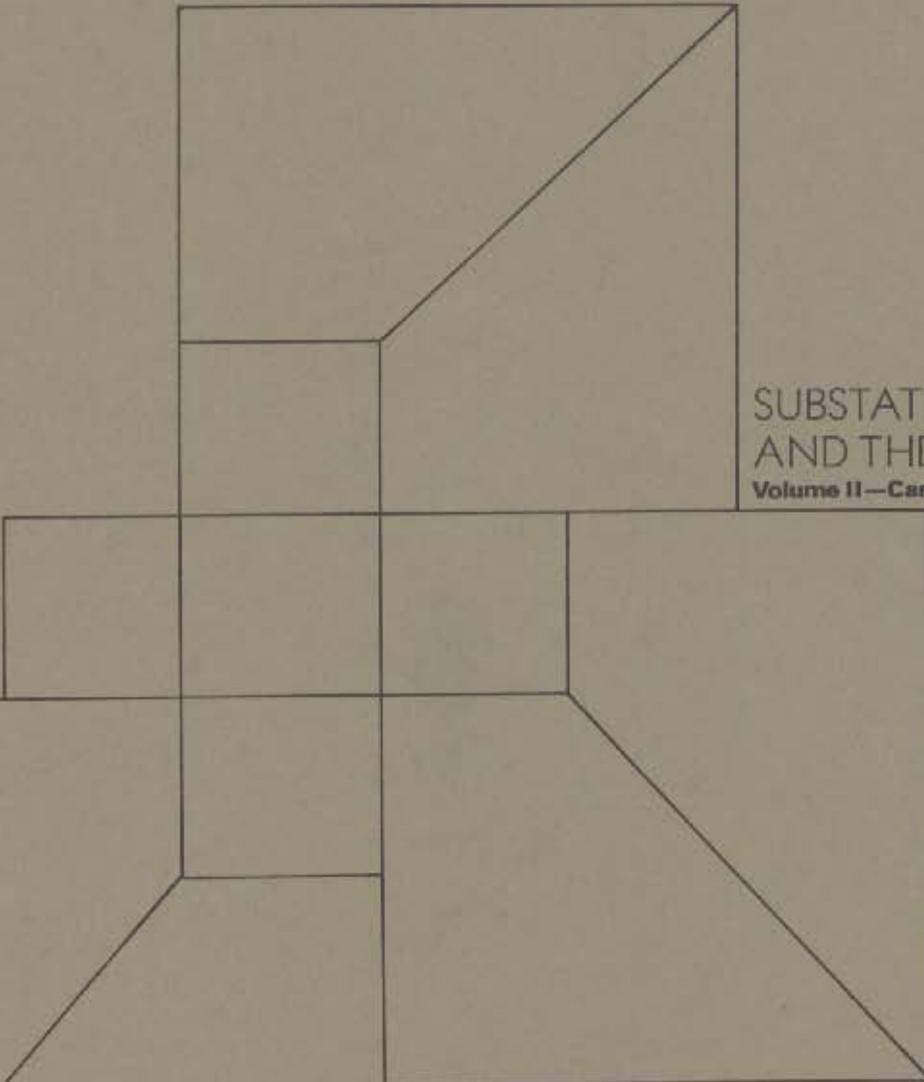


# Regional Governance. Promise and Performance

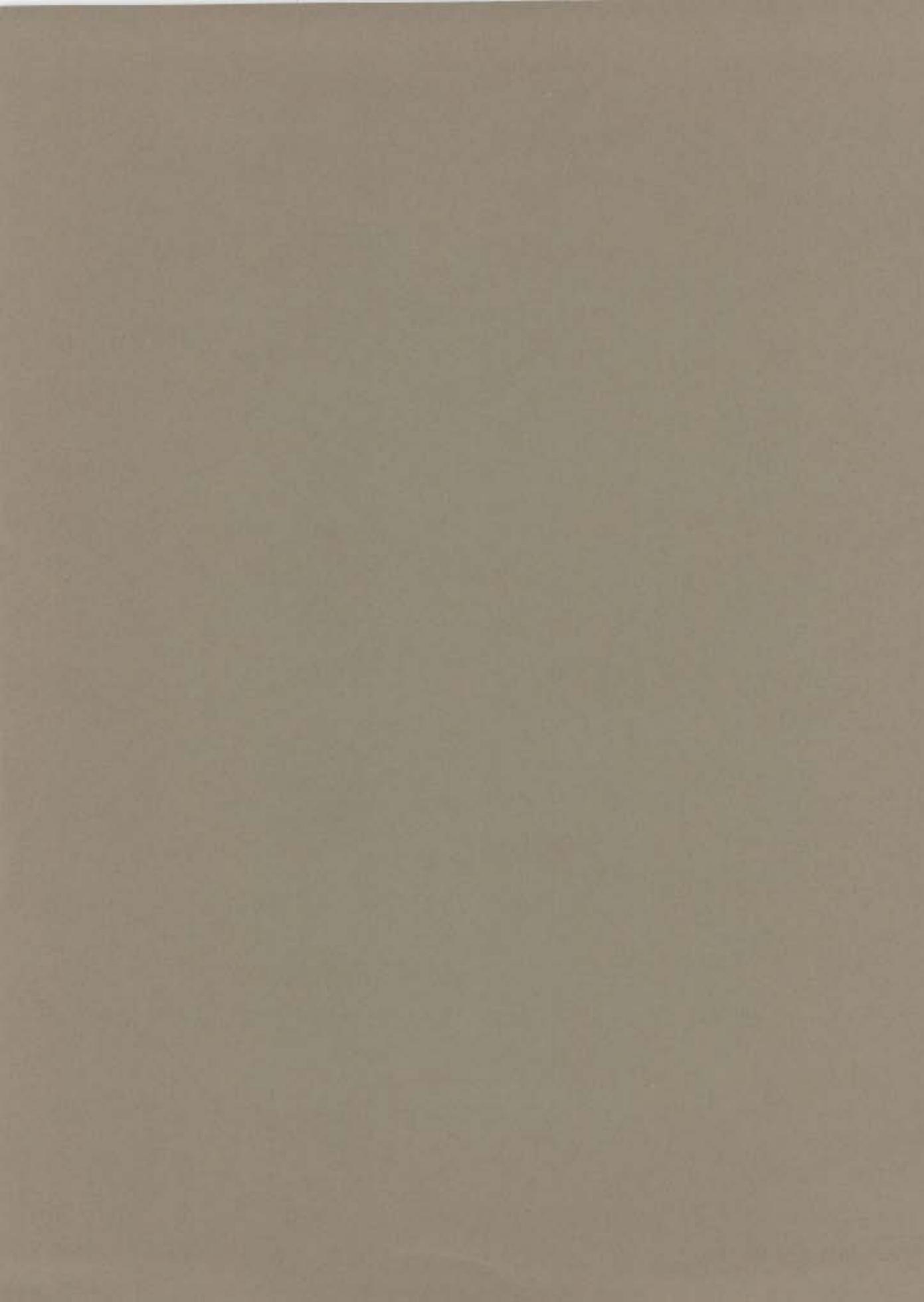


SUBSTATE REGIONALISM  
AND THE FEDERAL SYSTEM  
**Volume II—Case Studies**

Advisory Commission on Intergovernmental Relations  
WASHINGTON, D.C. 20575  
MAY, 1973

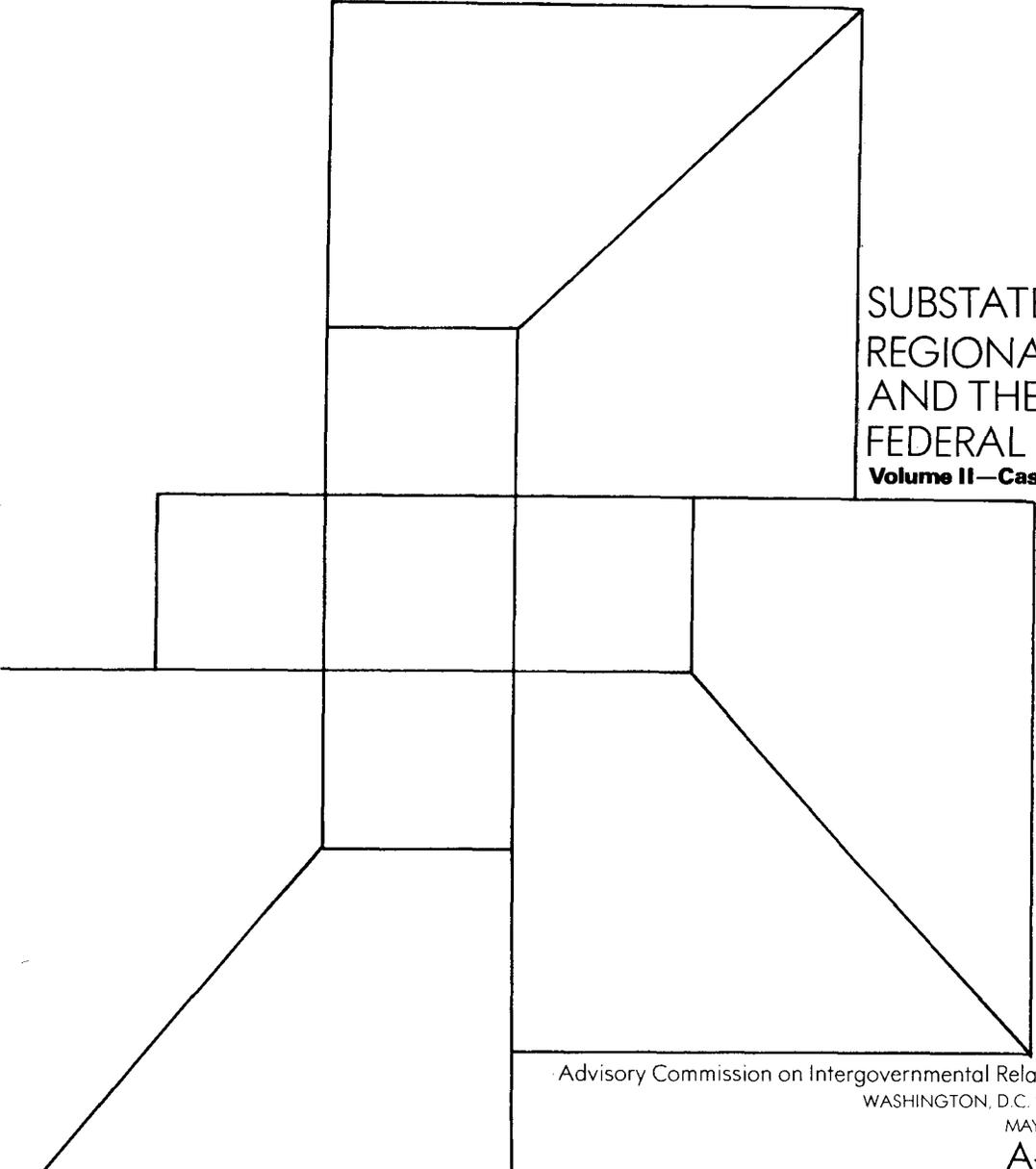
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A COMMISSION REPORT

# Regional Governance: Promise and Performance



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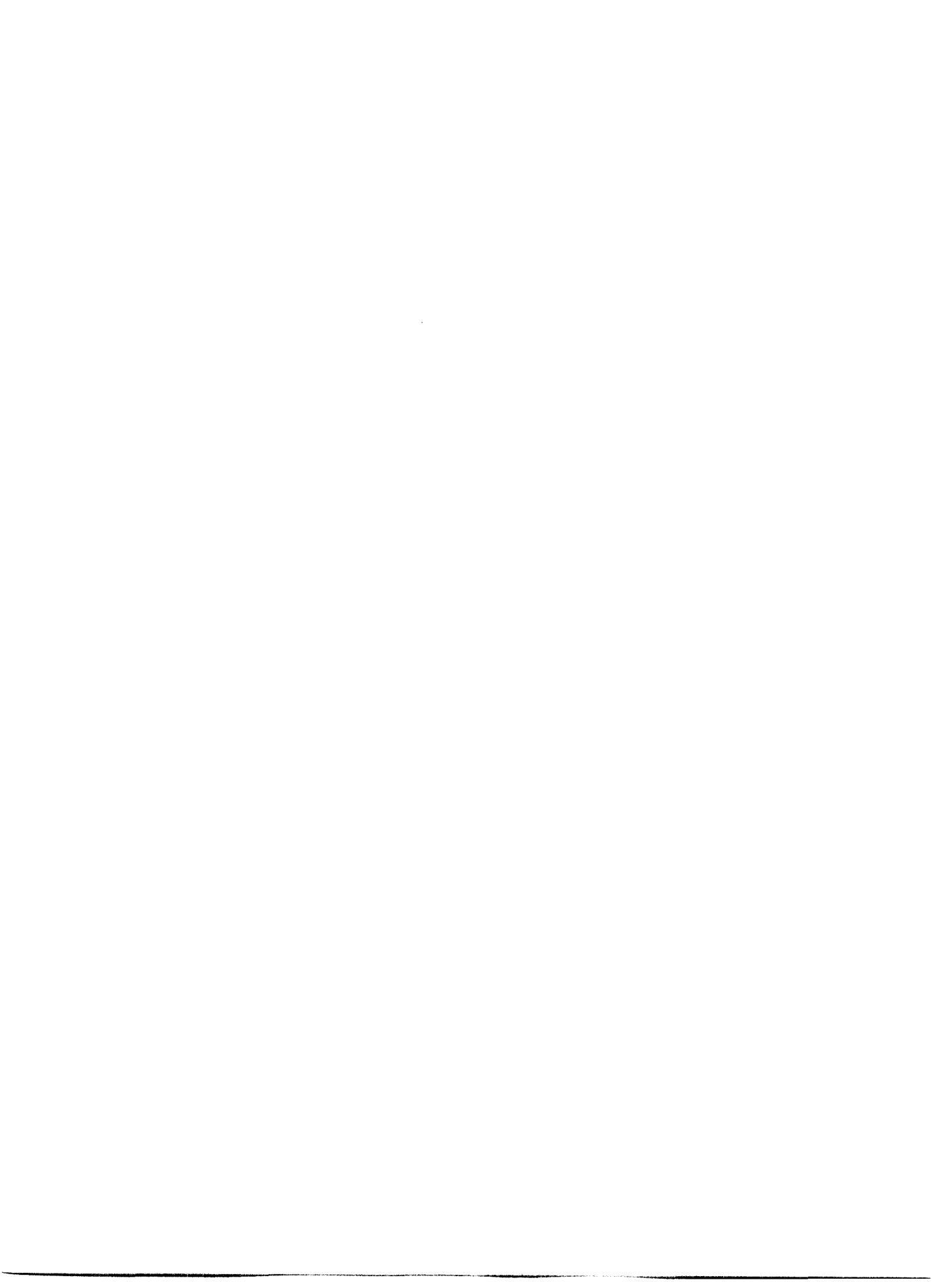
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# PREFACE AND ACKNOWLEDGEMENTS

Most metropolitan and nonmetropolitan areas have a fragmented political system featuring multiple decision-making centers and multiple service delivery mechanisms. The traditional response to jurisdictional fragmentation proposed by reformers has been the establishment of a single multipurpose areawide government, such as a consolidated city-county. Yet, only a handful of consolidation referenda have been approved by the voters.

The general failure of these local attempts at institutional restructuring coupled with the inability of some cities and counties to meet rising public service demands accompanying urbanization, have encouraged the Federal government to assume a leadership role in initiating regional action on urban and rural needs. Through requirements and incentives for areawide planning, grant application review, and districting, several Federal agencies have been moving vigorously, largely since 1965, to fill the institutional vacuum at the substate regional level. In addition, over the last four years many State governments have set up multicounty district systems for State planning, development, and administrative purposes.

An arsenal of institutional and procedural weapons is currently available for Federal, State, and local officials to use in attacking areawide problems. Unfortunately, few in-depth evaluations of the effectiveness of the various traditional and recent regional approaches have been available. This volume of case studies is intended to meet this need.

The first four chapters—dealing with Southern Regionalism, Indianapolis UNIGOV, the Twin Cities Metropolitan Council, and the Association of Bay Area Governments—were prepared as part of a year-long

research and informational project initiated by the Metropolitan Fund of Detroit, to explore alternatives in regional governance applicable to Southeast Michigan. They will appear among the 12 research papers included in the Metropolitan Fund's final report, *The Regionalist Papers*, which is being co-sponsored by the ACIR.

David B. Walker, Assistant Director, and Carl W. Stenberg, Senior Analyst—Project Directors for the Commission's substate regionalism study—served as general editors of this volume. Judith Blakely skillfully copy edited the case studies.

The editors benefitted from the insights and assistance of Kent Mathewson, President of the Metropolitan Fund, and Beverly Kay Osmon, Deputy Director of the Michigan Office of Community Affairs and Consultant to *The Regionalist Papers* project. Others providing helpful advice and constructive criticism during the design and execution of the case studies included John Bebout, Ralph Conant, Richard Lehne, and Charles Warren. ACIR, of course, is indebted to the authors of the case studies contained in this volume: John M. DeGrove, Aileen Lotz, Robert E. McArthur, York Willbern, Victor Jones, Ted Kolderie, Melvin B. Mogulof, Joan Aron, George W. Strong, Jonathan West, Glen Provost, Tom Evans, Hawkins Menefee, Thor Swanson, Nicholas Thomas, R. Barry Lovelace, and Rolf Haugen.

The Commission gratefully acknowledges the financial support received from the U.S. Department of Housing and Urban Development under Section 701 (b) of the Housing Act of 1954 as amended. Without such assistance, this volume could not have been prepared.

William R. MacDougall  
Executive Director



# CONTENTS

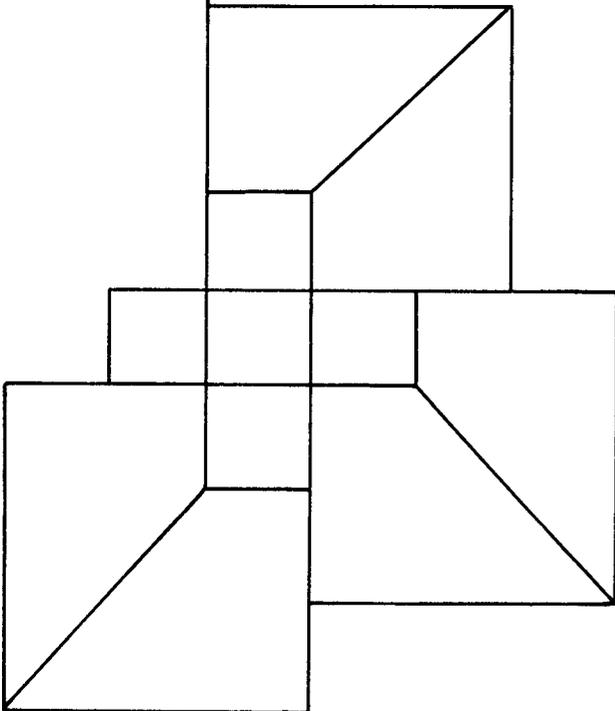
	page
<b>Chapter I Southern Regionalism</b> .....	<b>1</b>
Introduction .....	2
Metropolitan Dade County .....	6
The City of Jacksonville: Consolidation in Action .....	17
The Metropolitan Government of Nashville and Davidson County .....	26
The Atlanta Regional Commission .....	37
Conclusion .....	43
<b>Chapter II Unigov: Local Government Reorganization in Indianapolis</b> .....	<b>47</b>
Demographic and Structural Characteristics .....	48
Adjustment to Metropolitan Problems .....	49
Political History .....	51
Preparation for Reorganization .....	52
The Process of Reorganization .....	55
Impact of Reorganization .....	59
Regionalization and Decentralization .....	65
Reorganization: Promise and Performance .....	67
<b>Chapter III Bay Area Regionalism: Institutions, Processes, and Programs</b> .....	<b>75</b>
The Intergovernmental Character of Metropolitan Governance .....	76
Regional Planning, Policy Making, and Administration .....	77
Regional Review and Comment .....	85
Conclusions and Recommendations .....	105
<b>Chapter IV Governance in the Twin Cities Area of Minnesota</b> .....	<b>113</b>
Purpose and Evolution .....	114
Nature of the Metropolitan Council .....	116
Chronology of Legislative and Regional Actions .....	118
The Structure of Regional Governance .....	125
Regional Functions .....	126
Regional Financing .....	127
An Evaluation of Performance .....	130
Future Directions .....	134
Summary .....	137
<b>Chapter V Federally Encouraged Multi-jurisdictional Agencies in Three Metropolitan Areas</b> .....	<b>141</b>
The Context for a Field Study of Multijurisdictional Agencies .....	142
Multi-County Agencies and Their Governmental Environment .....	152
The Character of Decision Making in the MJA .....	163
Planning and Action .....	173
Developmental Issues Affecting the MJA .....	186

<b>Chapter VI The New York Interstate Metropolis</b> .....	<b>199</b>
Historical Narrative .....	200
Analysis of Major Regional Bodies .....	203
Performance of Major Regional Functions .....	210
Conclusion .....	213
 <b>Chapter VII Substate Districting Systems in Twelve States</b> .....	 <b>217</b>
Arkansas .....	220
Georgia .....	231
Kentucky .....	245
Michigan .....	257
New York .....	270
Oregon .....	283
South Carolina .....	291
Texas .....	298
Utah .....	311
Virginia .....	328
Washington .....	337
Wisconsin .....	343

*Chapter 1*

# **SOUTHERN REGIONALISM**

*Under the General Editorship of  
John M. DeGrove  
Director, Joint Center for  
Environmental and Urban Problems  
Florida Atlantic University-  
Florida International University*



# Introduction

In recent years advocates of stronger local governments have increasingly turned their attention to regional approaches to solving governmental problems. The expansion in scale of problems such as transportation and pollution control has made this broadened scope of interest unavoidable. The response to focusing on urban problems from a regional, or at least a sub-regional perspective, has been slow, but the trend is now definite.

A surprisingly large amount of this response has been centered on the South. This paper will explore four case studies of southern regionalism, and note other efforts in less detail. Both the historical origins and current effectiveness of the regional efforts will be assessed. The major focus will be on Atlanta, Jacksonville, Miami, and Nashville. Jacksonville and Nashville represent recent city-county consolidations involving almost all of the metropolitan region. Miami is an older two-layer effort to strengthen the capacity of the areawide government to deal with areawide problems. Unlike Jacksonville and Nashville, Metropolitan Dade County includes only about half of the urban region of southeast Florida, commonly referred to as the "Gold Coast." In Atlanta, a recent adoption of a new mechanism for dealing with regional problems represents the latest in a long series of efforts to deal with problems on a regional basis. Its performance to date, but especially its potential, will be assessed.

## The Urban Tide

The explosive population growth in the Nation's metropolitan areas is a familiar study to all of us. Florida grew at a 37 percent rate in the 1960's, compared to the national rate of 13.3 percent. In 1970, two-thirds of the United States population of 205 million lived in the 243 standard metropolitan statistical areas (SMSA's). In 1985, there will be an estimated 252 million people in the nation, representing a 40 percent increase over 1960. This increase will take place almost exclusively in the suburban ring of existing or new metropolitan areas. The urban fringe began to outgrow the central city in the 1920's, and has maintained its lead at a steadily increasing rate. This trend made the population of suburbia greater than that of central cities shortly after 1960. By 1985, excluding the effects of annexation or consolidation, 63 percent of the nation's metropolitan-area residents will live in the suburban ring.

The dramatic shift of a large majority of the Nation's population into metropolitan areas does not mean that

all major regions are equally metropolitan. The 1970 census showed the Northeast to be the most metropolitan—79.1 percent, while the South was the least metropolitan at 48.1 percent. Estimates for 1985, however, show the tide of metropolitanism to be continuing, with the regions coming closer together in their metropolitan character. The Northeast in 1985 will have changed very little from 79.1 percent to 80.9, while the South will score the largest gain in percentage of the population living in metropolitan areas—from 48.1 to 58.5 percent.<sup>1</sup>

Projections based on the 1970 Census indicate that the South will receive the largest share of the population growth projected for the Nation from 1965 to 1985—22 million of the total projected national growth of 70 million. In the area of income, too, the South has moved closer to the rest of the Nation. In 1960, some 43.5 percent of the families in the region had an income below \$5,000. In 1970 this figure had dropped to 25 percent.

From Virginia south to Florida, west to Texas, and north again to Tennessee, the South as a region in the post-World-War-II period has evidenced an active interest in regional approaches to urban problems, dating from the Baton Rouge City and Parish merger in 1947 to a Columbus, Georgia, city-county merger in 1970. In Texas, a favorable annexation policy allowing cities to annex by ordinance, and the more recent development of strong, State-supported councils of governments have supported regional approaches to solving problems.

## Two-Layer and One-Layer Approaches

Broadly speaking, there are just two approaches in rearranging local government systems. The first is the two-layer approach, in which an areawide government is strengthened while all or most existing municipalities are retained. Such an approach may or may not involve a reallocation of functions, in whole or in part, from one layer of government to another. Miami (Metropolitan Dade County) and Atlanta are examples of the two-layer approach. Milder versions of this approach occur when an existing county government is strengthened and its powers expanded. Such approaches may encompass all (Atlanta) or only part (Miami) of the metropolitan region, but whether regional or sub-regional, all move toward an areawide approach to problem solving.

The consolidation (one-layer) approach has the advantage of simplicity, and at least in theory the greatest possibility of economy and efficiency, but it

suffers from the handicap of being extremely difficult to implement from a political standpoint. In spite of consistent support from the "experts," most major consolidations took place in the last century, ranging from New Orleans at the beginning of the century to New York at its end. In the 20th century, there have been many attempts at consolidation, but few successes. Failure was the order of the day in the 1900-to-1945 period, including an unsuccessful 1933 effort in Jacksonville. Beginning with the Baton Rouge consolidation in 1947, interest in consolidation revived, with the focus on the South. The Baton Rouge effort was a partial consolidation in which the city and parish (county) were kept, but the seven members of the city government, with two persons elected from the rural areas, acted as the parish government. A mayor-president elected parish-wide presided over both councils and served as the chief administrative officer for both the city and the parish. A further innovation, to be used later in varied forms by Nashville and Jacksonville, was the establishment of service districts in which differential tax levies could be applied. Again anticipating consolidations to follow, the two small municipalities in the parish were retained but frozen at their existing boundaries, and additional incorporations were prohibited.<sup>2</sup>

The successful efforts in Jacksonville and Nashville should not obscure the fact that most consolidation efforts still end in failure, but even these seem to concentrate in the South. Notable failures include Charlotte-Mecklenburg County, North Carolina, and Tampa-Hillsborough County, Florida. A count of eight consolidation efforts in the 1970-72 period, undoubtedly incomplete, revealed them all to be in the South. The States involved were Virginia, Tennessee, Georgia, and Florida. Seven of these efforts were defeated; only Columbus-Muscogee County, Georgia, was successful.

Almost all the consolidation proposals in the post-World-War-II period have a number of elements in common. They involve one major city with a rapidly urbanizing county in a metropolitan area of moderate size. The limited number of small municipalities are usually given the option of joining or not joining the consolidated government. Typically they choose to stay out, but usually are subject to certain controls at the hands of the new government. The tax structure provides for a differential levy of property taxes, usually by means of division into an urban taxing district and a general taxing district. A fourth common characteristic is that most areas opt for a structural arrangement which involves an elected chief executive and a fairly large legislative body elected from a combination of single-member and at-large districts. Finally, the newer consolidation proposals share with their 20th century predecessors the requirement for a referendum giving local voters a chance to say "yes" or "no", and the typical answer continues to be "no."

## The Charlotte Experience

Two examples of consolidation efforts, one successful and one unsuccessful, will be singled out at this point; Charlotte-Mecklenburg County, North Carolina, and the Tidewater area of eastern Virginia. Charlotte is the largest city in North Carolina, and dominates the Piedmont running from the Appalachians to the sea. The 1970 Census showed the county with a population of 350,000 of which 241,000 lived in the city. The metropolitan area contained relatively few governments, the main ones being a consolidated school district, five small towns, Charlotte, and the county. The area had a long history of successful functional consolidations, including education, welfare, health, and hospitals.

Recent interest in consolidation dates from the 1940's, and was capped by a 1968 Chamber of Commerce study titled *Single Government*, which called for the consolidation of the city and county governments. The city and the county responded favorably to this call, and appointed a committee to draft legislation to establish a charter commission. The legislative delegation cooperated, and a bill was passed establishing a charter commission mandated to prepare a charter providing for consolidation of Charlotte and Mecklenburg County, giving the five municipalities the option of staying out or coming in.

Over the 1969-1970 period a charter was drafted calling for consolidated government with a strong mayor with both veto and appointment powers, and an 18-member council with 12 elected from districts and six elected at large. All independent boards and commissions would retain their separate status, but they were to be subject to central service controls such as budget and personnel. In addition, in a move that proved critical later, all boards had to reflect the "sexes, races, income groups, geographic sections of the County, and political parties."<sup>3</sup> Provision was made for a differential property tax, with urban and general taxing districts.

The campaign took a racial twist that insured the sound defeat of the proposal. The usual debate on the power of the mayor or charges and countercharges of economy and efficiency or big government took a definite second place to racially oriented issues. The provision for 12 single-member districts drawn so as to insure at least three blacks on the new council; a new school board with six single-member districts out of nine, also assuring some black membership; and the general provision that all boards and commissions would have to include fair representation of all groups brought the race issue to the fore. The busing issue made it certain that race would dominate the voting. The school board proposal, by linking the already existing busing issue to consolidation, insured its defeat. The largest group working against the charter was an anti-busing group that had formed the previous year. The proposal

lost by a vote of 30.5 percent for and 69.5 percent against, with a simple majority countywide required for passage. Blacks formed a majority or a large minority in all of the 15 out of 88 precincts that voted for the proposal; 97 percent of all blacks voting supported consolidation. Only 28 percent of the voting whites were for consolidation.

In assessing the Charlotte-Mecklenburg consolidation effort, we have a proposal with strong historical roots, vigorous support from business, professions, and the media, and supported by most of the major elected officials, with certain school board members a conspicuous exception. In spite of this broad support the proposal went down to defeat. It was beaten mainly by middle- and lower-class whites who opposed it along racial lines, with the two key issues being assured black representation on the consolidated government council, the school board, and all other independent boards, and the further complicating fact of busing, which opponents felt would be increased by a new district school board with assured black representation. Years of effort went down the drain with little discussion of the merits of the consolidated approach itself.

## Tidewater Virginia

The Tidewater Virginia consolidation experience, resulting in four successful consolidations over the period 1952-1963, is perhaps the most unique and thus least "exportable" of any consolidation effort known to the writers. Geographically, Tidewater Virginia is the tip of southeast Virginia that includes two SMSA's of some 900 square miles, Newport News-Hampton and Norfolk-Portsmouth. In the series of mergers, three counties, five cities, and one town abolished their existing government, each voting individually in favor, and substituted four consolidated city governments. An impressive record, indeed. Does it contain the secret for successful regional—or at least sub-regional—approaches elsewhere?

The Tidewater Virginia consolidations evolved out of an unusual set of circumstances that almost completely ignored the usual consolidation support factors of economy, efficiency, areawide approaches, and elimination of duplication. The consolidations resulted, rather, from a political self-defense effort by the counties and smaller cities to avoid capture or total encirclement by the larger cities in the area, especially Norfolk, Portsmouth, and Newport News. The major lesson to be learned from the Tidewater Virginia legislative effort is how critical State law can be in advancing or hampering consolidation in particular, and by inference regional approaches in general. Annexation, city-county separation, and city-county merger statutes were the key to success.

In Virginia, city-county separation means that all

cities of the first class (over 10,000 population) and all cities of the second class (5,000 to 10,000) are completely separate from counties. Cities provide all services within their boundaries that counties provide in many other States. There is virtually no overlap of services, functions, or taxation. The law presumes that cities are to meet urban needs and counties are to meet rural needs. The city-county separation statute is supported by Virginia's unique annexation statutes. As David Temple puts it, "annexation is quasi-judicial in nature and takes the form of an adversary proceeding between the city and the county before a special three-judge annexation court. In effect, a city sues the county for a portion of the county's territory that has become urban."<sup>4</sup> When one combines the city-county separation statute with the annexation procedure that allows cities to petition a court to gain urbanizing county territory, the stage is set for consolidation as a defense measure against the territorial ambitions of larger cities.

The threat of an annexation petition by Norfolk and/or Portsmouth led to the Virginia Beach-Princess Ann County merger and the South Norfolk and Norfolk County consolidation in 1963. The same threat was a direct factor in one of the earlier mergers and contributed indirectly to the other one. In the Newport News-Warwick merger, Temple cites race, fear that a black majority would emerge in Newport News, as "the most obvious issue." The political defense nature of the smaller cities' and counties' actions meant that almost all officials of the consolidating governments were greatly in favor of the mergers. They were involved in an effort "to preserve what existed rather than undergo piecemeal annexation by the core cities of the metropolitan areas."<sup>5</sup>

The new consolidated cities were neither well prepared nor particularly interested in providing quality services on an areawide basis. A combination of large land areas, low population density, and a limited tax base made it impossible even had the desire been present. Yet the change to a council-manager form of government with an increased professionalism in local government, and the physical fact of merger accomplished, has apparently led to a steady development of better services for the rapidly urbanizing areas of the four new cities.

Consolidation in Tidewater Virginia took place as a result of a set of circumstances that makes it unique and an unlikely candidate for export as far as the details go. However, it can be argued that the key role of the State so graphically illustrated by the Virginia mergers is worthy of note in grappling with the problem of regional approaches to urban problems.

The South, then, has been a hotbed of activity in attempting the development of regional approaches to urban problems. In an impressive number of cases, these efforts have succeeded. The case studies below will detail

four of the leading efforts. Yet a word of caution should be raised at the beginning. Efforts in the South have not typically grappled with the large, multi-county metropolis. The Nashville and Jacksonville mergers involved metropolitan areas largely contained within one county. Miami and its two-layer approach encompasses only

about half the Gold Coast metropolitan strip in southeast Florida. Efforts in Atlanta are more comprehensive geographically, but the latest development is too recent for definitive evaluation. With these limitations in mind, it still holds that the South has been a leader in moving toward regional solutions to urban problems.

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## Footnotes

<sup>1</sup>The estimates were made for the National Commission on Urban Problems (The Douglas Commission) by Patricia L. Hodge and Philip M. Hauser, *The Challenge of America's Metropolitan Population, 1960-1985*.

<sup>2</sup>John C. Bollens and Henry J. Schmandt, *The Metropolis: Its People, Politics, and Economic Life*, 2nd Edition New York: Harper & Row, 1970, pp. 299-300.

<sup>3</sup>Schley R. Lyons, *Citizen Attitudes and Metropolitan*

*Governments* (Charlotte: Institute for Urban Studies and Community Service, University of North Carolina at Charlotte, 1972) p. 12. This summary of the Charlotte experience is taken from this document, and from Warren J. Wicker, ed., *Consolidation* (Chapel Hill: The Institute of Government, UNC at Chapel Hill, 1971).

<sup>4</sup>David G. Temple, *Merger Politics, Local Government Politics in Tidewater, Virginia* (Charlottesville, University of Virginia Press, 1972). The Tidewater Virginia summary is taken from this source. The annexation quote is found on p. 17.

<sup>5</sup>Temple, p. 184.

# Metropolitan Dade County

*Aileen Lotz  
Staff Consultant  
Joint Center for  
Environmental and Urban Problems  
Florida Atlantic University  
—Florida International University*

For the purpose of this paper, Dade County, Florida, is defined as a "region" comprising over 2,000 square miles and containing approximately one and a quarter million permanent residents, roughly 20 percent of the State's total. It is a diverse area ranging from extensive agricultural interests in the southern part of the county to the highly sophisticated, tourist-convention atmosphere centered on Miami Beach. Dade County hosts over seven million tourists a year and is a major international air transportation center with extensive central office and aircraft maintenance facilities. The black population is 15 percent of the total and the unique influx of Cuban refugees during the Sixties has led to a permanent Latin population of 299, 217 (1970) or 23.6 percent of the total. Dade County was designated a standard metropolitan statistical area after the 1960 Census.

Although most of the present discussion will be confined to the geographic boundaries of Dade County for the purpose of describing the effects of a general purpose governing body (the Board of County Commissioners) on a "region," it is recognized that the region, under more traditional definitions, includes additional area. The southern part of Broward County to the north, and the Gold Coast area comprising Dade, Broward, and Palm Beach Counties are often considered a region. The tri-county area is that covered by a joint transportation technical study administered by the Dade County Department of Traffic and Transportation, but is not the region identified for other purposes. The South Florida Regional Planning Council, an outgrowth of the jetport planning activity, comprises seven counties in south Florida.

The government of Dade County was substantially changed in 1957 when a home rule charter was adopted, pursuant to a 1956 Dade County home rule amendment to the State constitution. The amendment gave the

Board of County Commissioners power to become a "central metropolitan government"<sup>1</sup> usurping, as will be discussed below, many functions previously performed exclusively by the 26 incorporated municipalities within the county.

Dade County's metropolitan government can best be described as a modified two-tier government conforming in large measure to the Committee for Economic Development (CED) recommendations of 1970.<sup>2</sup> For more than half the city-resident population; the two-tier description is accurate, but to the 530,000 residents of the unincorporated area there is only the Board of County Commissioners to serve them. Special taxing districts have been utilized for a variety of purposes. They have no separate autonomy, however, and are administered by the county Public Works Department. Further reflecting the CED bias against parochial bargaining, cities in Dade are not represented on the County Commission. Area representation, however, is assured by the division of the county into eight districts for election purposes. The nine-member commission is composed of a representative from each of the eight districts elected at large. A county mayor is elected at large and presides over the commission meetings but otherwise has no powers other than those of a member of the commission.

"Metro," headline shorthand for the Metropolitan Dade County government, did not emerge overnight, but rather was a product of trends which began to emerge more than a decade before the effort which resulted in restructuring. As far back as early 1940's the county was considered a "region" for numerous political, economic, and social purposes. In part, the State government began to identify counties in Florida as the appropriate unit of government for some State-related purposes. In 1943, a countywide public health system was created (supplanting municipal health agencies) pursuant to an enabling

act of the State legislature. Two years later, county voters approved a countywide school system. (In 1947 State legislation converted all school systems to county systems.)

Additionally, the move to restructure the government grew out of the declining dominance of central city Miami. New municipalities were incorporated in the mid-Forties and population growth began to take place in the unincorporated area of the county, particularly during the Fifties. Miami's position relative to the entire county declined from 64 percent in 1940 to 31 percent in 1960, a trend which continues today. However, as the central city in a relatively undeveloped area, the City of Miami had developed services and facilities which were being utilized by residents of the *greater* Miami area. One such was the public hospital, which proved too costly for the City of Miami to maintain for the residents of the region. It was transferred to the county in 1949. The city also gave up operation of the airport and through State legislation it was transferred to a Dade County Port Authority created primarily to operate the airport.

The trend towards the shifting of governmental services to countywide jurisdiction was also reflected in civic and social institutions, most of which existed as countywide organizations. The forerunner of the United Fund of Dade County was a countywide organization as were the Red Cross, the League of Women Voters, church federations, etc. With few exceptions, the population growth in most of the municipalities was recent enough that strong loyalties to the municipal institution had not developed.

Prior to the 1957 reform, the governmental jurisdictions, in addition to the county government, included 26 incorporated municipalities, a countywide school district governed by an elected Board of Public Instruction, the Miami Housing Authority, and the Dade County Port Authority, comprised of the County Commission—all in all, a comparatively simple organizational structure. Services were unequally provided by cities and increasing numbers of residents in the unincorporated area were virtually unserved by any but the most rudimentary services.

## Charter Issues

Dade's governmental reform plan grew directly out of the near success of an effort to consolidate the Miami and Dade County governments in 1953. Several earlier efforts had been made without success. Proponents and opponents alike recognized the inevitability of some kind of reorganization and banded together to form the Metropolitan Miami Municipal Board, comprised of city and county officials and citizens. The board's efforts resulted in a study by Public Administration Service,<sup>3</sup> which recommended that a constitutional home rule

amendment be adopted, that the existing county government be given additional areawide authority, and that services be divided between the cities and the county. This concept was generally supported by city officials, the Miami-Dade County Chamber of Commerce, the League of Women Voters, and the press. County officials were generally lukewarm if not hostile. Although the concept increased the power of the county government, it threatened individual "kingdoms" which had been built up over the years. The groups which supported the concept then successfully campaigned for its adoption both countywide and statewide. Following the adoption of the amendment, a Charter Board went through the charter-drafting process and the resulting charter was passed by a slim majority of Dade voters.

Although the margin of approval of the amendment both in Dade County and statewide was substantial, the small margin of success in the Dade County vote for the charter resulted from issues raised and compromises made during the charter drafting process. Provision for major services such as central traffic control, water and sewers, and planning on an areawide basis were generally accepted as desirable, as were usually controversial issues such as non-partisan elections and the manager form of government. However, a major conflict between the consolidationists and the municipal autonomy advocates erupted during the charter drafting period and has not been completely resolved to the present time. From the consolidationists' viewpoint, the major compromise was a section guaranteeing the continued existence of municipalities as long as desired by the voters of the municipality and providing that each municipality could enact higher standards of zoning, service, and regulation than provided by the county.<sup>4</sup> Other issues revolved around the number of county commissioners, their method of election, and the protection of municipal employees performing services transferred to the county. The original charter resolved the commission issue by providing part district and part at-large elected commissioners. (This provision was changed in 1963 to provide for nine commissioners, all elected at large.) The employee issue was resolved by providing a partial guarantee of employment in the event of a transfer of services.<sup>5</sup>

Supporting adoption of the charter were the members of the Charter Board, members of the Dade County State legislative delegation, the Miami-Dade County Chamber of Commerce, the League of Women Voters, the Dade County Research Foundation, various University of Miami officials, and the media. Opposition was led by city officials both independently and through the League of Municipalities, groups of city employees, local chambers of commerce, and in particular, various civic organizations (with one exception) on Miami Beach. Labor groups did not play any significant role due to their relative lack of strength in this service-oriented community.

To what extent these groups highlighted the issues for the general public can only be inferred. Media editorial support meant that the charter issue was well covered in the press. However, the 26 percent turnout was less than the 40.8 percent turnout for the 1953 consolidation attempt or the 48.7 percent turnout for the later, more controversial "McLeod Amendment" vote in 1961. This amendment, in the form of a completely new charter, was a desperate attempt to abolish the manager form, to reinstitute various elected offices which had become appointive, and in general to recreate the pre-"Metro" governmental structure. The low voter turnout may have indicated a lack of awareness, but more probably reflected the large number of new residents who had moved to Dade County in the mid-Fifties who had not yet gained a grasp of local political issues.

The reorganization of the traditional local government pattern in Florida has had some results of considerable significance. Most important in the long run is the spreading of the tax base to an entire metropolitan area and the expansion of expensive services to a metropolitan base. In this way, central city Miami has escaped the serious financial problems of many other central cities, impotent in the face of taxable bases streaming to suburban areas. Although far from perfect equity, indications are that detailed analysis will confirm that the cost of most metropolitan services is spread more evenly throughout the Dade metropolitan area than is the case elsewhere except possibly where central city-county consolidation has taken place.

City officials have the authority to transfer to the metropolitan government on a timely basis those services, costly to maintain on a local level, which can qualify logically or legally as metropolitan services. This flexibility is one of the unique features of the Dade County charter, which can at least provide basis of contrast for the advocates of a rigid division of functions between two levels of government. Not only did the charter give flexibility to the cities for the transfer of services to the county, the charter gave to the county commissioners nearly unlimited powers to perform municipal government services. In the early years, city officials had fought for a division of services between the two tiers of local government out of fear that they would be swallowed up by the larger government.

As a result of city pressures, the county Planning Department prepared a report which attempted to allocate functions along criteria suggested by the Advisory Commission on Intergovernmental Relations and by department staff.<sup>6</sup> The report met with support by municipal officials who claimed they could not plan capital improvements until they knew which services they were to retain and which were to become county-wide. Ironically, only four years after the report was published, the City of South Miami became the first city to transfer its fire department to the county, although

fire service had been identified in the report as one best handled at the municipal level. The report, although the subject of continuing discussion, particularly by city officials, largely has gathered dust and cities have continued to take the initiative in the expedient transfer of services. However, the recent study commission which recommended a strong mayor form of government also recommended that the study be updated.<sup>7</sup> There has been no discernable public interest in such recommendation.

The initial, overriding purpose for the reorganized Dade County government was "efficiency, economy and elimination of duplication." This generally meant provision of areawide services by an areawide government which would eliminate separate provision of such services by individual cities. It was assumed that the elimination of duplication would also bring economies which, in fact, it did in individual instances discussed below. In addition to the efficiency-economy argument, there existed a general recognition among community leaders, particularly in the early Fifties, that a county-wide planning agency was imperative if the debilitating effects of a fragmented approach to urban growth were to be avoided. A department of planning was one of only four departments specifically required by the 1957 charter.

The drive towards the metropolitan basis of providing services was perceived almost entirely within the community leadership and pre-dated by several years the Federal emphasis on a regional approach to urban problems. Creation of the Dade County Department of Housing and Urban Development in 1965, however, was a direct response to the earlier creation of the U.S. Department of Housing and Urban Development in a conscious effort to capitalize on the Federal philosophy and funding. Although encouraged at the Federal level, it was to be more than a decade after Dade's reorganization that the State of Florida began to recognize the need for new approaches to regional governance. In most functional areas in which the Federal government has encouraged a regional approach, Dade County serves as the region, *e.g.*, comprehensive health, manpower, anti-poverty. A Federally financed transportation technical study, however, was expanded as a result of pressure from Federal and State governments to include two counties to the north of Dade.

## Areawide and Local Functions

One of the significant characteristics of the Metropolitan Dade County government has been the gradual increase in functions and services. The limited purpose county government of pre-1957, based on rural notions of another century and providing little more than caretaker services, is a far cry from the sophisticated "municipal" government of today. The county charter

gave Dade County Commissioners virtually every power needed by a major municipal government. Not every power has been fully exercised nor is it anticipated that all functions authorized will ever be provided. The county has the power but does not, for example, provide and operate rail and bus terminals, gas, light, power, and telephone service. The power to provide central records, training, and communications for fire and police protection is only partially exercised to date. Most significant of powers not yet exercised is the power to enforce comprehensive plans as they pertain to land use. Insofar as zoning is used to enforce comprehensive land use planning, the county has not chosen to administer zoning laws within cities. In some instances, additional functions were mandated by the charter, such as unified property assessment and tax collection.

Sometimes the adoption of an ordinance effective countywide resulted in a major increase in function. The adoption by the County Commission of the traffic code in 1958 resulted in assumption of a major responsibility by the charter-ordained Metropolitan Court and the subsequent abolition of all municipal traffic courts. Air and water pollution control, sub-division control, landscaping (parking lots), and tree removal ordinances are illustrative.

However, the majority of services which have accrued to the metropolitan government came as a result of the transfer of services, on the initiative of city governing bodies, to the areawide government. In some instances there has been a total assumption of functions previously performed by cities. First was the transfer of traffic engineering functions by the City of Miami and several other cities which had staff for this purpose. Traffic engineering thus became a metropolitan function performed solely by the metropolitan government. In other cases, services have been transferred on a piecemeal basis. In some instances the impetus for transfers was a particular city budget problem; in other instances the logic of countywide operation probably overshadowed the monetary issue in the eyes of city officials. In this fashion several of the medium-sized cities have transferred their fire departments to the county although the City of Miami has not. Originally, the county fire department served only the unincorporated area, doing little more than putting out brush fires. As a modern, well-equipped department, it now serves not only the unincorporated area, much of which is highly urbanized, but 15 cities as well. In addition to the traffic engineering staff, the City of Miami has transferred to the county its seaport, crime laboratory and some other specific police functions, its minimum security stockade, five arterial bridges, a park, the harbour patrol, trade standards division, its neighborhood rehabilitation division (housing code enforcement), arterial street lighting, and miscellaneous other functions. The bus system, achieved early through the

consolidation under the county of several private companies, operates countywide with the exception of those areas served by the Coral Gables municipal system.

One major community policy decision which resulted in the metropolitanization of a function revolved around urban renewal. As the community began to grasp the implications of renewal programs, controversy arose over whether this was the responsibility of the City of Miami, where the first renewal project had been identified, or whether it was a function with implications beyond city boundaries. The issue was resolved through public debate in favor of the county with its larger tax base. This decision later enabled the county through appropriate legislation to absorb the functions of and actually abolish the Miami Housing Authority and to create a Department of Housing and Urban Development. This department now administers not only the housing program, virtually on a countywide basis, but is administering a Federally financed neighborhood development program (NDP) with projects in four cities and in several sections of the unincorporated area.

Public library service is another example of a service which illustrates the flexibility built into the metropolitan system. The City of Miami, along with a number of other cities, opted to become part of a county-operated system based on the Miami system. Through the device of a special taxing district, the system serves the unincorporated area and 17 cities. However, nine cities have, for the present time, opted to keep their own libraries and not become part of the system. The option to stay out has also been exercised by a small number of cities for other services which are provided to a majority of cities: voter registration, occupational licensing, and certain police functions.

Metropolitan planning is another mixed bag. Although the general land use master plan was prepared by the county Planning Department and adopted by the County Commission, the county has not yet chosen to face the political battle which would undoubtedly arise over forcing the cities to conform to the plan through some control over zoning power still retained by cities. The plan has been utilized to highlight public issues which might result in violation of the intent of the plan. Some control over municipalities exists, however, as a result of a countywide subdivision control ordinance which provides for county approval of all subdivision plats whether in the cities or in the unincorporated area. The county Planning Department serves as the A-95 review agency and has a local planning services division which provides, on a cost basis, detailed planning at the request of municipalities. The A-95 review function has less of an impact on other agencies, and particularly on the municipalities, than may be the case in other areas. The principal reason for this is that the county government itself is the applicant for the vast majority of Federal funds and those applications which are prepared

are generally done so with the full knowledge of the Planning Department and of the necessity to conform to both local and A-95 review requirements. The Planning Department has developed fairly good communication with the various cities and is often consulted prior to the preparation of applications; in some cases it actually prepares them. However, on a few occasions, the review function has served to notify the Planning Department and therefore the county of intentions of the city governments which may be in conflict with overall county planning objectives. In such cases the city is immediately informed of the conflict. The Planning Department is routinely performing A-95 review functions for FHA, for some LEAA applications processed through the Governor's Council on Criminal Justice, and for the State Department of Transportation.

### Metropolitan Financing

Dade, as a traditional county government up until 1957, was limited substantially to the property tax for the financing of its services, a limitation continued by the home rule constitutional amendment. Over the years, however, the sources of funding have become diversified. The proposed budget for 1972-73<sup>8</sup> shows the property tax as 53.1 percent of the general fund revenue. This figure is misleading, however, as many revenues, including most Federal funds, are not included in the general fund. The program budget for 1970-71<sup>9</sup> provides a more realistic picture of total revenues. Estimated revenues for that year show the property tax accounting for 33 percent of total revenues, with the second largest source of funds, State and local grants, amounting to 20 percent of total funding. Disregarding hospital receipts derived from private patients and bus fares, the largest user fee revenues come from the garbage collection fees charged in the unincorporated area. User fees are also levied in special purpose districts, created largely to provide residential street lighting in the unincorporated area. The county does not wholesale services to the cities and therefore derives no revenues from them.

