutions to joint problems. It allows regional and local governments to have a cooperative relationship. Each respects the other's role in the community and endeavors to protect the values that role represents.

For the Council, it seems to me, that means being able to extract the value and means questions from public issues. The value questions have no correct answer, for the most part, but are up to the people to decide for themselves. The means

questions are subject to objective analysis, once the goals and values are agreed on. The Council must further divide the value questions into those for which there is a legitimate difference within the community and those on which there is widespread community agreement. Then it can build the foundation for joint regional action on the values that are widely shared.

I've articulated some of the values I believe are widely shared in the Twin Cities. There may be more. And there may be value conflicts that can be resolved by resorting to more fundamental values that are more widely shared. For example, we may never be able to convince real estate developers that it isn't a good thing to build sprawling developments on large lots well out into the country, even though urban planners think that. However, both urban planners and developers may be able to agree that we don't want to pay the cost in taxes for infrastructure that that sort of development pattern would require. The challenge for the Metropolitan Council is finding ways to identify issues where the community as a whole can benefit from joint action, and then showing the community in a convincing way what those benefits might be and how they can be obtained.