Capital projects financing has been accomplished in Dade primarily on a pay-as-you-go basis, although there is no limit in State law on bonded debt for counties other than the requirement that bond issues be approved by the voters. Revenue bonds have also been used to a limited extent.

By the terms of the charter, property assessment is a unified function performed by the county rather than a separate municipal function. By State law and court dictum, assessments are theoretically on a "full value" basis, and a recent study by the State auditor indicates that Dade is at 94 percent of market value. In addition to providing the tax base for the cities, the county assessment also serves as the millage base for the School

Board, the Central and Southern Florida Flood Control District, and the Florida Inland Navigation District. The county prepares a single tax bill showing all relevant taxes, collects all taxes, and distributes them to the various units of government in accordance with the established millages.

### Dade County Performance

Has metropolitan government in Dade County achieved its objectives? The original objectives included home rule power and the elimination of the "local bill evil" in the State legislature; economy, efficiency, and elimination of duplication; provision of services to residents of the unincorporated area; provision of major services on a unified, countywide basis, particularly water and sewers, transportation and, planning. A conflict of objectives between the consolidationists and the municipal autonomists can be read as both success and failure. The consolidationists saw the governmental structures as outlined in the charter only as a stepping stone towards total consolidation of all governmental units in Dade County, which has not happened. City officials and some civic leaders, however, were dedicated to preserving the autonomy of the incorporated cities within the larger structure of the county government, which is the case today.

The first of the above objectives, eliminating local bills, was accomplished with the passage of the Dade County home rule constitutional amendment. The State legislature is now precluded from enacting legislation affecting only Dade County. As a result the Dade County legislative delegation has gained a reputation for being better informed than others on statewide problems.

There has been considerable elimination of duplication through the unification under the county of property assessment, tax billing, and collection; traffic engineering and traffic courts; elections registration (only a few cities remain outside the central system); and tourist publicity. Other partial functional consolidations have been discussed earlier. Purists complain that "we still have 27 police chiefs." They ignore however, the piecemeal transfer of services which has been proceeding steadily for 15 years which in fact reduces duplication. The existence of the metropolitan government undoubtedly has prevented duplication of functions in those activities which were assumed by the county after charter adoption which were not previously being performed by any unit of government.

Although not one of Dade's initial objectives, the reapportionment of the State legislature became, a major objective in the early 1960's. A study prepared by the Government Research Council of the Miami-Dade County Chamber of Commerce illustrated the inequity in State provision of services and facilities and in the

distribution of formulas for State aid to the largest county in the State.<sup>10</sup> County and council officials subsequently joined hands in court challenges which resulted in equitable reapportionment. Significantly, Senate Bill No. 1, introduced by a Dade County legislator in the reapportioned legislature of 1967, called for the equitable redistribution of a portion of the State gasoline tax. In the first year after passage of the bill, Dade County received over \$1 million in additional gas tax returns for highway construction.<sup>11</sup>

Efficiency and economy, although popular objectives, remain objective concepts in the absence of effectiveness measures. Although nearly universal objectives of reform, it is a mistake to believe that a reorganization of local government will reduce costs and lower taxes. Governmental costs in Dade County were rising before the government was reorganized and have continued to rise since then. Per capita cost of county government rose from \$10.97 to \$46.22 in the 15 years prior to the adoption of a metropolitan government and from \$50.90 in the first postmetro year to \$111.90 15 years later.<sup>12</sup> During the earlier period, the county budget increased from \$3,458,127 in 1944-45 to \$38,940,563 in 1957-58, the last pre-Metro budget year. Although the millage was actually reduced from 17.0 mills to 15.9 in the first budget year after reorganization, the budget was increased to \$45,241,870. Fifteen years later it had risen to \$144,910,632.

What cannot be known, of course, is what the cost would have been had the government not been reorganized. Any attempt, however, to come to conclusions about the cost of the Dade County government would be specious without an analysis of the change in the expenditures of the city governments within Dade County. Such a comprehensive study has not been made in Dade and is unlikely to be undertaken for two principal reasons: the complexity of the shifting patterns of service provision along with the increases in extent, and quality of services, and the fact that such a study could do little more than illustrate complexity.

Individual instances of savings and economies of scale always can be identified. At the time of the transfer of traffic engineering staffs from Miami and several other cities, the total expenditure for traffic engineering by the several cities and the county was \$1,057,180.<sup>13</sup> Under a unified and expanded operation at the county level, the total expenditure dropped to \$926,569 and it was two years before the total cost rose to the pre-change cost. The City of Miami saved a quarter of a million dollars as a result of the transfer but, as is often the case, other revenue losses and expenditure increases negated the savings.

The establishment of central purchasing and competitive bidding saved the county in its first year of reorganization a reported 40 percent on printing and furniture and 15 percent on food purchases.<sup>14</sup> When

Dade County pioneered in the area of cooperative purchasing, cities were delighted to take advantage of real savings through the use of the county contracts. One city reported savings of 10 percent on the cost of automotive batteries, another a savings of 4 cents per gallon on gasoline, another small city \$300 on a police car, etc.<sup>15</sup>

Overall cost of the metropolitan county government, however, has increased. The reasons for the increase are many. First among these was the need to upgrade the county government itself. The original county government structure lacked business-like organization and its financial administration was "marked by its dispersion and general inadequacy."<sup>16</sup> Forty percent of the county equipment was identified as obsolete. Salaries of county employees were low and non-competitive with community salary levels. In the first year under the new system, 50 key promotions were made and \$1,690,000 in additional funds were expended on increases in pay levels and new services.<sup>17</sup>

In addition to cost increases and decreases attributed to reorganization and modernization of structure, other cost increases have arisen as a result of factors which pre-dated the change and because of metropolitanization. The latter has occurred through the transfer of services from cities to the county, the extension by the county of its original services to meet areawide needs of a growing population, and the provision of new metropolitan services or facilities. In a report to the county manager on increased budget costs of \$20,493,909 during the first four years of metropolitan government, the Dade County budget director stated that a \$12,319,066 increase resulted from bond issues and increased operational costs resulting in capital improvements approved prior to the reorganization; a \$2.2 million increase in salaries as a result of state legislation; a \$2 million appropriation for construction of a new seaport; and other similar expenditures.<sup>18</sup> The seaport appropriation is illustrative of the shifting of financial burden. With an old port site literally falling into the bay, the City of Miami transferred Dade's only seaport to the county in 1960. Through its countywide taxing power, tax funds amounting to \$14 million over a seven-year period were utilized along with revenue bond funds to construct the most modern port in the nation.

On top of the shifting of cost from the lower to the higher unit of government, population increase played a major role in spiraling costs in Dade County. In reporting to the county manager on the population increase of 88.9 percent in the decade of the Fifties (it was 310 percent in the unincorporated area where the biggest service need existed), the budget director pointed out, "These new residents (439,963 of them) did not bring with them their own policemen, firemen, health officers, judges, welfare workers, juvenile officers, etc. Their appearance also meant that the local government

had to undertake an extensive capital improvement program to provide roads, hospitals, health clinics, jails and other essential facilities.”<sup>19</sup>

Today’s half million-plus residents in the unincorporated area are receiving a relatively high level of services that is apparently sufficiently satisfactory that no attempts at annexation or incorporation involving developed areas have been successful since Metro’s inception. Residents in the unincorporated area are now receiving most essential municipal services. The principal inadequacy is perceived to be the need for more police protection, better transit services, and sewer service. Vast areas of the county are still served by septic tanks, but considerable progress has been made in the past six years. Not only has the county constructed \$32 million worth of water and sewer projects, but an agreement recently entered into will convert the Miami Water and Sewer Board to a county agency to operate the beginning of a unified system.

Recreational programs in the unincorporated area were non-existent prior to Metro. Using utility tax revenues derived from the unincorporated area, parks were acquired, developed, and programmed. Prior to 1958, the Dade County Park Department maintained a few fine regional parks, all on the ocean or bay. Today, park and recreational services have been expanded to include 47 neighborhood parks in the unincorporated area and a few in Miami, nine regional parks, 13 wayside parks, 13 specialized facilities including a rifle range, a zoo, an art museum, a science museum, five golf courses and four marinas, along with 51 tennis courts and a multitude of other related facilities serving the entire area. This area is certainly indicative of the increased cost of providing services on an areawide basis. The 1957-58 County budget provided \$2.8 million for parks with no recreation appropriation. Today more than \$10 million annually is being expended.

It is safe to say that all citizens have benefited to some degree from the improvement in the quality and extent of services. City residents, particularly those in Miami, have benefited as a result of certain facility costs being spread across the county tax base. However, persons in the unincorporated area gained most in services. At the time of the charter adoption most cities provided at least a minimal level of municipal service. However, police, fire protection, garbage and trash removal, sewers and water, libraries, neighborhood parks, etc., were either totally lacking in the unincorporated area or provided on such a minimal basis as to be essentially ineffective. Today there is a relatively high degree of service equity in the unincorporated and incorporated areas. Minority groups, particularly blacks, are the ultimate beneficiaries of the regional approach to housing which now serves disadvantaged areas outside the city. The \$9-million annual Model City Program and the largest neighborhood development program (urban

renewal) in the southeast also serve generally the black disadvantaged.

Aside from cost changes resulting from restructuring, there is another important factor: the ability of the restructured government to compete for Federal and State funds. In a study of the effects of Dade’s metropolitan government, Parris Glendonning concluded that “Dade County has increased its share of state funds since 1957 at a greater rate than have other (Florida) urban counties.” Also, “the combination of home rule and areawide planning powers has helped Metro secure federal redevelopment funds, and one may infer that it has helped in other areas as well.”<sup>20</sup> This prediction of further success in obtaining Federal funds has been proved correct. A status report on Federal funds being used by Dade County as of June 30, 1972, showed that \$133 million in Federal funds were currently under contract.<sup>21</sup> It is unlikely that the separate municipalities could have aggregated such a level of funding.

Economic and social disparities between the central city and the suburban areas are relatively unimportant in Dade County. They do exist between the have and have-not areas throughout the metropolitan area. With some exceptions, corrective programs, largely financed by Federal funds, have not been funneled just to the central city, but allocated throughout the metropolitan area with no significant regard to municipal boundary lines. One NDP area, for example, includes both part of the City of Miami and part of “suburban” Coral Gables. The Model City area spans the Miami city boundary and includes a large, densely populated urban area which is unincorporated.

Citizen participation (not including Community Action and Model City programs) is of a fairly traditional nature, generally consisting of participation in public hearings before the County Commission and service on the numerous advisory boards appointed by the commission. However, steps have been taken in recent years to facilitate citizen business with the county government. For the past decade the Building and Zoning Department has had north and south county sub-offices. Early in 1972 the first of several planned regional subcourthouses was opened in south Dade to serve the population center furthest from downtown. More recently, a citizens information and referral service has been established with four neighborhood offices. Dade County has not generally addressed itself to the question of decentralizing resources and policymaking except through the Community Action Agency and the Model City organization, both of which function as divisions of the county manager’s office.

### Minority Involvement

Dade County’s minority populations, black and Latins, are distributed unequally throughout the county, although the largest concentrations of both occur in the

central city. However, the school desegregation decision, followed a decade later by urban renewal displacement, has resulted in a large concentration of blacks in northwest Miami and the adjoining unincorporated area, the area designated generally as the Model City. Population maps prepared on the basis of 1970 Census figures show Latins scattered from the north county line down to the southernmost urbanized area.<sup>22</sup> Blacks are concentrated in nine small areas throughout the county in addition to those areas mentioned above.

These areas are also identified in the Community Improvement Program study as those areas with a concentration of low income and high unemployment. Dade's historic segregated housing pattern has resulted in a high economic mix within the limited areas in which blacks could reside. In recent years, this pattern has slowly changed and affluent blacks now have somewhat greater choice of residence. Although areas with high concentrations of Latins have some of the same characteristics as the black areas, they are somewhat more economically viable. It is generally recognized that the influx of the Cubans in the Sixties resulted in the rescue of a number of declining commercial and residential neighborhoods in the City of Miami.

Minor racial disturbances have flared up in most of the black areas of the county, but the only major disturbance occurred in conjunction with the Republican convention in 1968 in the Liberty City area in northwest Miami. Although not on the scale of many northern riots, the National Guard was called out and the Dade County Public Safety Department was called in to end the violence. Two years later another disturbance occurred in the Brownsville section of the Model Cities area and there was intermittent gunfire for several days.

Prior to the adoption of metropolitan government in 1947, there was no black representation on the County Commission or on any of the city commissions. However, in recent years, blacks have become somewhat visible in local politics. In 1965, a female black funeral director and civic leader was named to fill a vacancy on the Miami City Commission and subsequently won election in a citywide vote. In 1968, a black insurance agent won election to the nine-member County Commission in a countywide vote. To date, Latins have not been quite as visible, but with the increasing number of Cubans who have become United States citizens, it is anticipated that they will be an important factor in future politics. A Cuban was recently named to fill a vacancy on the Miami City Commission.

Black leaders generally have supported district as opposed to at-large elections when the issue has been brought up by other community groups, but there is no sustained push to change the present at-large system among either blacks or other groups. It should be noted, however, that blacks have in fact been elected in countywide votes, including the election of two black

members of the Dade County legislative delegation.

Dade County's success in attracting Federal funds is in sharp contrast to its experience with the State of Florida. Traditionally, Dade County, the State's largest county, containing approximately 20 percent of the State's population and historically providing more than its per capita share of the State's revenues, has been given the short end of the stick. Although the State legislature gave the Board of County Commissioners extensive municipal powers in the Dade County home rule constitutional amendment, it neglected to provide any additional sources of revenue, creating serious fiscal limitations. Had Dade's economic growth not been so rapid during this period of time, it is doubtful that metropolitan government could have survived.

Up until the first attempt at reapportionment, when Dade improved its relative strength in the legislature somewhat, the largest county in the State had not a single State institution or facility. Dade was not alone, however, for the populous southeast coastal area generally was heavily discriminated against by the "pork chop" legislature.

As other urban areas turned to the Federal government for assistance in meeting mounting urban problems, so did Dade. During the past six to eight years, Dade County has met all appropriate Federal guidelines for Federally funded programs. The Johnson Administration emphasized a metropolitan approach, and there is no question but what Dade County was favored because it was a general purpose government serving the metropolitan area, because it had a competent county planning organization, and because it had established a county Department of Housing and Urban Development. In more recent years greater emphasis has been placed on a broader regional approach, particularly under the Safe Streets Act. Dade County became part of a four-county planning district for the purposes of LEAA funding and was designated by the Governor's Council on Criminal Justice as the administering agency for funds involving the district. It is doubtful that such inter-county cooperation would have occurred by State fiat in the absence of Federal guidelines. However, in recent months the regional approach for LEAA funding, particularly as it affects large urban areas, has been reevaluated and the regional planning concept has been abandoned in favor of a metropolitan planning agency, of which Dade will be one. Although the regional approach has some obvious advantages, there are practical problems when a relatively sophisticated county such as Dade attempts to develop a joint project with a small, relatively primitive (governmentally speaking) county such as Monroe (Key West).

Dade County's emphasis on metropolitan planning, however, predated the Federal emphasis. By the time the Federal open space program was passed in 1961, Dade County had begun the metropolitan planning process

and was accordingly the first jurisdiction in Florida to be awarded funding. Recent requirements for planning certification for water and sewers and open space programs have thus been treated routinely in Dade.

Throughout this discussion of metropolitan government in Dade County, the metropolis has been considered a region. It matches other regions in size and diversity if not in jurisdictional complexity. Dade County has become a strong areawide general purpose government through which major services and functions are performed, financed by a tax base which coincides with county boundaries. The areawide government operates at this level while municipal governments, performing differing combinations of largely local services, function to serve their residents. Is it successful? The answer to this question depends upon the measures of success. If the measure is whether all the region's residents are served by public water and sewer systems, whether the region's canals are free of sewage and other harmful nutrients, whether the public transportation system has solved the region's traffic congestion, the answer must be no. If, however, the measure is tax equity and service equity among all residents, the answer must be more affirmative. Since its inception, the regional government has provided an increasing number of services on an areawide or virtually areawide basis. A variety of devices have been used to achieve tax equity, including special taxing districts with flexible service areas.

The decision-making process was built into Dade's metropolitan government by the terms of the constitutional amendment which identified the County Commission as the governing body. County commissioners in Florida have long had a countywide constituency and have been elected at large. State legislative delegations, historically, have also been elected at large, thus solidifying the metropolitan nature of the political process. These factors, however, are not without their problems. Professional staff within the county government develop plans for improvements on a priority basis countywide. Often these priorities fail to satisfy the citizen or councilman from Miami Beach, who feels that a Miami Beach project should have the highest priority although it may be low on the countywide totem pole. County officials must constantly walk a narrow path between taking those actions which can be justified on a countywide basis with those actions requested by city officials, county commissioners, and neighborhood residents.

### Inter-Local Antagonism

Relationships between the county and the municipalities have ranged from good to bad to worse. In the past six years, bitter city-county feuding has marked the establishment of basic county policy on sewer con-

struction. However, today an integrated system is nearer reality as a result of agreement on a long-sought means of marrying the Miami Water and Sewer Board with the county. City-county agreements have been hard to come by; but they have come, one by one. On the less controversial side have been the numerous voluntary and conflict-free transfers of services and the utilization of county services.

Given the predominance of the manager form of government at the city level in Dade County, most controversies have been resolved at the administrative rather than the political level. County managers (with the exception of the present manager) have been city managers before coming to Dade and a professional relationship pre-existed which, in spite of battling at the political level, often resulted in compromise and consensus being reached at a professional level. True brokerage politics, however, has not emerged. It existed for a time at the civic level when the Government Research Council of the Miami-Dade County Chamber of Commerce established in the early days of Metro an inter-governmental committee which included some of the most vocal anti-Metro city politicians along with pro-Metro civic leaders. The research council provided a forum for the discussion of differences, largely those associated with the issue of division of services. A consensus was actually hammered out and resulted in a joint statement by the League of Municipalities and the Government Research Council. The two groups also cooperated on the financing of a report prepared by the University of Miami on city-county finances.<sup>23</sup> Although consensus was reached, little happened to change the course of events. But tempers were blunted for a time. The *Miami Herald*, which could have acted as a broker, rarely did. Its position was to decide most issues in favor of the county.

One continuing problem for the metropolitan government has been the frequent antagonism of city officials. In the early years this manifested itself in vehement public expressions of hostility, attempts to amend the charter through referendum, and challenge of the charter in the courts. In more recent years, the antagonism has been reflected by the difficulty of working out agreements for particular services. There has also been a tendency on the part of city officials to use Metro as the scapegoat in explaining away their own lack of ability to provide adequate services.

Although numerous attempts have been made to alter the structure of Dade's metropolitan government, it remains substantially today as it was created by the 1957 charter. The most recent attempt to change the structure dealt not with boundary lines or service responsibilities, but with the nature of its executive direction and the method of electing the County Commission. Had the proposal been successful, it would have substituted a strong mayor for a county manager

and district elections for the present at-large elections.<sup>24</sup> The proposal was defeated by a two-to-one vote. The proposal had been developed by a committee appointed by the County commission to study and recommend improvements in the county charter. Business and civic leadership was divided on the issue, but a vigorous campaign launched by the opposing group was successful. The proposal was supported principally by city officials who felt they might have more influence with district-elected commissioners and an elected chief executive. Blacks generally supported the proposal but made no all-out effort on its behalf.

It is anticipated that there will be continual changes in the relative authority of the county government *vis a vis* city governments in functional areas. A trend towards a fragmentation of the unified government may also be emerging. In recent months proposals have been made for a transportation authority and an independent airport authority. The authority concept for water and sewers is inherent in the transfer of the Miami Water and Sewer Board. Such proposals generally have the support of business leaders. The transportation authority concept originated at the State level to facilitate transit funding; at this writing the specifics have not been worked out. An independent airport authority, proposed in 1962 by a group of businessmen, was defeated at the polls. The recent resurrection of the concept was initiated by a businessman-appointee to the County Commission and has the support of the Greater Miami Chamber of Commerce. At this writing, the proposal has not yet been adopted. At present, the County Commission functions as the Port Authority. A county Water and Sewer Authority, with which the Miami Water and Sewer Board was merged in October 1972 by charter

amendment, was proposed originally by the Chamber of Commerce. Authority proposals are generally supported by the *Miami Herald*, but otherwise arouse little interest outside of the Chamber of Commerce. Such proposals generally draw opposition from some county commissioners who recognize the tendency towards fragmentation.

Inter-county regionalism will also become an increasing factor. Dade County officials have spearheaded several moves in this direction, as discussed earlier. It is not considered likely, however, that Dade County will in the near future be a party to any super-governmental body. It is more likely that Dade will enter multi-lateral agreements on individual services.

Dade County's form of metropolitan government may not be as easily accomplished in other metropolitan areas where the central city is the only incorporated area of significance within a single county, and where a city-county consolidation can readily be recommended. However, other single-county metropolitan areas which contain a number of cities of substantial size would do well to consider the Dade County experience. Thus, the county government would be strengthened in order to create a mechanism for providing regional services while at the same time allowing the constituent cities to maintain decision-making authority in relatively non-metropolitan functional areas. Where the central city government has greater competence than the county government, the Dade experience may be adapted with a modified consolidation of city and county with similar guarantees for the continuance of the other cities for the provision of non-metropolitan services. The objective, however, should be the achievement of an areawide tax base to finance services which serve all area residents.

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## Footnotes

<sup>1</sup>State of Florida, *Constitution*, Art. III, Sec. 2.

<sup>2</sup>Committee for Economic Development, *Reshaping Government in Metropolitan Areas*, February, 1970.

<sup>3</sup>Public Administration Service, *The Government of Metropolitan Miami* (Chicago, 1954).

<sup>4</sup>Metropolitan Dade County, Florida, *Charter*, Art. V.

<sup>5</sup>Metropolitan Dade County, Florida, *Charter*, Art. V. Sec. 4.05D.

<sup>6</sup>Metropolitan Dade County Planning Department, *Municipal Boundaries in Metropolitan Dade County—Problems and Recommendations*, September, 1962.

<sup>7</sup>Dade County Metropolitan Study Commission, *Final Report and Recommendations*, June, 1971.

<sup>8</sup>Metropolitan Dade County, *Proposed Budget*, Fiscal Year 1972-73.

<sup>9</sup>Metropolitan Dade County, *Proposed Program Budget*, Fiscal Year 1970-71.

<sup>10</sup>Government Research Council, Miami-Dade County Chamber of Commerce, *County-State Financial Relationship*, March 1, 1963.

<sup>11</sup>Porter W. Homer, *1967-68 Budget*, Memorandum to Board of County Commissioners, September 18, 1967.

<sup>12</sup>Metropolitan Dade County, *Proposed Budget*, Fiscal Year 1971-72. These and other figures taken from table "Schedule of County Budgets, Fiscal Years 1940-41 Thru 1971-72."

<sup>13</sup>George H. Kunde, *Metropolitan Regulation of Traffic*, Memorandum to O. W. Campbell, County Manager, August 21, 1959.

<sup>14</sup>County Manager's Office, *Metro in the Making*, June 1, 1959, unpublished report.

<sup>15</sup>John Berger, *County-Wide Contracts: Cooperative Purchases*, Memorandum to Irving C. McNary, County Manager, April 4, 1964, and attached letters from municipal officials.

<sup>16</sup>Public Administration Service, *The Government of Metropolitan Miami*, p. 49.

<sup>17</sup>O.W. Campbell, *First Annual Report on the Progress of Metropolitan Dade County*, undated.

<sup>18</sup>Dennis I. Carter, *Why the County Budget Has Increased \$20,493,909 Since 1957-58*, Memorandum to County Manager Irving G. McNary, July 28, 1961.

<sup>19</sup>Carter, *Why the County Budget has Increased \$20,493,909 Since 1957-58*.

<sup>20</sup>Parris N. Glendenning, "Metropolitan Dade County Government: Examination of Reform" (Unpublished Ph.D. Dissertation), Department of Government, Florida State University, August, 1967, p. 150.

<sup>21</sup>R. Ray Good, *Federal Grants Report*, Memorandum to Board of County Commissioners and Attachment, July 21, 1972.

<sup>22</sup>Metropolitan Dade County Community Improvement Pro-

gram, *Profile of Selected Ethnic & Economic Characteristics*, May, 1972.

<sup>23</sup>University of Miami, *Municipal Finance in Dade County for the Fiscal Year 1960*, A Report by the Committee on Municipal Research, Department of Government, submitted to the Miami-Dade Chamber of Commerce and the Dade League of Municipalities (Coral Gables, June, 1961).

<sup>24</sup>Dade County Metropolitan Study Commission, *Final Report and Recommendations*.

# The City of Jacksonville:

## Consolidation in Action

*John M. DeGrove*

The present consolidated City of Jacksonville includes the former County of Duval, the old city of Jacksonville, and four small municipalities. Consolidation made Jacksonville the largest city in Florida, the largest city in land area in the United States (841 square miles) and moved it up to 23rd in population of the Nation's cities. The questions to be examined in this paper are how and why did it happen, and how has it worked.

### Background to the Merger

In 1940 Jacksonville-Duval County had a total population of over 210,000; some 170,000 in the city and 37,000 in the rest of the county. From that point to 1965, county growth outstripped the declining city, so that the county outside Jacksonville rose rapidly to an estimated 327,000, while the city fell below 200,000. Projections to 1980 showed the county with 885,000 and the city remaining almost static with 211,000.

These population shifts had important age, race, income, and education characteristics that contributed to the sense of crisis fueling the fires of the consolidation movement. By 1960, Jacksonville was over 41 percent black, the third highest percentage in the Nation among cities over 100,000. The county outside the city was only about 9 percent black. During the 1950's in the city the black population increased over 14 percent, while the white population decreased over 10 percent. During the same period, the old city was becoming more and more the residence of the very old and the very young, with the economically productive 20-64 age group down by 15 percent during the 1950's. The over-65 group was up over 36 percent to a total of just over 9 percent, while the under-20 group increased 17.5 percent during the Fifties. By contrast, the over-65 group in the county totalled only 3.8 percent. The contrast carries through to income and housing. In the old city in 1960, 31 percent of the population was below a poverty level of \$3,000, while the comparable

figure in the county was 15 percent. Thirty percent of the houses in Jacksonville were deteriorated or dilapidated, while the county figure was 13 percent. In education the average years of schooling of adults over 25 was 9.5 in the city and 11.5 outside the city.<sup>1</sup>

The picture is not an unfamiliar one. It shows a central city in decline, loosing its most productive citizens, at least in economic terms, gaining citizens disproportionately in the very old and very young categories; and well below its relatively affluent suburbs in income, housing, and education. While these trends undoubtedly supported the consolidation movement, their presence in dozens of other cities where consolidation movements have not developed makes it clear that they are not sufficient to explain the success in Jacksonville.

Jacksonville's governmental structure was a bizarre hodgepodge of overlap and duplication. The city had a nine-person city council elected at large and presided over by a president. The council was the major legislative authority. The administrative power was located in a city commission of five members elected at large, each of whom headed up the city's services in a particular functional area or areas. A mayor-commissioner presided over this group. In addition, city voters elected a recorder, a municipal judge, a treasurer, and a tax assessor. Thus, a structure defended in the name of checks and balances was in fact a maze of duplication, and gaps in authority characterized by buck passing and inability or unwillingness to cope with emerging problems. When widespread corruption was added to these disabilities, another link in the consolidation chain was forged.

The county structure featured a commission form with five commissioners elected at large who served as both administrators and policymakers for the county. In addition, voters elected several administrators such as the sheriff. The system was designed for another age. By the mid-1960's the pressures for urban services in the suburbs had been strained to the breaking point. Home

rule was not available to either the city or the county until a new State constitution was adopted in 1968. The fragmentation of local government was further assured by the existence of an expressway authority, a Port Authority, a Hospital Authority, a Housing Authority, the Air Improvement Authority, and the Jacksonville-Duval Planning Board. These authorities were essentially autonomous single-purpose districts that did not share central services and were not subject to budgetary or other coordination.

By the mid-1960's Jacksonville and Duval County could be described as a central city with a fancy facade of new buildings downtown, and deepseated social, economic, and political problems just beneath the surface. The suburbs were booming, with no governmental structure capable of meeting their service needs. Perhaps most important, the school system had reached the critical stage in its steady decline from mediocrity to disgrace. The countywide school district was faced with a steadily weakening property tax base as thousands of homes built for families in the suburbs were kept off the property tax rolls by a low assessment ratio (estimated in the 20 to 50 percent range of market value and a \$5,000 homestead exemption. A taxpayers' group estimated that 60,000 of 93,500 homesteads in the entire county were not on the tax rolls.<sup>2</sup> Finally, the Southern Association of Colleges and Schools removed accreditation from all of Duval County's 15 high schools.

In addition to schools, a broken-down city sewer system discharging raw sewage into the St. Johns River, inefficient package sewer plants or septic tanks in the suburbs, lack of adequate police and fire protection in the suburbs, the soaring cost of Jacksonville's city government in the face of a declining population (from 1950 to 1965 per capita costs of services rose more than 400 percent, from \$116 to \$479), an increasing air pollution problem—these and other issues set the stage from which the consolidation movement emerged.<sup>3</sup>

## The Consolidated Government Plan

Reform of the local government system for the area had been an issue for many years. The most recent effort to cope with the emerging problems had involved a massive annexation plan to extend the limits of the city throughout most of the county's urbanized areas. The annexation case was weakened by suspicion of the central city by suburbanites, easy to understand in the face of the statistic that Jacksonville "had the largest number of full-time employees and the highest monthly payroll in the nation" for a city of its size.<sup>3</sup> In the 1963 election, city voters supported annexation by more than 3-to-1, but the proposal to add 66 square miles and over 130,000 people to the city was turned down in the suburbs with 16,000 votes against and 12,000 votes for.

A similar proposal was defeated the following year.<sup>4</sup>

With annexation as a solution not acceptable, the forces for consolidation became active in early 1965 when Claude Yates, retired Southern Bell executive and president of the Jacksonville Area Chamber of Commerce, called a meeting of civic and business leaders. After several hours of discussion it was decided to ask the legislative delegation to allow the preparation and submission to the voters of a consolidated form of government for Duval County. The legislative delegation subsequently approved the proposal, which, when submitted as a local bill, meant automatic approval by the legislature. The bill actually named the 50-person group, with provision of a 17-person executive committee. No person holding public office was eligible to serve. Four blacks and five women were included. The group was chaired by one of Jacksonville's leading civic and business leaders, J. J. Daniels. It hired an executive director and adopted a budget of some \$60,000, one-third of which it had to raise, with the remainder mandated from the city and county. The commission divided itself into task forces, and over the next 15 months drafted, held hearings on, and presented to the legislative delegation a consolidated plan of government for Duval County.

The "Blueprint for Government" abolished completely the old city and county governments, and all other governmental units within the boundaries of Duval County except several authorities.<sup>5</sup> It substituted a single government structure composed of a mayor with full administrative powers, a 21-member council elected from districts to serve without pay, and a non-partisan school board of seven members elected from districts formed by combining three city council districts.<sup>6</sup> The proposal was a bold one, and it was boldly defended by its creators, but a legislative delegation, expanded from eight to 16 members by reapportionment, had to approve it before the people could vote on the charter.

As described by Martin<sup>7</sup>, Representative George Stallings, who anchored the right wing of the House delegation, led the fight to assure defeat of the proposed charter. The center of opposition to the plan was in the House delegation. In the final key vote on the proposed modifications, Stallings led a majority of the House delegation in opposition to placing the charter before the people in a legally defensible form, while all senators voted for the modified plan. The critical issue within the delegation was whether to put the charter to the people with a questionable judicial article attached, or whether to modify the charter in this and other ways so as to assure its legality and strengthen acceptability to the voters. No legislators supported the study commission proposed charter without modification. After much political maneuvering and sharp delegation in-fighting, the charter was approved, but not without substantial modifications. The major changes included the restora-

tion to elected status of administrative officers of the old county government (sheriff, tax assessor, tax collector, and supervisor of elections); the reduction of the council to 19 members, 14 to be elected from districts and five at large; and *ad valorem* tax limitation; an option for the four small municipalities to join or not join the consolidated government; added pension and other employee protections; and a provision for an elected Civil Service Board.<sup>8</sup>

While most of these changes weakened the purity of the consolidation proposal, it was still a bold and far-reaching plan. The fight for adoption was carried on with as much enthusiasm as had been displayed in drafting the proposal. The leaders were the same people from the business, civic, and professional community who had initiated the consolidation drive. Proponents formed themselves into Citizens for Better Government, raised about \$40,000, and waged a strong campaign. Claude Yates chaired the group and Lex Hester, study commission executive director, served as referendum coordinator. They had the full support of the Chamber of Commerce; the media; most other business and professional people; and many other groups such as the League of Women Voters, the Duval County Medical Society, and the bar association. More unusual perhaps, they had the support of many key black groups, including the Jacksonville Urban League and the Voters League of Florida. Most civic clubs endorsed and worked for the proposal. On the "con" side was a group called Better Government for Duval County, the Central Labor Union and its city and county affiliates, some of the suburban press, some black leaders, two black newspapers, certain members of the legislative delegation, and some extremist groups who branded the proposal as communistic. The supporters stressed economy, efficiency, responsible government, and the ability to deal with problems; the opposition denied economy, raised the specter of unresponsive government, and most of all, raised the ghost of a "communist plot."<sup>9</sup>

The support of black leaders was jeopardized in mid-campaign by the apparently inadvertent adjustment of council district lines so as to pit two incumbent black councilwomen against each other. The resulting cry of "foul" from the black community led to a quick adjustment of the boundaries. Ms. Sallye Mathis, one of the councilwomen affected; Clanzel Brown; and Earl Johnson were the key leaders in rallying black support for consolidation. Ms. Mathis was an educator, active in a large number of civic organizations, including the Urban League and the NAACP. Brown was executive director of the Jacksonville Urban League. Johnson was a lawyer, widely recognized in both black and white communities as one of the most effective leaders in the area. He was later elected to an at-large seat on the Consolidated Government Council, and still holds that seat. Dr. W. W. Schell, vice president of Greater Jacksonville Economic Opportunity and president

emeritus of the Jacksonville Urban League, headed a group of blacks for consolidation in which Ms. Mathis served as treasurer, and Wendell Holmes, later elected to the School Board, served as secretary.

Black opposition was largely composed of old-line black leaders satisfied with the status quo, many of whom had been active in support of former Mayor Hayden Burns' political organization. A different kind of opposition came from Ms. Mary Singleton, an educator who operated a restaurant. She took the position that consolidation was a white move to dilute black political power. Blacks in the old city constituted about 40 percent of the vote, a figure that would drop to about 20 percent with consolidation. Ms. Singleton was later elected to the Consolidated Government Council and in 1972 was elected to the State Legislature.<sup>10</sup>

Probably the most optimistic supporter of consolidation failed to anticipate the size of the victory in the August 8, 1967, balloting. Of the 86,000 voters who went to the polls, over 54,000 voted in favor of consolidation. Every section of the county favored the proposal, even the small municipalities, which opted in a separate ballot to stay out of the new government.

Only the rural sections of the county favored the status quo. In the old city, consolidation proponents won by more than two to one. In the county, the margin was almost two to one in favor. Blacks in both the city and the county favored consolidation, though by narrower margins than the overall vote. Upper income voters supported the change by five to one; the issue carried among lower income voters, but by a narrow margin in the county, more comfortably in the city. Voters in the densely populated urban fringe around the old city gave the heaviest majorities to consolidation—six to one.<sup>11</sup>

The question remains why Jacksonville citizens went against the tide and approved a radical restructuring of their local government, providing in one sweeping change the machinery for a unified, regional approach to urban problems. Some factors that built support have been named. The school crisis and the inability of either the city or county governments to keep up with service demands surely were a factor. Strong media, business, and professional leadership was undoubtedly important. But most of these conditions had been present in many other metropolitan areas that were unsuccessful in attempting to change their local government. Was there a multiplier factor in Jacksonville to put the issue over the top? The answer is yes. The indictment of two out of five city commissioners; four out of nine city councilmen, the city auditor, the city recreation head, and the resignation of the city tax assessor under a cloud provided the extra added ingredient needed to mobilize and sustain public support of change. In short, things seemed to have sunk so low that almost any change would have been welcome. The grand jury began its work in May 1966, after television station WJXT

launched a series of exposures pointing toward various kinds of corruption in city government. By the time the Local Government Study Commission released its findings, counts of grand larceny, bribery, and perjury had been brought against no less than eight city officials.<sup>12</sup>

## Organizational and Fiscal Structure

The Local Government Study Commission recommended a fully consolidated government, excepting only the School Board, which the commission lacked authority to change, certain court officials mandated by state law, and several authorities.

With regard to the authorities, the study commission recommended that the Expressway, Port, and Planning Authorities continue, and also proposed a new authority, the Jacksonville Electric Authority, in place of an old department of city government. The study commission recommended that the Air Improvement Authority, the Housing Authority, and the Hospital Authority be abolished. The recommendation was not followed in the case of the Hospital Authority. The boundaries of all these authorities were countywide. The authorities and the School Board were subject to budget, purchasing, personnel, and other central service powers of the Consolidated Government. As enacted, all the small municipalities were given the option of coming in or staying out of the consolidation. Though not a complete consolidation, the new government still represented a sweeping move from fragmentation to unification.

The major fiscal feature of the new government was a differentiated property tax arrangement featuring an Urban Services District (USD) and a General Services District, the latter covering the entire area. The purpose was to promote an equitable property tax system, linking services to property taxes paid. The great bulk of all services provided by the city fell into the General Services District category, including such things as fire, police, health and welfare, recreation, public works, and housing and urban development. The Urban Services District was confined to street lighting, garbage, street cleaning, and debt service. The charter provided that no new USD could be established, nor could an existing one be expanded, unless all these services could be furnished within one year. The old city of Jacksonville and the four smaller municipalities constitute the five Urban Services Districts established to date. Some of the peculiar aspects of the USD system with regard to the smaller municipalities will be discussed below.

One striking feature of the new fiscal system was that a large part of total spending takes place in agencies not wholly within the control of the Consolidated Government. A financial summary for 1971-72 shows, in a budget of almost \$286 million, 34.6 cents of every dollar is spent by the School Board, 21 cents by the

Jacksonville Electric Authority, and varying lesser amounts by other authorities. Thus, about two-thirds of total spending in the City of Jacksonville is carried out by independent agencies subject to little control from the Consolidated Government. Furthermore, a substantial part of the General Services District funds are expended by elected administrators such as the sheriff. Thus, the effectiveness of the City of Jacksonville as a unified government may depend on how meaningful the budget control powers of the mayor and the city council is (or can be made to be) over independent agencies.

## Performance: An Assessment

All local government structural and functional changes tend to be promoted, and often oversold, on the grounds that major economies and efficiencies will occur because of the proposed change. This has been especially true of consolidation proposals. The "Blueprint for Improvement" did stress economy through eliminating duplication, although some care was taken to link the quality and quantity of services to the economy and efficiency claims. The question remains: Has the Consolidated Government of Jacksonville yielded major savings in service costs for the people of Jacksonville?

The question must be answered against a background of at least 20 years of neglect in meeting many basic service needs of the area. A Consolidated Government special report, issued after two years of operation, did not overstate the problem when it noted that "prior to Consolidated Government, Jacksonville was a community in crisis with discredited schools, indicted public officials, inefficient and wasteful local governments, disgraceful pollution and innumerable other problems with no hope of solution."<sup>13</sup> Against this background, the accomplishments of the new government in expanding services to areas that had never had them, especially the suburbs, is impressive; old programs have been upgraded, some drastically; new programs have been launched. Expanded service has cost more money. The always sensitive property tax rate declined slightly in each of the first three years of consolidated government, from 31.98 mills in 1968 to 29.72 mills in 1970. The rate in the three years prior to consolidation had ranged from 40.58 to 41.85 mills. The cost to an average taxpayer owning a \$15,000 home declined almost \$60 per year even after accounting for increased service charges on water and the imposition of a sewer charge. Taxpayers in both the former county and the former city benefited.

If taxes have been reduced while services were improved, where has the money come from? The question cannot be given a definitive answer, but several sources are obvious. The Consolidated Government has maintained an aggressive program of attracting Federal funds. The lower millage rates have produced more

property tax dollars as the tax roll has risen, from \$1.7 billion in 1968 to \$2.5 billion in 1971. Some increases in State funds have been realized. For instance, the establishment of the entire county as a city qualified the Consolidated Government for additional cigarette tax aid amounting to some \$2 million in the first year.

An examination of new services and improved quantity and quality of old services will help clarify the picture. A comparative study of old and new government programs, revenues, and expenditures completed by in-house staff in 1971 gives some basis for assessment. The study compared the last year of the old city and county governments (1968) with Consolidated Government revenues and expenditures in 1969, 1970, and 1971. The figures include all general government funds, but exclude agencies such as the school system and authorities. Over this period spending rose from \$56.2 million in the last year of the old government to \$57.6 million in 1969; rose to \$73.2 million in 1970, and increased further to a budgeted figure of \$80.2 million in 1971. Thus, spending rose most sharply in the second year (21.4 percent) and increased 8.8 percent in the third year. Where and why did the increases occur?

Almost \$8 million of the total \$24 million increase took place in new programs, the largest single category being urban renewal and other Federal program areas. A widely praised new service was a Rescue Service System that in 1970 handled over 18,000 patients with an average response time of 4.2 minutes. The added cost was \$600,000. A street lighting program, mainly benefiting the suburbs, had added almost 8,000 street lights by 1970, with 9,000 additional lights projected for 1971. The added cost was \$700,000.

Major increases in existing programs included the addition of over 200 firemen that allowed staffing all formerly volunteer fire departments in the old county with at least two full-time firemen; some 200 additional police, allowing a drastic upgrading of police service in the suburbs; and a complete overhaul of the child services program where children had been "kept in a condition of filth, abuse, neglect, and apathy."<sup>14</sup> These and other improvements in the quality of programs were estimated to total over \$13 million by 1970.<sup>15</sup>

In specific examples of saving, one report cited "nearly a half-million dollars saved through Central Services purchasing of patrol cars."<sup>16</sup> A special study of savings brought about by having all agencies use the Legal Division of the Consolidated Government showed total government legal expenses dropping from \$576,586 in 1966-1967 to \$494,967 in 1970-1971. The head of the Legal Division commented that "the real value of the Legal Division has been its ability to provide coordination and liaison between agencies . . . and to provide full-time career legal talent whose sole responsibility is to the taxpayers."<sup>17</sup> It was further noted that the cost reductions came in the face of a significant

increase in duties. An added area of dramatic savings cited was in validation and approval of over \$100 million in bonds, where costs were cut to less than half those of pre-consolidation days.<sup>18</sup> Improved investment practices, which raised the percentage of city funds invested to 96.2 percent, increased such earnings by over \$800,000, of which \$600,000 was attributable to better investment practices.<sup>19</sup>

The picture that emerges from this assessment is one in which costs did in fact go up after consolidation, but the quality and quantity of services to the public was substantially increased. The suburbs benefited especially from better fire and police protection and the equalization of utility rates. A major water and sewer program also promised large benefits in the future. For the old central city, the first priority in the sewer program was to reconstruct collapsing lines in the old city areas. By 1972 that program was complete. Consumers benefited from a new Division of Consumer Affairs that handled over 11,000 complaints in 1971. Recreation programs have been expanded, largely with Federal funds. The Consolidated Government seems to be moving on many fronts to launch new and upgrade old services, with tangible and substantial benefits to central city and suburb, black and white, and to the region as a whole.

## The Limits of Consolidation

The favorable consolidation vote in 1967 abolished the old county and city governments, but it did not produce complete consolidation in the strict sense of that term. The several categories of governmental units with some degree of independence from the Consolidated Government include: (1) elected administrators (sheriff, tax assessor, tax collector, supervisor of elections, and county clerk); (2) the small cities (Jacksonville Beach, Neptune Beach, Atlantic Beach, and Baldwin); (3) authorities (electric authority, Port Authority, Hospital Authority, Beaches Public Hospital Board); (4) the School Board, (5) the Area Planning Board, (6) the Civil Service Board, and (7) Federally encouraged areawide agencies in areas such as health, poverty, and crime. None of these units are completely independent of the Consolidated Government, but neither are they subject to its full control.

The elected administrators' independence has been substantially curtailed, in that they are subject to budget control by the mayor, and must operate through the Department of Central Services in purchasing, personnel, and legal services. A study of the effect of the election of these administrators on the operations of the Consolidated Government revealed little or no operating problems between the mayor and the elected administrators. However, both the study and most of the city councilmen and administrators interviewed for this study felt that the elected status interfered seriously

with efforts to pinpoint responsibility and accountability. In addition, there was a widespread feeling that the lack of friction and operating difficulties to date was due largely to the eagerness of both the mayor and the elected administrators to get along, and that the potential for operating difficulties is always there. This concern was expressed with special emphasis regarding the law enforcement function, where the mayor has the responsibility, at least in the eyes of the people, but does not have operating control over the elected sheriff.<sup>20</sup>

The former small cities, technically Urban Services Districts under the new charter, were seen by most Consolidated Government officials as a minor irritant that sooner or later should be removed in the process of perfecting the consolidation plan. The cities offer not only Urban Services District functions such as garbage collection and street lighting within their boundaries, but have to date continued to offer General Services District functions such as fire and police. Since they are restricted by the Consolidated Government to the USD millage rate of 6 mills, they pressed for the right to levy a full 10 mills, as other Florida cities do. This was refused by the Consolidated Government, but it has agreed to a kind of revenue sharing system in which money is given to Urban Services Districts two through five (the former small cities) to compensate them for General Services District functions they perform within their boundaries. The Consolidated City stands ready to take over these services at any time, but has not forced the issue. The small cities are clearly a source of irritation and discontent for the central government. However, their total population and budgets constitute only about five percent of the total, and fiscal pressures seem to be moving them more and more into the orbit of the Consolidated Government.

The independent authorities constitute a different, and perhaps in some ways more serious, limitation on the power of the Consolidated Government. On the positive side, several persons interviewed defended the authorities on the familiar grounds that they are performing "business-like" functions that demand flexibility and imagination that might not be present if they were a regular department of the city. Conventional wisdom has it that such functions as the production and distribution of electricity, or the operation of a transit system, is hampered by the inflexible bureaucracy assumed to be characteristic of regular departments. On the negative side, others felt that the authorities constitute a fragmentation that weakens the effectiveness of the new government, and support their abolition. In operational terms, there have been problems of coordination, but none that seem major. One example was cited by the head of the Department of Housing and Urban Development, whose department had not been consulted in Downtown Development Authority plans for reshaping the central city. The two agencies were

thus deeply involved in planning major changes in the same area without effective coordination. In addition, the mere existence of authorities sets up a constant tug-of-war between the authorities and the Consolidated Government as the authorities press for more autonomy and the Consolidated Government for less.

One thoughtful assessment of the authorities from a man who generally favors them stressed the need for strong mechanisms to coordinate their programs with the rest of the Consolidated Government. He cited the following controls as necessary to keep them in orbit: (a) full use of the mayor's appointment and the council's confirming power; (b) making them fully subject to central services controls in the budget, personnel, and purchasing areas; (c) strong budget review by the council; and (d) a firm requirement that all their activities should be reviewed and approved or rejected in the light of an overall development plan. This student of the Consolidated Government felt that where there was one Consolidated Government, authorities could be kept in line.

While at least one top staff member and some council members feel strongly that the authorities should be converted to regular departments, or at least drawn more tightly into the fabric of the Consolidated Government, there seems to be limited support for such a move. Legislative delegation backing of such a move, critical to its support, is not in evidence. In terms of the greater (multi-county) region, there has been no link-up as yet between the authorities and the emerging council of governments.

The School Board might be thought of as a special authority with an elected board. It uses the Department of Central Services, and it is subject to Consolidated Government review of its budget. Given the fierce independence of school districts generally, even this much control was no small achievement. The Civil Service Board has been forcefully condemned as unsound by almost every person interviewed in or out of the new government structure. It has been called "the worst compromise we made" by one observer. Several feel that its elected status and full range of personnel powers make true management responsibility impossible in the personnel area. The general recommendation is that it be an appointed board with strictly advisory powers, with the personnel function turned over to management. Every top administrator interviewed stressed the difficulty of weeding out decades of deadwood, given the resistance to such efforts by the elected Civil Service Board. Finally, the Jacksonville Area Planning Board operates more or less as an independent authority, with board members appointed by the mayor. A recent management efficiency study recommended that the planning function come under a regular department, abolishing the independent Area Planning Board.

A variety of Federally encouraged districts exist in the Jacksonville area, some with countywide and some with multi-county jurisdiction. Whatever their functional merits may be, they add an element of further fragmentation to the consolidation picture. Law enforcement, health, manpower, and community improvement agencies are included in the list.

The Law Enforcement Regional Planning Council originally encompassed a seven-county region, but more recently, one-county metropolitan regions have been substituted in several of the State's metropolitan counties, including Jacksonville. The governor appoints these boards, and the effort under Governor Reuben Askew has been to broaden the representation on the board from a former heavy emphasis on police chiefs and sheriffs. Bureaucratic inertia often approaching the paralysis level has characterized the program statewide. Jacksonville has probably fared better than most areas, with some 36 projects funded, but the problem of effective coordination with the Consolidated Government remains.

In the area of health planning the Community Health Facilities Planning Council has been designated by the State for Hill-Burton Act "sign-off" authority. It operates outside either the Consolidated Government or the Area Planning Board, and the mayor enjoys no appointment power with regard to it. One highly placed Consolidated Government official felt that the council had not done a good job of setting community health priorities, partly because of internal disputes and conflicts that seem to characterize its functioning.

The Manpower Planning Council, appointed by the mayor with countywide responsibilities, operates out of the mayor's office, so it does not constitute a coordination problem. It has had very few operating dollars other than Emergency Employment Act funds.

The community action programs are controlled by a 45-person board made up of one-third public officials, one-third poor, and one-third citizen members. The CAP program involves some \$7 million annually and 400 employees. Coordination problems with such Consolidated Government agencies as the Housing and Urban Development agency exist, although the City of Jacksonville has some input through the one-third public official members.

The existence of the Federally encouraged and typically single-function agencies just described do tend to further limit the inclusive authority and responsibility of the Consolidated Government. They are in that sense typical of the host of categorical grants-in-aid programs that have generated in recent years increasing objections to the resulting "vertical functional autocracies" that, whatever else their merit may be, weaken the capability of governments of general jurisdiction to allocate scarce resources within a comprehensive planning and implementing framework.

In assessing the limits of consolidation, it is first clear

that Jacksonville is not a case of pure unified government. There is still some fragmentation involved. At least up to now, this fragmentation has not been a serious handicap in the operations of government. All units are subject to some degree of control by the Consolidated Government. Yet the problems, immediate or potential, are viewed as serious enough by most of those interviewed so as to call for further tightening of the consolidation plan.

## The Emerging Political System

The abrupt and far-reaching structural changes accomplished in Jacksonville also brought abrupt and far-reaching changes in the political system. First and perhaps obvious, the old leaders of the pre-consolidation days, thoroughly discredited by the grand jury findings, for the most part lost their power and have not come close to regaining it. Hayden Burns was a symbol for the old-style politics, in which he headed a political organization that, in the eyes of many, assured corrupt and inefficient government for the area. The reform fervor swept in a different breed of politician, personified by the new mayor, Hans Tanzler. Tanzler was viewed by every person interviewed as a good mayor. His own view of his political style conforms essentially to the assessment of others interviewed. Tanzler noted that he was not a good politician in the old "boss politics" sense. He has not made patronage appointments; he has not built up a political machine, nor made any effort to do so. His style is essentially one of a non-partisan approach in which he goes to the people through the media for support on key issues.

The mayor is not without his critics, but they are for the most part friendly critics. The strongest criticism concerned his lack of forcefulness as an administrative leader. Some also felt he was not aggressive enough as a policy leader. Yet these same critics admitted that he had tackled some tough, potentially unpopular issues, such as the need for a sewer fee to help support a pollution control program. One thread of criticism picked up at several points concerned the mayor's unwillingness to use his political clout to pull together more forcefully the threads of administrative fragmentation discussed above.

The 19-person council in the Consolidated Government has had forceful leadership of its own, rather than simply the lead of the mayor to follow. The mayor does not seem to have an identifiable working majority that cuts across issues; he must put his majority together on each succeeding policy matter. Every person interviewed, including five incumbent council members, like the mixed at-large/district arrangement. The single exception was a black council member who would prefer all district elections. The feature most often mentioned by council members and others as helping the council

perform effectively was the council's auditor. This office has functioned with a small staff to give the council the background on which to base policy/administrative initiative.

The place of blacks in the post-consolidation political system is viewed by both black and white leaders as a vast improvement over pre-consolidation days. A black leader and council member who opposed consolidation on the grounds that its central purpose was to dilute the power of blacks in the old city now feels that it has not had that effect. She feels that "blacks have more political power than ever before under consolidation." She noted, as did others black and white, the sharp increase in jobs for blacks under consolidation. Blacks have been added to the fire department for the first time, and more blacks have been recruited in the law enforcement area. All leaders interviewed stressed the great success in drawing blacks into the political system by appointing at least one black to every advisory board.

On the always delicate subject of blacks and law enforcement, one black leader held that while the sheriff was a good person, blacks felt that he was not a strong leader, did not really run the department, and thus left many things to racist old-regime law enforcement officers. Many blacks, including the two interviewed, would support the appointment of the sheriff so that he could be controlled by the mayor, who is perceived as a strong friend of blacks. A current cooperative effort between the Urban League and the sheriff to recruit more black policemen was praised by both black leaders interviewed.

The black council member elected at large felt that blacks definitely have had a greater input under consolidation. His view was that blacks struck a bargain in supporting consolidation by "opting for representation now rather than waiting to get the whole central city". He noted that if the latter course of action had been chosen, "I might have been the black mayor, but I would have been only a referee in bankruptcy." This same black leader felt that leadership generally among blacks was getting stronger, and viewed the political future of blacks under the Consolidated Government as good.

The single problem with regard to the political system in the eyes of most Consolidated Government supporters interviewed was the area's legislative delegation. In Florida local bills put through the legislature by a local delegation can often override local home rule powers. Consolidation supporters expressed the view that the Duval area delegation did not fully understand and often were not sympathetic to the Consolidated Government. This in turn meant that discordant elements such as the small cities had a potential ally in attempting to weaken the power of the Consolidated Government. It was also widely felt that lack of understanding and sympathy prevented further strengthening of the new government.<sup>21</sup>

The Jacksonville SMSA is surrounded by small, rural-and small-town-oriented counties that at first glance have little in common with the Jacksonville "giant." Very little urban development lies outside the boundaries of the new city, so the region in terms of dense urban development is almost wholly encompassed within the new city. In spite of this, there has been action to extend the scope of the region on a voluntary basis by forming a council of governments in the area. Mayor Tanzler has supported the move, but the chief architect of the Florida Crown Conference of Local Governments is Walter Williams, a councilman from the small town of Baldwin, in the western, rurally oriented part of the City of Jacksonville. All eight counties in the area around Jacksonville have joined. The board of directors consists of sixteen members: each county commission selects one representative, while the cities within each county designate one member to represent them.

### Intergovernmental Cooperation

Williams stressed the delicate problem of constantly assuring the neighboring cities and counties that consolidation had nothing to do with the COG effort. He reported that the interest of the smaller counties and cities stemmed from their growing concern about slipshod development as Jacksonville tightens its zoning, subdivision, and building codes. Regional planning and an A-95 review process have been discussed, with considerable sentiment in favor of such a move. The main program to date is a regional emergency medical system which extends the excellent Jacksonville system to the surrounding areas in the Gold Crown COG. This regional emergency health program has received Federal support in the form of a \$3 million grant. Telephone consulting services for doctors in the rural and small-town areas, and fast, efficient movement of patients from such areas to the Jacksonville Medical Center, are part of the operation. The Florida Crown Conference is just beginning, but it does signal a broadening of the regional outlook from the one-county SMSA to an eight-county region. As the Jacksonville metropolitan area continues to grow into the surrounding counties, the importance of the COG will increase. The A-95 review process has been confined to the City of Jacksonville, and until very recently very little has been done to use it effectively as a coordinating planning tool. Persistent pressure from the mayor's office on the semi-autonomous Area Planning Board to use the A-95 review process more effectively as a management tool finally resulted in a strengthening of the process during the last six months of 1972. The use of the review and comment power up to that point had been virtually dormant.

A parallel, and probably more significant, development has the potential for major strengthening of

intergovernmental coordination in the Jacksonville area. A Federal chief executive review and comment grant will support an expanded staff in the mayor's office for review and comment on all aid proposals from local governments to Federal, State, or other sources. Thus, the authority of this new unit is much broader than the A-95 review powers. The extent to which the Federally encouraged areawide agencies such as CAP will be drawn into this review process is not yet clear, nor is the exact relationship between the mayor's office review and comment activity and the parallel A-95 responsibilities of the Area Planning Board.

In the eyes of consolidation leaders in Jacksonville, State and Federal governments are contrasted sharply in assessing support for the Consolidated Government. The opinion of one top Jacksonville administrator is stronger than most, but reflected the general attitude toward the State when he said that "the State has not helped very much; the Department of Community Affairs is hopeless; the LEEP program seems bogged down in bureaucratic impotence; and the State bureaucracy generally is very poor, highhanded, inefficient, and has little concept of the needs of local government." A two-year wait for a State assistance program in the sewer bond area accounted for a good part of the negative attitude toward the State.

The Federal government, on the other hand, was generally viewed as having given strong support to the Consolidated Government. A Federal programs coordinator had been successful in vigorously seeking

Federal funds in areas such as housing, urban renewal, and recreation, in sharp contrast to the indifference or hostility toward Federal help that characterized the old government.

## Consolidation and the Future

Jacksonville's Consolidated Government met its first clear test of public reaction in 1970 when Mayor Tanzler ran for election against the prime symbol of the old city politics, former Governor Hayden Burns. The new government passed with flying colors, with Tanzler winning by a wide margin. No serious effort to dismantle the new approach has emerged. Only the small cities persist in seeking to regain some or all of their past autonomy, and so far they have not succeeded. There is considerable talk among consolidation supporters about further strengthening the existing structure. The charter provides for the appointment of a charter review committee to recommend needed changes in the Consolidated Government, and such a group is being organized. Several persons interviewed thought the committee would give high priority to considering (a) how to bring the former small cities more fully into the consolidation scheme; (b) how to tighten Consolidated Government control over the independent agencies and offices; and (c) how to alter the role of the Civil Service Board so as to provide for a vigorous, positive approach to personnel administration. All three considerations promise to be highly controversial.

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## Footnotes

<sup>1</sup>The statistics for this section are taken from Local Government Study Commission of Duval County, *Blueprint for Improvement*, 1966, especially pp. 10-17.

<sup>2</sup>Richard A. Martin, *Consolidation: Jacksonville-Duval County*, Jacksonville: Crawford Publishing Co., 1968, p. 39.

<sup>3</sup>Martin, pp. 39-40.

<sup>4</sup>Martin, pp. 44-45.

<sup>5</sup>The authorities that were continued from the old to the new government included the Expressway Authority, the Hospital Authority, the Port Authority, and the Area Planning Board. In addition, the new Jacksonville Electric Authority was created. The Expressway Authority was later broadened to a Transportation Authority.

<sup>6</sup>Martin, p. 68.

<sup>7</sup>Martin, Chapter 6.

<sup>8</sup>Martin, Chapter 6, especially pp. 123-134.

<sup>9</sup>Martin, Chapters 7, 8, and 9.

<sup>10</sup>Martin, Chapter 7.

<sup>11</sup>Martin, pp. 224-26.

<sup>12</sup>Martin, Chapter 4.

<sup>13</sup>City of Jacksonville, Department of Central Services, *Bold View*, Vol. 3, No. 1, March, 1971, p. 7.

<sup>14</sup>Consolidated Jacksonville In-House Memo, December, 1970.

<sup>15</sup>In-House Comparative Study, 19.

<sup>16</sup>*Bold View*, March, 1971, p. 21.

<sup>17</sup>Annual Report, Legal Division, Exhibit B, 1970-71.

<sup>18</sup>Annual Report, Legal Division.

<sup>19</sup>In-House Memo, Investment of Funds, December, 1969.

<sup>20</sup>William D. Talbot, *The Impact of Independently Elected Officials on Jacksonville, Florida's Consolidated Government*, Unpublished Master's Thesis (Florida Atlantic University, 1971).

<sup>21</sup>A preliminary assessment of changes in the delegation resulting from the November 1972 elections indicate that the new delegation will be much more friendly to the Consolidated Government than the old delegation.

# The Metropolitan Government of Nashville and Davidson County

*Robert E. McArthur  
Associate Professor of Governmental Research  
and Political Science  
University of Mississippi*

The 13 counties of upper middle Tennessee surrounding the capital city of Nashville contain over 800,000 people. They are organized for regional cooperation in two organizations with interlocking administration: the Mid-Cumberland Council of Governments (M-C COG) and the Mid-Cumberland Development District (M-C DD).

Within this 13-county district lies the Nashville metropolitan area. In 1970 the Nashville SMSA contained the counties of Davidson, Sumner, and Wilson; the Nashville planning district included the additional counties of Williamson and Rutherford. The five-county district had a 1970 population of over 630,000.

This report describes the operation of the central unit in this complex, the Metropolitan Government of Nashville and Davidson County (Metro), one of the most successful examples of city-county consolidation in the United States in this century.

## History

Following World War II the problems caused by metropolitanization in the Nashville area rose in public visibility, especially the core city's difficulty in planning for its orderly growth, the absence of sanitary sewers in the suburbs, the inadequate private-subscription fire and police protection in the fringe, and the county's failure to provide parks and playgrounds for the outlying districts.<sup>1</sup> As dissatisfaction with these and other deficiencies grew, there was continual buck-passing between the city and county governments, with officials in each blaming the other for most of the dilemmas facing the area. Although numerous community groups studied these problems and proposed various solutions, alleviation was not forthcoming.

In response to the demand for some areawide

authority to meet the situation, the 1951 Tennessee General Assembly authorized the creation of a Community Services Commission for Davidson County and the City of Nashville. That commission's report, issued in June 1952, recommended, among other things, extensive annexation by the central city, county assumption of countywide functions, and city and county home rule.<sup>2</sup> These halfway measures would not have provided the areawide solution which the frustrated civic and business leadership sought. In response to their urgings, the mayor of Nashville and the Davidson County judge (the chief executive in Tennessee counties), both newly elected, came to support in varying degrees the idea of governmental change through city-county consolidation.

To aid Nashville and other Tennessee areas facing similar problems, the General Assembly submitted to the electorate Amendment 8 to Article XI, Section 9, of the Tennessee Constitution, authorizing the legislature to provide for city-county consolidation. The amendment was ratified by the State's voters in November 1953.

During the next three years, in response to requests from the public and private sectors, the Advance Planning and Research Division of the joint Nashville and Davidson County Planning Commission studied the problems confronting the area and considered alternative forms of consolidation. In June 1955 County Judge Beverly Briley urged in a Rotary Club address that a single areawide government be established. This was the first public statement in support of Metro by a local political leader and added impetus to the work of the planners. In October 1956 they submitted a proposal for the creation of a single metropolitan government to replace the existing city and county structures.

With the planners' proposal in hand, consolidation supporters moved to the legislative halls in an attempt to

persuade the General Assembly to authorize a metropolitan charter commission. Starting with a base of support in the Davidson County delegation, proponents sought help among the other metropolitan county delegations and among rural representatives. These efforts were strengthened greatly by the persuasiveness of Judge Briley, then president of the Tennessee Association of County Officials.<sup>3</sup>

The resulting 1957 consolidation law authorized the creation of a 10-member charter commission. The mayor and county judge each appointed five members. The body examined problems of the Davidson County area, mainly the need to provide for orderly planning and metropolitan growth. The commissioners developed a metropolitan charter under which the city and county would consolidate governmental structures but continue to deliver services and levy taxes through two districts, one corresponding to the former city and the other encompassing the entire county. The urban district would expand only as it became able to provide full urban services in the areas to be annexed.

While there were no avowed consolidation opponents on the charter commission, the group was aware of latent opposition in the community. In addition to traditional suburban and rural suspicion of efforts to expand the city, the commission had to contend with the possibility that central city residents, especially blacks, would consider city-county consolidation a threat to their political development.

The campaign for the adoption of the charter was similar to other unsuccessful consolidation attempts in the United States:

The 1958 Nashville referendum appeared to be much like other referenda on governmental integration. The actual proposal was put forward by such typically reformist groups as a taxpayers' association, a chamber of commerce study committee, a special "community services commission" established by private act of the state legislature, and by city and county planners. It was then supported by numerous civic associations, by businessmen and young lawyers, and by the central city mayor in a largely amateurish, upper-class, good-government campaign. . . . The opposition concentrated on the county area and stressed such issues as higher taxes and city dictatorship.

The outcome was a typical "yes" vote in the city and a "no" vote outside.

There was, in short, nothing very different about the Nashville referendum of 1958.<sup>4</sup>

In addition to the typical suburban suspicions and the fears of many officials that their political futures might be threatened by Metro, another analyst felt that "the

whole consolidation proposal lacked a crucial issue to arouse the interest of the citizenry."<sup>5</sup> In the absence of such a bread-and-butter cause, the proponents relied on good-government arguments and were completely unprepared to answer the anti-Metro propaganda which flooded the community during the last week of the campaign. They overcame much Nashville opposition, but the majority of the suburban and rural voters remained unconvinced. The plan which the commissioners prepared was rejected in a June 1958 referendum, receiving approval in the city but losing in the county precincts.<sup>6</sup>

After the failure of consolidation, the city council, in an effort to meet the problems created by Nashville's stagnant boundaries, pressed a vigorous annexation program, adding in two years' time nearly 50 square miles containing over 87,000 people. These annexations were made without referendum and created widespread resentment in the suburbs which had voted against Metro and wished to remain outside the corporate limits of the central city.

In January 1960 the county governing body called for a new charter commission, but this time the city council refused to join the effort. The council majority apparently felt that Nashville had gained enough from its extensive annexation program and would profit little from a new consolidation campaign.

It was precisely because of annexation, however, that suburbanites demanded another vote on Metro. After the courts upheld the right of Nashville to annex without referendum, voters outside the city saw that "it was only a matter of time" before they too would be annexed. Many felt that immediate consolidation would at least give them a voice in a new government, instead of annexation at some uncertain future date determined by a city council in which they were not represented.

In the August 1960 legislative primaries, most victorious candidates promised Davidson County another chance to vote on consolidation. A major obstacle was existing State legislation which required that charter commissions consist of both city and county appointees. Because of the city council's opposition to a new commission, consolidation proponents were forced to seek authorization for a new body through private legislation in the 1961 session. As with most acts affecting only one locality, the legislature seemed willing to defer to the judgment of the Davidson County delegation. The 12-member group was almost solidly behind a new commission. Despite the persistent objection of one member, the General Assembly approved the private legislation which amended the 1957 legislation to permit the creation of a new charter commission, subject to approval by vote of the people. Such creation was approved in August 1961 by majorities in both the city and the suburbs.<sup>7</sup>

Eight of the ten members on the new commission had

served on the first body—a Prominent attorney and civic leader who was chairman of the 1958 commission; a woman attorney who served as commission secretary in 1958; an attorney who frequently represented labor interests; the principal of an elementary school in a lower-income neighborhood; a former State senator; a retired black druggist; a businessman who had served as president of the Nashville Chamber of Commerce; and a popular black member of the Nashville city council. The 1958 legal counsel was retained. Both Mayor West and Judge Briley were entitled to fill one vacancy each on the new commission. West, who had reversed his 1958 stand and now opposed consolidation, appointed the city's finance director. Briley, in a move indicating his firm support of consolidation, named a young attorney who had been active in the renewed consolidation movement.<sup>8</sup>

Given the second commission's composition, it was not surprising that the second metropolitan charter was similar to the first. Apparently the only close vote came on the question of an appointive metropolitan school board; the commission voted 6 to 4 in favor of giving such appointive power to the metropolitan mayor.<sup>9</sup> The major changes were provisions for a higher salary for the metropolitan mayor; a larger metropolitan council (41 rather than 21 members); and a method whereby two-thirds of the metropolitan board of education could force a referendum on any school budget reduced by the metropolitan council.

Observers are agreed, however, that Metro's success in the second campaign was attributable largely to changes not directly related to charter revisions. The main factors were more determined organization (on both sides) and more specific issues. According to one commentator, "the struggle for Metro—which had been a reasonably polite and friendly contest in 1958, . . . became an all-out political war with the in-fighting sometimes assuming vicious proportions."<sup>10</sup> While the Metro forces retained the bulk of their good-government adherents, the city mayor and his partisans (including one of the two metropolitan newspapers) defected, arguing that Metro was a dead issue and was now being used by the mayor's opponents to oust him from power. The county judge who had supported Metro in 1958 intensified his support, and his followers (including the more "liberal" metropolitan newspaper) saw him as the likely beneficiary in any new government resting on an all-county constituency.

The campaign was organized much more broadly than in 1958. Almost every precinct had groups actively working on either side. "On both sides, it was as if the professionals and the politicians had taken over from the amateurs and do-gooders."<sup>11</sup> The issues of the campaign were much more specific; the hotter contest made both sides more articulate, and the public responded by choosing sides:

In 1958, the situation lacked urgency. The question was nebulous and hinged on the desirability of adopting an abstract solution to real and anticipated problems. In 1962, the issues were critical and clear-cut, though they varied for different groups.<sup>12</sup>

In his analysis of the 1962 Metro campaign, Brett Hawkins placed the issues in two categories, those in defense of the status quo and those in assault upon the status quo.<sup>13</sup> Defenders of the existing governmental structure agreed that despite its shortcomings the existing system was preferable to a metropolitan structure which was "novel, untried, untested," and whose constitutionality had not been ascertained. Some alleged that Metro would raise taxes; others contended that it would centralize governmental power under the control of liberal forces; and some even feared the scheme would undermine States' rights. For their part, the pro-Metro forces concentrated, as in 1958, on many of the customary reformist issues, e.g., the elimination of city-county bickering over schools, an end to duplication of offices and personnel, more economy and efficiency, and improvement of suburban services.

The proponents' crucial arguments, however, had developed since the 1958 vote on Metro. The city's insistence on expansion through annexation without referendum had infuriated suburbanites and created thousands of Metro converts in the annexed suburbs and in the fringe areas just outside Nashville. Closely related to annexation was the notorious Nashville "green sticker," a \$10 wheel tax on all motor vehicles using Nashville streets for 30 days or more, which had been adopted by the city council in 1959 following the defeat of consolidation to force commuters to contribute to the cost of city services they used daily.

While it was possible for the city to present rational arguments for both annexation and the wheel tax, both devices were viewed by many suburbanites as power grabs by an unrepresentative city government. The dissatisfaction over these two matters was seized by pro-Metro forces and made the basis for the new campaign. City officials, especially the mayor, were vilified as power-hungry opponents of progress.

The vigorous campaign resulted in approval of the new charter in June 1962 by majorities in both the city and the suburbs. Interestingly, the anti-Metro city administration succeeded in defeating Metro in the old city territory, but the newly annexed precincts voted overwhelmingly for the change and thus delivered the city for the new government. Although the rural precincts continued in opposition, the fringe adjacent to the annexed areas produced Metro majorities large enough to carry the country outside the city.

Metro opponents made their last stand in the Tennessee courts. In April 1962 they had initiated a suit

contending, among other things, that the 1957 act authorizing creation of charter commissions in Tennessee was an unconstitutional delegation of legislative power; that the charter, through its two-district service-taxation mechanism, violated the State constitution by authorizing taxation which would not be uniform throughout the new government's territory; and that the charter unconstitutionally abridged the terms of office of all Nashville officials. In August 1962 the chancery court rejected these challenges and upheld the constitutionality of the Metro legislation. The Tennessee Supreme Court affirmed that decision in October 1962.

In November 1962, a metropolitan mayor, vice mayor, and enlarged council were elected. Thus, after 12 years, a State constitutional amendment, passage of two public and one private act by the General Assembly, two exhausting Metro referenda, and challenge in the courts, officials of the new government were inaugurated on April 1, 1962, and the experiment was underway.

Despite the local controversies which were so important in their campaign for the adoption of the new government, the primary concern of most supporters of Metro remained the need to establish an enlarged system which could provide services and guide the growth and development of Davidson County through control of the urbanizing territory surrounding Nashville. The hope was that a consolidated government covering the county's 533 square miles would produce significant improvements by economies of scale, areawide service delivery systems, and increased accountability and responsiveness to a truly metropolitan community.

## Structure

Metro Nashville operates under a mayor-council form of government. The metropolitan mayor is elected to a four-year term and may not serve over three consecutive terms. The vice mayor, who presides over the metropolitan county council, is also elected by the citizenry for a four-year term. The county council, elected every four years, is composed of 40 members, 35 selected from single-member, equal-population districts, and 5 elected by the county at large.

The consolidated government has all the powers of a municipality and all the powers of a county under Tennessee law and is thus eligible for increased amounts of State aid because of its enlarged population as both a city and a county.

The government comprises two service districts. The general services district (GSD) consists of the entire county. The smaller urban services district (USD) still consisted in 1972 of the area of the former city of Nashville. Each district has its own tax rate to support the services provided. Residents of the USD pay both USD and GSD property taxes. The USD may be expanded whenever the metropolitan county council

determines that a given area needs urban services and that the government can provide such urban services within one year after the USD tax rate is levied upon property in the area.

The functions performed by the GSD comprise the following services:

General Administration	Airport
Police	Urban Redevelopment
Courts	Planning
Jails	Building Code
Assessment	Housing Code
Health	Transit
Welfare	Beer Supervision
Hospitals	Fair Grounds
Housing for the Aged	Public Housing
Streets and Roads	Urban Renewal
Traffic	Electrical Code
Schools	Plumbing Code
Parks and Recreation	Electricity
Libraries	Refuse Disposal
Auditorium	Taxicab Regulation

Residents of the USD receive the following additional services:

Additional Police Protection	Street Lighting
Fire Protection	Street Cleaning
Water	Refuse Collection
Sanitary Sewers	Wine and Whiskey
Storm Sewers	Supervision

Although the city and county were consolidated, six suburban municipalities existing in 1962 were allowed to retain their incorporated status and to continue to function, although they may not extend their boundaries. They may contract with Metro for the administration and handling of any of their governmental services, and they are part of the GSD just as they were part of Davidson County. Their residents thus pay taxes to the metropolitan government based on the GSD rate, and Metro is obligated by its charter to furnish them with the same services received by the rest of the GSD.

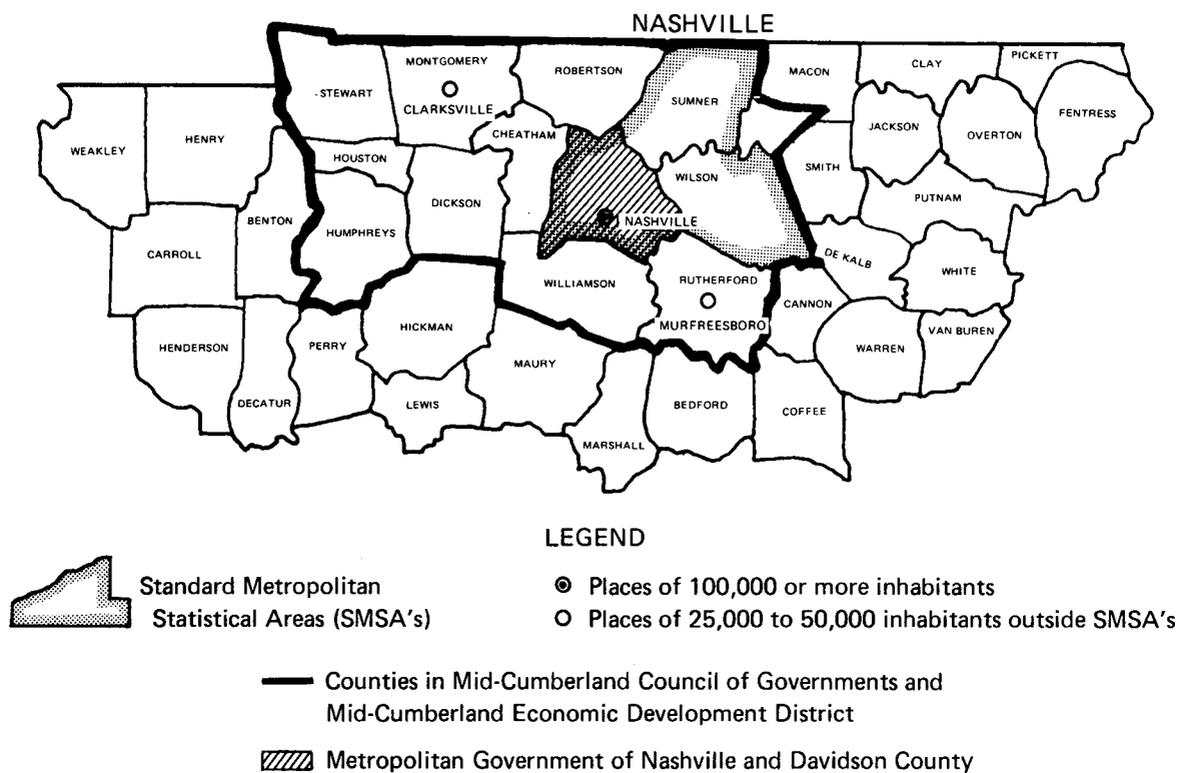
## Finance

City-council consolidation has had a considerable impact on the financing of local government in the Nashville area, mainly because the new structure furnished a much more diversified tax base. Some of the major changes are discussed below.

1. Sales tax. In the first year of Metro a one-cent sales tax was approved by the voters and earmarked for educational services. One-half cent has since been added to the levy and is also used for education. Following Nashville's lead, many other counties in the region have adopted similar sales taxes.

FIGURE I.1

**Nashville Standard Metropolitan Statistical Areas**



2. User charges. Metro has increased user charges on many of the services it provides. Water/sewer charges were adopted not only to relieve the property tax, but also to provide a way for the rapid extension of sewerage facilities into the areas which had been annexed to Nashville before consolidation. Charges for permits, hospital fees, and other services have also been raised.

3. Automobile regulatory fee. A \$15 fee was tried in 1967-68 and made permanent in 1970-71. Enforcement of a similar charge by the former city of Nashville had been virtually unenforceable because of the city-county division. Most other counties in the area now collect similar fees, following Metro's example as in the case of the sales tax.

4. Bonds and interest. Before Metro the city of Nashville was approaching its statutory bonded debt limit. The consolidation has relieved this threat and has made it much easier to identify and invest surplus funds. For example, Metro realized approximately \$1,000,000 from interest earned from investments of temporary fund surpluses during Metro's first fiscal year; this was approximately \$400,000 more than the interest earned by both city and county from short-term investments during the last year of divided government.

5. Property tax. This levy supplies a large portion of local revenues in American municipalities, and Metro is no exception. Perhaps the best assessment of the impact of consolidation on the area's property taxation has been given by a Nashville banker:

Metropolitan Nashville is the only major Tennessee city which has been able to stabilize its property tax rate over the last eight years [to 1968]. In 1960 [before Metro] the rate of the old city was \$5.33 and in 1968 it was \$5.30. It has been estimated that if Metro had not been approved, the rate in Nashville would have increased by at least 50 cents and possibly \$1.00. Experience in other cities confirms this belief. In the same period of time the property tax in Memphis and Knoxville has increased 9 per cent, and in Chattanooga, 37 per cent.

The general services levy, which applies to the entire county area and would be the only tax paid in the general services district outside the old city limits, has gone up. Between 1960 and 1968 the rate increased

26 percent in Davidson County compared to 23 percent in Hamilton County [Chattanooga], 20 percent in Shelby County [Memphis], and 19 percent in Knox County [Knoxville]. The metropolitan government is responsible for some of this higher tax burden outside the old city because it forces those taxpayers to pay a part of countywide services like the auditorium, the airport, and parks which were formerly paid for entirely by city taxpayers. Many taxpayers outside Nashville, therefore, complain that they are now paying more taxes and receiving no new services. Actually they are now paying for services which they formerly received free.<sup>14</sup>

### Performance

After nearly a decade, it is interesting to consider the accomplishments of Nashville Metro in selected areas.<sup>15</sup>

**Decision Making.** Metro proponents claimed that the new government would eliminate city-county buck-passing and help fix political responsibility for decisions. Opponents alleged just as forcefully that Metro would create a more centralized government which would be less responsible and less accessible to the people, especially to core-city blacks, who constituted over 37 percent of the city of Nashville's 1960 population.

It would seem that the proponents' predictions were more nearly accurate. Metro has indeed provided a framework for more comprehensive problem-solving and program implementation. In the decade before Metro, hundreds of citizens in the Nashville area had worked extensively on some 54 studies of local problems, but there was a frustrating lack of an implementing device to effectuate their findings and recommendations. Metro provided an effective unit by merging two large governmental organizations and providing a means for the representation of suburban citizens on metropolitan boards and commissions.

This change in decision making was enhanced by the election of Beverly Briley as the first metropolitan mayor. Having served as Davidson County judge since 1950, Briley had built an image as representative of the entire county. Perhaps no other individual could have been better selected to head a new government which had to consider simultaneously the needs of the core city, the suburbs, and the rural fringe. His stature was invaluable in convincing others of the need for regional decision making and compromise in the new government.

Surveys of voter attitudes since 1963 indicate that citizens are generally pleased with the decisions Metro has produced. In 1964 respondents were asked, "Are you generally satisfied with the way 'Metro' has worked

in its first year of operation?" The responses indicated that, except for voters in the outlying areas, most citizens felt the new government was performing well.<sup>16</sup>

*Table 1.1*

### Opinions On Nashville 1964

Area	Actual Vote in 1962 Percent Favorable to Metro
"Old City" of Nashville	45
1960 "annexation area"	72
Unincorporated suburbs	63
Six incorporated suburbs	47
Rural area	34

Area	1964 Survey Percent Favorable to Metro
"Old City" of Nashville	80
1960 "annexation area"	85
Unincorporated suburbs	63
Six incorporated suburbs	42
Rural area	38.5

In 1965 a closer look was taken at the fringe dwellers in the outlying areas, where greatest Metro opposition was centered.<sup>17</sup> Surprisingly, in light of their earlier opposition in both consolidation referenda and in the 1964 survey, it was found that nearly 68 percent of the respondents agreed that Metro was "generally more efficient than city and county governments were before Metro was adopted."<sup>18</sup> Strong refutation was provided to the prediction that Metro would dilute the access of this "least urban" portion of the population. Over 63 percent agreed with the statement, "Under Metro it is easier to know whom to call or see when you have a problem than it was under separate city and county governments."<sup>19</sup> Further, when asked, "Now, how do you feel about the effect of Metro on your personal ability to get an attentive hearing from the responsible officials when you feel a problem exists in the community?", 50 percent thought that Metro had made an attentive hearing easier to obtain, 30 percent felt it had brought no change, and 20 percent believed Metro had made it more difficult.<sup>20</sup>

Metro has provided partial refutation to those who claimed that metropolitan consolidation would inevitably result in dilution of black political influence. The black leadership of Nashville was carefully cultivated by Metro proponents, and two of the ten members

of the charter commission were black. Provisions for the metropolitan council were subjected to a kind of racial gerrymandering to assure the election of several blacks to the council, and the first council contained five black members.

As for black voters in general, in surveys in both 1964 and 1965 they expressed slightly greater satisfaction with "the way Metro has worked" than did white voters.<sup>21</sup>

Significantly, in the most recent councilmanic elections, seven blacks were elected, despite the fact that the black percentage of the metropolitan population remained virtually the same between 1960 and 1970 (19.6 percent in 1970 as compared to 19.1 percent in 1960). Even more noteworthy is the fact that two black council members were elected to represent districts with white majorities.

**Administration.** Many Metro supporters promised that the consolidation would eliminate duplication of administrative effort, provide greater specialization and professionalization of personnel, and promote more economical government. The first year was devoted to extensive studies and surveys, 17 in all, designed to establish a starting point and to provide the base for building the new government. The administration initiated studies to determine the economic potential of the community and explored various avenues for financing programs and services. They were especially fruitful, both because Metro held advantages as a city/county for State-aid purposes and because the new government was inaugurated at the beginning of new Federal efforts to aid urban areas.

Metropolitan consolidation created a more efficient "funnel" for the collection and dispersal of governmental funds, resulting in dramatic increases in aid for various metropolitan programs. In the first metropolitan budget in 1963, slightly over \$20 million in revenue came from other agencies; by 1970 income from this source was estimated to be over \$37 million. In the area of governmental expenditures consolidation produced significant gains for central city residents, especially the black poor, since most of the Great Society programs which Metro was able to tap were aimed at this segment of the population.

The merger also reduced the amount of housekeeping duplication and competing functions. Eight hundred positions were eliminated, and 1,500 job titles were lowered to less than 700. An extensive program of retraining through various technical and adult education programs encouraged employees to find job slots in the new service expansion areas of the government. Through these efforts the educational level of metropolitan employees was increased markedly.

**New Directions in Community Services.** The metropolitan government seemed to provide a general boost to

the spirit of Nashville and Davidson County. Just as the proponents argued, the new government was able to create "a progressive community image in the national spotlight," and wide attention has been given the Nashville experiment.<sup>22</sup>

As many citizens came to believe the public-relations claims that Metro was a "dramatic break with the past" heralding a new day in the life of the community, public expectations escalated. The "booster spirit" caused government and people to look more and more at what other metropolises in the United States and abroad were doing. This produced an increased responsiveness to innovation, and some "soft" services which many citizens in beleaguered cities elsewhere consider too expensive or impractical received new attention under Metro. Services improving the urban environment became important goals. Governmental reorganization released resources from housekeeping functions to be used in improved policies concerning education, criminal justice, health, culture, recreation, and public works. It was especially timely that this innovative spirit came just as Federal grants-in-aid were moving in similar directions.

**City-Suburban Service and Financial Disparities.** Advocates of Metro had argued that the new government would equalize services on a "single community" basis and assure through the two taxing districts that citizens would pay only for those services which they actually received. In addition, it would be a "truly progressive solution" to the universal problem of how to plan and guide urban growth in the metropolitan fringe. Opponents countered that Metro would only raise taxes while providing little or no additional benefit to rural residents.

The most significant reduction in city-suburban disparities came in public education. Consolidation gave a lift to the education delivery system through merger of the city and county school organizations. Serving approximately 95,000 students, the new network had the total resources of the community behind it and was able to undertake extensive administrative reorganization in aid of its educational objectives. Salaries were equalized, teacher transfers were made easier to obtain, and a flexible rezoning of school service areas made possible the transfer of many former county students to previous city schools, and vice versa, saving considerable amounts in construction costs which would have been required under the former divided system of education.

Consolidation of law enforcement agencies took place rapidly. City and county patrols were merged and many actions were undertaken to improve the image of municipal police operations. The establishment of the countywide professional police system resulted in a 7 percent decrease in Nashville's major crimes in 1965, compared with a 5 percent increase nationally.

The administration of road maintenance was

improved. The metropolitan Department of Public Works was able to purchase specialized equipment which neither the city nor county alone could have justified before consolidation. General service expenditures increased markedly in the rural areas.

Parks and recreational facilities became a general service to be provided throughout the Metro area, giving rural residents access to a service previously denied them. A park board was established with authority to acquire parkland in advance of urban development. Priority systems were established, and park and school facilities at 68 locations were combined to provide optimum recreational facilities to all residents of the area. Seventeen new park sites were added, with an aggregate of 1,086 acres, contributing to a metropolitan total of 5,500 acres in 1972.

In a similar manner Metro extended health, hospital, welfare, and branch library services into the old county area, and street lighting was extended to the county line on all major arteries. Labor-saving devices, including computers, central purchasing, central labor sources, and task-force interagency pools for solution of short-term problems were all used.

In these and other service areas the new government focused administrative and political responsibility for the entire county. It reduced the financial burden of the core city by spreading the cost of countywide services throughout the area. Although first-year Metro expenditures increased about 7 percent, property tax rates for core-city residents decreased 1 percent, in marked contrast to the rate for rural residents, which increased more than 34 percent.<sup>23</sup>

These changes in services and taxation did not go unnoticed in the fringe, the area of greatest initial opposition to metropolitan consolidation. Surprisingly, in light of the marked increase in their tax burden, fringe dwellers were generally supportive of the new government. A 1965 survey indicated that more than 65 percent of the respondents were satisfied with each major service provided by the all-county General Services District, i.e., schools, streets and roads, parks and recreation, and police protection.<sup>24</sup> Over 83 percent said they were satisfied with all local services "considered as a whole," and more than 67 percent agreed with the statement, "Metro is generally more efficient than the city-county governments were before Metro was adopted."<sup>25</sup>

Although 61 percent of the respondents felt that taxes were too high, over 57 percent agreed with the statement that "the tax burden is more fairly distributed under Metro than it was before Metro was adopted."<sup>26</sup> To secure service and tax satisfaction—or lack of dissatisfaction—in the fringe on such a scale after only three years' operation was a significant achievement for a government controlling 533 square miles.

**Regional Leadership.** The consolidation undoubtedly strengthened Nashville's position as the developmental leader of middle Tennessee. The characteristics of the metropolitan mayor, Beverly Briley, probably more than any other single factor, enhanced this role. As a former county judge, the mayor possessed strong ties with other county executives throughout the region. As the chief executive of a government serving core-city, suburban, and rural constituents, he could claim to understand the needs of all geographical interests, and this position made him a better salesman of urban causes to the small towns and rural areas in the counties surrounding Nashville.

This stature was enriched by the mayor's election to the presidency of both the National League of Cities and the National Association of County Officials. As a member of several Federal advisory agencies, including the Advisory Commission on Intergovernmental Relations, the Federal Hospital Council, the President's Commission on Crime, and several other governmental task forces, the mayor gained important Washington knowledge and influence which made him a valued spokesman for Metro and the middle Tennessee region.

Metropolitan Nashville, in keeping with its increased regional responsibility, has begun to think about the future of its leadership structure. Mayor Briley's generation provided strong leadership during the period following World War II, and persons who served with the mayor as "back-benchers" in community affairs before the war moved to positions of directorship in the legislature, the chambers of commerce, and other civic and economic organizations during the 1950's and 1960's. This group is now concerned with the preparation of another leadership group for the 1980's and 1990's. Such organizations as the Middle Tennessee Regional Conference, a project of the Nashville Area Chamber of Commerce, are working diligently to train younger men and women to assume responsibility in metropolitan and regional affairs. Much of this training will come through increasing participation in the activities of such agencies as the Mid-Cumberland Council of Governments.

## Future Directions

One of the major challenges confronting Metro in the future will be its relationship to the surrounding region. Just as urban growth spilled outside the former city of Nashville into the suburban areas of Davidson County in the 1940's and 1950's, it continued to accelerate in the 1960's throughout the adjoining counties and along the Interstate highways which radiate from the Metro core.

As Federal pressures for cooperative planning in the region increased, Metro officials sought to have the Metropolitan Nashville-Davidson County Planning Commission designated the A-95 regional review agency.

When this was rejected on the grounds that the entire metropolitan area should be represented, Metro attempted to establish a multi-county planning commission encompassing the Nashville SMSA. The suburban counties rebuffed this initiative, apparently fearing they would be swallowed up by cooperation with Metro. A *modus vivendi* was achieved by the establishment of two cooperative organizations composed of 12 outlying counties and Metro. These organizations seem to be in keeping with Tennessee's goals in substate regionalism and the Federal insistence on a truly regional approach to planning and development.

The Mid-Cumberland Development District (M-C DD) is an organization composed of the 13 counties and 45 incorporated cities and towns in the upper Tennessee area. The organization was formed in accordance with the Tennessee Economic Development District Act of 1965, as amended, and Executive Order No. 17 (Oct. 14, 1968, as amended on June 23, 1970). The sister agency of the M-C DD is the Mid-Cumberland Council of Governments (M-C COG). It encompasses the same counties as M-C DD and is a voluntary association of local governmental units organized in accordance with the Tennessee Interlocal Cooperation Act of 1968. As is typical in similar organizations, M-C COG and M-C DD have power neither to legislate nor to tax, nor do they supplant any authority or jurisdiction. They merely provide a means whereby local public officials, working together, may coordinate programs and projects for maximum efficiency and economy.

The two organizations now do together what each sought to do separately when they were created. The organizations serve as a clearinghouse for Federal projects (including A-95 review), information, and regional planning activities, and promote cooperative arrangements and coordination of action among members. The membership of M-C COG is made up of the county judges and mayors in the 13 counties. The membership of M-C DD consists of county judges, mayors, and another representative from each county appointed by the county judge. The two organizations have the same officials and the same professional and clerical staffs.

They are financed from local dues paid by the counties and municipalities. These dues are matched by the State of Tennessee—with certain exceptions—and by grants from the Federal government. The Middle Tennessee Regional Conference has also contributed funds to the areawide operations.

Since Nashville Metro accounts for over one-half the people in the 13-county region, it seems inevitable that the government will play a leading role in the two Mid-Cumberland units. At this stage, however, the scope of Metro's eventual participation is uncertain, and only some of the positive and negative aspects of the Metro-regional relationship can be described.

On the positive side, the relationship is off to a good

start. Although Mayor Briley keeps a rather low profile in the regional organizations, as county-judge-turned-metropolitan-mayor he can and frequently does take varying positions on urban, suburban, and rural questions facing the region. This flexibility enhances his influence with the varied interests represented on the COG and the EDD.

Furthermore, Metro, with its well-developed and knowledgeable bureaucracy, together with a business community which is aware of the need for regional cooperation in economic development, has been able and willing to provide much technical assistance to the staff and membership of the Council and district through workshops, seminars, grant application preparation, in-kind contributions, and computer services.

Through planning and consultation the region is achieving more program coordination. Metro is encouraging land-use studies through the COG which will promote economic expansion and development through nucleated growth with a minimum amount of environmental damage. Utility district water plans are being scrutinized closely by the regional organizations. In these and other fields, Metro is not directly perceived as "core-city," including as it does such a large suburban and rural fringe, and a healthy spirit of reciprocity usually prevails. In relations with State and Federal agencies, there is evidence that Metro and the COG tend to stand together on most matters.

Metro has affected the region in other ways. Emergency employment funds have been channeled through the COG, and salaries of the regional organizations have been tailored to Nashville pay scales. These actions have made Metro's adjacent counties more aware of standards and higher pay scales, creating a regional labor market for government employees. Federal requirements that the national prevailing wage be paid in Model Cities and other programs have raised Metro wages; this increase has gradually spread to other parts of middle Tennessee. Labor communications have improved and various occupational groups and unions in the area have been brought closer together.

Much like a well-organized core city surrounded by rapidly growing suburbs, Metro must prepare for the day when even closer cooperation, perhaps even consolidation, with its neighbors will be required. Thus far, Metro has lost little political or administrative muscle to the emerging regional movement; indeed, as has been shown, there has been commendable cooperation in substantial areas. There are still spheres, however, where "regional thinking" is not complete.

There is some evidence of occasional friction between Metro officials and the COG staff, the staff responding to Federal guidelines, the Metro representatives demanding "more attention to local agencies"—which, because of its preponderant size in the region, usually means Metro. Since the COG depends upon the local matching

funds and in-kind contributions supplied by Metro, core-county officials have great leverage in any show-down on such matters. Indeed, there is a gentlemen's agreement in the COG that when there is disagreement on a question, there must be a "division of the house" and the population represented by each vote must be shown on the final policy position. Since Metro contains more than half the regional population, this presumably gives comparatively greater power to Metro representatives, power which may one day lead to suburban resentment and conflict between Metro and the outlying counties.

Two areas of potential controversy are highways and Federal grants for water and sewer development. In all likelihood Davidson County will continue to push for priority development of arteries which lead into Nashville, while rural and suburban counties will demand more attention to their road needs. As Federal water and sewer grants become scarce, a regional question will arise concerning which parts of the 13-county region need them most. As with most core cities, Metro will claim that its environs need greatest attention. The small

towns and rural areas may feel otherwise. As one Metro official frankly noted:

Davidson [County] will be for greater concentration of the "goodies" and decentralization of the problems. Rural and suburban counties will be for the opposite.<sup>27</sup>

Ironically, Metro may come to behave more and more like the Nashville city government it supplanted in 1962, protecting its interests against the restive suburbs and opposing areawide control in many fields.

This is not to portray Metro as the villain in the regional scenario. An auspicious beginning has been made toward coordinated planning and development with a view toward the encouragement of nucleated growth in the 13-county Mid-Cumberland region, and Metro officials have been crucial to this movement. Whether middle Tennessee will continue the intensification and expansion of its regional efforts may be the challenge for the embryonic regional leadership now developing. If the youngsters have the foresight and persistence shown by the Metro founding fathers, they may break some new regional ground themselves.

#### Footnotes

<sup>1</sup>These and other pre-Metro problems are discussed in Daniel R. Grant, "Metropolitics and Professional Political Leadership: The Case of Nashville," *Annals of the American Academy of Political and Social Science*, CCCLIII (May 1964), pp. 74-75.

<sup>2</sup>The commission did not recommend city-county consolidation because it was believed that such a merger would require two taxing districts, action deemed violative of the Tennessee constitution.

<sup>3</sup>See Brett Hawkins, *Nashville Metro: The Politics of City-County Consolidation* (Nashville: Vanderbilt University Press, 1966), p. 42, and Daniel J. Elazar, *A Case Study of Failure in Attempted Metropolitan Integration: Nashville and Davidson County, Tennessee* (Chicago: National Opinion Research Center of the University of Chicago, 1961), pp. 23-25.

<sup>4</sup>Hawkins, *Nashville Metro*, pp. 56-57.

<sup>5</sup>David A. Booth, *Metropolitics: The Nashville Consolidation* (East Lansing: Institute for Community Development and Services, Michigan State University, 1963), p. 2.

<sup>6</sup>The poor county showing was somewhat puzzling in view of the public support of Metro by County Judge Briley, considered a leading spokesman for suburban interests. Indeed, some observers felt that Briley's political machine was not fully committed to this first Metro campaign because of the fear that Nashville's mayor, Ben West, might be elected the first metropolitan mayor, denying Briley the area wide leadership position which he sought. Booth, *Metropolitics*, p. 64; Hawkins, *Nashville Metro*, pp. 46-47.

<sup>7</sup>Several of the newly annexed areas which had opposed Metro in 1958 voted for the new commission by margins of more than eight to one.

<sup>8</sup>Hawkins, *Nashville Metro*, pp. 71-72.

<sup>9</sup>Hawkins, *Nashville Metro*, p. 74.

<sup>10</sup>Booth, *Metropolitics*, pp. 83-84.

<sup>11</sup>Booth, *Metropolitics*, p. 85.

<sup>12</sup>Booth, *Metropolitics*, pp. 86-87.

<sup>13</sup>Hawkins, *Nashville Metro*, pp. 82-90.

<sup>14</sup>T. Scott Fillebrown, "The Nashville Story," *National Civic Review*, LVIII (May 1969), p. 199.

<sup>15</sup>A very useful comparison of predictions and actual performance under Metro during its first two years appears in Daniel R. Grant, "A Comparison of Predictions and Experience with Nashville 'Metro,'" *Urban Affairs Quarterly*, I (September 1965), pp. 34-54. The following treatment is based upon a fusion of Grant's categories of analysis.

<sup>16</sup>Daniel R. Grant, "Opinions Surveyed on Nashville Metro," *National Civic Review*, LIV (July 1965), p. 376.

<sup>17</sup>Robert E. McArthur, *The Impact of Metropolitan Government on the Rural-Urban Fringe: The Nashville-Davidson County Experience* (Washington, D.C.: U.S. Department of Agriculture, 1971).

<sup>18</sup>McArthur, *The Impact of Metropolitan Government . . .*, p. 20.

<sup>19</sup>McArthur, *The Impact of Metropolitan Government . . .*, p. 27.

<sup>20</sup>McArthur, *The Impact of Metropolitan Government . . .*, p. 26.

<sup>21</sup>Grant, "A Comparison of Predictions," p. 53.

<sup>22</sup>Since Metro's inauguration, some 1,000 groups and individuals have visited Nashville from all over the world to investigate the new government. Metro officials in the summer of 1972 were offering assistance to approximately 25 groups concerned with metropolitan problems.

<sup>23</sup>In Metro's second year the government's revenue sources were expanded through the adoption of a 1-cent sales tax and a user charge for water-sewer financing. These changes made possible a reduction in the property tax rate for the all-county general services district.

<sup>24</sup>McArthur, *The Impact of Metropolitan Government*, p. 19.

<sup>25</sup>McArthur, *The Impact of Metropolitan Government*, pp. 19-30.

<sup>26</sup>McArthur, *The Impact of Metropolitan Government*, p. 23.

<sup>27</sup>Interview with a Metro official, July 5, 1972. Other officials characterized this view as far too pessimistic.



# The Atlanta Regional Commission

*Robert E. McArthur*

Atlanta, the boom city of the Southeast, is by most standards one of the more dynamic cities in the United States. It lies at the heart of a rapidly expanding five-county SMSA (Cobb, Fulton, Clayton, DeKalb, and Gwinnett Counties) whose population in May 1972 was estimated at over 1,470,000.

The region has experienced most of the opportunities and ills connected with metropolitanization. The need for regional cooperation has been recognized by area leaders for well over 50 years. The record of performance, however, has been more often one of far-seeing plans than aggressive implementation of the plans.

This report describes one of the more hopeful recent developments in the Atlanta region's movement toward greater coordination of its prodigious growth and development.

## History

Atlanta has considered several alternatives in governmental reform since 1912, when consolidation of Atlanta and Fulton County was proposed. In 1952 a Plan of Improvement was approved and resulted in functional consolidation of Atlanta and Fulton County for most purposes. The city was tripled in size and provision was made for gradual annexation to keep pace with urbanization. After the Plan of Improvement was inaugurated, however, the city's territorial growth stagnated. The plan's annexation provisions were never used and were finally declared unconstitutional by the Georgia Supreme Court in 1969. Although a 1969 study by the Institute of Public Administration recommended city-county consolidation as a solution to some of the problems created by Atlanta's failure to grow through annexation, there seems little likelihood that this avenue will be tried in the near future.<sup>1</sup>

The mayor of Atlanta proposed in 1971 that instead of city-county consolidation, Fulton County should be divided between two cities, with Atlanta annexing north Fulton County and the southern part of the county merging with the municipality of College Park. Legisla-

tion to this end was passed in 1972 by the Georgia House of Representatives, but the measure was never called up in the Senate. Although the Fulton County delegation favored the legislation, Lt. Gov. Lester Maddox championed the cause of suburban opponents and, as presiding officer, blocked consideration of the plan by the full Senate.

Through the years cooperation at the regional level, at least in planning activities, has contrasted markedly with the standoff between Atlanta and Fulton County. In 1947 the Atlanta Metropolitan Planning Commission was organized by special act of the General Assembly as the Nation's first metropolitan (two-county) planning commission. This commission was expanded to the five-county Atlanta Regional Metropolitan Planning Commission (ARMPC) in 1960. Alongside ARMPC the Metropolitan Atlanta Council of Local Governments (MACLOG) was established in 1964. Other regional bodies included the Metropolitan Atlanta Council for Health (MACHealth), the Atlanta Area Transportation Study (AATS), and the Metropolitan Atlanta Rapid Transit Authority (MARTA). All of these agencies functioned within the five-county metropolitan area, and, with the exception of MARTA, they were essentially planning units. After a short initial period of direct Federal assistance, MACLOG's funds were channeled through ARMPC. MACLOG served as the applicant agency for MACHealth, the areawide health planning body. The Atlanta Area Transportation Study, charged with creation of a regional transportation plan as required by Federal law, was undertaken by ARMPC, the Georgia Highway Department, and other transportation agencies.

MARTA was a single-purpose agency authorized to develop a regional mass transit system. Its activities were supported by a one-cent sales tax levied in the counties electing to join the authority. In 1972 only Fulton and DeKalb Counties had joined MARTA, although Clayton and Gwinnett Counties were preparing to vote again on affiliation after earlier negative votes.

The Atlanta Regional Commission (ARC) was created

by legislative act in 1971 and assumed all the powers, duties, and obligations of ARMPC, and the functions of MACLOG, MACHealth, and AATS. Although MARTA remains independent of ARC, it does contribute financial support to the commission, which does all regional transportation planning. While there continue to be independent limited-area special districts and authorities providing services (e.g., water and sewer, airports, housing) to portions of the metropolitan area, they must, as in the case of municipalities and counties, submit their plans to ARC for review and comment if required under A-95 review or the "area plan" review discussed later. ARC thus incorporates under one umbrella structure all comprehensive planning for the region.<sup>2</sup>

## Purpose

The movement for ARC began with the realization that greater regional cooperation was imperative. Agencies charged with various areawide programs were scattered, and coordination of staffs was difficult. Something more than the typical area planning and development commission was needed. Legislative and planning leaders settled on the Twin Cities experiment in Minnesota as most closely approximating what they wanted, allowing for local differences.

There seem to have been no citizen advocacy groups pushing for regionalization via the ARC legislation. The local business development organization, Forward Atlanta, was not directly involved, although a citizens' committee, headed by a local banker and representing a broad cross-section of the community, researched and supported the umbrella concept. Although some opposition came from the Atlanta black community (attributable mainly to traditional suspicion that regional efforts might dilute black political power and divert Federal aid from central city projects to regional undertakings), this was not a major factor, and all black members of the legislature voted for the ARC Act.

The 1971 action granted the Atlanta area coordinative powers exceeding those given other substate regions in Georgia. The ARC bill was treated much like a local bill; since legislators from the metropolitan area supported the legislation, legislative courtesy assured passage.

The purposes of the commission, as stated in its bylaws, are to encourage, promote and pursue programs and policies within the Atlanta SMSA which will 1) achieve such distribution of population, land development, and land use as will facilitate the effective provision of public services and facilities; 2) improve the quality of life through the protection and enhancement of the physical environment; 3) improve and protect the physical and mental well-being of the citizens; 4) improve the criminal justice system; 5) serve transporta-

tion needs efficiently and effectively; 6) improve and protect the social and economic well-being of all citizens; 7) improve and strengthen the fiscal capacity of local governments, promote equitable methods for raising revenue, and increase the effectiveness of services performed by local governments; 8) provide improved coordination among governmental agencies; and 9) provide governmental institutions with the resources necessary to cope with the rapidly changing needs of their task environment.

## Structure

The commission is composed of officials of political subdivisions and private citizens representing equal-population districts within the Atlanta SMSA. Provision is made for the expansion of the ARC constituency as the SMSA expands.

Although no county or municipality may be added to the commission without an affirmative vote of the unit's governing body, the fact that ARC exercises A-95 review for Federal grant applications and also is one of the State's 18 Area Planning and Development Commissions (APDC's) makes it highly unlikely that any governmental unit desiring State or Federal aid would refuse to join ARC when given the opportunity.

In 1972 the commission was composed of 12 public members and 11 members at large. Public members include the chairman of the board of county commissioners from each of the counties; the mayor of Atlanta; an Atlanta alderman selected by the Atlanta Board of Aldermen; and a mayor from each of the counties within the area, elected by the mayors within each county, excluding the mayor of Atlanta.

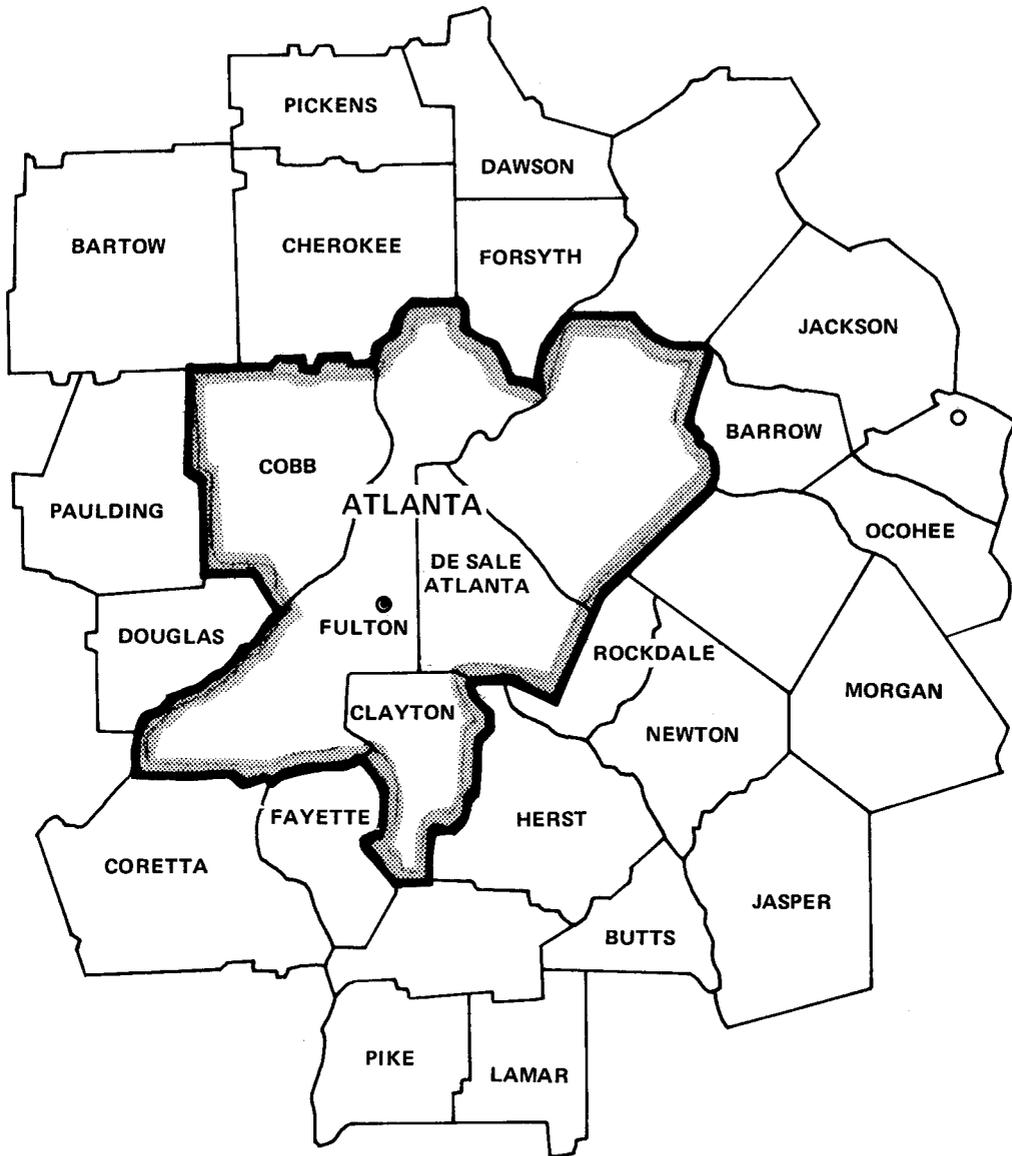
Districts for members at large are designed by the members of the Georgia General Assembly elected from the five metropolitan counties. The districts must be substantially equal in population and consist of combinations of contiguous census tracts from the latest available U.S. decennial census. A significant feature of this districting method is that the districts necessarily cross boundary lines of existing political subdivisions. A resident from each of the districts is elected by the public members of the commission. The total number of members at large must always be one less than the total number of public members.

Terms of public members are concurrent with the term of the public office held. Members at large serve for four-year terms and may be elected to two or more successive terms. The chairman is elected by the commission to a two-year term and cannot serve more than two successive terms. The vice chairman, secretary, and treasurer are each appointed by the chairman, subject to approval by the commission, for two-year terms; they cannot serve more than two successive terms.

The executive director of the organization serves at

FIGURE I.2

**Atlanta Standard Metropolitan Statistical Areas**



LEGEND

- Places of 100,000 or more inhabitants
- Places of 50,000 to 100,000 inhabitants
- Places of 25,000 to 50,000 inhabitants outside SMSA's

 Standard Metropolitan Statistical Areas (SMSA's)

the pleasure of the commission and directs and supervises departments dealing with administrative services, community development planning, health and social services planning, and governmental services, together with a data center and a public information office. In addition, the chairman appoints, subject to commission approval, a technical advisory council to the executive director and advisory councils on community development planning, health and social services planning, and governmental services.

The commission is an APDC under provisions of Act 1066, Georgia Laws 1970. However, under Act 5, Georgia Laws 1971, applicable only to ARC, the commission has more power than a regular APDC. Besides the A-95 clearinghouse function for the SMSA, ARC also is authorized to exercise "area plan" review powers.<sup>3</sup> Any such plan, even one which does not involve Federal funds, must be submitted to ARC for review and comment much as a Federal grant application must be submitted to the commission under A-95 review. If a plan is determined to be inconsistent with ARC development guides, the commission may recommend modifications. While the commission cannot veto projects which remain in violation of its guidelines, its recommendations are sent to all affected governmental units and appropriate regulatory agencies. It would seem that the threat of adverse recommendation gives ARC considerable informal leverage in enforcing its guidelines, much as in the case of A-95 review.

Two other provisions which made the commission different from other APDC's in Georgia are mandatory funding (\$.30 per capita) from member governments and authority to contract with two or more governments for specific services.

The functions of ARC are 1) to review and evaluate applications for loans or grants made to the Federal and/or State governments by municipalities, counties, authorities, commissions, boards, and/or agencies within the area; 2) to review and, where needed, recommend changes in area plans and programs promulgated by municipalities, counties, public authorities, public commissions, public boards, public utilities and/or public agencies; 3) to engage in a continuous program of research, study, and planning of matters affecting the area, including, but not limited to, land use, transportation, waste disposal, drainage, parks and open space, environmental quality, criminal justice, social services, health, public safety, and local government legal and fiscal capacity; and pursue the implementation of the recommendations developed from this program; 4) to serve as the area planning agency for the Atlanta SMSA when an area planning agency shall be required under the provisions of State and/or Federal loan and grant programs; and 5) to enter into all contracts or agreements necessary or incidental to the performance of its responsibilities.

## Finance

The financial base for the ARC budget is the per capita annual levy on Atlanta and the five counties. Each year the commission makes a separate estimate of the number of people who, on the first day of April, resided within each county and within Atlanta. Based on these population estimates, each county commission and the Atlanta Board of Alderman provide the commission with operating funds for the ensuing calendar year. Each unit must furnish either \$5,000 or the amount provided for each political unit in the following schedule, whichever is greater:

Clayton County	Thirty cents for each person residing in the county, plus \$2,000.
Cobb County	
Gwinnett County	
DeKalb County	Thirty cents for each person residing in the county outside Atlanta, plus twelve cents for each person residing in the county inside Atlanta, plus \$2,000.
Fulton County	(both of which include portions of Atlanta)
City of Atlanta	Eighteen cents for each person residing in the municipality, plus \$2,000.

The governing body of any political subdivision has authority during the year to provide funds in excess of its assessment.

In the 1972 budget of over \$2,000,000, some \$440,000 came from these regional assessments. This base, along with a \$65,000 planning grant from the State and \$173,000 from other local sources, was used to match \$1,333,040 in Federal funds. Thirteen Federal grants and contracts ranged from a \$15,505 contract with the Metropolitan Atlanta Foundation for Medical Care, Inc., to develop a health maintenance organization, to \$286,914 for the analysis and evaluation program of the Atlanta High Crime Impact Project.<sup>4</sup>

ARC does not have user charges, property taxes, bond issuing authority, capital construction or capital improvements, and apparently it has had no noticeable impact on the amount of taxes citizens in the area must pay. It is authorized, however, to provide some planning services which may be charged back to the local unit, and there have been some private sector contributions to the operation of ARC.

## Performance

It is still rather early to say whether the commission will achieve its general objectives. However, even at this early stage there are several factors which may have long-term implications for its success.

**Clarification of Area Plan Review.** With regard to

planning problems, ARC possesses wide jurisdiction within the five-county region. Only zoning and education are beyond the sphere of ARC's review powers. Today, with increasing State and Federal emphasis on planning coordination as a prerequisite for most grants, the planners possess an extensive kit of tools with which to persuade local decision makers.

This is particularly true of the "area plan" operations of the commission. As noted earlier, the definition of area plan is quite broad and could include almost any action affecting more than one political unit in the metropolitan area. Quite obviously, ARC and the local governments would like clarification of the scope of this power. Such clarification was sought after a 1972 ARC disagreement with Fulton County, when the county officials refused to submit to ARC review certain plans for private development of a 935-acre tract along the Chattahoochee River corridor.<sup>5</sup>

ARC filed suit against the Fulton County officials, contending that the development plans (i.e., site plans, building plans, street plans, and sewer plans), which required county approval, were area plans within the definition of the ARC Act, since they required governmental action and would have a "substantial effect" on the Chattahoochee River corridor. The legal action was viewed as the most expeditious method for securing a judicial definition of the area plan provisions so that "all our local governments, as well as ARC, will know what areas we are supposed to deal with."<sup>6</sup>

The direction of the litigation soon indicated that such clarification would not come rapidly. The court would not immediately consider ARC's request for a declaratory judgment. Furthermore, certain constitutional questions were raised, assuring a long series of appeals whatever the lower court decision. ARC officials decided that the suit should be dismissed. ARC's executive director indicated an alternative course:

We will probably request that the General Assembly make the necessary clarification in our Act. Further, if it appears necessary to do so, we may re-institute a test case at a later time.<sup>7</sup>

**Race.** There is a lingering threat of racial polarization which may infect metropolitan cooperation if Atlanta's white exodus continues. Some black leaders seem to welcome this white withdrawal and hope for increasing black political dominance in the central city. Such a development seems likely in view of Atlanta's failure to expand its boundaries since 1952. The city now has more black than white citizens, and it is estimated that by 1980, 60 percent of the population within the city limits will be black. Many leaders, including the black vice mayor, opposed ARC legislation as a threat to black political development. In their view, regionalism through ARC created the danger that blacks would surrender their central-city advantage to a wider metropolitan

jurisdiction in which blacks constitute less than 23 percent of the population.

In this setting, a major responsibility for the continued growth of metropolitan good will and cooperation will rest with the members of ARC itself, four of whom are black (17.4 percent of the commission membership). One black member of the commission has clearly described the dynamics of the situation:

... [L]ittle conflict has developed on the ARC governing body between Atlanta and its suburbs. Partly, this is because regional cooperative planning long has been accepted as a formal—if not vital—part of intergovernmental relations. Partly, too, it is because the basic relationship between the city and the suburbs has been one of enlightened self-interested cooperation, rather than mutual antagonism. The representatives of the small governments on the ARC board have been especially receptive to the agency and perceive it as a basic resource for the region, though there is a good deal of suspicion about the commission among many of the smaller governments in the region. Racial conflict has not arisen on the commission primarily because no issues easily identifiable as having racial implications have emerged, and also because of the persuasiveness of the Executive Director in assuring the four black members that blacks would be appointed to key staff positions. And finally, no substantial conflict has arisen because the present mayor of Atlanta is a forceful advocate of regionalism.

All of this may change, however, if the city elects a black mayor. The stresses on the commission that such an event may cause would be a function of the black mayor's style and personality, as well as of his race. But race in the South—as throughout the country—is an independent factor; and, in the short run at least, is likely to have negative implications for the interjurisdictional accommodation and good feelings now existing. This will be an even greater probability should the mayor consistently make demands and raise issues—as he should—which he feels will enhance the well-being of most blacks in the city.<sup>8</sup>

**State Support.** The successful operation of ARC's machinery depends on continual and increasing support from State officials. The General Assembly has encouraged the regional concept throughout Georgia, especially in the Atlantic area, and the continuance of such a legislative attitude seems essential if ARC is to

grow into a significant mechanism for regional governance.

Direct State financial support is minimal and seems likely to remain so in the short term, since ARC is concerned with planning rather than operational responsibilities and requires comparatively little State funding. ARC receives the standard planning grant given other Georgia APDC's, and the money for transportation planning is channeled through the State Department of Transportation. If ARC continues its success in obtaining Federal funds, its main financial relationship with the State will probably be through planning coordination of State expenditures in the metropolitan area, with comparatively little State money going directly to the commission.

## Future Directions

The organization has not been in existence long enough for major problems to have arisen in its operation. There is no consensus concerning ARC's possible governmental development, and discussion of such evolution would be premature at this early stage.

Present population growth and development promises to extend the boundaries of ARC to include Douglas and Rockdale Counties (which are already in the Atlanta area

planning and development district) in 1973. Basic structural changes will not be necessary to accommodate this growth; mechanisms already exist to bring in four new public members (two county commission chairmen and two mayors) and four new members at large.

At the beginning it might have seemed unclear whether ARC would promote interlocal cooperation at the regional level any more effectively than MACLOG. However, on closer inspection it is clear that the Georgia General Assembly gave stronger teeth to ARC by 1) consolidating the comprehensive health (MACHHealth) and transportation (AATS) planning agencies with the body of elected officials (MACLOG), 2) giving the organization guaranteed financing by making contributions mandatory, and 3) giving ARC not only A-95 status but also area plan review. These provisions certainly moved Atlanta metropolitan cooperation beyond "United Nations status."

The addition to the commission of members at large from single-member, equal-population districts which cross political boundaries created a body which can claim, at least in a limited sense, to be representative of the general public as well as public officials. If the day comes that these members are chosen directly by the metropolitan electorate, the beginning of a truly regional government may be at hand.

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## Footnotes

<sup>1</sup>Institute of Public Administration, *Partnership for Progress: Atlanta-Fulton County Consolidation* (New York: Institute of Public Administration, 1969).

<sup>2</sup>ARC obviously wishes this to remain so. At its December 1972 meeting the commission adopted a resolution "opposing the establishment of any additional single purpose, multi-jurisdictional Authorities within the Atlanta region." *ARC Action*, January 1973.

<sup>3</sup>"'Area Plan' shall mean a written proposal that involves governmental action, expenditures of public funds, use of public property, or the exercise of franchise rights granted by any public body and which affects the citizens of more than one political subdivision of an area and which may have a substantial effect on the development of an area. Area Plans may involve, but shall not be limited to, such matters as land use (not including zoning), water and sewerage systems, storm drainage systems, parks and open spaces, airports, highways and transit facilities, hospitals, public buildings and other community facilities and services." Section I(b), Georgia Laws 1971, Act No. 5.

<sup>4</sup>According to the executive director, ARC's budget was scheduled to increase by some \$2,000,000 "as soon as the U.S. Department of the Treasury approves the Comprehensive Planning grant application now under consideration." *ARC Action*, May 1972.

<sup>5</sup>At its February 1972 meeting, the commission determined and declared by resolution that this corridor was subject to area plan review, the corridor being defined as "all land within 2,000 feet of the natural river banks of the Chattahoochee River from directly below Buford Dam downstream to the point at which the river flows under the Seaboard Coastline Railway Bridge below Peachtree Creek, including the entire bed of the stream and all islands contained therein." Atlanta Regional Commission, *Summary Recommendations—ARC Chattahoochee Corridor Plan*, June 29, 1972.

<sup>6</sup>Dan E. Sweat, Jr., ARC Executive Director, Memorandum to members of the commission, September 2, 1972.

<sup>7</sup>*ARC Action*, November 1972. Fulton County officials have since submitted the contested plans to the commission, thus defusing the issue for the time being.

<sup>8</sup>Tobe Johnson, *Metropolitan Government: A Black Analytical Perspective* (Washington, D.C.: Joint Center for Political Studies, 1972), pp. 15-16.

## Conclusion

The South has been a focal point of interest and action in seeking regional and sub-regional solutions to functional problems that insist on spilling over traditional city and county lines. Almost all successful efforts to consolidate cities and counties have taken place in the South. The Nation's only comprehensive two-layer metropolitan system (Metropolitan Dade County) also occurred in the South.

Just why comprehensive efforts to modernize local governments have centered on the South is impossible to answer in any definitive way. Several things may be cited as contributing factors. The county has traditionally been an important unit of government in the South, and perhaps presented a logical existing areawide point from which to launch a modernizing effort. The strong tradition on local bills and local legislative delegation courtesy in many parts of the South may have helped to clear away legal barriers to modernizing particular local governments without facing such issues as a grant of home rule power on a Statewide basis. Both Jacksonville and Miami carried out their modernizing efforts within the framework of constitutional amendments, supported by their legislative delegations, applying only to the particular cases in question.

On a more directly political level, the one-party system that characterized most southern states until very recently often approached an almost non-partisan system within which modernizing efforts, supported strongly by middle-class whites, found easier going. The relative weakness of labor, blacks, and other ethnic groups in most areas of the South was perhaps a contributing factor in moving toward areawide approaches to metropolitan problem solving. Yet such generalizations must be approached with much caution. In Jacksonville, blacks strongly supported the consolidation effort. In any event, interest in regional solutions to urban problems continues to be high in the South.<sup>1</sup>

Jacksonville and Nashville represent successful consolidation efforts involving moderate-sized metropolitan areas largely contained within one county, although continuing population spread has made this much less true of Nashville. Some ten years of experience in Nashville and almost three years in Jacksonville support the thesis that consolidation, where it can be accomplished, has great merit. Economies of scale can be identified, but perhaps most impressive has been the extension of critical urban services to all sections of the metropolitan areas, supported by a fiscal system that promotes an equitable distribution of the tax burden. In all three cases where large scale implementation has

followed the reorganization (Miami, Nashville, and Jacksonville), the urban fringe areas have probably benefited more than any other geographic area or group. Such areas were typically underserved or not serviced at all in key municipal functions such as fire, police, garbage, sewers, recreation, and parks. After reorganization, there was in all three cases a sharp upgrading of existing services or the provision of new services to the suburban areas. With regard to the central or core-city areas of Miami, Nashville, and Jacksonville, the primary beneficiaries have probably been low-income groups, especially blacks. The data suggests that in all three cases the new governments pursued a much more aggressive policy of seeking Federal funds, and were successful in doing so. Clearly, the National government looked with special favor on these areas that had adopted bold new areawide approaches toward the delivery of urban services.

Consolidations that involve a single county face the threat of having the urban area grow beyond the original boundaries as development continues. This problem is becoming apparent in Nashville, and is looming on the horizon in Jacksonville. What had been a fairly comprehensive regional system in the beginning may become sub-regional as development continues, and new efforts to devise governmental mechanisms to fit the new region begin to emerge. This process is already clear in Nashville. Indications are that efforts to cope with the greater region in both Nashville and Jacksonville apparently will involve some version of a two-layer approach rather than an extension of consolidation. Councils of government have been formed in both the Jacksonville and Nashville areas, and their importance seems destined to grow.

Metropolitan Dade County and Atlanta comprise contrasting examples of the two-layer approach to regional or sub-regional structures. Dade County opted for a two-layer system that modernized the county government structure as the areawide government, but allowed the 26 municipalities to retain their independence and carry out a full range of local functions. The charter did not mandate a rigid division of service responsibilities between the two layers of government. It mandated certain functions as areawide in nature, and vested the metropolitan government with the power to take over other functions as their areawide nature was demonstrated. While the cities were specifically protected against being abolished by the metropolitan government, they were not assured of any right to continue providing services if they came to be designated as

areawide in nature. The cities have often interpreted this open-ended situation as a threat to their very life, and much of the tension and friction that has characterized Metropolitan Dade County's 15 years of existence has centered around the appropriate division of services between the areawide government and the cities. In spite of this tension, the capacity to approach problems on a countywide basis has gradually increased as Metropolitan Dade County has taken over a growing list of services formerly performed by the cities.

Even as the struggle to decide the ultimate shape of the governmental system in Dade County continues, the need to face problems on a more truly regional basis becomes more and more evident. The Florida legislature became concerned with the problem, and indications are that a more comprehensive regional approach may be developed through the initiative of the State. Other States in the region are moving in the same direction.

Atlanta is the largest single Standard Metropolitan Statistical Area examined in the southern region study. Our concern was mainly with assessing the potential of a recent effort to build on past developments in establishing a viable two-layer arrangement to guide the comprehensive development of the region. The Atlanta Regional Commission is clearly more than the usual voluntary council of governments, but how much more and exactly in what way is almost impossible to assess at this early point in its life. Atlanta presents a rich history of efforts to address problems on a regional basis, but to date none has resulted in anything that could be called a complete system. The Atlanta Regional Commission has

the potential to be the framework for that complete system.

In conclusion, southern regionalism has not focused on large multi-county or multi-state metropolitan areas that tend to dominate such efforts in many other areas of the nation. Metropolitan areas of moderate size, often contained largely within one county, and a tradition of the county as an important unit of government, have encouraged consolidation efforts. Some have been successful, but most such efforts have failed at the polls. Even where the effort was successful, the problem of out-growing the original region remained. Metropolitan Dade County, limited to one county and classified as a separate SMSA, in fact comprises about half of a densely populated urban strip on Florida's lower east coast that is increasingly confronted with problems that extend over the region. Atlanta and its efforts may reflect more accurately the large multi-county metropolitan area found in many other sections of the Nation. The Atlanta Regional Commission may develop into a system comparable to the Minneapolis-St. Paul arrangement, more time must elapse before a reliable assessment can be made. Regionalism in the South, then, is very much alive, and is characterized by developments along contrasting lines in different sections of the region.

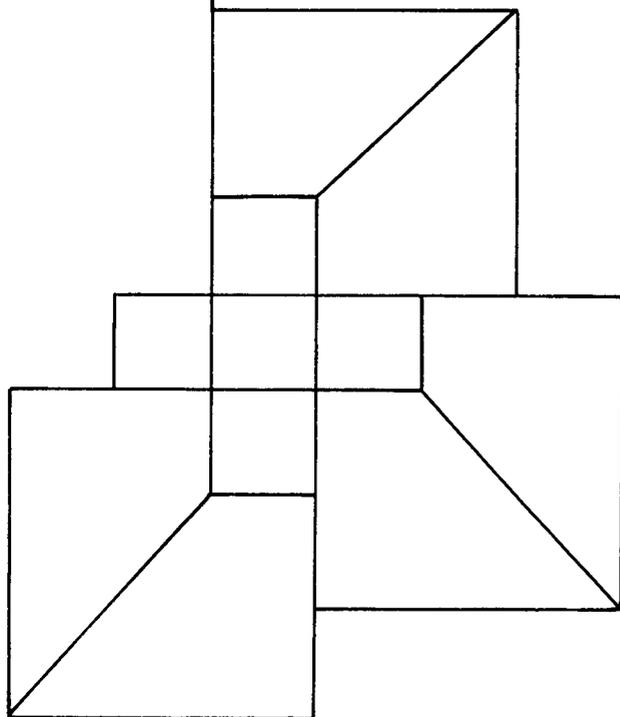
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#### Footnotes

<sup>1</sup> Joseph F. Zimmerman, "Metropolitan Reform in the United States: An Overview", *Public Administration Review*, Sept.-Oct., 1970, lists a large number of merger efforts, the great majority of which are in the South.

*Chapter II*

**UNIGOV:  
LOCAL GOVERNMENT  
REORGANIZATION IN  
INDIANAPOLIS**



*York Willbern  
Professor of Political Science  
Indiana University*

On March 13, 1969, the Governor of Indiana officially approved the "Consolidated First-Class Cities and Counties Act," which provided for the merger, at least in substantial degree, of the governments of the City of Indianapolis and Marion County, in which the city is located. Since before the turn of the century, this was the largest city in the United States in which such a consolidation had occurred, the only one north of the Mason and Dixon Line, and the only one in any State to have been accomplished without a popular referendum. Almost entirely as a result of this Act, Indianapolis jumped from 26th place in the national ranking of cities in 1960 to ninth place in 1970 (from 476,258 persons with 82 square miles to 793,590 people in an area of about 400 square miles).<sup>1</sup>

This consolidation attracted the attention of students and practitioners of local government throughout the country. Efforts to achieve comparable reforms of metropolitan government have been frequent and nearly always unsuccessful in other major cities. Indianapolis, and Indiana in general, had hardly been in the forefront of local government reform. Most national observers of local government had not been aware that major changes in local government structure were even under consideration there. There had been no fanfare of charter commissions or major studies; the whole period of general popular discussion and debate preceding the change had been concentrated within three or four months. The chief political architect of the reorganization, Richard Lugar, mayor both before and after the reorganization, has received and continues to receive a high level of national attention associated in considerable measure with his success in promoting and administering the consolidated city.

As even a brief inspection makes clear, the reorganization was far from being a complete consolidation of all the governmental units and agencies of the metropolitan area, but there can be little doubt that it was a major and important change in the structure and nature of the local polity. In some respects, it resembled previous consolidations in Baton Rouge (1947), Nashville (1962), and Jacksonville (1967), but it included special features of both process and substance which deserve careful attention by scholars and observers nationally. In a time of continuing tension between pressures for large scale and for small scale in institutions of local governance, the Indianapolis arrangement is an interesting compromise between unity and plurality, between integration and autonomy.

## DEMOGRAPHIC AND STRUCTURAL CHARACTERISTICS

Indianapolis is the capital and largest city of Indiana. Its metropolitan area, defined in 1970 to include Marion and seven other counties, has a population of 1,109,882,

of which 793,590, or about 71.5 percent, reside in Marion County. Sixty-one percent of the population of the county, or about 44 percent of the entire metropolitan area, live within the area which was the old City of Indianapolis. In 1960, the official Standard Metropolitan Statistical Area (SMSA) included only Marion County, which then had a population of 677,567. Between 1960 and 1970, the area which had constituted the old city increased its population by about two percent; the remainder of the county had about a 40 percent increase.

Although not on a navigable waterway, the metropolitan area has several railroads and seven legs of the interstate highway system, more than any other city, giving it a diversified industrial base and excellent transportation facilities. It is somewhat more prosperous than the rest of Indiana or the Nation, with higher per capita income and lower rates of unemployment. Among the 50 largest cities in the U.S., Indianapolis ranked fourth in magnitude of median family income in the 1970 census.

The non-white population in 1970 was slightly less than 13 percent of the population of the eight-county metropolitan area, slightly over 17 percent of Marion County, nearly 27 percent of the population of the area previously included in the City of Indianapolis, and about 39 percent of the population of Center Township, the geographical heart of the city and of the county. These percentages increased from 1960 figures of 14 for Marion County, 21 for Indianapolis, and 27 for Center Township. Ethnic groupings among the white population in Indianapolis are noticeable; but probably much less significant than in most large cities of the East and Middle West. Less than two percent of the population is foreign born.

As the figures above indicate, the black population of the metropolitan area was encompassed almost entirely within Marion County; only about 3,000 of more than 300,000 people in the other seven counties in 1970 were non-white. Within the county, the blacks were located overwhelmingly within the old city limits of Indianapolis, and largely in Center Township. The degree of segregation seems to have increased between 1960 and 1970. The number of census tracts which were more than 90 percent black doubled between 1960 and 1970; the percentage of blacks living in such tracts increased from 34.7 percent in 1960 to 39.3 percent in 1970; and the proportion of the black population living in census tracts where the majority of the people were black increased from 67.1 in 1960 to 76.1 in 1970.<sup>2</sup>

The 1967 Census of Governments identified 60 governmental units within Marion County, including the county itself. There were nine townships (in Indiana, all of the land in the State is included within a township, just as it is within a county). There were 23 cities and towns (in Indiana, the distinction between a city and a

town depends mainly but not entirely on size). None of the suburban municipalities was large in comparison to Indianapolis; only three had populations in excess of 10,000 in 1970, and none had as many as 20,000 people. The county was broken into 11 school districts. One was essentially identical in area with the City of Indianapolis, but was considered to be a district governmental unit; two others corresponded to two of the other municipalities (Beech Grove and Speedway); and the other eight corresponded to those portions of the townships which were not in the three municipal school systems.

The 1967 Census also identified 16 other special districts, some of which coincided in territorial boundaries with general purpose units (it is not always easy to distinguish between separate governmental units and autonomous agencies of a general purpose unit, although the Bureau of the Census tries to make its grounds for such distinction explicit).

There had been very few changes in regard to governmental units between the 1962 Census of Governments and that of 1967. In 1962, the Census identified two fewer special districts, and one more school district; otherwise, the array of units was the same.

In Indiana, all of the structures, powers, and processes of local governmental units are prescribed by State law. The concept of a city or county "charter" is unknown to the State law, and "home rule" is a subject only for wistful discussion by local officials. The State constitution requires State laws concerning local government to be general in character, but it does permit classification of local units on the basis of size. Indianapolis has long been the only city of the first class, which permits an increasing body of State legislation, general in form, which applies only to Indianapolis—and to Marion County (often through the device of a general law applying to "any county containing a city of the first class").

The State constitution forbids any municipal corporation to become indebted in an amount exceeding two percent of its assessed property valuation. One reason for the formation of special purpose units of government, often with boundaries coinciding with those of the general purpose unit, has been to facilitate additional borrowing felt to be necessary for some purpose—a new unit or corporation could borrow if need be, up to its own two percent limit.

Local government in Indiana tends to be highly partisan. The two major parties compete vigorously for local office, and long tenure in office by either of the parties is the exception rather than the rule in most of the more populous counties and cities. The spoils system governs the appointment and tenure of many, perhaps most, employees of the general governmental units. The schools and some of the other special purpose units have some degree of exemption from partisanship and the

spoils system, and there are also elements of professionalism and tenure in some areas of general governmental employment.

In both Indianapolis and Marion County, both major parties have strong and active organizations, present candidates for most or all elective positions, and win from time to time. In recent decades, elections in the City of Indianapolis have been won much more often by the Democrats than by the Republicans, and Marion County (including the city) has returned Republican majorities substantially more often than Democratic. In the ten elections for mayor of Indianapolis which preceded the reorganization, the Democrats had won seven times and the Republicans three. Republican margins of victory, when they occurred, tended to be more narrow than the Democratic ones. At the county level, there is no such single measuring rod of party success, since there are many elected officials. Republicans have controlled the bulk of county offices and the state legislative delegation most of the time since the New Deal days of the 1930's, although there were Democratic victories in 1948, 1958, and 1964. Republicans generally win in most, but not all, of the suburban municipalities. In both city and county, however, margins of victory are seldom very large; the winning percentage is in the fifties, the losing one in the forties. Party organization has been important in both the city and the county, with strong and active county, ward, and precinct staffing. The county has probably been a more significant political party unit than the city, with the county chairman usually directing city campaigns as well as those in the county itself.

## ADJUSTMENT TO METROPOLITAN PROBLEMS

Indianapolis has been subject to the same demographic, economic, and social forces as the other major metropolitan areas of the country. Although it is one of the largest cities in the East and Midwest which has continued to show some growth of population within its city limits, population growth in the suburban portions of the metropolitan areas has been much more rapid. Income levels outside the city limits tend to be higher, and to grow faster, than those within. Suburban commercial and industrial development outdistances that within the city. Indianapolis had 77 percent of the county's assessed valuation in 1950, only 60 percent in 1966,<sup>3</sup> and valuation within the area of the old City of Indianapolis had dropped to 54 percent of the county total in 1971.<sup>4</sup> Annexation to the central city became increasingly difficult, although some small areas continued to be annexed in the 1960's.

Over a considerable period of years, significant efforts had been made to enlarge the governmental areas within which particular services and functions were conducted.

Most of these efforts focused upon the county, since Indianapolis was entirely within the county and was considered to be a single county metropolitan area until the middle of the 1960's.

After World War II, nearly every State legislative session saw the enactment of some kind of legislation making adjustments in the allocation of local government functions in relation to the Indianapolis metropolitan area. Legislation once enacted was often amended at later legislative sessions. Each piece of legislation (proposed or enacted) tended to deal with one particular function only.

First, the city's Sewer and Sanitation Department was made a separate taxing district under an administrative board appointed by the mayor; it was authorized to exercise extraterritorial jurisdiction beyond the city limits.<sup>5</sup> Through this arrangement, thickly settled areas adjacent to Indianapolis have been provided with sewerage and garbage collection services, and have paid the costs through fees and through property levies earmarked for this purpose. Some, but not all, of the suburban municipalities are served by the sanitation district.

Through permissive statutes first enacted in 1947, applying to large Indiana cities, and applied to Indianapolis some years later, the service and tax base of the library system was extended to nearly all of Marion County. In 1951, a statute of major importance created a separate municipal corporation encompassing all of Marion County, and gave it jurisdiction over all public health and hospital activities within the county. In 1953, a separate corporation was created to construct and operate a city-county building; in 1965, an agency was created to construct other "capital improvements," meaning in this instance primarily a convention and exhibition center, with the whole county as a base.

Under general Indiana law authorizing public housing authorities, the territorial jurisdiction for such authorities could extend five miles beyond the municipal corporate limits. While Indianapolis was among the last of major American cities to engage in any public housing activities, the housing authority it created was able to operate, if it wished, in an area much larger than the city itself.

Although in most American cities zoning is one of the most jealously guarded of local functions, in 1955 a countywide planning commission was established; authority over land-use planning, zoning, and subdivision controls was removed from the separate municipalities and vested in the county agency, whose board (like the boards of many of the other agencies) had members appointed by both the city and the County. Although authority over local zoning was transferred to the County, municipal zoning boards of appeals were retained under a grandfather clause.

In 1961, separate acts established a countywide base

for airports and for the entire function of parks and recreation. In 1963, a Metropolitan Thoroughfare Authority (later called a Mass Transportation Authority) was created, with responsibility for the construction and maintenance of major roads and streets throughout the county. This agency met major legal, political, and financial obstacles, was completely revamped in the sessions of 1965 and 1967, and was still struggling to get off the ground at the time of the enactment of the Unigov statute in 1969. The rather protracted struggle to get countywide responsibility for major transportation routes and systems, occurring in the three preceding legislative sessions, was clearly one of the chief precursors of the general reorganization of 1969.

Some major efforts to establish larger territorial bases for particular functions were unsuccessful. In 1959, as part of a general statewide effort for the reorganization of school districts, an official study commission was created to make proposals concerning the school districts in Marion County. After study, the commission unanimously agreed to recommend a county unit school system, consolidating the 12 independent school districts into one. Public reception to this proposal was so vehemently negative that the commission itself withdrew the recommendation. In 1967, based upon recommendations of the Greater Indianapolis Progress Committee (about which more later), bills were presented to the legislature which would have provided a countywide consolidated police force. Opposition from the sheriff's office and others was greater than had been anticipated, the mayor failed to support the proposal, and the effort collapsed.

By 1968, however, the Indianapolis metropolitan community had taken major steps, one function at a time, to adjust the territorial base of most of the important functions of local government to patterns which were thought to come much closer to the economic and social realities of the metropolitan region. Most often the new service (and financial base) area was the county, which was about five times as large geographically as the city and which had about 60 percent more people. Sometimes it was an area smaller than the county but still substantially larger than the city. The area used, and the control mechanisms, were those which seemed to fit either the service needs or the political realities of the particular functional area concerned. Across the country, other metropolitan areas were making similar adjustments, but the shifts which had been accomplished in Indianapolis even before 1968 were probably much more numerous and significant than those in most of the other metropolitan areas of the country, even though they had not attracted much national (or even local) attention. Only police and fire services, among the major local governmental functions, were administered by the city government entirely within the municipal boundaries, and even with these

there were occasional extraterritorial activities.

It should be clear from this summary, however, that the actions had been taken on an *ad hoc*, function-by-function basis, with little or not attention to coordination or integration, and only secondary attention to political responsibility. The motives and objectives involved in the various shifts were usually mixed; in addition to the desire to get a better match between function and area, there was often the desire to secure the fiscal autonomy which came with increased borrowing power and earmarked revenues for functional areas. Often just as important, there was the desire on the part of the proponents of a particular functional program to separate it in some degree from the partisan politics and the spoils activities which permeated the general purpose governmental units. Where all three of these needs seemed somewhat less pressing, as was the case with schools, the effort at reorganization was unsuccessful.

Although the county was frequently used as the territorial unit, the existing county government was hardly equipped for such responsibilities. There were numerous elective officials, most specified in the State constitution, with narrowly defined duties. There was neither executive leadership nor a deliberative body with wide responsibilities. Three county commissioners had very limited legislative power and general custody of county properties. The county council of five members had some control over the budget, but little power otherwise.

In most instances, the structural form used for particular functions was that of a board, appointed partially by the mayor or city council and partially by county officials. There was sometimes ex-officio membership. Most of the boards had overlapping terms, and powers of removal were vague or non-existent. Among these functional agencies, political and governmental power was widely dispersed; the most significant general leadership roles were those of the city mayor and the county chairman of the majority party, who usually held no public office, and their power and influence were generally very limited.

## POLITICAL HISTORY

The enactment of the Unigov bill (this is the title which was widely attached to the reorganization measure) can be understood and explained only in the context of the immediate political history of the time.<sup>6</sup>

The Democrats swept the State election in 1964, at the time of the Johnson victory over Goldwater. The Governor was a Democrat, both houses of the General Assembly were controlled by Democrats, and the Marion County legislative delegation (which, understandably, dominates State legislative consideration of Indianapolis matters) was Democratic. Indianapolis city government was also controlled by the Democrats, who had won the

mayoralty and council elections during the preceding year (in Indiana, municipal elections are held every four years, in the year preceding presidential elections). The Democratic county chairman, James W. Beatty, a young attorney, was also corporation counsel for the City of Indianapolis.

Indianapolis Mayor John Barton, and especially Beatty, felt frustrated by the inability of the city's chief political officer to control the activities of many of the functional agencies which had been set up to control a large number of local functions. Beatty prepared a series of bills which had the purpose of increasing the control of elected officials, and particularly the mayor, over the various boards governing health, sanitation, parks, airports, welfare, and other functions. These bills generally did not change the basic structure of the agencies or their territorial jurisdictions; they just made changes in the method of board appointments and made it clear that board members could be removed by the mayor or other appointing officials. The Indianapolis *Star* and the *News* gave considerable attention to the proposals, and opposed them vigorously (the only two daily papers in the city, both are owned by the same organization and are generally conservative politically). The *News* called the proposals a "Power Grab," a term which was widely used.

Beatty's proposals were only moderately successful. The mayor, who was more conservative than his county chairman, disassociated himself in some degree from the proposals, saying that "Most of the bills . . . were being promoted by the Democratic organization, not the city administration."<sup>7</sup> Some of the bills failed in the legislature and some were vetoed by Governor Branigin who, while a Democrat, was much more conservative than the Marion County Democratic leadership; he had been supported for the office by the *Star*, which seldom supports Democrats. Several of the bills, however, often with amendments, did pass. The net effect was a substantial enlargement of the mayor's control over the functional agencies, although less of an enlargement than Beatty had intended.

After the sweeping Republican defeats in 1964, a group of Republican partisans calling themselves the Republican Action Committee successfully challenged the regular Republican organization leadership in the primaries held in May, 1966. L. Keith Bulen, a young attorney and former member of the General Assembly, was chosen Republican county chairman. Many people working with the Republican Action Committee in the 1966 contest continued to be active in the city campaign of 1967, the general elections of 1968, and the enactment of Unigov in 1969. In general, this new Republican leadership was young (although it included some older persons), relatively prosperous, and well educated. Bulen rapidly became one of the most powerful Republican politicians in the State. Successful

in the legislative races of 1966 and the mayoralty campaign of 1967, his Marion County forces were the decisive margin in the nomination of the successful Republican candidate for Governor of Indiana in 1968. Bulen then became Republican national committeeman and, in a State without Republican members of the United States Senate, the chief channel of national Republican patronage in Indiana.

John Barton, Democratic mayor in 1966 and 1967, had increasingly noticeable differences with his party's county chairman, Beatty. Endeavoring to work closely with the city's establishment, Barton stimulated the creation of the Greater Indianapolis Progress Committee, composed of a large number of business and civic leaders and chaired by Frank McKinney, chairman of the board of one of the largest banks in the State and former national chairman of the Democratic Party. The Progress Committee focused much of its attention on capital improvement projects, but had committees considering governmental reform; it was a proposal by one of these committees which stimulated the effort, in the 1967 legislature, for a countywide police force.

In the mayoralty campaign of 1967, both Democratic and Republican parties had serious contests for the nomination in the primaries; in both cases, the contests were in large measure between old and new leadership. In the Democratic party, Barton, the incumbent mayor, had tried unsuccessfully to oust the much younger Beatty as county chairman in 1966; in 1967, the two were opponents in the primary for the party's nomination for mayor. Barton won the nomination by a narrow margin. In the Republican party, youth prevailed over experience. Bulen, and most of the other persons who had been active in the Republican Action Committee campaign of the previous year, supported one of their own group, Richard Lugar. Several people who had been active in the previous regular Republican organization, apprehensive and disturbed at the rapidly rising power of the new group, supported Alex M. Clark, who had been mayor the last time the Republicans had held the office, from 1952 to 1956. Lugar defeated Clark for the nomination by a decisive but not overwhelming margin—21,551 to 17,000.

Lugar was then only 35 years old. Born in Indianapolis, he had graduated first in his class both at Shortridge High School, in the upper-middle-class north side of Indianapolis, and at Denison University in Ohio. A Rhodes scholar, he earned both bachelor's and master's degrees in philosophy, politics, and economics from Oxford University during his two-year stint there. After three years of service in the Navy, he returned to a family business in Indianapolis. He was elected to the Indianapolis School Board in 1964, appointed by Mayor Barton to the Greater Indianapolis Progress Committee, and active with the Republican Action forces in the 1966 campaign.

The divisions in the Republican party were more effectively healed than those in the Democratic party, and the effective organizational work of Bulen and his associates combined with Lugar's attractive image and campaign to produce a Republican victory by a margin of nearly 9,000 votes. The last Republican victory in a mayor's race had been 16 years earlier, and this was only the third such victory in 40 years. In achieving the victory, Lugar received substantial contributions in influence, money, and manpower from suburban and city Republicans. The Republicans also won a six-to-three margin on the City Council.

The political victories of Bulen, Lugar, and the Republicans in general continued through the State and county campaigns of 1968. Bulen and Lugar were active in the "slating" (the process through which the party organization indicates its preferences before the primary) and the primaries of the spring of 1968, securing candidates who were generally to their liking. In a three-way contest for the party's gubernatorial nomination, in the State convention during the summer of 1968, the Bulen-led Marion County delegation supplied what was probably the decisive support for Edgar Whitcomb. Lugar was receptive to invitations to assist in Republican campaigns throughout the State. He introduced Richard Nixon in his campaign visit to Indiana, and was particularly active in trying to secure the election of Republicans to the State Senate and House of Representatives. Lugar later said that throughout 1968 much of his strategy involved campaigning throughout Indiana in behalf not only of the State candidates but more particularly of State senators and representatives.<sup>5</sup>

In the November general election, Nixon's margin over Humphrey was greater in Indiana than in any other State; Whitcomb was elected governor, and Republican margins in both houses of the General Assembly were more than two to one. All of the State senators and representatives from Marion County (elected at large from the county) were Republican.

## PREPARATION FOR REORGANIZATION

Along with the function-by-function shifts and reorganizations which had been occurring for more than two decades, there was in Indianapolis, as in most other major metropolitan areas, some continuing discussion about the possibility of more sweeping and general governmental change. Most realists considered such talk to be merely talk, as it apparently has been in many other American cities. The Beatty proposals in 1965 had been aimed at strengthening the power of the chief elected executive. In spite of being characterized as a "power grab," they hardly constituted a basic reorganization of governmental structure. With the advent of the new Republican regime, however, serious dis-

cussions began which were aimed at much more than talk or patchwork partial changes.

These discussions were not public in their initial stages. Lugar had said nothing specific about governmental reorganization in his campaign in 1967, although he had had a task force on government reorganization. He was certainly aware of past shifts in authority and responsibility, the proposals emanating from the Greater Indianapolis Progress Committee concerning the extension of police service to a countywide basis, and the general conversations in the community concerning reorganization possibilities. Committed to dynamic, active leadership, he was even more frustrated by the dispersion of responsibility and power among the various local government agencies than his Democratic predecessor had been.

In describing these frustrations then and later, he frequently used the example of the development of the Eagle Creek reservoir in northwestern Marion County, a major stream impoundment which required changes in roads, land uses, health and sanitation facilities, and governmental services of many kinds. As chief executive of the central city, there were many ways in which he was necessarily interested in this development, but responsibility for action was divided among agencies over which he had limited influence. In some cases, they were extraterritorial activities of the city government; in other instances, they were agencies run by boards over which he had only partial appointing authority; sometimes they were county agencies over whom he had no control at all; in still other instances, they were State and Federal offices which apparently could be led or persuaded to do certain things only if the local community spoke to them through clear and direct channels.

Lugar was not the only official concerned about the possibility of reorganization. The president of the County Council, Beurt SerVaas, a prominent businessman and civic leader, and City Council President Thomas C. Hasbrook had both been active in the new Republican leadership, and had begun conversations soon after the Republican victories in the 1967 city elections with regard to the possibilities of increased cooperation between the city and county governments. John Walls, chief staff officer of the Greater Indianapolis Progress Committee, had been co-opted into the new administration as deputy mayor, and was also very interested; his image was less that of the active partisan than of the professional public administrator which, by virtue of training and practice, he was.

Within two or three months of Lugar's induction into office in January of 1968, a small group composed of these persons and a few others began meeting on a regular basis to consider the possibilities of reforming the governmental system of the city and the county.<sup>9</sup> These conversations were not publicized, and were carried on, of course, at the same time as the individuals

concerned tried to cope with the problems of a new administration and simultaneously to engage in the activities of furthering the political fortunes of their party through the campaign efforts outlined above. But they were not the less serious, and apparently imbued with a strong feeling of optimism and sense of efficacy.

The mayor's participation and leadership was always recognized to be central and indispensable. He was knowledgeable about efforts at local government reorganization elsewhere. He was impressed by the reorganizations in Nashville and Jacksonville, and was confident that Indianapolis could do as much or more. But the other participants were also men of strong personality and influence; they were not merely the mayor's henchmen.

Senior among them was John Burkhart, president of the College Life Insurance Company, president of the Capital Improvement Board (one of the *ad hoc* agencies created to build new capital facilities for the area), long-time active member and leader of the Chamber of Commerce and other civic groups, one of the chief financial backers of the Republican Action Committee. The group nearly always included Mayor Lugar; County Chairman Bulen; Burkhart; Walls; Hasbrook, an executive at the Eli Lilly Company (the largest industry with headquarters in Indianapolis) as well as president of the City Council; SerVaas, the president of the County Council; and others.

With the exception of Walls, all had been active in the Republican Action Committee. Others were invited to meetings of the group as discussions progressed. One of these was Carl Dortch, chief executive of the Indianapolis Chamber of Commerce, long-time government researcher and member of the Governmental Research Association; he had been chairman of the school reorganization study several years earlier, and was a veteran of most of the struggles to get reform legislation of various kinds through the General Assembly. The discussion and planning group was not officially attached to the Greater Indianapolis Progress Committee. This was a much larger group, including numerous Democrats as well as Republicans, and discussions could not have been as frank or as confidential.

Throughout these discussions in 1968, and the political campaigns of that year as well, there was considerable degree of enthusiasm, optimism, and camaraderie. There is no doubt that these discussions were conducted in an atmosphere of partisan as well as civic interest. It would, however, be a great oversimplification to consider the spirit to be that of a clandestine political plot. The participants were actively interested in what they considered to be governmental reform in the general public interest. As members of a particular political party, they felt, without much question, that one important way to further public interest was to promote the interests and success of their particular party.

Not all the discussion and planning was done at this level of general policy. The participants, particularly the mayor, realized that a great deal of hard technical work would be an essential component of any reorganization effort. In the late spring of 1968, when the discussions of the policy group were only well started, Mayor Lugar asked Lewis C. Bose, an Indianapolis attorney with a good deal of experience in legislative draftsmanship, to prepare a memorandum on the problems and possibilities of metropolitan government reform in Indianapolis. After the policy group had considered Bose's memorandum, Lugar had a long discussion with Bose, and asked him to serve as the coordinator of a legal task force to prepare the legislation which might result from the discussions and deliberations which were taking place.

This was still in the late spring or early summer of 1968, long before the Republican victories of November 1968, made it clear that there would be Republican majorities in the county and State governments, and before any discussion of governmental reform proposals in the press or other public forums. Bose, after a long discussion with the mayor which convinced him that there was real commitment to and potential for the enterprise, agreed to undertake the task, with such assistants as he could recruit. He received assurance of remuneration which, while probably inadequate to compensate lawyers of the quality he secured at their regular rates, kept it from being entirely a labor of love. Although Bose was in direct charge of the research and drafting efforts, Whistler, who was a member of Lugar's policy group, was also a chief participant in crucial portions of the drafting, particularly later when adjustments had to be made during the legislative process itself. Indianapolis, as the capital, has many lawyers with experience and competence in legislative draftsmanship; the larger firms often facilitate and encourage such work by some of their staff members. Bose was able to secure talent which he considered to be of high quality, and some eight or ten lawyers spent a great many hours considering and refining various alternatives.

Central components of consensus emerged from the discussions of the policy group and the technical group. These involved the consolidation of the main executive and legislative functions of the city and county; a strong, elected single chief executive; a strong single council; the concept of differentiated taxing and service districts for particular functions or groups of functions; exemption of schools from reorganization, on the grounds that such a proposal would endanger the entire effort too greatly; a substantial degree of administrative integration, grouping related functions into major departments. Aside from these essentials, most of the participants were willing to compromise.

The Republican victories of November 1968 made it clear that there would be a Republican in the governor's

office, strong Republican majorities in both houses of the Assembly, complete Republican composition of the Marion County legislative delegations in both houses, and Republican control of both county and city government—a confluence of single party control which was rare in Indianapolis political history. The victories also promised a likelihood of sympathetic consideration from all of these Republican groups because of past help and favors. It was time to move, and move rapidly, because the biennial legislative session was to convene in January 1969 for a period of only 61 days. The entire period of pre-enactment public discussion of the Unigov proposal was concentrated into this period between November 1968 and March 1969 when the governor signed the bill.

The number of persons involved in the discussions and consultations had by now been somewhat enlarged, and was not completely confined to the central group of Republican leaders. The fact that attorneys were working on the matter was becoming known. Some Democrats had been consulted and involved in the technical legal activities. William A. Brennan, a Democratic realtor, and William H. Hardy, a black member of a public relations firm, had been invited to meetings of the policy group, which had begun to meet from time to time in the mayor's office, working with the lawyers. Jack Reich, a Democrat, prominent Indianapolis businessman, former staff director for the Indiana Chamber of Commerce, successor to Frank McKinney as chairman of the Greater Indianapolis Progress Committee, was informed and consulted. The Progress Committee, which was attached to the mayor's office in Lugar's administration as it had been in Barton's, took formal responsibility for the reorganization effort.

Soon after the election, Mayor Lugar officially invited about 50 prominent citizens of the county to serve on a "Mayor's Task Force on Improved Governmental Structure." Included were most but not all of the members of the group who had been meeting through most of the year. Executives of the newspapers and television stations were invited; some of the invitees were Democrats, some were black, one was from the League of Women Voters. Nearly all agreed to serve.

The first meeting was held in the conference room of the mayor's office on November 27. Hasbrook and SerVaas, chairmen of the city and county councils respectively, served as co-chairmen of the Task Force. At the meeting, the mayor in his capacity as chairman of the Greater Indianapolis Progress Committee, and the two co-chairmen of the Task Force made opening statements; there was then a wide-ranging discussion of governmental problems and possible actions.<sup>10</sup> Most, and perhaps all, of the persons present knew that the mayor and others had been discussing the possible reorganization for some time, and that attorneys had been working on the technical aspects of the problem.

The general spirit of the discussion indicated that the time appeared ripe for substantial governmental reorganization. The possibility that there would be reservations and objections by some elements was recognized. Some from the suburbs suggested that some of their areas might be reluctant to participate. A black journalist, Marcus Stewart, Jr., of the *Recorder*, indicated the necessity of careful consideration of adequate representation of that minority, and the mayor and his associates agreed that this was an important and significant consideration. However, there was clearly more sentiment for drastic change than there were reservations.

Some felt that school district consolidation should be included in the program; those who had participated in earlier discussions had to counsel strongly for caution and restraint in this regard. Some sentiment was expressed in favor of a city manager arrangement; the mayor indicated he was willing to consider this, but said that he personally preferred a strong political executive with a professional administrator (he mentioned Walls as an example) serving as a managerial subordinate. There was agreement on the desirability of quick action, in view of the pending legislative session, and the necessity of good technical work, which the mayor and co-chairmen said was already underway.

A second meeting was held December 13 in the board room of one of the large banks. After a third meeting on December 19, the report of the task force was issued. Its proposals were, in outline, those which were later enacted into law.

The work and discussions of the task force had been reported in the press. Its report was given extensive publicity. The proposal was quickly christened "Unigov," and there was intensive reporting about Unigov, its contents and prospects, from then until its final enactment.

During the same two months, between the election and the convening of the Assembly, there were intensive discussions with the members of the Marion County legislative delegation who had just been elected (or re-elected). The delegation was composed of eight senators and 15 representatives, all elected (at that time) at large from the entire county. Most members of the delegation, who had been supported and, in some instances, selected by the Republican party leadership, were in accord with the program; two or three, generally the more conservative members, had doubts or reservations. Mayor Lugar was also engaged in efforts to explain the proposal to and secure support from Assembly members from other counties.

## THE PROCESS OF REORGANIZATION

In spite of the imagery attached to the term "Unigov," the bill which was eventually adopted fell far

short of complete consolidation. In part, this was caused by doubts about the desirability of such thorough consolidation, but many of the exceptions to the integrative thrust of the bill came as concessions made pragmatically, somewhat reluctantly, to the real or anticipated opponents of more sweeping changes. Other exceptions were made because of constitutional provisions. To amend the Indiana constitution is a difficult and time-consuming process; the amendment must be approved by two successive legislatures, in exactly the same form, and then by the voters of the State in a referendum. The proponents of this measure did not want to embark upon such an effort.

## Building Support

Some of the exceptions to complete consolidation were made as the bill was framed initially; others were added in the course of the negotiations accompanying the legislative process, to secure support or lessen opposition. It may be desirable here to provide some explanation of the more important ways in which the measure fell short of complete consolidation:

1. While some of the key organs of the county and city were consolidated, both the County of Marion and City of Indianapolis still exist as separate legal entities. This was constitutionally necessary. The State constitution has many provisions dealing with counties and only a few with cities, but it would have been hard to escape constitutional difficulty with a complete consolidation of the units.

2. Although, in principle, many of the proponents of Unigov would probably favor school district consolidation, the policy group decided very early that any proposal to change the school system would endanger the bill. As a result, the 11 school systems were untouched.

During the time the reorganization measure was being considered, and since then, the city school system has been involved in litigation and heated controversy concerning racial segregation practices. While the initial suits involved only the city system, the Federal district court, in a major decision announced August 18, 1971, refused to order a broad desegregation plan within the existing school system boundaries because of the danger of creating a majority black status there. The judge raised the question of whether or not the Unigov bill, by consolidating other functions but excepting the schools, had not itself constituted a contribution to racial segregation. He requested that the U.S. Justice Department, the consolidated city government, and the suburban school systems, as well as the Indianapolis school system, submit arguments to him upon this point.<sup>11</sup>

The Federal court did order some specific shifts of children to lessen the degree of segregation, and these orders have aroused considerable controversy. In the

most recent Indianapolis school board election, advocates of neighborhood schools won control of the board, which proceeded to remove the school superintendent, apparently because he had been too willing to make shifts to achieve more racial balance. The new city-county government has not been directly involved in the desegregation controversy, but there may well be political dangers ahead on this point.

3. The posts of the three county commissioners, who constituted the closest approach to a general county executive and legislative organ, were handled in ingenious fashion. The positions were not abolished, but are no longer separately elective. The county auditor, treasurer, and assessor are to serve as county commissioners and to exercise certain minor residual functions not transferred to the mayor or City-County Council. By keeping these county offices, the bill avoided some constitutional difficulties and, in considerable degree, the opposition which might have come from the officials themselves and their adherents. One of the incumbent county commissioners had been on the reorganization task force, but as might have been expected, although the other commissioners opposed the bill, they did not have enough influence to block it. The constitutionally elective county offices of sheriff, prosecutor, auditor, treasurer, reporter, coroner, and surveyor were affected very little by the bill, and remain independent, as does the office of county assessor, a statutory one but also elective.

4. The only significant functions of townships in Indiana are what Indiana law calls "poor relief" (general assistance, as distinguished from the categorical assistance administered by the county Department of Public Welfare) and tax assessment, which is conducted under the supervision and control of the county tax assessor and supported financially by appropriations made by the City-County Council. The nine townships were untouched and the opposition of the elective township trustees was thus avoided, or at least muted.

5. The largest of the suburban municipalities—those with over 5,000 population—were "excluded" from the territorial jurisdiction and tax base of the consolidated city, although as part of the county they are subject to the controls and taxes enacted by the City-County Council when it acts in its capacity as governing body of the entire county. Since the mayor and City-County Council act also as the executive and legislature for the whole county, citizens of the excluded municipalities are permitted to vote for them as well as for their own mayors and city councils.

At the time the bill was being drafted, it was thought the excluded municipalities would be only Beech Grove, Lawrence, and Speedway, each of which had a population of about 15,000, and a good deal of pride in its autonomy and municipal service levels. Later, the town of Southport, which had had only about 1,000 people,

annexed enough more to put it over the 5,000 margin, and is now considered to be one of the excluded municipalities, although the validity of this action has been questioned by some.

Officials of most of the small cities and towns, excluded or included, opposed the measure. But the exclusion of the larger ones was thought to be a way of qualifying the opposition residents of these cities.

6. While one of Beatty's proposals in 1965 would have given the mayor some power over the Welfare Board, such an effort was not seriously considered in the Unigov effort. The health program was to have become one of the major departments of the consolidated city, but the authors backed off from this proposal. The bill as finally enacted specifically preserved several previously created agencies with varying degrees of autonomy. The Airport Authority, the Health and Hospital Corporation, the county Board of Public Welfare, the County Home, the City-County Building Authority, and the Capital Improvement Board were preserved. The bill provides that the budget of the Health and Hospital Corporation is to be approved by the City-County Council. The same is true of the Airport Authority, over which the mayor had substantial appointive control under existing law. Only public welfare has complete separation and autonomy, although each of the other agencies has a somewhat more independent status than do the regular executive departments of the government.

7. Existing arrangements about territorial extent of particular local governmental services were changed very little by the Unigov act. As has been outlined earlier, many functions had already been extended to a county-wide basis, and others, such as sanitation, trash collection, libraries, and public housing, were available to an area larger than the city but smaller than the entire county. The bill provides for special taxing and service districts for the application of particular functions, but makes no essential change in existing boundaries. Fire and police, which were the major services still confined within the limits of the city, are now to be administered and supported within special service districts. Enlargement of the police service district, under the new act, was made somewhat easier than had been annexation to the old city. Extension of the fire service district boundaries, on the other hand, was made significantly more difficult under the new act than had been annexation in the past. Annexation to the fire service district is now legal only on the request of the majority of the owners of real property, or the owners of real property amounting to 75 percent of the assessed valuation, in the area affected. In political terms, this means the potential opposition of the volunteer fire departments which serve the suburban areas was more feared by the sponsors of the bill than was the potential opposition of the sheriff, who provided police service to the unincorporated area, and his supporters.

8. No changes were attempted in the judicial system.

9. Apparently no thought was given to the possibility of extending any of the local government functions to a territorial base larger than that of Marion County. There are seven other counties in the official SMSA, and there were already arrangements for mutual consultation about some particulars, but the bill has no provisions about this subject.

These concessions to potential opponents did not completely forestall opposition to the proposal. The leaders of the Democratic party would probably have opposed the bill because of its obviously partisan Republican sponsorship, and they saw immediately that shifting the political constituency from the normally Democratic city to the normally Republican county would be a serious setback to their partisan interests. They had proposed legislation themselves four years earlier to strengthen the control of elected officials over some of the autonomous agencies, which was a major component of the Unigov proposal, but the shift of constituency was a crucial one. The Democrats had proposed increasing the power of the elected officials in the city, without shifting their political constituency.

Leaders of black communities in Indianapolis generally opposed the measure. Although the black percentage of Indianapolis population, before the consolidation, was only slightly over one-fourth and there was no early likelihood of a black majority within the city, some black leaders argued that their proportion of the Democratic party was rapidly becoming dominant, and, since the Democrats usually won the city election, they were approaching a stage where they could control the party which controlled city government. A consolidation with the overwhelmingly white population of the suburbs clearly diluted, in their opinion, that political power. Rozelle Boyd, then a member of the Marion County Council and now one of the four black Democrats on the new City-County Council, argued that real consolidation, sharing the resource base providing services for all, would be desirable, even though the black votes would be diluted in the process. But, he said, the Unigov proposal diluted black political power and did not change the resource base situation at all. However, the black political community in Indianapolis has not been cohesive, militant, or strongly led, and its opposition did not deter Republican majorities in the Assembly.

The official spokesman for the State AFL-CIO opposed the legislation.

Some conservatives also opposed the proposal. (One of the bill's proponents said the most vigorous opposition came from militant blacks and the John Birch Society.) Circuit Judge Niblack and Prosecutor Percy, both of whom were strong leaders in the Republican party before the Republican Action movement, suggested that the Unigov measure be delayed two years for

further study. One woman Republican State Senator, voicing the views of a significant number of conservative suburban voters, refused to go along with the majority of the delegation. County officials voiced strong reservations, asking for delay or defeat of the measure. The legislative representatives of the Association of Indiana Counties took a public stand against the measure, fearing its possible impact upon other counties in the State. The officials of most of the small cities opposed the bill, though some favored it, at least mildly.

There was enough support to overcome the opposition, which was not well organized or coherent. The Chamber of Commerce and League of Women Voters supported the proposal. The chairman of the Greater Indianapolis Progress Committee testified in favor. The Fraternal Order of Police, satisfied with the detailed protections for the police written into the bill, favored it. The spokesman for the Health and Hospital Corporation, the largest and most significant of the autonomous agencies was mollified by the degree of autonomy which the bill allowed it to retain, and indicated that the agency was not opposed to the bill. The mass media were either benevolently neutral or actively in support. The Indianapolis *Star* editorially endorsed the proposal. And, most important, the political homework had been effectively done.

### Legislative Modification and Adoption

The Unigov bill was referred to the committee on "Affairs of Marion County," which was dominated by local legislators, and quickly reported. Numerous amendments were made, both in committee and on the floor; most were technical corrections, but others were concessions or modifications to allay opposition. The bill passed the Senate on February 15 by a vote of 28-16; 25 Republicans and 3 Democrats in favor, 6 Republicans and 10 Democrats opposed. Six of the eight State senators from Marion County voted in favor; one did not vote, and one voted no. A crucial vote in the Senate, and later in the House, was on the amendments offered and supported by the Democratic leadership, one of which would have required a popular referendum. On final passage of the bill, a majority of the entire Senate membership (26 of 50) was required; there were only two votes to spare, and the Republican vote in favor was not quite sufficient by itself.

In the House, in addition to the referendum proposals, the most critical hurdle was the attitude of the Speaker, who was in a position to control the agenda during the final days of the short session. Unless he "handed down" the bill, it could not come up for final passage. Bowen, the Speaker, had been one of the candidates for the Republican gubernatorial nomination who had been defeated in the convention of the previous summer, in large measure through the efforts of Marion

County Chairman Bulen and his associates. Furthermore, he was deeply interested in important statewide legislation concerning taxation, and probably wanted as much leverage as possible upon the Marion County delegation in connection with that controversy. He held up the bill, announced that he wanted to be sure that it really had the support of the people of the area, and thoroughly frightened the bill's proponents. But he finally handed the bill down on March 5, the last day it could be considered in time to receive full legislative approval. It passed the House by a vote of 66 (64 Republicans and 2 Democrats) to 29 (5 Republicans and 24 Democrats). Fourteen of the 15 representatives from Marion County voted yes, one voted no. In both houses, most of the Republican opposition votes came from counties adjoining Marion, although sponsors of the bill had attempted to allay such opposition by including a clause in the bill forbidding annexation of territory outside Marion County, a limitation not normally imposed on Indiana cities.

The proponents of the bill defended their opposition to a referendum in several ways. They said that referenda were not required by general law and, since the legislature clearly had the power to enact or not to enact the bill, a referendum could only be advisory in nature. They opposed the delay and expense which a referendum would require. Obviously, they did not want to face the difficulties and emotions and divisions which would be involved in a referendum. Later, Mayor Lugar said:

To have gone the route of referendum risked polarization of the worst sort along racial or sociological lines. Secondly, to throw an issue which has tested the wisdom of the best constitutional lawyers in the state to persons who have not the slightest idea of what government was before or after is not wise.<sup>12</sup>

Most importantly, probably, they had the political muscle to pass the bill without a referendum, and did not hesitate to use it.

The new measure was not firmly embedded in the law, however, until it had been upheld in the court tests which almost inevitably accompany a reorganization of this magnitude. The most important and sweeping of the court suits was brought almost immediately after enactment by persons of basically friendly turn, seeking to secure a court decision as quickly as possible in order to provide some stability and certainty about the validity of the legislation. This litigation was brought in the name of Carl Dortch, the chief executive of the Chamber of Commerce (there was precedent for this; Chamber of Commerce officials had from time to time previously sponsored such litigation in order to secure early resolution of doubtful matters in regard to governmental

powers and authority). On January 26, 1971, the Supreme Court of Indiana ruled unanimously that the legislation was valid, rejecting a large number of arguments and contentions against it.<sup>13</sup>

The bill was challenged also in Federal court. The judge there indicated that he had strong doubts as to the validity of a portion of the bill which authorized members of the City-County Council to participate in decisions concerning special service districts even though a portion of their constituencies lay outside those districts. He did not, however, invalidate the legislation, but indicated that the faults could be remedied in later legislation.<sup>14</sup>

Furthermore, as was indicated above, another Federal judge, in a recent case questioning the racial composition of the Indianapolis public school system, himself raised the question of the validity of the consolidation of certain aspects of the city and county without any consolidation of the school district, in light of the circumstance that, within the single school district of the old City of Indianapolis, adequate integration did not seem to him practicable.<sup>15</sup> Further proceedings in this case are expected.

## Factors Responsible for Reorganization

Before examining the actual consequences of the Indianapolis reorganization, it may be useful to summarize why reorganization was achieved at all. Major government reorganizations to adapt the structure of government to changing social and economic life in the metropolis have been seriously considered and proposed in most of the Nation's 250 SMSA's, but substantial reorganizations have been achieved in only a handful of these places during this century. Indianapolis is the largest of these; it is the only one in the northern portion of the country, which includes most of the old urban centers. The reorganization occurred expeditiously, with less apparent controversy and objection than elsewhere. The better-known elements of traditional municipal reform—non-partisanship, merit systems, city managers, home rule charters—were essentially unknown in Indianapolis. The title of one article put it: "Why Did Indianapolis, of All Places, Take a Step Toward Metropolitanism?"<sup>16</sup>

1. One obvious reason was the accumulating experience of gradual extension of municipal-type services to larger geographical areas, with special emphasis on the county. On a piecemeal, function-by-function basis, the municipalization of the county had been occurring for more than two decades, although without any reform in the structural arrangements for county government.

Probably worth a special note, because of its symbolic impact, was the existence of the city-county building. From 1962, when it was occupied, until the time of the reorganization, it was the tallest and most

imposing single building in the City of Indianapolis, and indeed in the whole State. It had been constructed by one of the typical Indianapolis *ad hoc* arrangements, the City-County Building Authority. Although city and county offices were distinct and there was relatively little interaction, both the officials and the leading citizens of the community were psychologically prepared for some consolidation by the existence of this combined headquarters structure.

2. The fact that Indianapolis was and is the prime city of Indiana, the State's largest city and capital, with legal designation as the State's only "first class" city, probably facilitated reorganization.

3. The strongly established practice of direct legislative control was unquestionably important. The frequency of legislative arrangements applying uniquely to Indianapolis and Marion County made special action with regard to its governmental problems easier. The legislature for some years had had standing committees in each house, chaired and dominated by members of the Marion County delegation, to which all bills concerning the city and county were referred. Associated with this fact was the arrangement, prevalent at that time, of electing all of the Marion County delegation to each house at large from the county. The delegation tended, then, to constitute a fairly cohesive group, accustomed to working together. The county's legislative delegation constituted a sort of recurring constitutional convention for the county. It was a type of home rule, since the Assembly ordinarily deferred to the wishes of the delegation with regard to items applying to the county alone.

4. The growing frustration of the political leadership with the functional specialization and autonomy which had developed with the particularized territorial extensions of the functional services contributed. This was clearly in evidence in the efforts made during the Barton administration to extend the control of the city's elected chief executive.

5. The degree and intensity of partisanship was almost certainly itself a factor contributing to the potentiality for reorganization. Partly because of the absence of other coordinating mechanisms, the party became the chief coordinating agent. There was a high degree of party government and of party responsibility. When control by a single party of all the key instruments of government at both State and local levels occurred simultaneously in 1968, it is not too surprising that the party leadership seized this opportunity to extend and consolidate its prospects for power in the future.

6. Intangible and impossible to measure, but difficult to overemphasize, was the emergency of dynamic leadership exemplified in the personalities of Lugar and Bulen. Lugar's personal leadership was indispensable, as was probably the supportive and cooperative role of Bulen. The assistance and cooperation of other able,

intelligent, and committed individuals was also important. The political and economic leaders of the community knew and trusted each other, and there was a significant overlap of personnel.

An attribute of the leadership which deserves special attention, and which was probably crucial, was the willingness of the proponents of reorganization to accept realistic goals, to compromise, to settle for less than they might have wished, to anticipate and mollify the most important potential sources of opposition. Many outside "reformers" and critics of the reorganization call attention to the great number of things which were not done or not even tried. The attitude of the proponents, probably an accurate attitude, was that to have attempted more would have meant to cause the failure of the whole attempt.

7. Probably almost as important as the characteristics of the leadership which successfully promoted the reorganization was the weakness and disorganized character of the potential opposition. The county officials most significantly affected (the commissioners) were not very powerful politically; there were no large and strong suburban municipalities, or very vocal leaders there; the Democratic party was ideologically divided and somewhat ambivalent about the proposal; the black population, compared to that in most northern and eastern cities, was not militant or politically well organized.

Major structural reorganization does not come easily in American metropolitan areas. It may well be that, in the absence of any of the factors listed above, it would not have occurred in Indianapolis. Perhaps not every one was absolutely essential, but the coincidence of all or nearly all these factors appears to have made possible the Indianapolis reorganization.

## IMPACT OF REORGANIZATION

The two terms most frequently applied to the Indianapolis reorganization—Unigov and city-county consolidation—both have value, but are shorthand terms which are in substantial degree misleading. Governments in the area are far from completely unified; there is still a wide and complex variety of units and agencies of government, a highly pluralistic rather than unitary arrangement. And the term "city-county consolidation" suggests far more substantial shifts in the geographical base of services and taxation than actually occurred.

The Indianapolis reorganization can probably best be considered from three different perspectives: service and taxation areas, administrative organization and control, and political community. With regard to the first, the reorganization made only minor changes; the areal bases for services and for the support of the services which had already been worked out were continued with only small changes. The most obvious changes occurred with regard to administrative organization and control; many,

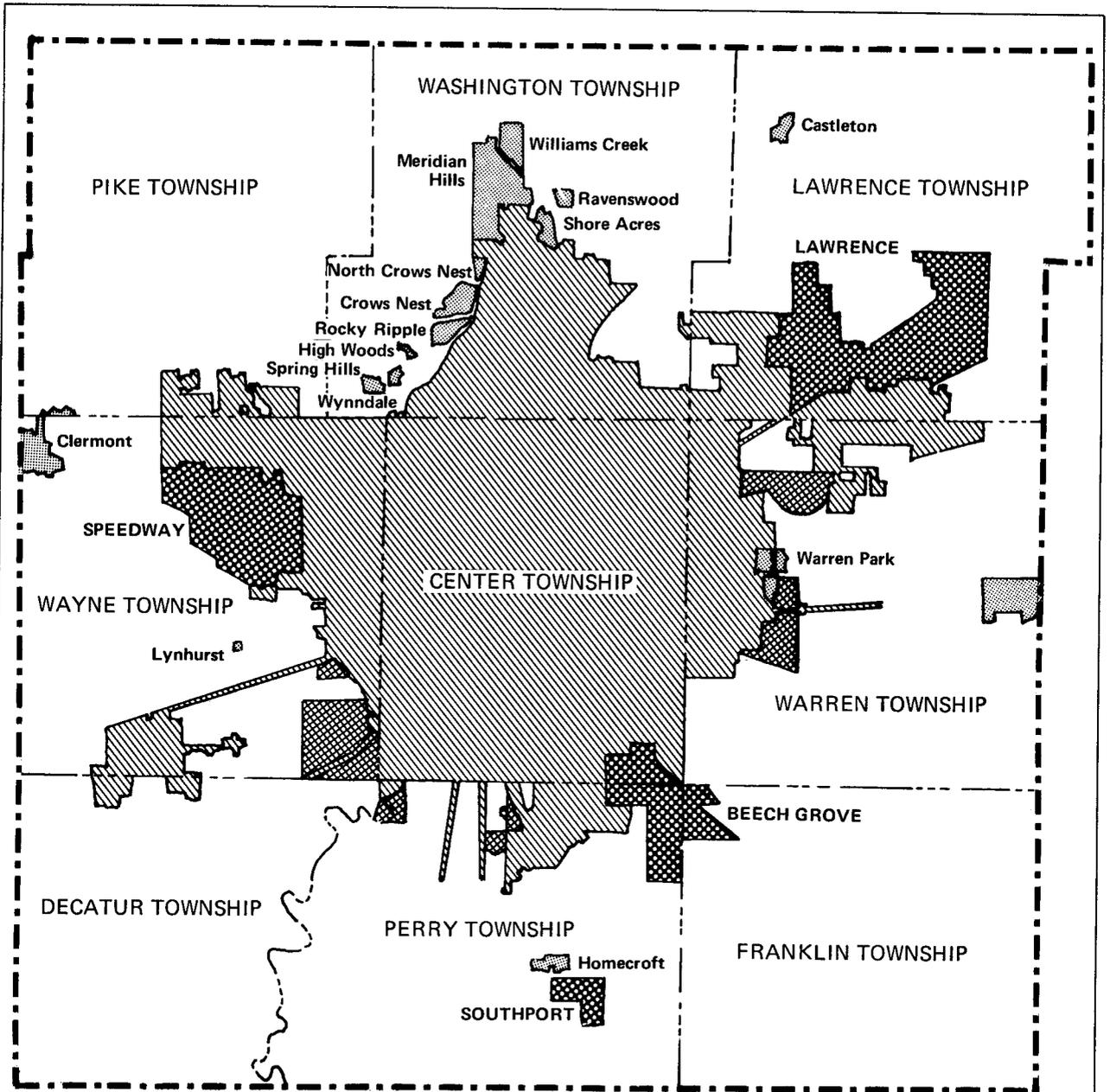


FIGURE II.1  
Indianapolis-Marion County, Indiana

**UNITS OF GOVERNMENT**

-  CONSOLIDATED CITY OF INDIANAPOLIS
-  EXCLUDED CITIES AND TOWNS
-  INCLUDED TOWNS
-  INDIANAPOLIS POLICE AND FIRE SERVICE DISTRICT
-  INDIANAPOLIS EXTENDED POLICE SERVICE DISTRICTS

SOURCE: Consolidated Cities and Counties Act  
Indiana Acts of 1969-Chapter 173

though not all, of the previously separate and autonomous agencies were grouped together into a limited number of strong executive departments, each subject to a much higher degree of control by the chief executive and by the council. The Unigov act was much less an act of geographic centralization than it was of administrative integration. The most important impact of all may be that upon political community. The act did provide a major shift of political constituency; the county is now the important political unit. Its elected chief executive is now clearly and unquestionably the focus of political leadership and responsibility and the city-county Council is at least potentially a deliberating, appropriating, and policy-determining body of preeminent significance. With regard to the technicalities of legal control, the term Unigov is so inexact as to be almost absurd; but with regard to political realities, the term is pregnant and meaningful, even if somewhat overstated.

Each of these aspects—*areal base of service and taxation, administrative integration, and political community*—deserves amplification.

### Service and Taxation Areas

As has been outlined earlier, the Indianapolis community had already taken a great number of actions aimed at the reconciliation of function with area. The base for many services had been extended beyond the existing city limits. In some areas, adjustments had been unsuccessfully attempted, but at least the limits of political acceptability had been tested and defined. For the reorganized government, there is still a complex set of adjustments of jurisdiction or area to particular function.

The urban area can be envisioned as a set of concentric circles of increasing size (although they are obviously not circular in shape), each associated with a function or group of functions.

1. The smallest, central area is Center Township, with about 270,000 people, 40 percent black. It is a separate unit of government, with an elected township trustee, its own property tax, and only one significant function, that of "poor relief," or the general assistance portion of public welfare, as distinguished from categorical assistance.

2. The next larger area is the Indianapolis school district, a separate governmental unit with the largest total budget of any local governmental agency or unit, surrounded by ten other independent school districts within the county.

3. Slightly larger than the school district is the fire service district of the consolidated city. Its limits are equivalent to those of the old City of Indianapolis; its services are administered by the new Department of Public Safety of the consolidated city. It can be enlarged only on the request of the preponderant portion of the

taxpayers of the area to be added, a procedure significantly more difficult than was the case with annexation to the old city, which was hard enough.

4. The police service district was initially coextensive with the fire service district. It was expanded in one of initial acts of the new government to include areas not very great in extent or in population, but since they were occupied by some of the chief industries of the county, significant in terms of assessed property valuation and tax base. The expansion of the police service district is easier than expansion of the fire service district. This particular expansion was worked out in an accommodation with the industries. The city, needing the larger tax base to avoid an increase in the tax rate soon after the reorganization, proposed initially a substantially larger expansion, but settled for the one which was enacted in 1970. In 1972, the president of the City-County Council, apparently with the approval of the mayor, proposed the extension of the police service district to encompass the rest of the territory in the consolidated city limits, but the political opposition which quickly developed led the mayor to withdraw his support, and the proposal to collapse.

5. Substantially larger than the police service district is the sanitation district (sewage and trash collection and disposal), which under previously enacted legislation had for some time been expanding beyond the corporate limits of the City of Indianapolis. The limits of this area continue to be adjusted, often with some disagreement and controversy, from time to time. Its autonomy substantially diminished, it is now administered by the city's Department of Public Works; it has its own earmarked financial sources.

6. The Housing Authority, with jurisdiction extending five miles beyond the old city limits, is larger than the sanitation district, with boundaries which overlap it somewhat.

7. The consolidated city itself would be next larger in size, including all of the territory in the county except for the four small excluded cities. Although the city's general government is now presumably focused primarily upon this area, in actuality very few services are related directly to it and, although the city government is authorized to levy property taxes for city purposes on this base, none has yet been levied. The urban renewal district, however, which has coterminous boundaries with the consolidated city, has levied a tax.

8. The library district is slightly larger than the consolidated city, including all but two of the smaller municipalities.

9. The county itself is the largest in this series; it is used as a territorial and financial base for a substantial number of services—health and hospitals, parks and recreation, planning and zoning, and airports, among others, along with the traditional county functions. Some of these are administered by departments of the

consolidated city, some by the old county offices, and some by agencies with varying degrees of autonomy—although the power of the mayor to appoint and remove and of the Council to control appropriations is significant with regard to most of these somewhat autonomous functions.

Fire services outside the fire service district are provided by township fire departments, usually voluntary, and by similar departments in some of the smaller municipalities. These volunteer fire departments are often effective, as well as politically influential. Police services outside the police service district are provided by the sheriff's department (the whole county shares in its financial support, but the services are supplied almost exclusively outside the Indianapolis police service district), and by town marshalls and city police forces in the small municipalities.

It is apparent that the geographical pattern for provision and financing of services is a complex and pluralistic one, and that the imposition of the reorganized government has changed it very little. Three fairly significant changes appear:

- The police service district has been somewhat enlarged. Its assessed valuation is now about 14 percent greater than that of the fire district.

- The most important change in jurisdictional base for a particular function relates to the provision of roads and streets. Before the reorganization, the city government managed roads and streets within its limits; the park district provided parkways and roadways within the parks; the county was the primary agent for roads and streets in the unincorporated areas; the small municipalities provided some service within their boundaries; and a new Mass Transportation Authority had been given substantial authority for major road arteries. Now the road and street service activities of the city, the county, the park district, and the transportation authority have all been combined under the jurisdiction of the new Department of Transportation. Funds to support these activities come almost entirely from State-collected revenues—gasoline and cigarette taxes, primarily. These allocations continue to be received<sup>1 7</sup> but the funds are completely combined, and spent by the new department without regard to jurisdictional limits. While, therefore, there may have been some shift in the resources to finance this particular service, the direction of the shift appears impossible to define. But an important change in areal responsibility and jurisdiction for a function has occurred here.

- By a 1972 amendment to the law, the taxing base for the urban renewal district was enlarged from the old city limits (or fire service district) to the area of the consolidated city (all of the county except the excluded cities). While the tax involved is not large, this is a significant enlargement of the functional area. It provides almost the entire county as a tax base for the local

share of urban renewal programs, which are primarily concentrated within the old city.

The expenses of the organs of general government (mayor's office, council, Department of Administration, etc.) are paid either from the property tax revenues of the entire county on the presumption that they serve the entire area, or from the funds of the consolidated city, which come from State subventions, licenses and permits, and departmental income. Some interesting distinctions are made: the expenses of the City-County Council are paid from the county tax levy, those of the mayor's office from the city's receipts. This is apparently a matter of discretion; it would seem appropriate enough to charge either or both to either fund.

The small municipalities within the county, whether excluded or included, have not been affected much directly by the reorganization. They continue to receive essentially the same services and pay the same taxes that they did before. They continue to operate the same services which they did previously. Citizens in these communities vote for mayor and Council members of the consolidated government, and also for their own local municipal officials. The four excluded municipalities are technically not a part of the consolidated city, but they are a part of the county, receive all countywide services, pay all county taxes, and are included or excluded within the service and taxation areas relating to particular functions as has been determined in the specific legislation or ordinances concerning those functions. The included municipalities are technically within the consolidated city, and receive any services and pay any taxes applicable to that area. But the only tax levied specifically upon that area is apparently to be the urban renewal tax, a small sum, and the specific area of the consolidated city apparently means very little with regard to services.

## Administrative Organization

While the impact of the reorganization act upon the service areas, or tax base areas, for the various governmental functions has not been extensive, its impact upon the structures of administrative control and coordination have been much more impressive.

The mayor is chief executive in far greater degree than ever before. He appoints and can remove the heads of the major departments, into which a great many of the previously separate agencies have been placed. Several of the departments have boards, but the majority of the members of these boards (with the exception of the Metropolitan Development Commission) are also appointees of the mayor, and the boards (again with the partial exception of the Metropolitan Development Commission) have little power to make significant decisions.

The Unigov act creates six major executive depart-

ments. They are Administration, Public Safety, Metropolitan Development, Transportation, Public Works, and Parks and Recreation. Early versions of the bill also had a health department; in the enacted version, the Health and Hospital Corporation was left as an independent unit, but the mayor appoints three of five members of its governing board, and its budget must now be approved by the City-County Council.

The Department of Administration includes functions previously performed by the city controller, city personnel office, city and county purchasing departments, city and county legal departments, and the city and county central data processing services. While the county treasurer and auditor continue to have their statutory functions, the Department of Administration exercises much of the financial planning function. The joint budget and tax levy ordinance is prepared cooperatively by the elected auditor and the appointed controller for all county and city agencies, as well as the courts.

Into the Department of Public Safety were consolidated the fire and police forces, civil defense, and weights and measures for both city and county, and the municipal dog pound. A large portion of the wordage of the Unigov Act is occupied with regulations and reforms for the fire and police agencies; the Act was used as an occasion for the enactment of various provisions strengthening the merit and professional aspects of these services. A community relations section is provided for the police force, with a review board dealing with citizen complaints (some citizens were unhappy, as might be expected, that the review board is an internal rather than external one).

To the new Department of Transportation were given the road and street responsibilities previously exercised by the County Commission and county highway department, the city street department, the Park Board, and the Mass Transportation Agency. It is with regard to this important function that city and county activities were most significantly mingled and merged by the reorganization.

The new Department of Public Works took over the activities of the old city Board of Public Works, the Board of Sanitary Commissioners, which controlled the sanitation district, the county drainage board, the countywide Department of Flood Control, and the air pollution control agency. Some problems of coordination with the public health activities of the Health and Hospital Corporation remain, since that agency has supervisory responsibility over water purity and sewage disposal arrangements, especially outside the sanitation district.

There was already a countywide Department of Parks and Recreation; the chief change under the reorganization is its status as a department directly under the mayor, with a director appointed by him.

The Department of Metropolitan Development is one

of the strongest and most comprehensive of such agencies in the country. It includes housing, planning and zoning, urban renewal, buildings, and code enforcement. As a result, the Metropolitan Development Department is beginning to locate some moderate-income and a few low-income housing units outside the limits of the old city. For some time it was also, on a *de facto* basis, in charge of the Model Cities Program, and its relationships with the Community Services Program, which is the expanded version of Model Cities, are still very close. The first director of the Metropolitan Development Department is now deputy mayor, and continues to be in close touch with both metropolitan development activities and the Community Services Program.

The Community Services Program, the name given to the expanded version of the Model Cities Program when Indianapolis, along with 19 other cities, was authorized to undertake what was called a "planned variation" of its Model City efforts, is organizationally located in the mayor's office. Its dimensions are now such (its current annual allocation of federal funds is \$14.7 million, the largest such grant in the country) that it is comparable to another major executive department. There has been some discussion of the possibility of forming a new department of human resources, of which the Community Services Program, the city's manpower efforts, and related programs would be constituent parts. The manpower program, also largely financed with federal funds, is also located directly in the mayor's office.

Even with regard to agencies with some degree of remaining autonomy—Health and Hospitals, the Airport Authority, the Capital Improvement Board, etc.—there seems clearly to be a much stronger degree of coordination than previously existed. There are still some difficulties with these agencies, however; when asked about his general satisfaction with the reorganization, Mayor Lugar said that "budgetary control over independent agencies and the entire relationship of these independent authorities" should be given "further examination."<sup>18</sup>

## Political Community

Almost as significant, in its impact upon the integration of political control of local government, as the strengthening of the chief executive and administrative agencies was the reorganization of the council. The new council consolidates the legislative, deliberative, legitimizing functions of the old City Council, the County Council, the County Commission, and, in considerable degree, various of the boards and commissions which had responsibility for parks, sanitation, public works, and transportation.

The existence of a single legislative body for the entire county permits some governmental policies and

programs to have areawide impact even while the differentiated tax and service districts persist. A sentence added to the Unigov measure during legislative consideration proficed that existing ordinances of the city should continue to apply only to the same territory as before, unless specifically extended. Some blacks charged that this was done in large measure to insure that the city's open housing ordinance would not be applied to the suburbs. The bill's authors denied this, saying that the clause was added because, without it, the ownership of a cow or pig in the rural portions of the county might have been prohibited. Actually, the open housing ordinance was extended to the entire county soon after the consolidated council was activated. Many other ordinances were also extended in territorial application, sometimes with amendments. One of the most significant of these was a uniform building code, replacing the differing ones which were previously in force in the city and in the unincorporated areas of the county.

*The council now has 29 members, 25 elected from single member districts and four at large.* It is required to establish a standing committee for each of the executive departments, and is authorized to establish other committees and to employ an internal auditor. It makes appropriations and levies taxes, passes ordinances, confirms many of the mayor's appointees, and makes some in its own right.

There was considerable discussion and some controversy about the composition of the council. At the time the Unigov measure was being developed and implemented, litigation was under way with regard to the legal provisions under which all of the members of the Marion County legislative delegation were chosen at large. The Federal district court had held that at-large election of the entire legislative delegation deprived central city minorities in Indianapolis of equal protection (this opinion was later overturned by the U.S. Supreme Court).<sup>19</sup> There was some objection to having any members of the City-County Council elected at large, but the proponents of the measure felt rather strongly that the party which carried the mayoralty election should normally be strengthened by the margin which four at-large council members, normally also, of course, of the same party, would provide. While the Democrats initially opposed this arrangement, their opposition does not now seem as strong, for this reason: however the individual districts are drawn (and it is presumed that the party in power, now normally the Republican party, will draw them to some degree in its own interest) the Democratic voters are probably almost inevitably more concentrated into a limited number of districts than are the Republicans and, without the potentiality of securing the four at-large votes, it seems likely that a small total margin of Democratic votes within the entire county would not secure a majority of the council.

There is another matter of some constitutional and political controversy concerning the composition of the council. The statute provides that not all of the members of the council can participate in all decisions. Certain decisions affecting one of the service districts (the police and fire districts, in particular) are to be taken only by council members representing those areas. The original bill authorized a council member any part of whose constituents resided within the special service district to vote on its matters, but after the Federal court expressed doubt about the validity of this provision,<sup>20</sup> a 1971 amendment permitted a council member elected from a single-member district to serve on the special district council if 50 percent or more of the population of his district is within the special service district, and those elected at large to serve only if the special service district has 60 percent or more of the population of the county. This still allows the at-large members to participate in the decisions concerning the police and fire service district, since over 60 percent of the county's population lives within these areas. Without this provision, providing for extra Republican votes, the fire and police service councils would now be evenly divided between the two parties—16 of the 25 councilmen from individual districts are involved, and the last election returned eight Democrats and eight Republicans from this area. With the four Republicans elected from the county at large, the special service district council is now composed of 12 Republicans and eight Democrats. A recent article in the *Indiana Law Journal* questions the constitutionality of the arrangement, and additional litigation concerning it seems likely.<sup>21</sup>

## MODIFICATIONS SINCE ENACTMENT

The Unigov bill has been amended in each of the two legislative sessions held since it was first enacted.<sup>22</sup> One of the changes was an attempt to satisfy the objections raised by the Federal court to the original provision which authorized members of the council to serve on the special district councils if "*any part of*" *their constituency was within a special district.*

The other amendments tend to enlarge the powers of the new government or its officials in specific and significant ways. The mayor is now authorized to appoint the director of the Department of Metropolitan Development directly; previously he had been appointed by the Metropolitan Development Commission, to which the mayor appoints only four of nine members. The redevelopment taxing district was extended from the limits of the fire service district to the boundaries of the consolidated city, providing a much larger tax base for this particular function. Some details of the police personnel system were changed, allowing the chief of police somewhat more leeway in making appointments, and modifying the grievance and appeal procedures.

One amendment, the full significance of which is not completely clear, gave the mayor all the powers of the county commissioners except those already given to the council, those given to the commissioners by the Indiana constitution, and those relating to bonds previously issued. This amendment developed in considerable degree out of a difference of opinion between Mayor Lugar and the county commissioners during the transitional period while separate commissioners were still in office. The Unigov Act, it should be remembered, abolished the separate posts of county commissioners.

Mayor Lugar, with considerable effort and fanfare, secured the designation of Indianapolis as one of the small number of cities across the United States in which Operation Breakthrough, a special national housing research program, was to be undertaken. The land which was to be used for the experiment was owned by the county government, and the commissioners, as custodians of county real estate, refused to permit it to be so used until after an embarrassing delay and considerable controversy. The full sweep of the 1972 amendment is far from clear, but the mayor is now clearly the executive spokesman of the county as a whole, as well as of the consolidated city.

## REGIONALIZATION AND DECENTRALIZATION

Two significant additions have been made to the hierarchy of jurisdictional areas described earlier, since the enactment of the Unigov bill. One provides for a larger area than any described previously, and the other for much smaller ones.

The larger area is that to be served by the Indiana Heartland Coordinating Commission, established in the summer of 1972. The reorganized government has primary jurisdiction, of course, only within Marion County. The SMSA now includes Marion and seven other counties. The desirability for certain kinds of coordinating mechanisms at least, extending throughout this larger area, has long been recognized, but governmental mechanisms extending beyond county limits are less acceptable and much more difficult to arrange. Under the spur, primarily, of federal grants, a number of regional discussion and coordinating agencies have been established. The Comprehensive Health Planning Council of Central Indiana includes all eight counties within its purview; Indiana Criminal Justice Planning Region Number Five also includes the eight counties, as does the Hoosier Heartland Association, established to consider soil and water conservation measures. All of these are loose associations, with limited funds (derived, for the most part, from Federal grants), and little visibility.

For several years, many Federal agencies, acting under Office of Management and Budget Circular A-95,

have required local applications for many types of Federal grants to be cleared through a regional planning agency or council of governments. Since Marion County had long had a countywide planning agency with substantial staff and extensive jurisdiction, the Federal agencies had accepted clearance through this county plan commission, for all projects relating to Marion County, as satisfying the requirements of Circular A-95. The SMSA was enlarged between the 1960 and 1970 censuses to include the entire eight-county region. As a part of the unified planning program, the Marion County Planning Agency began making some plans and studies relating to the entire region, but the other counties were not represented on this agency, and could not get the requisite clearance through the Marion County agency. Under pressure from these counties for a clearance channel, the Department of Housing and Urban Development notified Marion and the other counties that only an agency encompassing the whole region, or at least a larger part of it, would be considered satisfactory after June 30, 1972.

The State Planning Division, a part of the Indiana State Department of Commerce, had been actively promoting the establishment of such regional planning agencies for some time, and had sponsored State legislation authorizing their establishment, although there were no requirements for clearance through such an agency for State grants of any kind. The State government, upon the recommendation of its Planning Division, had designated sub-state planning and development regions; the one involving Marion County coincided with the eight-county SMSA. There was, however, no direct State financial assistance for these regions.

The existing Hoosier Heartland Association, representing largely the soil and water conservation agencies, and the director of the State Planning Division, took the initiative in trying to establish a regional planning agency for the eight-county Indianapolis region. Under the statutory provisions which they were proposing to use, each participating county would have been given an equal voice. Mayor Lugar and his associates in the reorganized Indianapolis government were not satisfied with this amount of representation (Marion County had only one vote out of eight in the Criminal Justice Planning Agency, and they felt they had received a disproportionately small share of the grants controlled by that body). The consent of Marion County was of course crucial to the formation of a regional agency. On the other hand, no one of the other seven counties had a similar veto power, since Federal practice apparently permitted the recognition of a regional planning agency which incorporated representatives of more than 75 percent of the SMSA population; this would be satisfied if Marion County could secure the participation of only one or two of the other

counties. Partly because of this leverage, partly because of some unwillingness to accept State leadership and involvement (which would have occurred under the proposal of the Hoosier Heartland Association), and partly because Marion County offered to accept a proportional share of the costs of the regional agency if it could be granted a similar proportion of the voting power in matters affecting it, most of the surrounding counties agreed, shortly before the June 30, 1972, deadline, to participate in the formation of a new Indiana Heartland Coordinating Commission (IHCC).

By the latter part of July 1972, six of the eight counties had filed letters of intent to join the new organization, and three municipalities located within a seventh had also agreed to join. The framers of the agreement did not use the special State statute authorizing a regional planning commission; instead they used a more general State statute,<sup>23</sup> commonly known as the Interlocal Cooperation Act. They formed what they called a "multi-jurisdictional coordinating commission" whose sole purpose was "to function as an Areawide Planning Organization (APO) as defined by the Department of Housing and Urban Development (HUD) and the Environmental Protection Agency (EPA) of the United States, and serve a similar role in the future with regard to other Federal agencies." The bylaws provide that each county shall have three representatives on the commission (if a county itself is not a member, then a city or group of cities within that county who are members shall be entitled to two representatives). Commission action shall be taken by majority vote *except* that any action involving specific recommendation for agreement between two or more participating units must receive unanimous agreement of the participating units as well as a majority of the commission, and, on any matter relating to commission approval or comment on application for Federal grants or funds, any representative from a unit from which the application comes shall have the right to insist upon voting apportioned according to the population of the member units. Financial support is to be apportioned according to population. The proportional voting clause gives Marion County the decisive voice with regard to its own applications, if it wishes to use it. Another critical factor giving Marion County strong influence over the emerging regional body is the total reliance of the IHCC on the county planning staff.

This regional organization is obviously now only in incipient stage; the ordinances formally authorizing participation are being adopted only as this is being written, and the commission has not yet met. But it does represent an attempt of some significance to provide a regional planning and coordinating agency capable of dealing with several functions or programs, rather than the single functional concern which has characterized earlier regional agencies. The previously established

regional health and criminal justice planning agencies still exist, of course; but this is a problem in most metropolitan regions. The Department of Metropolitan Development, in connection with its unified planning program described earlier, has had some relationships with these regional agencies. Although thinking about the relationship of the Indiana Heartland Coordinating Commission to these agencies has not yet gone very far, the possibility has been suggested that it may resemble that between the planning activities of the Department of Metropolitan Development and functional planning activities within the operating departments of Unigov.

The development of smaller governmental structures within the central city is also in its initial stages. Like other large cities, Indianapolis has had confusing experiences with local community participation in the OEO Community Action Program and in the Model Cities Program. It also has a large number of neighborhood organizations and associations, with varying degrees of activity, which have been given some encouragement and staff assistance by the Department of Metropolitan Development. A press release issued by the department in June 1972 listed 117 separate neighborhood associations, and outlined the activities of a section of the planning agency called the Citizen Participation Program. But the CAP and Model Cities Programs were limited in area, and the neighborhood associations, while assisted by government employees, are hardly governmental in character.

Some framers of Unigov had felt all along that the move toward countywide and regionwide structures should be balanced by the formal establishment of small, local community governmental institutions. A "Mini-gov" bill was introduced into the same legislative session which adopted Unigov, and introduced again in the 1971 session; a modified version was adopted in the 1972 session.<sup>24</sup> This Act, which became effective July 1, 1972, required the Metropolitan Development Commission to prepare, before the end of 1972, a plan for the subdivision of the entire area of the consolidated city into "Communities, which shall constitute the political subdivisions of the City." Each of these communities, each of which shall have a population of 5,000 or more (except that an existing included municipality can be designated regardless of its population), is to conduct a referendum at the next general election to see if it wishes to organize a community council. The MDC held a hearing on December 7 on the establishment of the council districts, which will be composed of a population of approximately 6,000-7,000 people.

In legislative consideration of the bill, the powers which could be exercised by these community councils were scaled down considerably. As it was finally passed, the councils will be allowed to do, essentially, only such things as they are authorized to do by the City-County Council, and with such funds as may be

appropriated to them by that council. Apparently they are expected to serve somewhat in the nature of a formally authorized neighborhood association; they are to be given official notice of and opportunity to comment upon any planning and zoning actions affecting them.

The attitudes of members of the Unigov administration toward this new measure may be characterized as ambivalent. The members of the development commission and department were able to see to it that the community councils were not given any determinative powers over local planning or zoning. The relationship of the new community areas, and the community councils which may be elected within them, to the districts of the members of the City-County Council have not been determined, and may pose interesting political questions.

### REORGANIZATION: PROMISE AND PERFORMANCE

There can be no certainty about the results of any complex institutional reorganization; perceptions of observers differ widely, and most developments follow from the combination of a variety of causes no one of which can be isolated. It seems clear, however, that Unigov is much more significant as an administrative and political reorganization than as a merger of governmental service areas. There is still a complex array of districts and units, and the 1972 Census of Governments will not be able to report any really impressive changes since 1967. The Indianapolis region had already been engaged, and will continue to be engaged, in shifts of territorial responsibilities for particular governmental functions, in a frequently modified reconciliation of the pressures of felt needs within a political marketplace. A constantly changing pluralistic combination of regionalized and localized programs was already in existence, and will continue.

Unigov did result in some service-area shifts and, more importantly, probably makes it somewhat easier for these shifts to be made in the future. Transportation, one of the most important functions in any urban community, is now clearly administered on a county-wide basis, rather than parceled out among various agencies. Planning and urban development, including not only land-use controls but housing, urban renewal, and building codes, are now more strongly centralized than before, although the new Minigov bill may provide a new community dimension to accompany the regionally based activities.

The areal base for police services is still a matter of some tension. Political opposition to a countywide police force was sufficient to defeat a special bill in 1967, before Unigov, and to forestall a city ordinance for the same purpose in the spring of 1972, in spite of the support of the president of the council and of the

mayor. The mayor says that no further extensions of the police service district, beyond those worked out with certain industries soon after the Unigov enactment, are in prospect. On August 31, 1972, Council President Hasbrook (one of the architects and chief personalities of Unigov) announced that the budget for 1973, which he was confident would be adopted by the council, would provide that taxes for the law-enforcement services of the sheriff's department would be levied only upon county citizens living outside the police service district and the excluded cities, which would result in a shift of over a million dollars tax levy annually from central city to suburban taxpayers. Hasbrook acknowledged that it probably would result in a lawsuit against the city, since there was some question as to the city's authority to make the shift, but that a bill was being prepared for submission to the General Assembly to accomplish the same purpose.<sup>2 5</sup>

Jurisdictional and tax shifts of this kind will continue to be argued, and to be made from time to time. If they cannot be made directly by the reorganized government, they may be made, as in previous years, by special act of the Assembly. The chief difference would appear to be that that the channels for considering and proposing such shifts are somewhat clearer now than in the past.

The administrative consolidations of the reorganization are of more consequence than the shifts in service and finance areas. Administrative agencies and activities are clearly and directly controlled by the politically responsible executive and legislative body. With lessened autonomy, these agencies now will almost certainly be more responsive to channels of central political control, less to the specialized channels of the related interest groups.

The managerial tone has also been modified. These are some economies of scale. Purchasing for city and county agencies, which was previously done separately, has been centralized. Improved accounting and data processing equipment and procedures have been instituted. Increased insurance coverage has been obtained for lesser premiums. Interest income on city funds is higher. The combined Unigov agencies employ significantly fewer total personnel than did their predecessor agencies in the city and county governments, although salaries have been substantially increased, particularly at the upper levels. On August 19, 1972, the director of the Department of Administration said that the number of employees working for the city was then 135 fewer than worked there in 1969, before the Unigov law took effect. In the current budget he said, there were 150 positions which pay \$12,000 or more annually compared to 58 such positions in 1969.<sup>2 6</sup>

The Unigov administration, like the pre-Unigov city and county administrations, and like most Indiana local government, is still highly partisan. Most top appointments go to political associates of the mayor; political

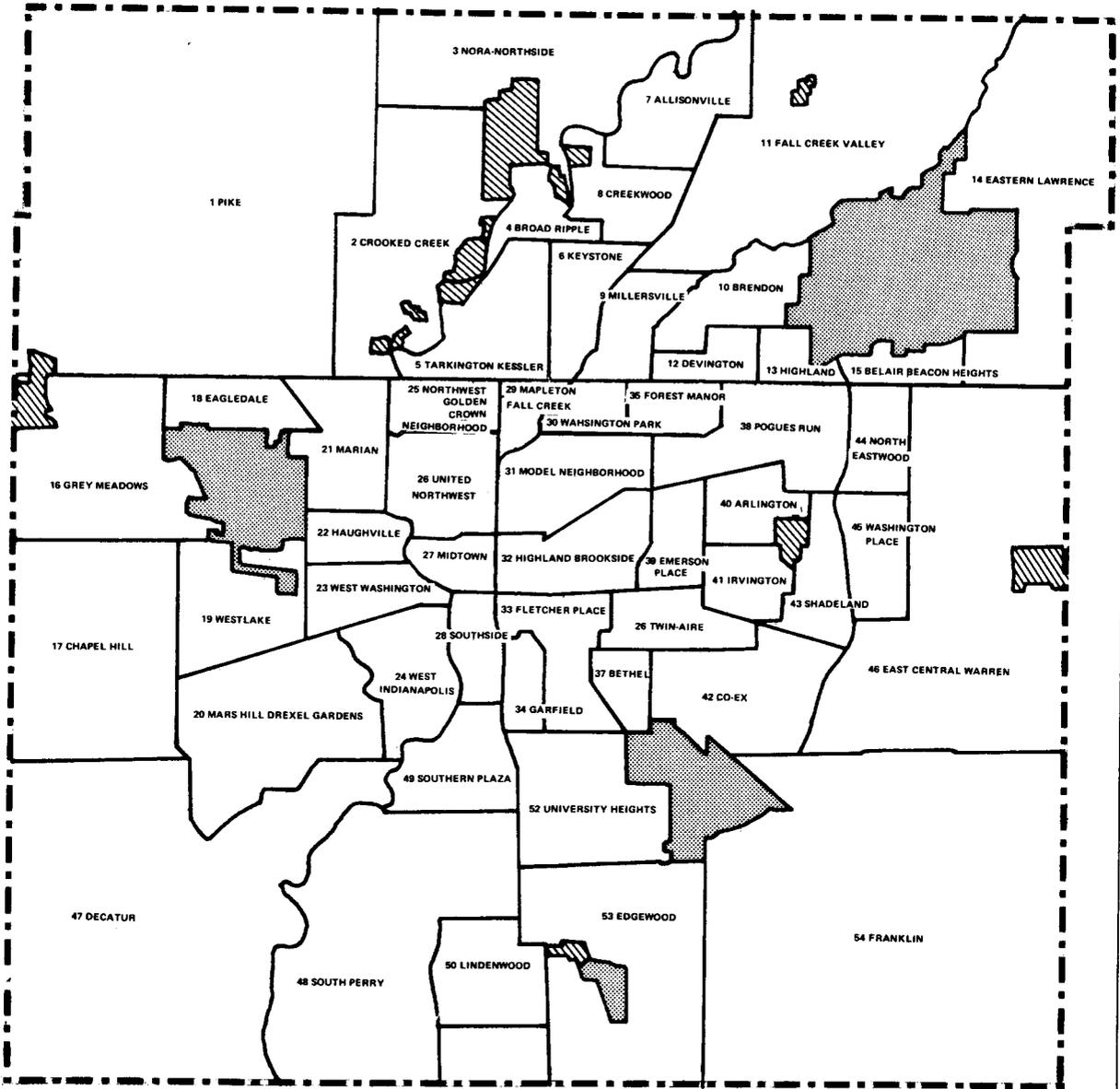


FIGURE II.2

**Indianapolis-Marion County  
COMMUNITIES PLAN**

- COMMUNITY COUNCIL AREAS
- ▨ EXCLUDED CITIES
- ▨ INCLUDED TOWNS

NOTE: Included Town and Excluded City corporate limits on this map were documented from legal descriptions on file with the City Legal Division. No Minigov Community Council area will include any portion of the incorporated territory of an Included Town or Excluded City.

clearance through the party machinery is expected for most appointments to city jobs, and city employees at all levels are encouraged (at the least) to participate actively in partisan campaigns. But there appears also to be more conscious attention to management improvement than ever before. A significant portion of the funds received from the Federal government under the Planned Variations grant (described in more detail below) was specifically allotted to management improvement, with management advice and help secured from Federal officials and private consultants, and special efforts to install more streamlined and professional procedures.

The quality and level of services are always difficult to measure; partisans of the administration say they are clearly better, opponents disagree. An experienced reporter, who has been covering City Hall for a long time, summed up an evaluation by saying: "Among other facts that apparently can be documented are those that show the administration is producing record numbers of streets paved, sidewalks built, condemned houses razed, junk cars removed, jobs found for unemployed and low cost housing units built and Federal grants approved for various programs."<sup>27</sup>

The direct property tax rate for municipal services (if such a rate can be clearly identified among all the taxing districts and earmarked receipts of the rather confusing financial situation) has probably actually decreased. The Indianapolis municipal corporation tax rate was \$4.15 in 1967, the last year of the Barton administration, \$3.95 in 1969, the last pre-Unigov year. In 1971, the corporation rate (essentially the police and fire service district rates) was \$3.60. These rates have been held down in part because assessments have increased and because the police service district tax base was enlarged by the addition of several big adjacent industries. There has as yet been no property tax levy for general purposes upon the consolidated city base.<sup>28</sup> Total property taxes have, however, increased substantially, primarily because school tax rates, the largest single component of total property tax, and one over which the Unigov authorities have no direct control, have increased. The ordinary resident, then, is paying higher property taxes than before, partly because of increased assessments and more particularly because of the increased levies of the special purpose units, especially schools.

It is very difficult to see that any major shift in the allocation of resources has resulted from the enactment of Unigov. Transportation funds (largely from State collected sources) are now pooled, and used at the discretion of the administration, presumably where the needs are greatest. Urban renewal, which has only a small local tax levy, has, with the recent amendment, now been shifted to require suburban participation. And Council President Hasbrook's proposal with regard to the sheriff's department may also produce an increment in suburban contributions. But the basic pattern appears

to be that suburban political leverage has been significantly increased by the political reform, and there is little evidence of a strong inclination on the part of the suburbs to increase their financial contributions to the service costs of the central city. The central feature of the tax and service system, emphasized by the service and taxing district and earmarked revenue devices, is to try to relate the tax base as closely as possible to the service area.<sup>29</sup> Unigov does not yet have any major thrust toward resources redistribution. The new governmental structure may make such shifts somewhat easier legally, but the realities of political power do not run strongly in that direction.

Before Unigov, there was a single planning commission and staff for the entire county, including all municipalities. There were three boards of zoning appeals—one for the City of Indianapolis, one for all the smaller municipalities, and one for the unincorporated area of the county. There was no appeal from decisions of these boards, save to the regular courts. Since Unigov, there have been three divisions of a Metropolitan Board of Zoning Appeals, and separate zoning appeals boards for Beech Grove, Lawrence, and Speedway. Zoning appeals from any part of the county except these three municipalities are assigned by lot to one of the three divisions of the Metropolitan Board. Staff opinions are provided to all of the appeal boards (including those for the smaller municipalities) by staff of the Department of Metropolitan Development. Decisions of any of the appeal boards may be appealed to the Metropolitan Development Commission by the director of the department, but not by private petitioners or complainants. Private parties, but not the director, may appeal any decision of a board of zoning appeals, or a decision of the MDC on a zoning appeal, to the regular courts. The new arrangement apparently significantly strengthens the position of the central commission and staff. The commission has overruled decisions of appeal boards to secure conformity with the county plan, and the staff seems much more secure with this appellate provision than it was previously.

The posture of Indianapolis *vis-a-vis* the Federal government has certainly changed greatly. This change may have resulted as much or more from the attitude and aggressiveness of the administration, and its partisan political connections in Washington, as from the change in governmental structure, but it seems likely that the governmental reorganization is one of the major factors which has made Indianapolis the recipient of tremendously greater quantities of Federal support than ever before. Indianapolis (and Indiana cities in general) had never been in the forefront of participation in Federal urban programs. It was probably the largest city in the country which refused to participate in Federal public housing and urban renewal programs prior to the mid-1960's. The Barton administration began such par-

ticipation, but still in rather tentative fashion. The Lugar administration, especially since Unigov, has put Indianapolis in the front rank of all cities in practically every new or expanded Federal grant activity. Mayor Lugar has been one of the most active proponents of Federal revenue sharing as president-elect and president of the National League of Cities, as vice-chairman of the Advisory Commission on Intergovernmental Relations, as member of the platform committee at the last two Republican National Conventions, and in various other forums.

Indianapolis had failed to make an application for the first round of Model Cities programs. Immediately after Lugar's inauguration in January 1968 he formed a task force to submit an application for the next round. This application was submitted in April 1968; a planning grant was received in the fall of 1968, and an action grant of \$6.2 million was awarded in September 1970. After the establishment of Unigov and its Department of Metropolitan Development, Indianapolis, with the prestige of its new reorganization and the mayor's clout as one of the few Republican mayors of large cities, took the initiative in securing from the Federal government not only increased funds but increased discretion in using them. It became one of the three cities first approved for Unified Planning Programs, undertaking to combine land-use planning, transportation planning, and park and open space planning with the social planning activities related to manpower, model cities, etc. The Indianapolis Unified Planning Program now receives funds from HUD, OEO, FAA, the Federal Highway Administration, the Environmental Protection Agency, and the Departments of Labor, Justice, and HEW.<sup>30</sup> Indianapolis was one of the 25 cities which, with the approval of the Office of Management and Budget, received permission to submit Integrated Grant Applications, using much of the same data and justification for grant applications from various Federal agencies.

When the Department of Housing and Urban Development announced on July 29, 1971, that 20 cities would be given grants for Planned Variations as a supplement to their Model Cities program, Indianapolis was among them, and received the largest single grant—\$8.5 million. With these funds, Indianapolis set up its Community Services Program, which was consolidated with the Model Cities staff in January 1972. This agency, in the mayor's office, now has nearly \$15 million in Federal funds for the current fiscal year. With these funds, a general effort to improve governmental management is financed, and funds are available for a wide variety of community improvement programs, most but not all concentrated in enlarged Model-Cities-type target areas.

The Federally assisted and reinforced planning and community services programs have had a significant impact upon governmental structure. Even before the

new multi-county regional planning agency, the Unified Planning Program of Unigov was preparing and coordinating plans for the eight-county area in relation to transportation, manpower, and water quality. Even more significantly, the authority of the chief executive has been greatly enhanced by the requirement in the Planned Variations grant for "chief executive review and comment," a procedure that requires all, or nearly all, applications for Federal grants to any local agency to be submitted to the chief executive for his review and comment before approval. Since few governmental programs operate today without some occasions to ask and receive Federal funds, this has given the mayor's office a large amount of additional leverage and influence.

The formation of Unigov and the vigorous search for Federal funds have apparently reinforced and complemented each other. The governmental reorganization, and the posture of the mayor as the spokesman for the larger constituency, have helped to attract Federal funds, and the funds, with the conditions attached to them, have further enhanced the mayor's position.

The impact of the reorganization with greatest potential is essentially a political-psychological one, which does not rest upon structural or programmatic detail. In a very considerable measure, the Unigov reorganization, in spite of all its compromises and exclusions and limitations, has created a new political constituency, a political community different from the ones which existed before. This community of about 800,000 people now chooses a single political leader and a single political deliberative body. They are perceived by all to be their central spokesmen, which was possible before neither for county officials, although they were elected by the same constituency, nor for city officials, who clearly did not have the entire county as a base. This political community does not include the entire eight-county SMSA, although there are incipient movements in this direction. But at the county level this constituency and community is a reality of great importance.

## Recent Election Results

The new polity seems now to be firmly established. The results of the last municipal election, described below, certainly indicate this. While many Democratic leaders are rather bitter in characterizing the reorganization as a partisan Republican coup, they would not abandon the political constituency it has created. Their candidate for mayor in 1971 criticized the government more for the things that were excluded than for the things that had been done. He said: "I don't think we will ever go back to the old system, it's dead, but we can have a better one than the one we have now."<sup>31</sup> Another Democratic leader agreed that it would be

completely impossible now "to unscramble the eggs."

In partisan terms, the Republican party seems clearly to have been the chief gainer in this political development, at least in the short run. The framers of the reorganization were of course completely conscious of this. Mayor Lugar says that the action was "a mixture of idealism and practical politics."<sup>32</sup> Republicans rarely produced a majority in city elections, but a failure by them to produce a majority in a countywide election was even more rare. The portions of Marion County outside the limits of the old city seem overwhelmingly Republican. Keith Bulen, the Republican chairman, was quoted by the *Wall Street Journal* as saying the outstanding accomplishment of his political career was to bring 85,000 new Republican voters into Indianapolis elections.<sup>33</sup>

The municipal election of November 1971 was widely considered a referendum upon Unigov and, of course, upon Lugar and the Republican leadership in general. This was the first election in which the new political elements were put to popular test—the first election of a countywide single executive and the 29-member City-County Council. The Republicans, and pro-Unigov forces, won an overwhelming victory. Lugar's margin over his Democratic opponent was 53,797 votes, characterized by the *Indianapolis Star* as "probably the highest ever in the history of Marion County politics by a winning candidate in any major office."<sup>34</sup> And this in a year in which the Democratic party swept most of the municipal elections in the state, capturing 16 of the state's 20 most populous cities, and a substantial majority even of the smaller cities which more commonly vote Republican.

Bulen's extra 85,000 Republican votes (partially offset, of course, by about half that many Democrats) were not even necessary for the victory. Even within the old city limits, Lugar won by a margin of over 9,000 votes, slightly higher than his margin over Mayor Barton four years earlier. The Republicans won the four countywide Council seats; and 17 of the 25 district seats.

But it is far from clear that the establishment of Unigov means permanent control of the consolidated government by the Republican party. Lugar received about 53 percent of the votes in the old city, and nearly 70 percent in the rest of the county, for a total of slightly more than 60 percent. The 1971 victory may have been more a personal endorsement of Lugar than a vote for the Republican party. He ran about 20,000 votes ahead of the other Republicans, securing more votes than the Republican Council candidate in practically every district. One of his aides estimated that between 28 and 30 percent of the blacks who voted supported Lugar, compared to only 12 percent in 1967.<sup>35</sup>

The 1971 election, then, is hardly an adequate

indication of the relative strength of the two parties. Democrats have won countywide elections in the past, although not frequently. If past ethnic and class political alignments continue, gradual demographic changes may increase their strength; the black population is increasing more rapidly than the white, and some of the higher income suburban development is now beyond the county line. Probably even more significant is the likelihood that the concentration of political attention upon the role of the mayor and council will tend to enhance the magnitude of party swings. In the past, county elections were hardly focal ones, and people tended to vote their regular party allegiances. Now, with much more attention concentrated upon these elections, and with a high degree of two-party competition, more alternation between the parties seems likely. If a party has a normal support of 55 to 58 percent, and the customary swings are only six or eight percent, it will rarely lose; if the swing increases to 10 or 15 percent, it may win by bigger margins from time to time, but it will also probably lose more often.

### Minority Representation

One of the most interesting, although somewhat elusive, aspects of the reorganization is its relationship to the political efficacy of the black minority. At the most obvious arithmetical level, it is clear that black voting strength has been diluted, and most of the black leaders have been and are unhappy about this. In 1970, about midway between the enactment of the law and the first elections under it, the population in the old city area was approximately 27 percent black, while the population of the entire county was only 17 percent black. If the old city had remained the basic political constituency, the blacks would still have been far from having a majority, but their political leverage, especially within the normally victorious Democratic party, was becoming very considerable. Blacks who have been most prominent in their opposition to Unigov are those who have been Democratic party officeholders. The proportion of blacks within the county is now at about the same level it reached within the city 15 to 20 years ago, and this seems a significant setback.

Some of the more thoughtful supporters of the reorganization, sensitive to the criticisms stemming from this reduction of the black proportion of the effective electorate, suggest three offsetting factors: One is the argument widely used throughout the country, that while blacks have a somewhat smaller share of the power, that share is of a more prosperous and more effective total community. A relatively smaller slice of a bigger pie, they argue, may in reality be bigger and better than a larger slice of a pie which seems to be rapidly deteriorating. This argument, of course, would be much more persuasive if there were stronger evidence

of a sharing of these larger resources than seems yet to have occurred in Indianapolis. There may be some gains in the resource base available to meet central city needs—the police district now includes some of the adjacent industries, the urban renewal tax base has been extended, some of the cost of general government, or of streets and roads, may be more equitably shared. Perhaps more important but difficult to measure, Indianapolis has secured a larger share of Federal funds because of its larger base, and these funds are being used in substantial measure to help the central city, where the blacks are concentrated. But aside from these factors, a basic postulate of the Indianapolis reorganization scheme is that the costs of services are to be allotted as closely as possible to the areas and sections where they are provided. This is what the black leaders meant when they said that they might have accepted the political losses if there had been resource gains, but they felt these gains were much too small.

Another argument used to offset the charges of minority loss of influence, is that black political representation from single-member districts may be more effective than was their representation in a system of at-large elections. In the City Council arrangement before the reorganization, each party was allowed to nominate no more than six candidates for the nine seats (assuring a degree of minority representation). To get a balanced slate, each party, almost always, would include blacks among its nominees. But these black candidates, if chosen by the pre-primary slating process (usually an influential factor) were black candidates chosen by a primarily white leadership, whichever the party, and, if they were actually chosen in the citywide primary, they would be chosen by white voters. They would be less likely “real” representatives of the true interests of the black areas than if they had been nominated and elected directly from black districts, as they can be now.

The long-run impact of the single-member district system can of course not be adequately foreseen. On the current council, four of the eight Democrats are black, and one of the 21 Republicans. The black percentage of the council is almost identical to its percentage of the population. And there does seem to be significant evidence that, in the slating and nominating procedure, party activists from the specific districts have a greater voice than they previously had.

The third response made by reorganization proponents to the concern for diminished black political power is to suggest that the Republicans, especially with their new and more “enlightened” leadership, may actually be more responsive to the needs and interests of the black population than were the Democrats who previously dominated the city government, particularly if more of the blacks shift their allegiance to the Republicans, as some of them did (at least temporarily) in the 1971 election. In their 1971 campaign literature,

the Republicans said that “more blacks currently are involved in administrative positions, boards, and advisory committees than have been involved during any previous administration.” Democrats do complain that Lugar has co-opted some of their black leadership. The Lugar administrations have apparently been more active than their Democratic predecessors in supporting and promoting activities directed at the problems of the central city such as public housing, urban renewal, model cities efforts, manpower training, community action and other poverty programs (often, to be sure, accompanied by considerable friction and recrimination within the affected communities). In effect, this argument says that a party whose majority is white and lives outside the old city limits, through a sense of civic responsibility and enlightened self-interest, has done more for blacks and others who live in the center city than did the party of which they were a much greater portion.

Whatever the degree of validity and persuasiveness of these arguments, many blacks remain unconvinced. The variables are so numerous, and the weights and values to be attached to them so debatable, that it would be presumptuous for an observer to attempt a firm conclusion.

\* \* \* \* \*

It seems clear that the reorganized structures are now firmly established. Amendments and modifications will of course occur, but no re-establishment of previous institutions is conceivable. In spite of their grumblings about Unigov, if and when the Democrats win control of the consolidated government, the likelihood is that they will move in the direction of further consolidation rather than less.

The achievement of a larger degree of governmental reorganization than has occurred in the great majority of metropolitan areas, on the basis of a much shorter period of preparation, study, debate and controversy, was based upon a combination of evolutionary governmental reform, carrying forward and consolidating trends which were already solidly established, and highly effective partisan political maneuvering. Which of these forces were means and which were ends can be debated; the probability is that the relationship was reciprocal. It was accomplished by the carefully directed efforts of a middle-class, suburban-type leadership, which secured immediate advantages from it. Other groups in the population suffered immediate political losses from the change. But the gains in governmental effectiveness, in performance, and in the internal and external image of the community, may produce welfare results that outweigh the political losses even for these groups.

The new polity in Indianapolis is heavily influenced by middle-class suburbanites, who may lack some enthusiasm for sharing their substance with the less

privileged population of the central city. But the solid fact is that everywhere in America middle-class suburbanites are now more numerous than the residents of the slums and ghettos, and will share their resources with them, whatever the institutional arrangements, only if they can be convinced it is in their own self-interest to

do so. And in Indianapolis a political forum has been forged in which the differing interests of a large and complex urban community can be brought into some degree of reconciliation somewhat more directly than in comparable cities. It is an accomplishment and an arrangement worth careful study across the country.

## Footnotes

<sup>1</sup>Or 11th place with 745,739 people in four small communities, which are included for some purposes and not for others, are not counted.

<sup>2</sup>Data collected by Indianapolis League of Women Voters for a national league study of metropolitan government.

<sup>3</sup>Indianapolis *Star* November 27, 1966, p. 1.

<sup>4</sup>Calculated from Indianapolis City Controller's Office document entitled "Final Assessed Valuations, 1971-1972", n.d. The percentage of population in the same area was 61 in 1970.

<sup>5</sup>The history of these efforts to adjust function to area was clearly and succinctly summarized by Carol Dortch in a short paper which he presented to the Governmental Research Association in January 1971. Dortch is presently Executive Vice-President of the Indianapolis Chamber of Commerce and, as a staff man for the Chamber and from time to time for local governments, has been associated with these efforts for many years.

<sup>6</sup>A history of the background and enactment of the measure is being prepared as a doctoral dissertation at the University of Notre Dame, by Carroll James Owen of Fort Wayne. This author has seen portions of his preliminary manuscript and owes much of his understanding of this period to that manuscript and to his conversations with Mr. Owen. A brief but perceptive account, also unpublished, has been prepared by William M. Schreiber, the current Democratic county chairman, with the title, "Indianapolis-Marion County Consolidation: How Did It All Happen?"

<sup>7</sup>Indianapolis *Star*, February 6, 1965, p. 1. Quoted by Owen, *op. cit.*

<sup>8</sup>"Three Mayors Review Their Governments," in *Nation's Cities*, November, 1969, p. 28.

<sup>9</sup>This description of the planning and negotiating process comes from the memories of several of the individuals involved. Memories do not always agree about precise dates or sequence of activities, but there is no inconsistency with regard to essentials. Owen, whose doctoral research project has been mentioned before, has devoted a great deal of effort to reconstruction of the activities of this period.

<sup>10</sup>The discussion in this meeting was recorded and transcribed, and is on file in the mayor's office.

<sup>11</sup>*U.S. vs. Board of School Commissioners* 332 F. Supp. 655 or, 26 Ind. Dec. 527 (D. Ind., August 18, 1971).

<sup>12</sup>"City-County Consolidation, Separations, and Federations," in *The American County*, Vol. 35 (November 1969), p. 17.

<sup>13</sup>*Dortch vs. Lugar*, 24 Ind. Dec. 357, 266 N.E. 2d 25 (1971).

<sup>14</sup>*Bryant vs. Whitcomb*, Civil No. 1P 69-C-115 (S.D. Ind., Feb. 3, 1970).

<sup>15</sup>*U.S. vs. Board of School Commissioners, op. cit.*

<sup>16</sup>Phyllis Myers, in *City*, v. 3 (June 1969), pp. 36-40.

<sup>17</sup>The share normally payable to a city, under the State statutes, is now calculated upon the basis of the population of the fire service district rather than upon the population of the entire new city; the small municipalities, both included and excluded, continue to receive their shares.

<sup>18</sup>Indianapolis *News*, April 9, 1971.

<sup>19</sup>*Whitcomb vs. Chavis*, L. Ed. 2d 363 (June 7, 1971) 403 U.S. 124, 91 S. Ct. 1858, 29.

<sup>20</sup>*Bryant vs. Whitcomb, op. cit.*

<sup>21</sup>Michael J. Huston, "Special Service Districts in a City-County Consolidation," in *Indiana Law Journal*, v. 47, no. 1 (Fall 1971), pp. 101-117.

<sup>22</sup>*Indiana Acts of 1971*, P. L. 258; and *Indiana Acts of 1972*, P. L. 134.

<sup>23</sup>*Indiana Code 1971*, 18-5-1.

<sup>24</sup>*Acts of Indiana, 1972*, P.L. 135.

<sup>25</sup>Indianapolis *Star*, August 31, 1972. A week later, the Republican leader in the council, SerVaas, said that the Republican majority had decided to defer action on Hasbrook's proposal until after a general study of fiscal inequities. Indianapolis *Star*, September 8, 1972.

<sup>26</sup>Indianapolis *Star*, August 20, 1972. It is possible that more work is now contracted out to private firms rather than done by municipal employees.

<sup>27</sup>Hugh Rutledge, in Indianapolis *News*, April 8, 1971.

<sup>28</sup>Unigov officials say they are trying to place as much of the cost of general government as possible upon the county base (larger than that of the consolidated city because it includes Beech Grove, Lawrence, Southport, and Speedway).

<sup>29</sup>Council Majority Leader SerVaas, in proposing a study of tax inequities, said it would be based on "an effort to have the user pay the cost of the services." Indianapolis *Star*, September 8, 1972, p. 16.

<sup>30</sup>Indianapolis *Star*, July 8, 1972; *Eighty-First Annual Report of the City of Indianapolis*, 1971, p. 21.

<sup>31</sup>Indianapolis *Star*, April 10, 1971.

<sup>32</sup>Richard Lugar, "Decision-Making Allocation in Indianapolis," in *Utah Law Review*, Spring, 1971, p. 90.

<sup>33</sup>*The Wall Street Journal*, March 19, 1971.

<sup>34</sup>Indianapolis *Star*, November 3, 1971.

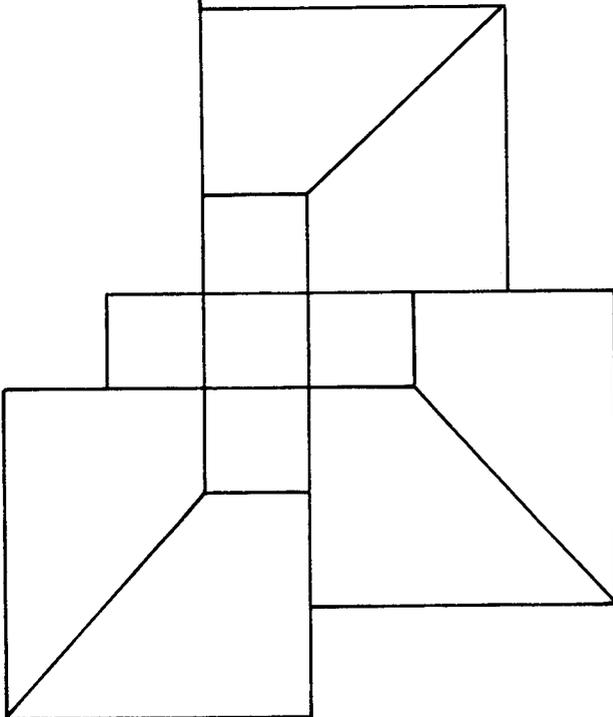
<sup>35</sup>Indianapolis *Star*, November 7, 1971.



*Chapter III*

**BAY AREA REGIONALISM:  
INSTITUTIONS, PROCESSES,  
AND PROGRAMS**

*Victor Jones  
Department of Political Science  
and  
Institute of Governmental Studies  
University of California, Berkeley*



The Bay Area consists of nine counties touching San Francisco Bay, San Pablo Bay, and Suisun Bay; they are Alameda, Contra Costa, Marin, Sonoma, Napa, San Mateo, Santa Clara, Solano, and San Francisco. The regional population is estimated in 1972 as 4.75 million. The Bay Area is not a compact local community, but a region of four separate SMSA's and many distinct communities spread over 7,000 square miles. There is no single dominating city and the three largest cities—San Francisco, San Jose, and Oakland—are of medium size.<sup>1</sup>

In 1967 there were 562 local governments and 520 of them were authorized to levy property taxes. Among them are the consolidated City and County of San Francisco, eight counties, and 90 cities. Among the special districts are large and powerful regional and sub-regional agencies dealing with fields of highways and transit, liquid waste treatment and disposal, water supply, parks, air pollution, and the conservation and development of the Bay and its shoreline. Also, the State of California and the United States Government are active participants in formulating, and at times directly administering, public policies of regional and local impact. Neither is a single, integrated organization. Each, with a multitude of programs and agencies, is as "fragmented" as local government.

Home rule has been embodied in many constitutional and statutory provisions as well as in long-established practices and understandings. The latter are important as political constraints. There are no significant constitutional constraints to hinder the legislature in creating more special purpose agencies, in consolidating or abolishing existing ones, or in establishing a multi-purpose regional agency to exercise power over regional affairs.<sup>2</sup>

Home rule as an article of faith and practice is not held as tightly now by city and county officials as it was a decade ago. This is partly due to learning from experience that many modern problems cannot be adequately managed by cities acting alone. It is also a pragmatic adjustment to the involvement of National and State governments in metropolitan affairs.

Local government, as it is now organized and as it now operates, is being challenged from many sides. Many critics see local government as unrepresentative in structure, parochial in orientation, overly concerned with petty matters, unable to make hard decisions where public interest is opposed to local interests, or where justice, equality, or ecology are opposed to private gain or prejudice.

Partly in response to this doubt, State and National governments are becoming heavily involved in metropolitan affairs. The most startling and far-reaching change in American federalism is the emergence of the National government as the focus for discussion of urban and metropolitan affairs. It is now the leader in formulating urban programs and in using the grant-in-aid

to elicit intergovernmental cooperation among local governments in the San Francisco Bay Area.

## The Intergovernmental Character of Metropolitan Governance

The governance of the Bay Area is a mixture of public and private actions. Within the public sector, it is a mixture of Federal, State, and local governmental actions. Within the local governmental sector, it is a mixture of actions by a myriad of local agencies—large cities, small cities, large and small counties, regional special purpose agencies, sub-regional districts and hundreds of small suburban "neighborhood" governments called fire districts, sewer districts, police districts, etc.

Efforts are being made by organized interests (including governments) in the Bay Area, the State and the Nation to restructure the present mixture of relationships. Formal and informal understandings and regularized relations among "clients," influentials, and decision makers operating in and upon a metropolitan region constitute a system of metropolitan governance, but the balance of power within the diplomatic system of the region is not static. Changes in power and resources as well as the emergence of new objectives and concerns are constantly occurring. Many of these changes, as well as reaction to them, are small and incremental and are handled through the politics of accommodation.

Nevertheless, decisions must sometimes be made which are not incremental but involve major, high-risk public policies. The informal coordination which many consider satisfactory for normal decisions will not suffice for major changes involved in political and technological controversy. An example was the attempt of the council of governments in the Bay Area to develop through a joint powers agreement a policy for controlling bay fill and the over-riding of this effort by legislative creation of BCDC. In a similar manner, regulation of the development of the ocean coastline has now moved beyond the regional council. The voters of the State approved in November 1972 the creation of a State Coastal Zone Conservation Commission and six regional commissions to plan and regulate development of the Pacific Coast.

It is relatively easy to get a metropolitan system for planning, decision making, and administration, if a community is satisfied to have important decisions made by functional specialists with little or no relation to each other and without a means of establishing priorities. This can be done through the creation of special purpose

authorities, which is the characteristic approach in the Bay Area. Or it can be achieved through State and National policies and regulatory agencies which administer such programs directly or through dependent regional special purpose agencies. The major policy thrust in environmental protection—air and water quality, waste disposal, land-use controls, open space, etc.—seems to be shaping up in the latter direction.

Many city and county officials and civic leaders believe that regional government of some kind is inevitable, that in fact it is already here in the form of special purpose districts and agencies with more to come, and that it would be better if there were a limited, multi-purpose agency empowered to prepare regional plans and to require other agencies to conform to regional policies. The widespread support of a limited multi-purpose regional agency that has developed since 1960 is astonishing. In the Bay Area, agreement ends here, however, and disagreement over the composition and selection of a governing board has been bitter and intense.

In the Bay Area the Association of Bay Area Governments (ABAG) considers comprehensive regional planning and multi-purpose regional coordination to be its primary responsibilities. Its principal sources of authority are its own definition of its role and its designation by the U.S. Office of Management and Budget and the U.S. Department of Housing and Urban Development as the areawide planning organization for the Bay Area. This recognition by the Federal government is not sufficient to explain the current role of ABAG as perceived by its members, officers, and staff, much less the role it aspires to play in the Bay Area. There are hundreds of areawide planning organizations in the country and several of them, as is ABAG, are evolving in scope, purpose, confidence, and capability toward an independent locally based regional agency. Many, however, are, in the words of Melvin Mogulof, merely "insurance device[s] for the continued flow of federal funds to local governments."<sup>3</sup>

How congruent with its accomplishments are the perceived roles of ABAG as a *comprehensive* regional planning agency and as a coordinator of other regional planning done by other agencies in the Bay Area?

Most regional planning in the Bay Area is single purpose functional planning. Only the Bay Conservation and Development Commission (BCDC) and ABAG have been engaged in relating functions to each other and to areal subdivisions within the region. In fact, much of ABAG's own planning has thus far been functional planning, e.g., planning to meet HUD requirements for open space, sewage, and water facilities grants.

It should be observed that most of the new or increased [Federal] resources and requirements for planning have been "functional"

as distinguished from "comprehensive" or policy and coordinative areas. Moreover, the number of directives and restrictions on the use of funds for comprehensive planning has increased, thus further limiting the resources available for policy development and coordination at a time when functional planning has grown tremendously and when the need for coordination has been increasingly dramatically.

These developments at the Federal level have created problems of coordination and policy development within regions that are very difficult to resolve . . . .<sup>4</sup>

## PARTICIPANTS IN BAY AREA REGIONALISM

Before discussing regional planning, policy making and administration in detail, it is desirable to take stock of the corporate actors in the governance of the Bay Area. The characteristics of the principal types of government need to be understood and we should keep in mind the variety of interests of each type and the wide range of their resources. Not all interests are metropolitan and the play of State or National interest and regional interests is an essential ingredient in regional complexity. Furthermore, a knowledge of the interests and composition of private organizations and of the pressures and frictions of their contacts with public officials is essential to an understanding of how the Bay Area is governed.

### The Association of Bay Area Governments (ABAG)

**Structure.** The Association of Bay Area Governments is a central focus in this essay. Its objectives, origin and development, structure, finances, functions, and aspirations will be described and analyzed internally and in the political context of its relations with member cities and counties, regional special purpose agencies, private organizations, State and Federal agencies, and the State legislature.

ABAG was organized in 1961 under the California Joint Exercise of Powers Act of 1921.<sup>5</sup> Its organizational structure includes the General Assembly, the Executive Committee, various standing and special committees, the president, the vice president, the executive director, and staff. Membership in ABAG is open to the City and County of San Francisco and eight counties in the Bay Area through execution of a joint powers agreement which provides for a ratification of the by-laws, payment of annual assessments, and other details.

Eighty-four of the 91 cities and eight of the nine counties in the Bay Area are members.<sup>6</sup> Although Solano County has never been a member, most cities in the county are members. All cities of over 20,000 population in the Bay Area are members. The Association also has 28 cooperating members with a voice but no vote at ABAG meetings. Any governmental agency in the Bay Area can apply for such membership.

The General Assembly regularly meets twice a year and consists of one representative from each member county and city. Voting in the General Assembly depends on the presence of a double quorum, i.e., a majority of the official city representatives, as well as a majority of official county representatives. Voting is on a bicameral basis. Each official county representative and each official city representative has one vote. Votes are tabulated separately for each set of officials. A majority of a quorum of county representatives *and* a majority of a quorum of city representatives is required for policy recommendations or actions. Voting within the Executive Committee is not on a bicameral basis but by a simple majority of a quorum of the total membership.

Until mid-1967 the Executive Committee consisted of a mayor or councilman from each county and a member of the board of supervisors in each county. These members could collectively elect no more than six other members at large from among the elected legislative officials of the counties and cities of the Bay Area. Members so chosen served one-year terms as full and equal members of the Executive Committee. At-large membership was usually granted to Oakland and San Jose. San Francisco as a city and county would always have two members in the Executive Committee. Because the General Assembly follows a one government-one vote rule, this additional representation on the Executive Committee of the largest cities helped to overcome feelings of under-representation by the larger cities.

In 1967, after adoption of the Regional Home Rule Report of the Goals and Organization Committee, a new formula for representation on the Executive Committee was adopted. Known as the "modified population formula," it provided representation roughly on the basis of population, but the smallest county is entitled to both a county and a city representative. In the fall of 1969 another amendment was adopted which provides for direct election of the president and vice president by *all* supervisors, mayors, and city councilmen of member jurisdictions—an electoral college numbering 46 county supervisors and approximately 450 mayors and councilmen in 1972.

**Financing.** Funds for the support of ABAG programs and activities come from regular annual assessments of the members, special assessments levied by the General Assembly, and Federal grants. The amount assessed to

individual cities and counties is based on population as determined by the State controller in making the most recent allocation to counties and cities pursuant to the Motor Vehicle License Fee Law.

Under this pattern counties and cities are each collectively responsible for remitting one-half of the total assessment. Each county's assessment is the proportionate share of the county half of the budget total, determined by the ratio of the individual county's population to the total population of all member counties. Each city's assessment is a proportionate share of the city half of the budget total, determined by the ratio of the individual city's population to the total population of all member cities. In 1972 the by-laws were amended to require each member, irrespective of size, to pay a membership fee of \$120.

Over 12 major regional planning activities between 1950 and 1970 cost approximately \$22,700,000.<sup>7</sup> It was estimated in 1970 that over \$4 million was being spent annually in the Bay Area on regional planning.<sup>8</sup> Less than 20 percent (\$750,000) of estimated annual expenditures were under the direct control of ABAG. The association contributed or was otherwise involved in planning activities costing about \$500,000 annually. Thus the total value of ABAG involvement in regional planning was less than 30 percent of the grand total for the year.

These estimates are probably too generous since ABAG's expenditures for A-95 review of applications for Federal grants make up a substantial part of regional expenditures for coordinative activities. The extent to which A-95 review results in coordination will be considered in a later section.

**Functions.** The association's by-laws, adopted in 1961, authorized the following functions:

- a) Review of governmental proposals. This includes the making of appropriate policy or action recommendations.
- b) Study of metropolitan area problems. This means the identification and study of problems, functions, and services in the San Francisco Bay metropolitan area, and the making of appropriate policy or action recommendations.
- c) Other functions as the General Assembly should deem appropriate for the Association.

The concept of appropriate functions for ABAG changed drastically in its first five years. In the early years ABAG was viewed as an advisory organization, which would study problems and recommend solutions but not institute programs. The first executive director stated in 1961 that ABAG was to serve as a "forum to discuss the study of metropolitan problems of the San Francisco Bay Area and to develop policy and action recommendations. It is merely a recommending agency." Although it was thus originally a narrowly oriented

discussion group, designed to meet once or twice a year to talk about regional problems. ABAG soon began to deal with regional problems more directly.

Immediately upon its creation, ABAG began to grow almost imperceptibly into an organization different from a regional forum of elected city and county officials. If its founders wanted it to remain a forum only, the first mistake they made was to create the office of full-time executive director and appoint to it a former city manager and staff member of the American Municipal Association.

The assumption by ABAG of responsibility for regional planning, four years before Congressional enactment in 1966 of the Demonstration Cities and Metropolitan Development Act, illustrates how an organization can develop over time in response to changing perceptions of needs among its members. It also suggests that, despite its potential and actual weaknesses, a voluntary association of governments, organized under a joint exercise of powers act, may evolve, in response to internal and external forces, into a viable and effective regional agency.<sup>9</sup>

ABAG is still alive and kicking eleven years after it was organized as a voluntary discussion forum. Both its friends and its enemies have repeatedly predicted its dissolution as it has faced and made tough decisions concerning regional planning, the acceptance of Federal aid and Federal program requirements, increased local contributions, the composition of the Executive Board, and approval of the regional plan. Other issues have included a request for legislation making membership mandatory and empowering ABAG to implement the plan and enforce compliance of local and special agency plans with the regional plans. In 1971 ABAG also decided to support a mixed governing body of directly elected members and of city and county officials. Over each of these matters a significant minority of members became hurt, frightened, or angry. All but a few of them remained in the association to fight another day.

Undoubtedly, the Federal requirement that ABAG review and comment on applications for Federal grants was an important factor in keeping ABAG together. In fact, since 1966 the term "voluntary" may be inaccurate as a description of COG's, at least of ABAG. However, the preceding analysis of the organizational development of ABAG shows that it has been strengthened by its own decisions and activities and by reaction to what its members perceive as threats from the outside.

Perhaps the acid test of its ability to survive was the Truax affair. In 1968 the diversion by the assistant to the executive director of nearly half a million dollars of Federal funds granted to ABAG was discovered. The widespread publicity given to the scandal made ABAG an unenviable household name and frightened many ABAG members and its State and Federal sponsors. Its enemies claimed that this demonstrated beyond doubt

the inappropriateness of converting ABAG into a statutory regional agency. The scandal broke after ABAG had voted to request statutory status and authority and diverted the leaders attention from legislative efforts.

However, very few cities resigned and most of them soon returned. The leaders of ABAG reorganized the administration, tightened fiscal procedures, and, in short, converted ABAG from the secretariat of a loose confederation into a tighter administrative organization. At the same time, they began the slow task of recovery of the stolen funds. Although done at a price one would never willingly pay, there is no doubt that the reorganization left ABAG stronger and more closely organized after than before the Truax affair.

Has ABAG made any difference in the attitudes toward regionalism of city and county officials? A before and after test of changes in attitudes cannot be made. However, both the behavior and public statements of local officials at the time ABAG was founded certainly lead one to conclude that they were more local than regional in their orientation to Bay Area problems and toward each other. Yet the ABAG General Assembly, consisting of representatives of each city and each county, voted in 1967 to ask the legislature to change ABAG from a voluntary association into a regional agency with mandatory membership and with power to implement the regional plan. This decision would have been inconceivable five years earlier.

Local governments are involved in regional governance in three ways. First, the manner in which they discharge some of their functions has consequences for people who live beyond their borders. Secondly, in any form of two-tier local government, the regional tier will have to depend on cities, counties, and special purpose agencies to carry out important regional policies. In the third place, in the Bay Area at least, cities and counties and some special purpose agencies later participate as distinct organizations in the selection of members of regional governing boards. One of their objections to the Knox bills of 1969 and 1970 to create a multi-purpose regional agency was that a directly elected regional body would exclude them from this kind of participation.

However, there is increasing concern among city and county officials, especially the former, over the heavy burden of active leadership and participation in one or more regional agencies. This is overtime work added to the time they must spend away from family and business on the civic and governmental affairs of their own municipality. This condition is the basis for allegations by proponents of a directly elected regional government that locally elected officials will be unable to give the time necessary to deal with important and increasingly complex regional problems. The result, they say, will be that regional business will go unattended except as administrators and functional specialists become *de facto* policy makers.

Mayors play an important role in the inter-governmental relations of the Bay Area. They constitute in each county a city selection committee to select from the mayors and councilmen of the county representatives to the Bay Area Air Pollution Control District, the Bay Area Rapid Transit District (BART), and the Executive Committee of ABAG. If the city is engaged in treating sewage, its mayor serves on a county selection committee to select representatives from the county to the newly created Bay Area Sewage Services Agency.<sup>10</sup>

Professional administrators play a major role in shaping and conducting intergovernmental relations in the Bay Area. Among the middle-sized and larger cities, an increasing proportion of the manager's time is given to negotiation, opposition, and cooperation with officials of counties, school districts and other special districts, other city governments in the county and in ABAG, as well as with many State and Federal agencies. City managers and county chief administrative officers have participated, along with mayors, councilmen, and county supervisors, in developing the consensus for special districts composed of elected city and county officials, such as the Bay Area Air Pollution Control Districts, BART, and ABAG itself.

Despite a few significant exceptions, little use has been made by ABAG of the expertise and policy leadership of the professional staffs of the Bay Area city and county governments.

Central city-suburban relationships are not only important at the present time, they are likely to become even more important as the suburbs continue to gain and the central cities continue to lose population. San Francisco's legislators in Sacramento are dwindling in numbers and are receiving into their constituencies many people from suburban San Mateo and Marin Counties.

Minorities are large enough and articulate enough to be a major political force in the Bay Area as well as in the cities where they are concentrated. Many of them are disadvantaged and their concentration creates the social disparities between central city and suburbs that is coming to be recognized as a regional problem.

The mayors and supervisors of San Francisco and the mayors and councilmen of Oakland, considering the high stakes of their residents and businessmen in regional developments, have played a relatively small role in ABAG. None of the three large central cities has attempted to develop a strategy for regional satisfaction of big city interest, even though central city residents are more concerned with housing, income maintenance, and equality of opportunity than with such suburban concerns as environmental amenities. There is a magnificent opportunity for central city and suburb to trade off interests in the development of regional policies. On the face of it, it appears that the central city has the most to gain and the most to lose. With the shift of population and votes to the suburbs, likely to be

accentuated in the coming decades, it seems appropriate, in fact, imperative, for the central cities to give up their traditional game of reacting to events, and take the initiative in developing regional policies and organizing the regional accommodations necessary to adopt and implement them.

The regional conflict is not a simple dichotomous one of suburb vs central city. In the first place, no central city is homogeneous. Elements within central cities and in some suburbs have mutual interest. Secondly, the three central cities themselves will often disagree. And, in the third place, suburbia is divided among itself on any issue that may arise. This is why it is needless to fear, as some environmentalists have, that city and county officials will present a monolithic front on regional issues.

## Counties

The eight county governments of the Bay Area (excluding the City and County of San Francisco) have undergone more changes as a result of urbanization than any other type of local government. Not the least important of the new roles counties are playing in the Bay Area is that of participant in regional governance. County representatives to the ABAG General Assembly constitute in effect a second chamber since every motion requires a majority vote of both counties and cities. Counties are also represented on the Bay Conservation and Development Commission, Bay Area Air Pollution Control District, Golden Gate Bridge and Transportation District, Bay Area Rapid Transit District, and the Metropolitan Transportation District. County boards of supervisors select from nominees of special selection committees representatives to the newly created Bay Area Sewage Service Agency (BASSA).

Finally, counties function as sub-regions in the fields of comprehensive health planning, criminal justice planning, solid waste disposal, and airport land use. Most metropolitan clearinghouses recognized by the Federal government are single-county agencies. The largest is the San Diego Comprehensive Planning Organization. There is some sentiment in other parts of the State for recognizing the county, rather than a multi-county region, as the areawide comprehensive planning agency. This feeling is much stronger in southern California than in the Bay Area. In part as a response to pressure from southern California, the California Council on Criminal Justice has designated counties as regions.

The county is the only local government that can plan and regulate the use of land in the fast-growing unincorporated parts of the region. State law now requires cities and counties to include an open space element in their official plans by July 1, 1973. The reliance by ABAG on voluntary compliance by its member governments places a heavy responsibility on

counties to implement the regional open space plan.

Conservationists and environmentalists have been especially critical of the actions of county planners and supervisors. They maintain that most local politicians (and county officials are in a critical position because of their control over the development of open land) are so imbued with the values of growth, development, and progress that they naturally favor the interests of builders and land speculators. Even if they were inclined toward the preservation of open land and the containment of urban growth, they are unable to withstand pressure from wealthy and influential interests. This is especially true when development is linked to enlargement of the tax base. Critics argue that a larger and more distinct government such as a region or the State would be able to resist such pressures.

Solano County has never joined ABAG, although five of its seven cities are members. For years ABAG had noted in its review of Solano County applications for Federal aid that the county did not cooperate in regional planning. The county refused to pay ABAG a processing fee of one percent of the amount requested in its applications for Federal aid. In 1970, however, an agreement was signed between ABAG and the county in which the latter agreed to pay the fee up to an annual total of 110 percent of what the county's dues would be if it were a member.

In 1970, while one of its supervisors was president of ABAG, Sonoma County voters approved 3 to 1 a proposition placed on the ballot by the board of supervisors to withdraw from ABAG and join an inactive northcoast regional planning district. The cities of the county are divided over this action and, along with the ABAG Executive Committee, are opposing confirmation of the action by the State Council on Intergovernmental Relations. This part of the dispute will be considered in the section on State agencies and Bay area regionalism.

### Special Purpose Agencies

The third type of local governmental unit in the Bay Area is the special district, authority, or other form of special purpose agency. Among those of regional significance covering all or extensive parts of the Bay Area are the East Bay Municipal Utility District (EBMUD), the East Bay Regional Park District (EBRPD), the Golden Gate Bridge and Transportation District, the Bay Area Air Pollution Control District, the Alameda-Contra Costa Transit District (A-C Transit), the San Francisco Bay Area Rapid Transit District (BART), the Bay Area Comprehensive Health Planning Council, the Metropolitan Transportation Commission (MTC), and the Bay Area Sewage Services Agency (BASSA). The Bay Area Social Planning Council is a private organization which is considered along with public special purpose agencies.

Other special purpose agencies such as the Bay

Conservation and Development Commission (BCDC), the San Francisco Bay Regional Water Quality Control Board, the Division of Bay Toll Crossings, and District IV of the State Division of Highways will be discussed in the section on State government.

Not all these agencies are special "districts," but they are special purpose agencies.

Three of the large sub-regional special districts have directly elected governing boards: East Bay Municipal Utility District, East Bay Regional Park District, and the Alameda-Contra Costa Transit District. Most board members over the life of the districts have been first appointed to office and then reelected as incumbents.<sup>11</sup>

All or a good portion of the membership of the governing bodies of other regional special agencies consist of elective county and city officials or of members selected by cities and counties. In addition to city and county members, ABAG selects a member on MTC, the Bay Area Comprehensive Health Planning Council, and four members to represent cities on BCDC. It was unable to secure amendments allowing it to appoint four members to BASSA.

Some of these agencies are regulatory bodies (e.g., BCDC, Air Pollution Control District, Regional Water Quality Control Board); others are engaged in the construction and operation of facilities (BART, EBMUD, East Bay Regional Park District, A-C Transit, Golden Gate Bridge and Transportation District); and still others are primarily planning agencies (MTC, Bay Area Comprehensive Health Planning Council, BASSA). MTC will probably acquire regulatory powers and BASSA will undoubtedly exercise its residual power to construct and operate sewage treatment and disposal facilities.

All of them, however, are engaged in planning. Their policies may or may not be based upon such planning. There are many potential and actual interfaces among their plans and those of ABAG, cities, counties, and State and Federal agencies. There is as yet no unified regional planning program to bring such interrelationships into the open and develop consensus where desirable and possible. These intergovernmental relationships will be described and analyzed in a later section.

### State Government

In 1970, almost 93 percent of the population of California lived in 16 standard metropolitan statistical areas. It is not surprising, therefore, that the State government, from the Governor and most legislators to influential members of various bureaucracies, is increasingly concerned with matters affecting urban dwellers.

The State is also responding to the policy leadership of the National government and the reaction of local governments to that leadership. Most State action to meet new Federal requirements or efforts by the State

to assert its prerogatives in the Federal system have been sporadic and *ad hoc*. However, the Intergovernmental Council on Urban Growth, a predecessor of the Council on Intergovernmental Relations, has analyzed the emerging system of Federal-State-local relations and recommended a strengthening of the State's role in Federal urban programs and of the relationship of the State to local governments.<sup>12</sup>

A consultant to ABAG has divided State activities into three categories: (1) direct services to the public on a statewide basis; (2) statewide programs which "lean heavily on local government for their direct administration and constitute, in effect, joint ventures"; and (3) those activities "which respond to the needs of a particular area, as distinguished from a statewide need."<sup>13</sup>

Regional problems, it was said, arise only with respect to the third category of State programs, where in response to the needs of a particular area the State usually established a special purpose agency to meet each need: "... an area need arises, there is agitation for its being met, and an agency is created to meet it--this is the normal process."<sup>14</sup>

It is impossible to categorize State activities so neatly and to dismiss most of them because they raise "no regional problems." The extent to which this is so can be seen from the discussion in the section on regional planning and policy making.

Apart from the Governor's cabinet, which is more institutionalized than in previous administrations, there are two agencies attempting to develop intergovernmental policies and coordinate State-local and State-Federal relations.

The Council on Intergovernmental Relations and the Office of Planning and Research, both now located in the Governor's Office, are responsible for developing a wide range of policies affecting local governments. They are beginning to develop proposals that may lead to an active administrative role in Bay Area regional governance. In 1969 the Lieutenant Governor was designated by executive order as Chief Executive Officer for Intergovernmental Relations. As such he heads an Office for Intergovernmental Management. This office is described as "the management and advice arm" of the Council on Intergovernmental Relations. However, the council was transferred from the Lieutenant Governor's office to that of the Governor in 1972 in response to the threat of budgetary sanctions by the chairman of the Assembly Committee on Ways and Means.

The Office of Planning and Research was created by statute in 1970. Although its primary purpose is to provide staff services to the Governor and the cabinet, the following specific objectives were listed in the 1972-73 budget:

1) to develop a comprehensive statewide land-use policy,

- 2) to coordinate all State departmental land-use planning activities,
- 3) to develop recommended statewide environmental goals and policies, and
- 4) to develop an environmental monitoring system.

The Council on Intergovernmental Relations was created in the wake of the ferment caused by the report of the Governor's Commission on Metropolitan Area Problems in 1960.<sup>15</sup> Its composition, patterned after the U.S. Advisory Commission on Intergovernmental Relations, gave representation to cities, counties, school districts State officials, and the public. Since then the membership has been broadened to include State legislators, areawide comprehensive planning agencies, and special districts.

In its first report, the council announced as a basic assumption on which its deliberations and recommendations would be based:

That the local units of government in urban regions should be encouraged to solve common regional problems through voluntary associations of cities and counties, with decision-making responsibility vested in a general assembly composed of elected city councilmen and county supervisors representing their respective member units.<sup>16</sup>

Over the decade the council has adhered essentially to its position as first announced in 1965. However, after the ABAG Regional Home Rule Proposal in 1967, it modified its position to support mandatory membership of all cities and counties in the region, while continuing to insist on a regional governing board consisting only of elected city councilmen and county supervisors.

The first statutory provision for State designation of regional planning districts was enacted in 1963. Under this Act the State Office of Planning proposed a division of the State into planning regions with boundary lines following topographical features rather than county lines. The proposal to divide counties was sharply protested by city and county officials. Responsibility for delineating regional districts was subsequently shifted to the Council on Intergovernmental Relations.

This year the council has been faced with two severe political crises over the boundaries of regional planning districts, one in the Bay Area and the other in southern California. After the Sonoma County electorate voted in 1970 to withdraw from ABAG, the council was requested to move Sonoma County from the Bay Area regional planning district to the North Coast regional planning district. When the council's budget came before the Senate Finance Committee, the committee chairman, representing Sonoma and the North Coast counties, made it clear that favorable action on the

budget would have to be traded for a council vote to shift Sonoma County. On June 22, 1972, the council heard opposition from ABAG and from cities within Sonoma County to its transfer from the Bay Area, but voted 10 to 8 to approve the transfer. Several votes in favor of shifting were cast by telegram by members not present at the hearing. Following protests by the ABAG Executive Committee and the City Council of Santa Rosa, the Attorney General and the Legislative Council ruled that absentee votes were illegally cast, so Sonoma County remains in the Bay Area, but the county government itself is no longer a member of ABAG.

Other State agencies and programs will be discussed in a later section. The most important for this case study are the Business and Transportation Agency and two of its units, the Department of Public Works and the Office of Transportation Planning and Research; the State Transportation Board; the State Water Resources Control Board, along with its regional water quality control boards and its Bay-Delta water quality study; the Bay Conservation and Development Commission (BCDC); and the California Council on Criminal Justice (CCCJ).

## The Federal Government

The Federal government was the most important actor in the upswelling of regionalism during the 1960's and early 1970's. Federal funds have largely supported both multi-purpose and single-purpose planning at the regional level. Federal requirements associated with grants-in-aid have raised many matters to the regional level for planning and debate, if not always for action. From the beginning of the decade the Federal thrust has been toward "comprehensive areawide planning" with little or no parallel thrust from the State government. In the absence of State legislation empowering regional agencies to require conformity to regional plans and to construct and operate regional facilities (except in Minneapolis-St. Paul, Atlanta, Indianapolis, Miami, and Jacksonville), all authority of regional agencies such as ABAG derives from Federal legislation as interpreted and administered by Federal agencies.

Joseph P. Bort, Alameda County supervisor and chairman of ABAG's Regional Home Rule Committee, testified before a congressional committee in 1971:

There is no doubt that two federal policies—review and comment by regional planning agencies on applications for federal aid and the support, principally by 701 funds, of the development of comprehensive regional plans—have done more to encourage and to enable local governments to face up to regional problems than anything else during the past half century. Although ABAG was formed before the avalanche of regional

planning agencies was started by federal action, and it formally began its regional planning program as early as 1962, it has certainly been helped by these two programs.<sup>17</sup>

During the same hearing, Assemblyman John Knox asserted that Federal support and the requirement of regional review and comment on applications for Federal aid has resulted in

- 1) The production of a great volume of so-called regional plans which the COG formally adopts. "The result is that the COG is then able to represent that sundry regional plans do exist."
- 2) Misleading representation by COG's that they are determining regional priorities and are implementing regional plans.<sup>18</sup>

The U.S. Department of Housing and Urban Development (HUD) is the Federal agency with closest association with ABAG. In fact, one might ask whether HUD looks upon ABAG primarily as an agent to help implement at the regional level the special purpose of the department. One-half of the ABAG budget for comprehensive regional planning comes from HUD 701 funds. Most of its annual work program is designed to meet planning requirements for activities administered by HUD, such as open space, water and sewer facilities, and housing.

The comment and review function is authorized by rules and regulations issued by the Office of Management and Budget. Under its present by-laws as a joint powers agency and without additional authority from the State legislature. ABAG's primary authority derives from OMB Circular A-95. The extent to which Assemblyman Knox's charge that the exercise of this authority is a pretense will be examined later.

Other Federal agencies subject to A-95 review requirements or with regional planning or implementation requirements of their own are the Department of Health, Education and Welfare, Department of Commerce, Department of Transportation, Department of Justice, and the Environmental Protection Agency.

The Corps of Engineers is directly engaged in regional planning for the Bay Area. Two vast projects, estimated to cost ultimately \$10 million, are now underway: The Bay Region In-Depth Study and the S-S-S (San Francisco-San Pablo Bay-Suisun Bay) Study.

## Interest Groups

Formally organized groups are considered here only if they have an avowed regional objective and if they attempt to bring pressure upon government officials in an effort to realize that objective. Federal and State agencies, cities, counties, and special districts, as well as factions within such agencies or governmental units,

frequently operate as pressure groups. In a system of intergovernmental relations, where power and authority are dispersed among many levels, units, and agencies, it is not surprising that each interested unit acts individually and in concert to secure from other governmental parties what it wants and to stop what it does not want.

Most important for the concern of this essay are the formal organizations of cities, counties, and special districts, and of their officials and employees. The League of California Cities and the County Supervisors' Association of California (CSAC) are well organized, well led, and well staffed. Once they bitterly fought each other, but in recent years they have presented a common front in defense of home rule.

The League of Cities has moved from an unmistakable support of particularistic handling of particular problems in 1962 to support of mandatory regional umbrella agencies consisting entirely of city and county elected officials by 1970. Furthermore, it maintains that regional organizations should be authorized to assume limited powers and functions with reference to the operation of regional services and that they should be granted necessary regulatory and taxing powers.<sup>19</sup>

The County Supervisors' Association of California (CSAC) staff jointly prepared with the league staff and with representatives of ABAG, SCAG, Sacramento Area Regional Planning District, and San Diego Comprehensive Planning Organization the draft document upon which league resolution No. 13 was based. CSAC adopted essentially the same resolution after modifying it to call for governing bodies consisting *primarily* of city and county officials.

In 1971 the league Board of Directors took another step—this time away from 100 percent membership of city and county elected officials on the governing body of a regional agency. It urged that the Regional Planning District Act, on the statute books since 1963 but never used, be amended to make it easier to activate a district by requiring favorable resolutions from a majority instead of two-thirds of the counties and cities within regional planning districts delineated by the Council on Intergovernmental Relations. Also, it urged that city, county, and special district plans be required to conform to the mandatory elements of the regional plan. The big change, however, is with respect to the composition of the governing body. The league approves the provisions of existing law calling for a citizen to be appointed by the supervisors in each county to sit with elected city and county officials.<sup>20</sup>

Although the League of Cities and CSAC may not agree with regional councils of governments on particular legislation, they have been supportive of their local efforts to organize and operate. In fact, they played crucial roles in the creation of both ABAG and SCAG.

Yet public concern with water supply, air pollution, water pollution, transportation, recreation, filling and

conserving the bay, parks and open spaces is ample evidence that most of the major problems are not being met in a way that satisfied many articulate groups in the Bay Area.

Pressure for governmental action develops at a different rate among various groups and is exerted with varying force at any given time on local, State, and Federal officials. If a locally arrived-at decision to create a special district or authority cannot be made, the "imposition" of a district by the State legislature is often sought. Frequently such efforts are defeated in the State legislature, but there are many instances of success.

Only a few of the multitude of formally organized groups in the Bay Area have a general and continuous interest in the government and politics of the region.

Between 1955 and 1961 the Bay Area Council shifted from sponsorship of special purpose regional agencies to collaboration and support of ABAG to advocacy of a directly elected multi-purpose regional government.<sup>21</sup>

The most significant coalition of individuals and organizations in the Bay Area is AREA—Action for a Regional Environmental Agency. Its purpose in 1971 was to secure enactment of Assemblyman Knox's bill, AB 1057, to create the Bay Area Conservation and Development Agency. Leaders of AREA and the Regional Home Rule Committee of ABAG were able to compromise their positions on the composition of the governing board for the proposed regional agency. As a result, the bill almost passed in 1971. More important for the future, contacts established between ABAG and AREA have continued and chances are good that a mutually acceptable bill can be drafted for 1973.

Out of the Bay Area Congress of Citizens' Organizations came the campaign, in the Bay Area and in Sacramento, to enact a strong act to "save the Bay." This movement, joined by the Sierra Club, Friends of the Earth, and People for Open Space, supported the Knox bills to create a directly elected regional planning agency, bills to regulate development of the Pacific coast, and other environmental protection bills.

The 22 local Leagues of Women Voters in the nine Bay Area counties have organized on a regional basis "to increase the knowledge and effectiveness of the local Leagues in the field of areawide government, and to coordinate League work on the metropolitan level." The leagues began in 1959 with a study of Bay Area problems and possible governmental solutions. They are still strongly committed to a directly elected regional agency, even after the 1971 compromise over representation.

Although most organized groups are locally oriented and concerned with advancing or protecting a single interest, they frequently see their interests threatened by proposed regional policies. Organized labor is now alert to secure representation on regional bodies. They successfully amended the Act creating the Bay Area

Comprehensive Transportation Study Commission to require the governor to appoint four labor representatives. The San Francisco Central Labor Council has come out for direct election of all regional agencies, whether special or multi-purpose. At the same time, they are increasingly active in opposing environmentalist groups on the ground that their efforts result in fewer opportunities for jobs.

These examples of non-official interest groups remind us that there are powerful political forces other than local governments operating in the Bay Area. Such forces can be brought to bear upon State and Federal governments to assume the direct administration of certain urban affairs or the indirect administration of others through grant-in-aid programs, or to secure the creation of new units of local government to be responsible for the discharge of urban functions on a metropolitan scale.

Much so-called imposition by the State is actually policy developed by local groups and interests, and implemented through the machinery of State government. Frequently, local officials join with other local groups to seek legislation of this kind. Certainly this makes questionable the characterization of such State and Federal action as "an imposition from above." Even if the local pressures are entirely unofficial, they are still *local*, and it is incorrect to call such State and Federal legislative responses "impositions."

Cronin finds that only 37 percent of city councilmen of the Bay Area in 1966-67 were localists who perceived public problems only in terms of their effect on one's own city and who never considered a regional approach to them or, if they did, considered such approach to be inappropriate. Of the remaining 61 percent, a little over 36 percent were decidedly regionalist in perspective and 64 percent had a mixed metropolitan perspective. Similar findings about the attitudes of leaders other than public officials were found by Scott and Hawley.<sup>22</sup>

A 1971 survey of blacks holding elective and appointive public office showed clearly that they were aware of the metropolitan dimensions of their problems, that they believed that metropolitan government was already here in the form of special districts, and that blacks were likely to be more influential in a multi-purpose elective regional government than in a system of single-purpose districts.<sup>23</sup>

## REGIONAL PLANNING, POLICY MAKING AND ADMINISTRATION

ABAG's principal means of implementing the regional plan are its review and comment authority derived from the Federal government and management of a unified

planning program in which affected governmental agencies at all levels will participate. It seems desirable, therefore, to use certain elements in ABAG's unified regional planning management program as an outline for this discussion of current Bay Area activities that make up regional planning, policy making, and administration.

### Operational Support Systems

**Basic Research and Development.** Much of the time and costs of all planning efforts is consumed by data gathering and analysis. Each project is usually designed and carried out independently, without utilization of data gathered in previous inquiries. Functional planning, organized by projects and agencies, is necessary but coordination, collaboration, or participation should begin at the design stage. This would require at least a review and comment by other regional agencies and might lead to joint work programs, such as those between ABAG and MTC, and ABAG and the State Water Quality Control Board. Collaboration in designing projects, gathering and analyzing data may lead to collaboration in policy making.

ABAG looks upon itself as responsible for establishing population and land-use bases for all other regional planning. However, it cannot do this alone and expect other regional agencies to accept its analyses and projections.

ABAG has prepared a regional base map and proposes to keep it up to date through a continuation of the aerial photographing begun jointly with the U.S. Geological Survey (USGS). ABAG has been participating in the USGS-HUD Environmental Resources Study since 1970. It proposes to continue this work after the USGS-HUD program is finished in 1974. But a continuing program of updated base maps and aerial photographs "can be provided more efficiently and inexpensively through a coordinated regional program."<sup>24</sup>

An indispensable element in ABAG's influence is the quality of the data it collects about the Bay Area, the quality of its analysis of those data, and the public policies it adopts and supports. ABAG is the only regional agency in the Bay Area to plan a unified regional information system.

Almost simultaneously with the assumption by ABAG of responsibility for regional planning, it organized a forum where public and private agencies collecting and using quantitative data could exchange information and discuss technical developments. The Bay Area Automated Information System Coordinating Committee (BAAISCC) met regularly at times and intermittently at other times between 1964 and 1969. The need for a systematized regional information center to service both regional and local public and private agencies was frequently discussed by BAAISCC. However, not until 1972-73 were funds included in the

budget to undertake development of a Bay Region Planning Information Support Center (BRISC). ABAG is now recruiting a director for BRISC (funds are available for one-half man-year) to set up the center, develop a work program for 1973-74, and execute agreements with public and private agencies operating within the region.

In the meantime, the void was partially filled by the establishment of the Census Service Facility in the Institute of Governmental Studies, University of California, Berkeley. The relationship of the Census Service Facility to BRISC will have to be negotiated.

ABAG and MTC are faced with the necessity of bringing up to date the transportation data collected and analyzed by the ABAG-BATSC program between 1965 and 1969. MTC will be a principal user of BRISC and will provide about 43 percent of its funding. The principal source of MTC funds will be the State Department of Public Works, which will in turn utilize Federal highway planning research funds. MTC is not likely to play the role of minor partner since it will contribute twice as much to the support of BRISC as ABAG.<sup>25</sup>

**Information Exchange and Citizen Participation.** A small community relations staff is responsible for contacts with the press, answering public inquiries, and keeping the staff, the Regional Home Rule Goals Committee, the Executive Committee, and the General Assembly informed of legislative developments. The community relations officer also handled the initial phase of organizing a citizens task force to develop proposals for a permanent Regional Citizens Forum. The public information program needs to be expanded to inform many more special groups, as well as the general public, of ABAG activities. The need will be much greater when the Regional Citizens Forum is operating.

It is proper for ABAG to include activities to support citizen participation under the rubric of information exchange. The process of exchange should be two-way, with information going out from ABAG and information coming into ABAG from people and organizations who are concerned about ABAG's action or inaction. It would be a mistake to channel all such contacts through a single point in the organization, but the Office of Community Relations will play a major role in preparing and distributing information in a form that can be understood critically by laymen and in analyzing feedback information.

ABAG did not solicit citizen input into its deliberations and decisions during the first decade of its existence. In 1970 the General Assembly authorized a large committee on the environment to be broken down into subcommittees on open space, solid waste disposal, and water quality control. Although the immediate past president of ABAG was appointed chairman of the overall committee and subcommittee chairmen were

appointed, the process never got underway. One reason offered for the tardiness was the lack of staff. This hesitancy was confirmed when a lay member of the Open Space Subcommittee took a position on pending legislation without clearing it through the association.

In spite of HUD's requirement of "citizen participation" in some grant projects, ABAG began sustained efforts to formalize a Regional Citizens Forum only after the National Committee Against Discrimination in Housing and La Confederacion de la Raza Unida objected to the development of a regional housing element in the Regional Plan by the staff. The two groups insisted that they be designated by ABAG as the agency to prepare the regional housing plan. This pressure and a HUD deadline led the Regional Planning Committee to propose to the Executive Committee that a citizens' task force be established to prepare a plan for organizing a permanent citizens forum.

The Citizens' Task Force consists of three delegates from each of the nine counties selected by open citizens' meetings in each county, a representative appointed by each of 17 regional interest groups, and members at large appointed by the ABAG Executive Committee.

## Conservation and Development

Conservation and development planning elements are a re-naming of what used to be called physical planning. In a 1967 survey of 156 leaders in Bay Area governments and civic groups, mass transportation led the list of problems, followed by air pollution, bay conservation and development, solid waste disposal, airports, water quality control, regional planning, regional parks and recreation, and conservation of open space—all traditional physical planning elements.<sup>26</sup>

Similar priorities would be found in most metropolitan areas. It is not surprising that ABAG has devoted most of its attention to these problems and still considers "comprehensive regional land-use planning . . . [to be] its central area of responsibility."<sup>27</sup> In fact, almost all Federal requirements for regional plans have been directed at physical development and control. Furthermore, all special purpose regional agencies except the Bay Area Comprehensive Health Planning Council have been similarly oriented.

The ABAG General Assembly approved the *Regional Plan: 1970-1990* in 1970.<sup>28</sup> This event was the culmination of ABAG planning activities begun in 1962 and the start of other activities to refine the plan and make it more specific by developing special element plans for water resources, housing, airports, open space and regional parks and promoting special element planning for transportation and environmental health.

The refinement and specification of the Regional Plan is necessary in order to develop usable guidelines, standards, and criteria to resolve such policy conflicts as arise from "actions by appropriate agencies that will

initiate, direct and promote regional growth and development as well as conservation of the environment."<sup>29</sup> This conflict is likely to be sharpened in the debate now developing in ABAG and in the Bay Area over proposals to restrain the growth of population.

In the *Regional Plan: 1970-1990* an effort was made to "present policies and objectives as comprehensively as possible. . . Differences in interpretation are therefore minimized, leading to a greater agreement among those concerned with planning the region's future. The development of such a consensus has been one of the association's major goals in its continuing regional planning efforts."<sup>30</sup>

Undoubtedly the Regional Plan document approved by the General Assembly in 1970 is a major symbol of regionalism in the Bay Area. Also of undoubted value in achieving consensus among representatives of eight counties and 84 cities was the frequent ambiguity of goals and policy recommendations in the document. The need for specification of the goals and policy guidelines was soon demonstrated when the Regional Airport System Study Committee had to agree on regional airport goals in the context of overall regional goals.<sup>31</sup> The same problem must be faced in using the Regional Plan as a context for developing regional plans and policies for transportation, air pollution control, water pollution control, regional parks and open space, and conservation and development of the ocean coastline. ABAG is moving on its own or jointly under agreements with other governmental agencies to revise and make more specific each of these special elements.

**Population Growth.** The first major question about the Regional Plan came within a year of its approval from planners, politicians, and environmentalists. They questioned whether "present population growth trends" would or should remain constant. ABAG planners have since re-estimated population growth and revised their original figure of 6.2 million people by 1980 downward to 5.5 million.

Following the February 1972 meeting of the General Assembly, the Executive Committee and policy committees of ABAG were instructed to report recommendations to the Fall General Assembly "which would focus upon a specific regional policy with respect to population growth rates in different areas of the region and provide a basis for sound short-and long-range planning."<sup>32</sup>

Although local and regional governments have little authority to control growth, there are alternative policies that would discourage or encourage growth.<sup>33</sup> Land-use controls and the extension of such facilities as water, sewage, and transportation are especially significant. Many agencies are involved in these activities and have an immediate need for an agreed population projection for 1980 upon which to base their functional planning. The ABAG staff paper proposes a coordinated

effort of ABAG and other interested parties "to come together to design a comprehensive regional growth plan that is responsive to the major planning issues facing the region."

The staff paper does not specify how such cooperative effort is to be structured, but it does refer to bilateral agreements executed separately with MTC, the Bay Area Comprehensive Health Planning Council, the State Water Resources Control Board, and one under discussion with the Bay Area Air Pollution Control Board.

**Land Use.** The use of land is controlled by several agencies in the Bay Area: cities and counties through zoning, subdivision, and building regulations; the Bay Conservation and Development Commission through permits over salt ponds and managed wetlands, the bay itself, and a 100-foot strip around the shore of the bay; the Regional Water Quality Control Board through its authority to halt additional sewer connections in jurisdictions not in compliance with water quality control standards; and now the Air Pollution Control District which requires that a permit be obtained prior to construction and operation of certain facilities which may pollute the air in excess of Federal and State standards.

Land-use controls are presumably based on plans designed to protect the people of a given jurisdiction from undesirable consequences of certain types of land use. Even more significant are governmental actions that encourage or facilitate certain uses of land that are considered desirable, e.g., increase of uses leading to population growth, expansion of economic base, or improved tax base. Frequently, land-use policies desired by different segments of the public are incompatible, as with open space vs. housing. Both the impact of different uses of land and of programs designed to affect those uses differ from one part of a locality or region to another. At the same time these effects are seldom restrained to the immediate zone, district, or locality where the use is located or policies are applied.<sup>34</sup>

Thus, in a complex metropolitan region such as the Bay Area there are many more agencies engaged in land use planning than in land use control.<sup>35</sup> ABAG has no authority to control the use of land nor can it implement plans to locate or restrict the location of transportation, water, and sewage facilities. It may influence other decision makers through the development of regional plans and its review and comment upon applications for Federal assistance.

Yet it maintains that its central function is regional land-use planning. *The Regional Plan: 1970-1990* is primarily concerned with sketching the location, in relation to a regional transportation network, of residential and basic employment areas and open space. Within the open space, pockets for controlled development beyond 1990 were designated.<sup>36</sup>

The generalized land-use scheme of the Regional Plan was not presented in sufficient detail in 1970 to enable either ABAG or cities and counties to identify and begin to reconcile differences between regional and local plans. It was intended, however, that more specific plan elements be amended into the Regional Plan and that ABAG involve other regional agencies in coordinated planning, decision making, and implementation. Land use is the common base for ABAG's interest in functional planning.

Even though regional action in these functional fields is an important influence on the form and performance of the region, land uses change or persist on a particular parcel of land located in a particular area. Several members of the Executive Committee and of the General Assembly expressed concern during discussions of the proposed Regional Plan in 1970 over inconsistencies between local plans and the regional plan and over means of reconciling such differences. At the Executive Committee meeting of April 16, 1970, the following motion by Councilman Dillon, now president of ABAG, was unanimously passed:

*General Plan Revision.*—When the region's municipal and county plans are aggregated on a regional composite basis, the result is an unsatisfactory program for future regional development. The association should develop a continuing program of reviewing municipal, county, and regional plans. Where inconsistencies occur in areas of regional concern in these plans, such inconsistencies will be resolved by changing the Regional Plan, modifying the local plan, or the developing of a mutually acceptable compromise to be embodied in both the regional and local plans.

This statement was not explicitly included in the published *Regional Plan: 1970-1990*, although it was suggested that "municipalities and counties within the region should be encouraged to submit their present land-use ordinances to the association for review and comment based upon criteria drawn from the Regional Plan."<sup>37</sup> In the two years since the Regional Plan was approved, ABAG has not undertaken either a systematic analysis of the consistency of local and regional plans nor has it requested local agencies to make such an analysis.

Most staff attention has been devoted to work on plan elements required by HUD and to establishing working relations with special purpose agencies. Furthermore, HUD is losing interest in supporting comprehensive regional planning as such and shifting its 701 general planning assistance funds to support functional planning of special interest to HUD.

**Transportation.**<sup>38</sup> There are more regional special districts dealing with transportation than with any other regional problem. There are three operating districts—Bay Area Rapid Transit District (BART), Golden Gate Bridge Highway and Transportation District (GGBHTD) and Alameda-Contra Costa Transit District (A-C Transit). A fourth transportation district was created by referendum in 1972—the Santa Clara County Transit District.<sup>39</sup> These are not the only regionally important transportation agencies in the Bay Area. San Francisco Municipal Railway (MUNI) is an important feeder and distributor line to BART and to all other transit lines entering the city. There are at least two important private transit agencies operating in the region—Greyhound buses into Contra Costa County and Southern Pacific commuter trains through San Mateo County to San Jose.

Planning, construction, and maintenance of highways are State and local responsibilities. All bay bridges, except the Golden Gate Bridge, are constructed and maintained by a State agency (the Division of Bay Toll Crossings in the Department of Public Works).

The capstone of the regional transportation system is the Metropolitan Transportation Commission (MTC). Created by the legislature in 1970, the commission is the culmination of over a decade of effort to develop regional comprehensive transportation planning and coordination.

Prior to MTC, the Bay Area Transportation Study Commission (BATS) was created by statute in 1963 to meet Federal highway planning requirements; it continued until 1969. BATS had 41 members, 19 of whom were representatives of cities and counties and of ABAG. Through overlapping membership, the Executive Committee in effect sat on BATS, thus affording a basis at the policy level for close liaison. BATS recommended the creation of a directly elected multi-purpose regional agency which would be responsible for planning and implementation, including transportation. In the event that a multi-purpose regional agency was not established, BATS recommended the creation of a special-purpose regional transportation agency. In 1970 the Metropolitan Transportation Commission was established.

In the interim between BATS and MTC, a Regional Transportation Planning Committee of ABAG acted as a "regional transportation planning agency" to comply with the requirements of the Federal Highway Act. Strenuous though unsuccessful efforts were made during this period by ABAG to secure recognition by DOT as a class-A planning area. Such recognition would have enabled local and regional transportation agencies to secure Federal grants covering two-thirds instead of one-half of project costs. Soon after MTC was created, but before it was operational, DOT recognized the region as class-A.

The commission consists of one member each ap-

pointed by ABAG and BCDC, two members each from San Francisco, Alameda, Contra Costa, San Mateo and Santa Clara Counties (one representing cities and one representing the county), and one member each from Marin, Solano Sonoma, and Napa Counties. In the four smaller counties, a mayor's selection committee nominates three persons and the county board of supervisors appoints one of them to the commission. The State Secretary for Business and Transportation appoints one non-voting member.<sup>40</sup>

By June 30, 1973, the commission must adopt a regional transportation plan. Thereafter, "the operation, construction and modification of those transportation systems under the purview of the Commission" must be in accord with the regional plan. Even before 1973 all new transbay bridges and multi-county transit systems using an exclusive right-of-way must receive commission approval before construction. The California Highway Commission is required to allocate funds for construction of the State highway system in accordance with the regional transportation plan, except when deviation serves "an overriding State interest." MTC is authorized to plan only for the "role of airports and harbors as they relate to ground transportation."

The Act states that MTC "shall merge with or otherwise join any multifunctional regional government organization, if it has transportation responsibilities."

The commission is also responsible for allocating funds within the region for the support and development of public transit which come from a 1/4 of a cent sales tax.<sup>41</sup> A spirited contest for major allocations from the funds available in San Francisco, Alameda, and Contra Costa Counties is being waged by BART, AC-Transit, and MUNI.

MTC is already presiding over efforts to resolve disputes among transportation agencies, for example, proposals to extend the BART system. An East Bay-San Francisco split, which has developed occasionally on the BART Board, is likely to deepen as the board has to deal with proposals to connect BART to the San Francisco Airport, located in non-member San Mateo County, and to extend the system. Another problem of coordination and accommodation among separate transit systems involves the rearrangement of bus routes by A-C Transit to feed BART stations, the determination of joint fares, and competition of A-C Transit buses to San Francisco.

The most ambitious program of cooperation among governmental agencies in the Bay Area is being organized by ABAG, MTC, and District 4 of the State Division of Highways. In many ways this is a continuation of a relationship first established in 1964 among ABAG, the Bay Area Transportation Study Commission (BATS), and the State Department of Public Works. Close relationships are easier to establish and maintain with MTC (as was BATS before it) and ABAG located in the same office building.

ABAG's land-use plan is still very general and judgemental in character. This is desirable as one moves toward policy making and away from analysis. It is not, however, an instrument that can be used without further refinement to direct such specialized activities as transportation and air pollution control.

During 1973 the joint ABAG-MTC land-use transportation team will make the goals in the regional plan more precise and develop a quantified regional land-use and transportation data base to serve the urban forecasting modelling system. The basic objective of the ABAG-MTC joint program is to determine "whether the impact of transport policies upon land use, the environment, housing, densities, etc., would help to accomplish the goals of the Regional Plan."

The ABAG-MTC agreement also provides that MTC will review all transportation-related applications for Federal funding before they are reviewed by ABAG. MTC's comments will be forwarded with the application, regardless of whether ABAG agrees with the comments.

**Airport Planning.** Regional airport system needs were among the eight "district problem areas" identified by ABAG in 1966 as "regional in nature and significantly interrelated which are so urgent and serious as to require immediate attention and priority."<sup>42</sup> Earlier in the same year, the executive director recommended that ABAG create a special regional airport committee consisting of representatives of airport agencies along with others "to insure balance and perspective."

ABAG did not create such a committee, but the San Francisco Public Utilities Commission, the Port of Oakland, and the San Jose Municipal Airport executed in 1967 a joint powers agreement creating a joint agency called the Bay Area Study of Aviation Requirements (BASAR). ABAG's continuing interest in airport planning and the need on the part of BASAR for HUD 701 planning assistance, led to the establishment in 1969 of a joint ABAG-BASAR regional airport systems study. The study has been carried out under an ABAG committee (RASSC) consisting of either a county supervisor, mayor, or city councilman from each county and representatives of the three major airports. Several regional agencies such as BCDC and BATSC (later MTC) served as non-voting members.

All local contributions towards the cost of Phase 1—a study of aviation requirements—were contributed by the three airport agencies in BASAR. Major contributions were continued in subsequent phases by BASAR although some local matching funds came from the ABAG budget. In 1971-72, for instance, ABAG and BASAR each contributed \$10,000. The total cost of the study was \$587,500. Two-thirds of the funds came from the Federal government, most of them from HUD and the rest from FAA.

Largely on the basis of reduced estimates of regional population growth and increased estimates of aircraft

seat occupancy, the Regional Airport Systems Study Commission recommended that a ceiling on passenger capacity be placed on San Francisco International Airport, that San Jose Municipal Airport be allowed to grow only "within the limits of its environmental constraints," that one or perhaps two military airports in the northern counties be jointly used by military and civilian planes, and that most of the growth be centered at Oakland Airport. The committee maintained that using existing airports instead of constructing new ones will contribute to the realization of the city-centered concept underlying ABAG's Regional Plan.

The proposed plan was favorably received by most people and organizations. However, an additional runway to be built on bay fill would be required at the Oakland airport by 1985. This will require a permit from the Bay Conservation and Development Commission, which has already made it clear that if and when an application to fill is filed BCDC will make its own decision as to whether "no feasible alternative is available."<sup>43</sup> Both the Sierra Club and the Save the Bay Association oppose any plans requiring bay fill. Some individuals and groups, anxious to keep both the bay from being filled and open space despoiled, are urging that the growth of the region be slowed, that as a matter of public policy potential demand not be met and that means of travel alternative to airplanes be developed.

During public hearings before the ABAG Executive Committee, an inter-regional complication arose when Sacramento County and the Sacramento Regional Planning Commission requested that the portion of the plan calling for development of joint civilian-military use of Travis Air Force Base be deleted from the Bay Area plan until a joint study could be made of the impact of a major airport halfway between Sacramento and San Francisco.

In November 1972 ABAG adopted the proposed regional airport plan as a special element in its comprehensive regional plan. Sole reliance for implementing the airport plan is placed upon the weight that ABAG review and comment on applications for Federal assistance can carry with State and Federal agencies. The committee explored the possibility that State and Federal regulatory agencies might assist in implementation through allocations of routes and scheduling.

For airports, as for other regional problems in the Bay Area, there is some talk about the desirability of creating a special regional airport agency.<sup>44</sup> One possibility is to give regulatory authority over the location and expansion of airports to the Metropolitan Transportation Commission. It is now confined by statute to deal with only the interface between air transportation and ground transportation. In its work program for 1973, MTC speaks of assuming "the responsibility for continuing airport planning functions" and of making an in-depth survey of airport needs and a major review of

airport development plans in 1977 and thereafter at five-year intervals.

The State Department of Aeronautics is required by statute to prepare a Statewide Master Plan of Aviation, which is being funded in part by HUD. A joint coordinating committee has been created consisting of the project directors of the ABAG study, the SCAG study, and the State study.

**Water Management and Water Quality Control.** There are 32 water districts and 44 sanitation districts in the Bay Area. Six water districts and ten sanitation districts had expenditures in 1966-67 above the median of all units of local government in the region. In addition to the East Bay Municipal Utility District (EBMUD), four water districts and two sanitary districts had expenditures in excess of a million dollars each.

EBMUD is the oldest multi-county special district in the Bay Area. It was organized by referendum in 1923 under the Municipal Utility District Act of 1921, which authorized a municipal utility district to provide many services other than water supply, such as electricity, transportation, communication, waste disposal, and recreation. EBMUD has extended its functions only to the treatment and disposal of sewage within a special service district in northern Alameda County. It is now developing recreation facilities on its reservoir lands, but its refusal in the early 1930's to develop its surplus lands into regional parks led to the creation in 1934 of the East Bay Regional Park District. The park district subsequently purchased EBMUD land in the Berkeley hills. EBMUD has recently indicated its willingness to consider assumption of responsibility for sub-regional solid waste disposal.

The Water Department of the San Francisco Public Utilities Commission has to be considered a regional agency even though it is a division of the City and County of San Francisco. The Water Department is a major wholesaler of water to a large portion of the region outside the city—San Mateo County and portions of Santa Clara and Alameda Counties. It serves more people indirectly outside the city than are served inside—a total of over two million people in a 500-square-mile area. San Francisco pays about \$1 million annually in property taxes on its watershed lands in other counties.

The State Water Resources Control Board and its regional water quality control boards not only furnish an example of statewide regulation but also of a system of regional administration of its regulatory process. The regional boards exercise jurisdiction over delineated geographical areas, but they are State agencies with respect to authority, financing, responsibility, and method of appointment. The system of a parent State agency with statewide coverage by subsidiary regional boards may well be the pattern adopted in California to

regulate pollutants of air and land, as well as water. A bill representing a compromise between the Governor and environmentalists which would apply this policy-making and administrative pattern to air and water quality, solid waste management, noise abatement, pesticide usage, and nuclear radiation (AB 2376, Z'berg-Way) was killed this year on the Assembly floor.

The formulation of State and regional water quality control policies, the establishment of waste discharge requirements, and the enforcement of such requirements put the State and regional boards in the center of regional governance. There is a clear interface between their activities and those of ABAG in water management planning. The State Water Resources Control Board is responsible for developing 16 comprehensive basin plans and 15 regional area plans required for eligibility to receive Federal grants for construction of treatment facilities. At the same time ABAG has been required by HUD to prepare water and sewage elements in its regional plan. The State seems effectively to have preempted the field of regional water quality planning.

The State Water Resources Control Board has contracted with ABAG to provide data and analyses of land uses, population changes, etc., for incorporation into the "Fully developed Water Quality Management Plan" for the San Francisco Bay Area Basin. ABAG is also supplying a staff consultant as a member of the planning team under a grant to ABAG from the State board, but there is no liaison at the policy level.<sup>46</sup>

The State Water Resources Control Board has been involved in planning for wastewater treatment and disposal in the Bay Area since 1965 when the legislature authorized it to make a comprehensive study and develop a water quality management program for San Francisco Bay and the Sacramento-San Joaquin delta. The study cost approximately \$3 million of State and Federal funds.

The following recommendation is of special interest to this study:

A regional agency, either single- or multi-purpose be formed as soon as possible to plan, design, construct and operate a comprehensive water pollution and water quality control system throughout the 12 counties comprising the Bay-Delta area.

Most criticisms were over the projected costs of the proposals, both overall and to particular jurisdictions; over the location of proposed regional treatment plants; the use of the ocean as the final receiver of discharges; and the allegedly insufficient attention paid to alternative methods, such as reclamation and reuse of wastewaters.

As of 1972 we find that the Bay-Delta Plan is being reviewed and revised as part of the Basin Plan now being conducted by the State and regional boards; that a

multiple-purpose regional agency has not been created in the Bay Area but that a special district—BASSA—has been established; and that the State board, fortified by a \$1.5 million bond issue voted in 1970 and by Federal matching funds and regulations, is dominant within the Bay Area with respect to the treatment and disposal of liquid wastes.

Both EBMUD and the State Water Resources Control Board played important roles in the creation of BASSA. ABAG was effectively shut out of playing any role.<sup>47</sup> The new agency is formally organized with the mayor of San Jose as chairman and a former president of ABAG as vice-chairman. It remains to be seen, however, whether effective working relations can be established. BASSA's regional water quality control plan must be submitted to ABAG for review and comment. Amendments in 1972 provide that the agency will merge with any regional comprehensive planning agency created by the legislature, provided it has substantially the same powers. San Francisco had succeeded a year earlier in having such a provision deleted.

**Air Pollution Control.** The San Francisco Bay Area Air Pollution Control District (BAAPCD), after years of low-key policy-making and enforcement of air quality standards, has suddenly become more active in response to the Federal Clean Air Act of 1970.<sup>48</sup> In May 1972 the district board adopted amendments to District Regulation 2, which requires after July 1, 1972, a permit from the District to "construct any facility or building, or erect, alter or replace any article, machine, equipment or other contrivance, the use of which may cause the emission of air contaminants." Non-industrial construction is exempted from the permit requirement for four years, at which time the district board will review exemptions from the regulation.

Los Angeles has long used the permit system without any of the horrendous consequences predicted in the Bay Area. It seems likely, however, that its use now under authority of the Federal Clean Air Act of 1970 and air quality standards of the California Act will lead the district into the regulation of land use. The Attorney General of California has ruled that

pursuant to the existing statute the Bay Area Air Pollution Control District has authority to adopt general regulations [as required by the Clean Air Act as amended in 1970] setting up standards to control the release of air contamination in order to reduce air pollution within the District and to couple such regulations with a regulation or regulations setting up a permit system requiring authority from the Board prior to constructing a possible source of air pollution to assure that anticipated discharges will be in compliance with the general standards.<sup>49</sup>

The board also is authorized by statute to divide the district into zones for this purpose. "This authority is of the same nature as that now exercised by cities and counties in the form of zoning regulations.<sup>50</sup> Within the district as a whole or in particular zones, the board may "set up . . . general performance standards and a permit system."<sup>51</sup>

The Air Pollution Control District is now part of a Federal-State-regional air pollution control operation. The district has authority to regulate stationary pollution sources, but authority over mobile sources, principally automotive vehicles, is vested in the State Air Resources Board. The State legislative analyst has commented on this dual assignment of responsibility for controlling two elements which together constitute the ambient air quality of an air basin:

Both the board and the local agencies are attempting to control the emissions for which each has responsibility with the best methods available to each. There is a natural tendency for each agency to attribute any lack of improvement in air quality to the other agency while emphasizing its own accomplishments.<sup>52</sup>

The relationship of the Federal government to the State and its subdivisions under the Clean Air Act does "not fully resolve this problem of responsibility but instead tend[s] to lift the problem to higher levels of government."<sup>53</sup> Although control over new car emissions is preempted by the Federal government, the Act does require the State to assume responsibility for developing plans to enforce the national ambient air quality standards in each air basin.

The Federal Environmental Protection Agency, according to the Bay Area Council, has also established direct contacts with the Bay Area Air Pollution Control District. The recent amendments to Regulation 2 requiring permits for construction was said to have provided originally for a denial of permits beginning in 1976 when "air quality standards are or would be exceeded, . . . A representative of the federal Environmental Protection Agency told the District that would not be good enough, so the Board—rather than exploring other alternatives—simply withdrew the four year provision, making it effective as of the first of next month."<sup>54</sup>

ABAG's Regional Home Rule Proposal of 1969, noting that both ABAG and the Air Pollution Control District consisted of elected city and county officials, recommended that negotiations be immediately undertaken to establish a working relationship between the two agencies. There is no evidence, however, that it is easier to coordinate the activities of two agencies if both are governed by city and county officials. A purposive corporate body, regardless of how its board of directors

is constituted, develops a distinctive coloration as it adjusts to its habitat, its clients, specialized professional staff, and its financiers.

It was not until April 1971 that ABAG sent a draft proposal for a joint working agreement to the Air Pollution Control District. On March 1, 1972, the air pollution board instructed "the District Staff to meet with the ABAG staff and prepare a proposal of understanding between ABAG and the District."<sup>55</sup> On August 10, 1972, ABAG received a draft of an agreement prepared by the district staff and dated July 19, 1972. The joint agreement was approved in December 1972.

**Regional Open Space.** ABAG's first planning report, issued in 1962, was an *Inventory of parks and Open Spaces* prepared by a Technical Advisory Committee on Recreation. Throughout the past decade, the preservation of open space has been a major concern of the ABAG regional planning program, as well as of articulate individuals and many Bay Area organizations.

The many regional, county, and local groups interested in the preservation of open space and the development of parks and recreation were affiliated in 1958 into The Citizens for Regional Recreation and Parks. The new organization prepared an inventory of publicly owned, relatively permanent, open space areas in the region, which was incorporated into the California Outdoor Recreation Plan of 1960. Citizens for Regional Recreation and Parks (CRRP) has been credited with persuading ABAG to undertake regional land use planning.<sup>56</sup> In 1964 it collected and analyzed for presentation to ABAG the views of its constituent organizations, other interested groups, and many individuals on which areas should be preserved as open space or used for recreation.

To many people the outstanding feature of ABAG's Preliminary Regional Plan (1966) was the open space element. Under the Preliminary Plan 2.0 million acres would be designated as permanent open space and 1.7 million acres would be temporarily reserved for future urban expansion.

In 1968, CRRP became a non-profit corporation under the name of People for Open Space in order to receive a Ford Foundation Grant to study the economic impact of open space preservation in the Bay Area. According to the study report, the proposal for permanent open space in the ABAG Preliminary Regional Plan is economically sound and financially practicable.<sup>57</sup>

People for Open Space (POS) recommended that a regional open space agency be established as part of a regional government. If a regional government were not created, then POS urged that an independent commission similar to BCDC be established. At the very least, it urged legislative creation of a special land use study commission.<sup>58</sup>

Two bills to create a limited but multiple-purpose regional government were introduced in 1969—one (AB 711) by Assemblyman Knox, chairman of the Assembly Committee on Local Government and of the Joint Committee on Bay Area Regional Organization (BARO), and the other (AB 1846) by Assemblyman Bagley on behalf of ABAG. Neither bill was passed out of committee. In 1970, although another Knox bill to create a regional conservation and development agency was introduced, People for Open Space decided to pursue its second alternative and seek legislation creating an independent Bay Area Open Space Commission (SB 1400 - Marks). The Marks bill was killed in the Senate Finance Committee.<sup>59</sup>

ABAG has continued to keep open space high on its agenda of regional issues. The *Regional Plan: 1970-1990*, a refinement of the preliminary regional plan of 1966, increased the target of permanent open space from 2 million to 3.4 million acres and reduced the temporary reserve for urban expansion from 1.7 million to 0.6 million acres.

The ABAG Executive Committee has approved for transmission to the General Assembly, on November 10, 1972, the Phase II Open Space Element, which accepts the target in the 1970 Regional Plan, develops it in more detail, and recommends an action program for the next five years. City and county plans are required by statute to have an adopted open space element by July 1, 1973. ABAG will coordinate regional open space planning (Phase II) with county and municipal planning during the coming year. At the same time, it has already engaged in developing a Phase III Open Space Plan in collaboration with the East Bay Regional Park District. In the meantime, Phase II will satisfy HUD requirements and keep local agencies eligible to apply for Federal assistance.

In 1970 only 14.2 percent of the 3.4 million acres targeted for the regional open space system were in the status of permanent preservation. The Phase II plan presents two alternative five-year acquisition programs that would raise the level of open space reservation to 20.8 or 21.6 percent. "Neither of these two programs can be described as making great progress toward meeting the open space deficit."<sup>60</sup>

Since ABAG is a voluntary council of governments, it can only establish priorities and then use its persuasion with local, State, and Federal governments to act in accordance with the regional plan. The program will be used by ABAG as standards against which it reviews application for Federal assistance. If ABAG is able to develop a "capital improvements programming process," of which open space preservation would be an element, its capacity to use the A-95 review and comment as means of implementation would be greatly enhanced.

ABAG is already developing a Phase III program in collaboration with the East Bay Regional Park District.

This should be ready for review and adoption in two years. In the meantime, ABAG will consult with county and municipal governments as they prepare the open space elements of their own plans and with other governments that own or manage public lands. It proposes to create an open space preservation information system which will collect up-to-date data on all applications for rezoning, variances from zoning regulations, subdivision of land, and building permits." Participation in the information system is considered as a requirement for any local government in the Bay Region to be in conformity with the Regional Plan."<sup>61</sup>

An immediate step has been taken by the ABAG Executive Committee in its recommendation to the General Assembly that the State and Federal governments be requested to finance and assist in collecting and analyzing more precise environmental data<sup>62</sup> and to commit all relevant State and Federal agencies to implement the open space element of the ABAG Regional Plan.

The resolution also repeats a plea first made by ABAG in 1967 that

The State of California recognize the urgent need to authorize an on-going multi-functional planning and implementation agency for the San Francisco Bay Region, one of whose highest priorities must be to continue planning and coordination and to begin to implement aggressively a definitive system of open space for the region as well as to assist local governments in meeting their responsibilities in managing the open space resources of the region.

**Regional Parks and Recreation.** After long negotiations with HUD, funding approval was secured in November 1971 for a parks and open space program to be jointly conducted by ABAG and the East Bay Regional Park District.<sup>63</sup> The joint program is now underway by consultants who will prepare simultaneously a report on a regional parks program for the nine-county Bay Area and a two-county master plan for the East Bay Regional Park District. Part of the regional plan report for ABAG will contain analyses and recommendations on organizational structures, functions, powers, finance, and other legislative recommendations.

The East Bay Regional Park District is the only multi-county park agency in the region. Voters in Marin County and Northern Santa Clara County approved in November the creation of two additional regional park districts.

The joint ABAG-East Bay Regional Park District program may be a prototype of bilateral or even multilateral collaboration between ABAG and other special purpose agencies. It could also be used as the vehicle for joint sub-regional planning and implementa-

tion agreements between ABAG and one or more counties, one or more cities or a combination of cities and counties.

**Bay Conservation and Development.** The San Francisco Bay Conservation and Development Commission (BCDC), backed up by the U.S. Army Corps of Engineers, controls the filling and dredging of the bay. In 1969 the legislature made BCDC a permanent agency and adopted its Bay Plan. In exercising control of a 100-foot-strip around the bay, BCDC is directed by statute to require maximum public access to the bay and to see that land on the shore suitable for high-priority water-related purposes be reserved for these purposes.

The following list of purposes for which filling may be allowed under the Bay Plan illustrates both the pressures upon the bay and the intergovernmental context in which BCDC must operate:

Developing *modern port terminals*, on a regional basis, to keep San Francisco Bay a major world harbor during a period of rapid change in shipping technology.

Developing sites for *industries that require access to the Bay* for transportation of raw materials or manufactured products.

Developing *new recreational opportunities*—shoreline parks, marinas, fishing piers, beaches, hiking and bicycling paths, and scenic drives.

Developing expanded *airport terminals and runways*, if regional studies demonstrate that the growth in air transportation cannot be accommodated in any other way.

Developing new *transportation routes* (with construction on pilings, not solid fill), if thorough study determines that no feasible alternatives are available.

Developing new *public access to the Bay and enhancing shoreline* appearance through filling limited to Bay-related commercial recreation and public assembly.<sup>64</sup>

The U.S. Army Corps of Engineers plays a vital role in regulating the uses of the bay. The Corps, the U.S. Environmental Agency, and the San Francisco Bay Area Regional Water Quality Control Board are cooperating with BCDC to develop new rules for bay dredging. The Corps has recently required that dredge spoils be dumped 25 miles at sea instead of at previously used sites within the Bay. The Corps is also enforcing provisions of the Rivers and Harbors Act of 1891 by requiring a permit for any "new work" within the tidal margins of the bay.

**Ocean Coastline.** After the successful fight to establish BCDC, the attention of conservationists and of many public officials was turned toward the enactment of legislation to conserve and develop the coastline of the Pacific Ocean. No coastline bill was enacted during the 1970, 1971, and 1972 sessions. During the summer of 1972, however, sufficient signatures were secured to place an initiative proposal on the November ballot and the electorate affirmed the creation of a State Coastal Commission and six regional commissions.

Members of the ABAG Executive Committee and General Assembly are divided over supporting the initiative proposal. This division reflects a division among city and county officials—a division further exemplified by the decision (11-8) of the Board of Directors of the League of California Cities to support the initiative proposal. However, an ocean coastline plan is considered by ABAG to be an important element in its regional plan.

The first phase was completed almost concurrently with approval of the *Regional Plan: 1970-1990* by publication of a report entitled *Ocean Coastline Study*. The report contained descriptive data on the natural features of the coastline, changes in those features resulting from human use of the coastline, issues involved in conserving and protecting the coast, and the public and private interests in the coastal conservation and development.

Phase II is now being completed by an Ocean Coastline Committee consisting of representatives of cities and counties bordering on the ocean. Santa Cruz County, outside the Bay Area but included in the 1970 study area, is not involved in Phase II. Financial support came from contributions by the ocean counties of San Mateo, San Francisco, Marin, and Sonoma, which were matched by HUD 701 funds through the California Council on Intergovernmental Relations.

The Phase II report will delineate the coastal area; project economic and demographic developments; specify alternative land use patterns; evaluate the economic, environmental, and ecological impacts of these alternatives; and identify Federal, State, regional, and local governmental policies for coastal management.

It is proposed to move this year into Phase III, again to be supported by contributions from the coastal counties and the California Council on Intergovernmental Relations. The objectives of this phase will be "to develop planning and regulatory approaches which reconcile coastal growth and non-growth policies, . . . [and to] produce an enforceable management program for the Bay Area's coastal lands and resources."<sup>65</sup>

**Solid Waste Disposal.** Again, as in open space and parks regional planning for the disposal of solid waste was one of the earliest of ABAG concerns. However, ABAG has not been directly active in developing a regional plan for solid waste disposal. In 1965 ABAG

requested the State Department of Public Health of make an inventory study of refuse disposal needs for the Bay Area.<sup>66</sup> Refuse disposal was singled out as a special element in the *Preliminary Regional Plan* of 1966 and the Goals and Organization Committee in the same year listed it as one of three regional problems for which "there is no well-organized effort at the present time to find regional solutions." In 1969 ABAG requested the legislature to give it authority to plan and implement a regional refuse disposal system. But in 1970 the *Regional Plan: 1970-1990* only recommended that

The Association should undertake studies to identify the functions of solid waste management as well as the operating, coordinating and planning responsibilities.<sup>67</sup>

In the same year, a Subcommittee on Solid waste Disposal jointly sponsored with the San Francisco Planning and Urban Renewal Association (SUR) a feasibility study of the disposal of solid waste in the Delta as a means of building up the surface of subsiding peat bog islands. Despite the value of the study, ABAG did not undertake to develop a regional program for managing the disposal of solid waste.

The vacuum has been filled by unilateral action by several of the Bay Area counties, the State Department of Public Health, and the State legislature. In the 1971 session a bill was introduced by Senator Nedjedly of Contra Costa County, which designated the State Department of Public Health as the State solid waste management agency. The bill requiring counties to prepare a "coordinated, comprehensive solid waste management plan," passed the Legislature but was vetoed by the Governor. However, a 1972 Nedjedly bill creating a State Solid Waste Management Board and requiring county solid waste plans was signed into law.

ABAG opposed both bills because they did not provide for regional solid waste planning. However, there was division of opinion among local officials. Many supported the Nedjedly bill because they did not consider solid waste disposal to be a regional affair. Some maintained that only San Francisco stood to gain by a regional approach and that it was attempting to dump its garbage in other counties and make them help to pay the costs. Others asserted that their own county planning was too far advanced to be replaced by a time-consuming transfer to regional planning.

Under the Nedjedly Act, county plans must be approved by a majority of the cities within the county containing a majority of the incorporated population of the county. The Act does provide that a county may, "with the agreement of a majority of the cities of the county which contains a majority of the incorporated population of the county," transfer responsibility for preparing the plan to a regional planning agency recognized by the State Council on Intergovernmental Relations.

There is no provision for regional review and com-

ment on county plans. But the Act as enacted does not require, as did the 1971 Nedjedly bill, that the county plans be submitted to the "appropriate areawide environmental health planning agency for review and comment."

Current activity in ABAG involves efforts to persuade the counties to discuss the desirability and feasibility of a joint ABAG-county planning effort and to assist in organizing a group of cities and counties, some in the Bay area, some in Sacramento, Yolo and San Joaquin Counties, to develop a proposal and to secure financing of a demonstration disposal-land reclamation project on a Delta island.

## Social Policy Development

It is a truism, almost a cliché by now, to observe that metropolitan governments and even metropolitan planning agencies—the few we have—will emphasize construction projects and physical planning and avoid social problems and policies as long as possible. Most regional planning and operating agencies arise out of a delicate balance of trust and distrust among existing power centers. Any such organization will seek to avoid disruptive conflict where possible and this is wholly functional in the formative years. Only after the organization has jelled and supportive relationships have been established is it safe to leave the hard issues of physical planning and policy for the soft shoulders of social policy.

ABAG was pushed out of areawide criminal justice planning before it could successfully face the conflicts between functional and comprehensive planning. It waited too long before asserting an interest in comprehensive health planning, but it may still arrange a working truce with the health planners. Regional housing policy is currently the only active element of regional social planning in which staff, politicians, and citizen activists are engaged.

**Comprehensive Health Planning.** The Bay Area Comprehensive Health Planning Council (BACHP), organized under a State statute enacted in 1969, is responsible for comprehensive health planning. The scope of activities of the areawide and local CHP councils is determined by the State Health Planning Council. The State Department of health is required to submit for review by local and areawide comprehensive health councils all applications for license to construct and operate health facilities. Under this law the local and areawide CHP council (not a board of supervisors or city council) must make the findings of fact as to desirability of the proposed health facility. Appeals from findings and recommendations of the areawide CHP council may be made by a dissatisfied applicant—first to another CHP council. The appellate body designated to hear appeals from the Bay

Area is the San Diego and Imperial County Comprehensive Health Planning Council.

State law also empowers areawide CHP councils to review all applications for grants of public funds if they relate to health and if they are administered either directly or indirectly by State agencies. Such programs include hospital construction (Hill-Harris), mental retardation, community mental health centers, sewage treatment plant construction, and solid waste disposal facilities.

The Bay Area Comprehensive Health Planning Council is headed by a 40-member Board of Directors. The board is composed of representatives of the nine county comprehensive health planning councils, and such other agencies as the Regional Medical Program, Bay Area Health Association, Bay Area Social Planning Council, and the Hospital Council of Northern California. ABAG has one member on the board, a position filled until recently by the executive director or his designee. There has been little participation in comprehensive health planning by elected city and county officials.

Each Bay Area county has a county comprehensive health planning council. Six of them have their own staff and the three northern counties have a joint staff. During the developmental period, (1968-70), the program was financed with a grant from HEW matched by contributions from county health departments and private organizations. The budget for first-year "operational" planning called for total expenditures of \$776,764 to support the regional and county planning programs. Again, the Federal share was almost 50 percent, although local funds made up 56 percent of the total in the North Bay Counties and 63 percent in Santa Clara County.

ABAG did not play a strong role in the activities of the council during the developmental period. It was not represented at the board meetings by elected city or county officials. Strong feelings were expressed at times by other members of the council that ABAG was meddling in other people's business by occupying the single chair assigned to it. During this period, the professional health and hospital members consolidated their position through a merger of the Health Facilities Planning Association with the council.

The role of ABAG might have been much stronger if the State legislature had not enacted several bills in 1969 giving the comprehensive health planning councils statutory powers. As the ABAG staff viewed the developments;

In the Bay Area the initial formula for the development of an organization was discussed by a broad range of interests including the county medical societies, county health officers, and other voluntary health

agencies, ABAG, the Health Facilities Planning Association and the Bay Area Social Planning Council. The final outcome of these discussions was the formation of county CHP councils who formed into a "confederation in order to meet the Federal requirements for an areawide agency. The emphasis of the program was primarily planning and coordinative. However, in 1969 the California Legislature passed several bills which gave the Comprehensive Health Planning Program additional review and regulatory responsibilities. This action substantially broadened the powers and responsibilities of the program. It should be noted that this was done during the *organizational* period prior to the final designation of a permanent comprehensive health planning agency.<sup>68</sup>

The ABAG Executive Committee approved the CHP application for first-year operations with the condition that an agreement be signed by the two agencies to develop a joint work program on those elements of mutual interest. The application was granted by HEW without any reference to ABAG's recommendations. Nevertheless, an agreement was signed, with reluctance on the part of many members of the BACHPC Board.

After a year of joint inactivity, a new agreement was signed in 1972. Under a new executive director or BACHP, there has been a sharp increase in collaboration with the staff of ABAG. The new agreement provides for:

- 1) Written comments "prior to formalization" by each agency on the language and annual work programs of the other;
- 2) A bi-monthly review of "the on-going health-system related activities" of the two programs;
- 3) ABAG becomes responsible for processing and storing health-system related information as part of its BRISC program;
- 4) BACHP will review health related applications filed under A-95, and ABAG will have the opportunity to review Federal grant applications filed with CHP under State statute; and
- 5) Both agencies pledge to integrate and coordinate current and projected plans and programs, especially in "the area of environmental quality and control".

A draft of stage I of the comprehensive health plan for the Bay Area was released for public hearing and board consideration in May 1972. Its findings and recommendations were developed by a general planning committee of 28 members and five planning task forces: Environmental Health, Health Facilities, Health Man-

power, Organization of Personal Health Services, and Social Issues Related to Health. A representative of the State Office of Comprehensive Health Planning served on each task force.

Four problems were designated for immediate attention: (1) cost of health care, (2) transportation to health facilities, (3) effect of laws against sexual practices and the health of homosexuals, and (4) health manpower. Special attention was given to groups which are "underserved" and "excluded" from the process of health services delivery.<sup>69</sup>

This report has made no mention of other local and regional agencies that are also concerned with social issues related to health, including schools, the criminal justice system, and the social welfare agencies.

The section on delivery of health care services was concerned with the training and distribution of manpower, health care facilities (including transportation), and the means of paying for care, but the discussion of health care facilities is of more immediate concern to ABAG, the Metropolitan Transportation Commission, and the Air Pollution Control District than other parts of the section. The only specific reference to ABAG was the recommendation that it and the Bay Area Health Association, consisting of county public health directors, investigate the provision of "air transported emergency service on a regional basis to . . . areas difficult to reach by ground travel."<sup>70</sup> Cities and counties were urged to "improve public transportation service connecting low income areas with health facilities and other health care providers," but there were no references to MTC, BART, Alameda-Contra Costa Transit District or the Golden Gate Bridge, Highway and Transportation District.

The location of facilities, especially those serving all or large parts of the Bay Area, is intimately related to regional as well as local land use planning. BACHP has also prepared a separate *Regional Health Facilities and Services Plan, 1972*. Because of ABAG's responsibility for regional land use planning and for A-95 review of applications for Federal grants, it should have participated in the development of this document. *Post hoc* review and comment is not enough to assure inter-agency coordination.

The overlay between the interests of ABAG and BACHP is complete with respect to environmental planning. Also, many other regional agencies can claim the right to be involved: BCDC, the Bay Area Regional Water Quality Control Board, East Bay Municipal Utility District, Bay Area Sewage Services Agency, San Francisco Bay Area Pollution Control District, and the East Bay Regional Park District.

Environmental planning was discussed in the BACHP draft report in two phases.<sup>71</sup> The primary purpose of Phase I was "to involve the citizen in the protection of his environment."

It was also planned to establish "working relationships" with all environmental agencies and "to bring

environmental protection agencies and community groups to review and comment on all grants and other documents which will have an impact on the environment. ABAG as the A-95 agency was specifically mentioned, but there was no reference to the agreement between ABAG and BACHP which calls for such joint participation in review and comment. There may also be some overlap and at times jurisdictional friction between the ABAG Regional Citizens Forum and citizen forums planned by BACHP.

Phase II, entitled Community Oriented Planning, was more action-oriented than the process plans of Phase I, but it is still only a plan for a plan. Four goals are specified:

- 1) Establish an adequate and effective land use policy for the Bay Area;
- 2) Make mass transportation systems more responsive to enhancing the quality of life of the people in the Bay Area;
- 3) Prepare special projects about issues salient in the county forums; and
- 4) Develop a clearing house of information on environmental grant funds.

The draft report maintained that land use planning is not a function of comprehensive health planning. But it was recognized that environmental health planning is inseparable from land use planning. The problem is that "the Bay Area has no unified regional land use policy." Therefore, it was recommended that BACHP:

- 1) Work with existing agencies to assist in the adoption of a regional land use policy for the Bay Area;
- 2) Review and comment on existing plans and assist in the synthesis of comments into a unified plan for the Bay Area;
- 3) Support the establishment of a regional land use agency to coordinate planning, implementation and control of a regional land use policy; and
- 4) Be cognizant of the interrelationship of land use and transportation, air pollutants, water quality and waste disposal.

With respect to mass transportation, BACHP should

- 1) Provide MTC with information about the needs for public transportation to health care facilities and related services in the Bay Area; and
- 2) Develop reports on the fragmentation of services to communities in the Bay Area.

The draft report also recommended that BACHP and MTC develop a working relationship "to undertake joint ventures in improving the region's mass transportation system."

The county CHPC's reacted strongly to the draft

plan, interpreting it as a threat to their perceived role in comprehensive health planning. The draft was also criticized for the low level of professional input and for an unbalanced emphasis upon the interests and needs of a miscellany of minorities. ABAG was especially critical of the sections on environmental health and the failure to recognize the involvement of other public and private agencies in environmental protection. The BACHP board of directors accepted the plan but refused to adopt it.

In May 1972, under a new executive director, BACHP was reorganized to emphasize the federative character of its relationship to the county CHPC's. The regional staff was cut by two-thirds and the funds thus saved were used to increase the staffs of the county CHPC's.

The issues raised in the earlier draft plan have been restated along with goals and policies necessary to meet them. The regional work program for 1973-74 calls for the development of alternative action recommendations from which specific proposals will be selected and implementation policies approved, put into effect, and evaluated before 1975.

**Criminal Justice Planning.** After two years (1969-1971) of effort, frequently indecisive and contradictory, to develop a State-regional partnership in spending monies appropriated under the Omnibus Crime Control and Safe Streets Act of 1968, the ABAG Criminal Justice Planning Program was reduced to the level of a consolation prize when counties were recognized as "regions." In early 1971 the California Council on Criminal Justice (CCCJ) recognized six distinct regions within the Bay Area: Alameda County, Contra Costa County, City and County of San Francisco, San Mateo County, Santa Clara County, and the counties of Marin, Napa, Solano, and Sonoma. The council also voted to allocate \$390,000 in Part B planning grant funds to these regions and the three major cities, reducing the ABAG allocation from \$225,556 to \$40,000.

Undoubtedly, 1970 amendments to the Safe Streets Act requiring States to assure that major cities and counties receive planning funds "to develop comprehensive plans and coordinate functions at the local level" affected the decision of the CCCJ, but it was already seeking relief from irritating situations within ABAG and in the Southern California Association of Governments (SCAG). Strong efforts were made by criminal justice groups in California to get CCCJ approval of county autonomy from SCAG. There was some effort along the same lines, but not so intense, in the Bay Area. On January 7, 1971, for instance, Mayor Alioto of San Francisco proposed the creation by the Board of Supervisors of the San Francisco Criminal Justice Council.<sup>72</sup> He did not mention the ABAG criminal justice program. The city manager of Berkeley,

among others, testified before CCCJ in favor of designating counties as regions.

However, the principal regional irritation from the Bay Area was an internal fight within ABAG over the administrative relationships among the executive director of ABAG, the regional coordinator of Criminal Justice Planning, and the executive director of CCCJ. A correlative question, over which most of the debate took place, was the relationship among the Executive Committee of ABAG, the Regional Advisory Criminal Justice Planning Board, and CCCJ.

In the early days of the Safe Streets program, when both State and local agencies undertook a crash program to prepare a State plan in time to qualify the State for a block grant, CCCJ turned to ABAG, SCAG, the Sacramento Regional Area Planning Commission, and the San Diego Comprehensive Planning Organization for help. CCCJ adopted in December 1968 the regional planning area boundaries established by the California Council on Intergovernmental Relations and took steps to establish a regional advisory board in each except where there was an existing regional planning organization.

ABAG agreed in January 1969 to act as the regional criminal justice planning agency, requested a planning grant from CCCJ, and appointed a coordinator who was to be responsible, under the direction of the ABAG executive director, "for all aspects of the program." A Regional Advisory Board and eight task forces were established by the Executive Committee. In July 1969, the Executive Committee authorized the enlargement of the advisory board to not more than 40 members "to increase participation and achieve a desirable balance between public, private, and community members." However, the president did not make appointments to the reconstituted advisory board.

Two months later, the Executive Committee voted again to reconstitute the advisory board, this time to include some elected officials, a county manager, a city manager, and the public members who had served on the initial advisory board. These members were considered as the core group of an expanded advisory board. However, before the expansion, the core group was designated as a Special Study Committee to

1. Review various applicable guidelines concerning Regional Advisory Boards.
2. Review the Criminal Justice planning project and action programs conducted thus far.
3. Prepare recommendations to the Executive Committee on the composition and membership of an advisory body.
4. Prepare recommendations to the Executive Committee as to the proposed Advisory Board's functions, duties and responsibilities.
5. Any other pertinent factor which the reconstituted Board will wish to submit to the Executive Committee.

During the deliberations of the Special Study Committee, the regional coordinator of Criminal Justice Planning argued that the difficulties of the regional program were not only due to the vastness, complexity, and newness of the program but were principally caused by organizational ambiguities and administrative indecision.<sup>73</sup> The criminal justice program is pulled toward two parents at the same time: the CCCJ and ABAG. While it is necessary for CCCJ to clean up the ambiguities in its relationship with regional programs, the crucial difficulty is fitting a highly specialized program into the concerns of a voluntary council of governments. The regional coordinator told the Special Study Committee:

It might be assumed, as was mentioned at the meeting, that when people work cooperatively together toward common objectives, problems of this nature do not reach significant proportions. Yet, examples of delay and indecision have been too numerous and these have not been the result of a lack of cooperation and common objectives. There simply have been and there continue to exist, priorities and concerns with the ABAG spectrum of programs that interfere with and prevent the natural but rapid growth of any new program. The more obvious examples are ABAG's restricted financial resources to guarantee a 10 percent match; inability to provide sufficient office space, and financial services, thus restricting a rate of program growth commensurate with resources available. There are less obvious examples that include very limited actual involvement in the CJP program on the part of the Executive Committee, and a consequent lack of precise knowledge about it; the policy that one program should not grow more rapidly if such growth would disturb other existing programs. To these may be added a perceived lack of confidence in the future of ABAG, as reflected in the actions and statements of many persons.<sup>74</sup>

On the other hand, the ABAG executive director insisted that all that was necessary was for the Regional Advisory Board to present a work program containing a list of priorities. This is expected of all program divisions of ABAG and there is no reason to make an exception for criminal justice planning.

There has never been a set of clear-cut priorities in CJP, therefore, why should it purchase more typewriters? ABAG has the

internal financial structure and the possibilities of space but CJP does not have any clear-cut priorities. If the Region's role were determined, there would be no question of CJP getting the things they are requesting.<sup>75</sup>

The conflict between the executive director of ABAG and the regional coordinator of criminal justice planning underlaid most of the committee's deliberations. In fact, the regional coordinator had discussed his problems with the executive director of the State agency and the latter had written the executive director of ABAG, with a copy to the Regional Coordinator:

[the Regional CJP Coordinator] and I have had some discussion over the past few weeks which cause me some concern, which I, in turn, would like to share with you.

Let me preface this by making clear that my concerns are specifically directed to the status of criminal justice planning. You, as Executive Director of ABAG, have a number of other planning activities and programs, many very sensitive politically and of far-reaching impact on the region you serve. I appreciate your broader planning responsibilities and the attendant problems you have establishing priorities internally.

Nevertheless, in view of the national interest in criminal justice planning and system strengthening, I am sympathetic to the problems expressed by [the Regional CJP Coordinator].

I am disturbed when I hear that the Region V staff members may be leaving because of what they regard as insufficient support by ABAG. I am disturbed that despite more than adequate funding made available by the Council, [the regional CJP Coordinator] believes that he does not have sufficient space, cars, and other physical support. Most importantly, I am disturbed at mounting evidence that the structure is not adequately involving both local governments and criminal justice agencies throughout Region V in a coherent effort to address well-defined needs with broad-scale projects.<sup>76</sup>

Direct reporting between the ABAG regional coordinator and the staff of CCCJ was not limited to this occasion. Budgets and work programs were cleared and preliminary approval secured from the State agency before they were introduced into the ABAG decision-

making process. The executive director got news of State action from his department head and not by direct communication from CCCJ.

It was natural under these circumstances for the regional CJP component to seek autonomy—within ABAG if possible, but outside ABAG if necessary. The regional coordinator asserted to the Special Study Committee that “the most effective relationship between CCCJ, ABAG and the regional board is one in which ABAG designates the present Regional Advisory Board to act on its behalf as the regional criminal justice planning agency.” He recommended that the Regional Advisory Board be “a formal arm of ABAG” but “constituted as an ‘Institute of Criminal Justice Planning and Research,’ incorporated under the non-profit corporation laws of California.”

The principle objective appears to have been the removal of the executive director of ABAG from any control of the criminal justice planning operation. He would be expected to maintain liaison between CJP and other ABAG programs, provide auxiliary services under “written agreement and at the CJP Board’s request” and attend regional board meetings. The Executive Committee of AGAB would appoint members and the chairman of the Regional CJP Board, “review” the annual budget, “while delegating to the Board the authority to award contracts approved under the budget, and to fill positions included within the budget.” All other authority would be vested in the regional board and the regional CJP director.

The recommendations of the Special Study Committee paralleled the recommendations to it by the regional CJP coordinator, except that it did not recommend that the board be reconstituted as a non-profit corporation. Instead it recommended that “Criminal Justice Planning and administration of the grant program should continue as a joint State-local function with the Association serving as the regional umbrella agency.”

No one knows how the debate, if any, would have shaped up at the Executive Committee nor what its decision would have been, because the whole matter became moot when word arrived from Sacramento just before the meeting that the Bay Area would be carved up into five countywide “regions” and a sixth region made of the four smaller counties.

Among other consequences, this action by CCCJ was another refusal by a State agency to sue the sub-State planning region designated by the Council on Intergovernmental Relations. But the CCCJ maintained that its job is to administer criminal justice planning and action programs, not to improve intergovernmental relations.

**Regional Housing.** ABAG did not seriously undertake to develop a housing component for its regional plan until 1971. In response to pressure from the

National Committee Against Discrimination in Housing, and to threatened budgetary constraints by the area director of HUD, regional housing policies have been given a much higher priority rating in ABAG’s current and three-year work programs.

Prior to 1970-71 ABAG realized that some day it would have to face the division among its members over the proper regional distribution of low- and moderate cost housing, but was not willing to do so before it had to. In 1969 the Executive Committee appeared ready to omit any reference to regional housing planning in its bill to create a regional home rule agency (AB 1846 - Bagley). At the insistence of San Francisco, it agreed that the regional planning function included housing, although it refused to specify housing as a separate function of the proposed agency. In the same year, ABAG published a substantial analysis of housing needs in the Bay Area, including some recommendations of the consultant who made the study.<sup>77</sup>

The *Regional Plan: 1970-1990*, approved in 1970, contained positive statements about the need for a regional housing policy and referred especially to the problem of housing low- and middle-income families. Among the six primary regional goals was one

To provide the opportunity for all persons in the Bay Area to obtain adequate shelter convenient to other activities and facilities, in neighborhoods that are satisfying to them.<sup>78</sup>

Two other statements about the content of a needed regional housing plan went unchallenged in the General Assembly debate over approval of the regional plan:

Population growth, shifts and separations are matters of regional concern. To the extent that issues such as racial segregation affect population changes and shifts, they also become matters of regional concern and policy. The Regional Plan necessarily addresses these problems as it proposes residential-employment relationships, and space, location, and forms of residential growth to 1990. Regional residential growth policy must involve social, economic and political questions such as zoning, taxes, price of land, development costs, density, relation to intra-urban recreation, transportation facilities, etc.<sup>79</sup>

The Regional Plan also referred to the desirability of developing completely new communities which, among other advantages, would “broaden and diversify employment opportunities” and “foster social integration and balance.”

It was anticipated that a detailed housing plan element would be prepared and a housing planner was added to the ABAG staff. Then a new phenomenon

appeared in ABAG deliberations—an active organization dedicated to influencing ABAG policy. For a decade the meetings of ABAG policy committees, the Executive Committee, and the General Assembly had been attended by a few observers, such as representatives of the League of Women Voters, and by representatives of parties interested in the A-95 review of grant applications. However, on April 7, 1971, an outside group, the National Committee Against Discrimination in Housing (NCDH) announced to the ABAG Regional Planning Committee that, as part of an urban renewal demonstration project in the Bay Area funded by HUD, it was “not here to criticize ABAG for its past mistakes” but “to insure that ABAG performs in such a manner, now and in the future, that each citizen in the San Francisco Bay Area can be proud of its accomplishments.”<sup>80</sup>

It recommended the adoption by ABAG of a “scatteration or distribution plan for the entire region for the production of low and moderate income housing units.”<sup>81</sup> Before such planning, however, ABAG should develop and implement an affirmative action program, create a citizens participation component, and establish a citizens and technical advisory committee on housing. NCDH would advise ABAG in these activities. It also requested that it be allowed to participate with ABAG staff in reviewing housing and redevelopment applications.

Following the NCDH presentation, a representative of La Confederación de la Raza Unida stated that NCDH did not represent Chicanos and demanded that a form of citizen participation be established to permit them to participate.

On May 13, 1971, a meeting was held to discuss the formation of a citizens’ housing committee. Minutes of the meeting report:

Some citizens stood up and expressed their concern at the formal structure of the meeting, . . .

[Another participant] objected to the procedures of the meeting and refused to follow them.

People expressed their dislike of the seating arrangement and the formal speaking procedure. There was a ten minute break to rearrange the seats.

Nevertheless, there was agreement by the end of the meeting that an ad hoc citizen’s committee of groups represented at the meeting be formed and that it concern itself with *all* aspects of the ABAG regional planning program. A steering committee was formed to recommend a process for forming the citizens committee.<sup>82</sup>

On July 6, 1971, La Confederación de la Raza Unida filed suit in U.S. District Court against ABAG and HUD to force HUD to cut off Federal funds to ABAG on the

grounds that the latter had not implemented an affirmative action program or allowed citizen participation in its planning and decision making.<sup>83</sup> The suit has not been set for hearing.

Affected at least in part by the actions of NCDH<sup>84</sup> and La Confederación de la Raza Unida, but also reacting to what he considered to be dilatory action by ABAG in assuming responsibility for regional housing planning and implementation, the area director of HUD held up approval of ABAG’s application for 701 planning assistance funds for three months after the beginning of fiscal year 1971-72.

This waiting experience is in part the basis of the statement by the ABAG regional planning director that “At a time when the need for regional land use planning is increasing so we can maintain the quality of life in our metropolitan area, we are finding that HUD’s priorities and funding support to ABAG for land use planning has decreased dramatically.”<sup>85</sup>

The controversy also illustrates the dependence of a regional planning agency upon the program interests and priorities of its principal source of funds. An independent and steady source of regional funds, or even a broad mix of State and Federal grants, would allow the regional planning agency to maintain the integrity of the regionally originated elements in its work program. In this instance, by withholding all 701 planning funds, HUD threatened ABAG’s ability to pursue a joint regional parks and open space planning program in conjunction with the East Bay Regional Park District. ABAG has been developing on an *ad hoc* basis as many agreements as possible with special purpose agencies in the Bay Area. The HUD conditions for a major shift to housing planning, if accepted by ABAG, would have undermined almost two years of negotiations between ABAG and the park district.

On the other hand, HUD has specific program responsibilities apart from its general commitment to encouraging comprehensive regional planning. It is proper for HUD to insist that regional housing planning be pursued energetically.

Perhaps the dilemma could be resolved by enactment of a separately funded Intergovernmental Planning Act as suggested by Supervisor Bort of Alameda County,<sup>86</sup> with mandatory elements (e.g., housing) to take care of the interests of functional agencies. To recommend this Federal action, however, is not to suggest that the State of California should not help to support regional planning or that a statutory regional planning agency should not be created with an independent basis of regional financial support.

In the second half of 1972, regional housing is high on the ABAG agenda, as are joint regional parks and open space planning. A regional housing task force has been created along with a technical advisory committee. The task force has been given the following assignments:

- 1) Design of the regional housing planning process (completion by July, 1974, at which time it is recommended that the Task Force disband);
- 2) Initiation of development of the Regional Housing Plan (completion date is indeterminate; finished by the adopted regional planning process);
- 3) Development of guidelines for HUD use in allocating its housing funds in the region (completion by December, 1972); and
- 4) Develop recommendations for specific programs or actions that could be undertaken immediately to increase the supply of low and moderate income housing in the entire nine-county area and housing opportunity for low and moderate income persons in the nine-county area.<sup>87</sup>

The task force has already responded to the last assignment by presenting a resolution to the Executive Committee (adopted October 19, 1972) supporting the reintroduction of a bill vetoed by the Governor. The bill would reorganize the State Department of Housing and Community Development and authorize interest-free loans and grants for development and other costs to make housing available at low and moderate rentals. The Executive Committee also is to "express its concern by letter to the Governor of the State of California concerning his veto of said bill."

At the same meeting of the Executive Committee, the task force entered into the discussion of the Issue Paper on Regional Growth Policy and requested that no policy on this subject be adopted by any governmental unit in the region until the issue of equity in housing access, economic balance in the housing supply, improved job market and economic growth, equity in access to economic opportunity, and prohibitions against exclusionary zoning are assured throughout the region.

HUD has recently expressed its pleasure at the approach of ABAG to regional housing planning:

At such time as the required housing planning process which is now beginning is developed, adopted and considered to be an operating instrument we offer to engage in a series of periodic negotiations with ABAG regarding the allocation of HUD resources in the Bay Area. We expect this to include guidance for HUD-FHA insurance decisions and for allocation of subsidized housing based upon a fair share distribution model. We would expect these negotiations to be related to revenue sharing community development programs of the various Bay Area cities and counties. Given lack of such

a plan HUD is already making decisions affecting regional growth.<sup>88</sup>

## REGIONAL REVIEW AND COMMENT

Most local officials in the Bay Area look upon membership in ABAG as a necessary condition for their city or county to be eligible for Federal aid. Even officials from cities and counties that seldom or never apply for Federal aid are concerned about continued eligibility.

The increased importance of Federal grants in Bay Area community affairs and of ABAG review and comment on applications for Federal assistance is shown by a comparison of ABAG activity in 1971-72 and in the five-year period 1962-67. There were Federal requirements before 1966 for regional review of applications to the Housing and Home Finance Agency (succeeded by HUD) for Federal assistance for open space, water, and sewer facilities. Between 1962 and 1967 ABAG reviewed 296 applications with total project costs of \$290 million and requests for grants or loans of \$118 million. In 1971-72 ABAG processed 260 applications with total project costs of \$310 million and requests for Federal grants of \$194 million. The number of applications in one year (1971-72) equals 89 percent of the number filed in the first five years of ABAG's existence; project costs are 94 percent of the total costs of the earlier period. The amount Federal aid requested in 1971-72 exceeded the requests of 1962-67 by \$76 million, an increase of 64 percent. Some of the difference between these two periods is due to the expanding coverage of A-95 review.

ABAG, unlike most COG's in the United States, was not created to meet the requirement in the Demonstration Cities and Metropolitan Development Act of 1966 that applications for certain Federal grants-in-aid be reviewed by a regional planning agency for consistency with regional plans. Established five years earlier, by 1966 ABAG was considering on its own initiative whether it should continue as a voluntary organization or request the legislature to reconstitute it as a limited but multi-purpose regional agency.<sup>89</sup>

Nevertheless, the Federal requirement of regional review and comment is the principal source of the authority which ABAG exercises within the Bay Area. This is another instance of a local agency's receiving authority from the Federal government in the absence of a grant of authority from the State. Melvin B. Mogulof says that COG's have only an "aura of authority" from the Federal government since their legitimacy comes from their member governments, who "do not seem to want the COG to emerge as a force different and distinct from the sum of its governmental parts." COG's, then, are little more than "an insurance device for the

continued flow of federal funds to local governments."<sup>90</sup>

The requirement that there be regional review and comment is Federal law. Presumably it is based on congressional conviction that it will enable Federal agencies to make more rational decisions and, at the same time, enable local governments in metropolitan areas to act jointly in regional planning and the implementation of regional plans. As Mogulof points out, these two objectives may be inconsistent. Regional policies regionally arrived at may be contrary to the redistributive housing policies of HUD.<sup>91</sup>

Federal agencies are not required to accept the recommendations of ABAG or any other areawide planning agency. In fact, no one knows how Federal grant agencies use regional comments or whether, in fact, they are at all influential. It would not be surprising to find that different Federal agencies, or different segments of any given Federal agency, differ in their use of regional comments. But no one in the San Francisco Bay Area knows or is sure that anyone in the federal government knows.

Uncertainty about what happens to the review document after it leaves the COG, accompanied by a suspicion that most of the time, applications are only checked to see if the comment is present, affects the behavior of the COG staff in preparing the review and the policy body in considering staff recommendations. There is no premium on considering an application as more than an isolated project.

It is difficult to imagine that review documents as now prepared are useful to the granting agency in distinguishing between projects or between applicants as claimants for limited funds designed to achieve specified objectives. However, there is no feedback from federal agencies and no rewards or deprivations for useful or perfunctory regional reviews.

Many people maintain that city and county officials acting together in a COG would never act to hurt a fellow member. Senator Petris from Alameda County has called ABAG a "mutual back scratching society." Assemblyman Knox has said

the A-95 review process tends to become one which simply weeds out projects which are obviously "inconsistent" with regional plans. It virtually never becomes a process which assigns grant priorities to projects which implement and goals and objectives of the regional plans.<sup>92</sup>

Both Assemblymen Knox and Mogulof assert that COG's (ABAG) will never act to injure the interests of a member government, although they do oppose projects of non-member governments and especially of special purpose agencies, which may be considered as competing for the legitimate role of regional planner.

Part of the difficulty is that most applications are for

support of particular projects initiated by local governments, not by ABAG. When viewed separately, they are not inconsistent with regional plans. On the other hand, no one should expect a voluntary association of local governments to take the initiative in blackballing a member government's application for Federal funds. But the behavior of an areawide planning organization would change if there were qualitative standards for regional review and if no applications were granted until those standards were met. At the least a Federal grant agency could require that the consistency or inconsistency between the application and the regional plan be spelled out in detail with references by chapter and verse to both application and plan.<sup>93</sup>

The content of a review and comment will necessarily be skimpy as long as there is no regional plan. Even the first accepted version of a regional plan may well be judgmental and rhetorical—ambiguous in order to secure acceptance and also for lack of experience and feedback among regional planners and policy makers. There is, for example, a marked increase in detailed comparison between applications and plans in ABAG comments now that Phase II of the regional water, sewerage and drainage element of the Regional Plan has been completed and adopted. As other elements are refined one would expect the usefulness of review and comment to increase across the board.

Review and comment is also viewed by ABAG staff and members of the Regional Planning and Executive Committees as the major means of implementing regional plans and policies. They admit, however, that it is a weak instrument. We have seen in discussing regional open space planning by ABAG that major reliance is placed upon the hope that the Federal and State governments will make extensive funds available for the purchase of open space lands. Even the limited Federal funds now available are expended on a project-by-project basis. Most requests, and therefore most grants are for relatively small amounts to finance the acquisition and/or development of small acreages. Many are for proposed neighborhood parts—worthy enterprises to meet undoubted needs—but not even through aggregation can they be considered as regional open space.

ABAG is fully aware that A-95 review and comment is a frail reed to lean on in the midst of the rough political maneuvering in the region, State, and Nation. At the General Assembly meeting of November 10, 1972, a two-part resolution was adopted on the implementation of the regional open space plan. The first part urged the Federal and State governments to increase and channel their funds to acquire priority open space designated in the regional plan. This is fully in accord with the tactic of using grants-in-aid to other units of government to implement a regional plan. However, in the second part of the resolution ABAG again urged, for the sixth time since 1966, that the State legislature give

it statutory power to make regional plans and to require cities, counties, and special purpose agencies to act in conformity with the plan.

Observation of the behavior of city and county officials in regional organizations with statutory authority and operating under statutory standards supports Moguloff's assertion that the voluntary structure of councils of governments such as ABAG is inherently conducive to "a log rolling style of decision making."<sup>94</sup> However, the same city and county officials who sit on ABAG have not hesitated to act contrary to the interests of individual cities and counties when they sit on statutory regional bodies such as BCDC.

Unsuccessful efforts to secure legislative enactment of a bill establishing a multipurpose regional agency in the Bay Area suggests that a backup effort should be made by the Federal government to encourage and direct COG's to develop as a regional force, although one sensitive to the variations of local interests within the region.

Mogulof, after observing ABAG and other COG's, has recommended a Federal strategy of "sustain and strain." Among other specific recommendations, he urges that the review process be improved at both the Federal and regional levels and that COG's be required to set regional priorities and relate review of project applications to regional policy.<sup>95</sup>

Alameda County Supervisor Joseph P. Bort—Chairman of ABAG's Regional Home Rule Committee, Chairman of the Metropolitan Transportation Commission, and a member of the board of the Bay Area Air Pollution Control District—has testified before a congressional committee that steps should be taken to prevent regional review and comment from levelling "off into a *pro forma* ritual among local, regional and federal officials." His first recommendation to prevent this is the enactment of State legislation to establish a limited, multi-purpose regional agency with authority to plan and to require cities, counties, and special purpose agencies to conform to the plan.<sup>96</sup>

He also urged that review and comment should be extended to cover applications for State financial assistance and that it be applied to State plans affecting metropolitan areas.

More specifically, I believe that there should be a State review and comment process [similar but more extensive than the OMB A-95 process.] It should operate on a two-way street with State review and comment on local and regional plans and regional review and comment on State plans and projects. It should not be confined, therefore, to review and comment on applications for financial assistance. In fact, the structure of such an intergovernmental

review and comment process was beautifully laid out in Assemblyman Knox's 1967 regional government bill [AB 711] but there it would only have applied to highways. All State agencies and all local and regional agencies should be subject to mutual review and comment on all plans, regulations, capital improvement programs, and applications for financial assistance if they have regional or Statewide impact.<sup>97</sup>

However, it has not yet been possible to secure State action to "sustain and strain" multiple-purpose regional planning and action. Supervisor Bort therefore recommended seven specific steps that the Federal government should take to keep A-95 from becoming perfunctory and useless.

- 1) Sufficient funds should be appropriated to enable a comprehensive regional plan to be completed within a reasonable time.
- 2) Congress should enact an Intergovernmental Planning Act to replace the scores of planning requirements in the many categorical grant programs.
- 3) The Intergovernmental Planning Act should provide for multi-year funding.
- 4) Regional COG's should be required to set priorities for projects of areawide significance.
- 5) An evaluation should be made of the usefulness to Federal agencies of the A-95 review and comment by regional planning agencies of applications for Federal assistance.
- 6) The impact on other aspects of community life of the implementation of particular functional plans should be studied and the results reported to planners and decision makers.
- 7) All Federal, State and regional programs should have an independent scheme of evaluation worked into the program design.<sup>98</sup>

At the same congressional committee hearing, Assemblyman Knox urged the subcommittee:

acting through the Congress, to direct both the Office of Management and Budget and The Department of Housing and Urban Development to establish a policy and put it into immediate operation . . . which insures that individual grants will be used to implement the regional plans which the Federal Government has previously insisted upon and, in large part, funded.<sup>99</sup>

Assemblyman Knox's objectives, when associated with the recommendations of Supervisor Bort, are

desirable directions of Federal policy. In fact, if COG's ever move from the present plateau of development to which they have been brought by A-95 a renewed tactic of "support and strain" along these lines is necessary. However, the State legislature can establish as State policy the exact policy Assemblyman Knox urged upon the Congress. ABAG has repeatedly invited the State legislature to do exactly that.

## CONCLUSIONS AND RECOMMENDATIONS

The San Francisco Bay Area, large in area and population, is politically as well as socially and economically complex. Part of its complexity comes from the many governments and quasi-autonomous governmental agencies operating within the region. It is not impossible to reduce the number of governmental entities but significant action along these lines appears unlikely. Even if such action were feasible, any imaginable reduction would still leave many governmental units, including State and Federal agencies. Complete consolidation of all units of local government would be undesirable for a region of 7,000 square miles and 4.5 million people.

It is also possible to retain all existing units of local government and insert an independent regional government between them and the State government. This has been done in the Minneapolis-St. Paul region. But this action would not eliminate or substantially reduce the system of intergovernmental relations now governing the Bay Area. It would only add another government, powerful and influential that it may be, to the existing mix of influential private and governmental actors.

The present mixture of intergovernmental relations can be restructured. In fact, this happens constantly as new governments or agencies are created or the jurisdiction and authority of existing governments and agencies expand or contract. The Association of Bay Area Governments is attempting to coordinate governmental action with regional significance through comprehensive regional planning, review and comment of applications for Federal aid, and the negotiation of bilateral agreements with State and regional special purpose agencies.

This case study is a description of ABAG's efforts and of the reaction to them of other actors within and outside the region. The major regional planning thrust, organizationally, financially and programmatically, is toward functional planning. In order to relate these functional planning efforts to each other and to ABAG's Regional Plan, ABAG negotiated agreements for joint planning with MTC, the Bay Area Comprehensive Planning Council, the East Bay Regional Park District,

and the State Water Resources Control Board. Except for the Council on Intergovernmental Relations and the State Division of Highways, there is no State recognition of ABAG as a comprehensive regional planning agency. Current efforts by the council to develop a statewide policy for regional planning in substate districts may rectify this condition. Its success, however, depends upon strong gubernatorial support and legislative acceptance of the policy. The legislature has refused thus far to strengthen ABAG's authority or to create any other general regional planning agency. Instead, it continues to create new special-purpose regional agencies.

Federal agencies, other than HUD, pay only lip service to comprehensive regional planning while supporting and encouraging functional planning with respect to air and water pollution control, health, transportation, solid waste disposal, and criminal justice. HUD has functional programs of its own, such as the spread of low- and moderate-income housing throughout the metropolitan region. If the COG is used by HUD as a primary agent for furthering its own functional interests, then the COG will not be acceptable to other local, State, and Federal agencies as the comprehensive regional planning agency and regional coordinator.

Despite its name, the Association of Bay Area Governments is not an association of all the regionally significant governmental units operating in the Bay Area. Excluded are school districts and a score of major regional and sub-regional special purpose agencies—each with ties to a powerful constituency and to a State and/or Federal agency. The Metropolitan Transportation Commission and the Bay Area Sewage Services Agency would merge with a regional planning agency whenever the legislature establishes it. However, the older special purpose agencies need to be involved in the process of regional planning, decision making, and administration at the same time that they, along with cities and counties, are required to conform to regional policies.

While waiting for legislation, ABAG could initiate the process of formalizing the entry of other regional governments into an inclusive council of governments. It has already moved in this direction through negotiating active joint agreements with the State Water Resources Control Board in water quality planning,<sup>100</sup> with the Metropolitan Transportation Commission in the interface between transportation and land use planning, and with the East Bay Regional Park District in regional recreation and open space planning. It has an agreement with the Bay Area Comprehensive Health Planning Council which has not been implemented. Efforts have been underway for more than a year to sign an agreement for joint planning with the Bay Area Air Pollution Control District.

Reliance thus far has been exclusively on bilateral agreements as instruments of coordination. These have been excellent means of inserting ABAG staff input into

a limited amount of functional planning. There is, however, no concomitant input from, or feedback to, the governing bodies of ABAG and other regional agencies.

In September 1970, ABAG published a consultant's report entitled *Toward a Unified Planning Program for the San Francisco Bay Area*.<sup>101</sup> Since then the ABAG planning staff has used the concept of the management of a unified regional planning program to guide it in developing its annual work programs and to relate the elements of its work programs to the interests of other regional agencies. However, the concept has not become an organizing principle outside the staff—neither at the Executive Committee level of ABAG nor in the policy making and work programming of other regional agencies.

Even within the staff implementation of the concept is somewhat fuzzy. Can ABAG develop unified planning through unilateral action to establish regional priorities and flesh out the *Regional Plan: 1970-1990*? Can it do this by a series of bilateral agreements with each (or as many as possible) of the other regional agencies? Can bilateral agreements, each different in scope, method, and content from the others, be aggregated into regional policies and regional priorities? Even if such an aggregation might be managed at the staff level, how can staff decisions and recommendations be subjected to unified regional political scrutiny, review, and revision culminating in unified regional policies? In short, can unified planning management be developed regionally without some form of statutory regional government?

ABAG recognized in 1966 that a voluntary association of cities and counties was unable to make and implement comprehensive regional plans. Seven years later it is still seeking legislative action to empower it to make regional plans and require cities, counties, and special purpose agencies to conform to the plan.

The principal recommendation of this study is that ABAG move now to explore jointly with all significant governments operating in the Bay Area the use of the Joint Exercise of Powers Act to create a Bay Area Regional Agency. These explorations should be carried on at both political and staff levels. They should include Federal and State agencies operating in the Bay Area. Fortunately, the Joint Exercise of Powers Act authorizes agreements with State and Federal agencies as well as local agencies. Also fortunately, there are now a regional organization of the Federal government (the Federal Regional Council) and an organization in the Governor's Office (the Council on Intergovernmental Relations) that could participate in explorations and negotiations leading to the formation of a Bay Area Regional Agency.

Recent sessions of the legislature have demonstrated that proposals to create a regional home rule agency which are not supported by the special interest constituencies may be in mortal political danger. However, the

case for broadening the membership of the council of governments rests on more than tactical grounds. The principle underlying ABAG's Regional Home Rule Proposal is that the governance of the Bay Area must be based on a system of intergovernmental relations. This principle loses its credibility and much of its utility if governmental units which are not going to fade away are excluded from intergovernmental collaboration.

Except for moral support from the Council on Intergovernmental Relations, there has been little support and use of ABAG by State agencies. At least the council, now located in the Governor's Office, is strengthening its policy of support for regional COG's and developing an active policy of sub-State districting. How far it will go and whether the Governor will embrace the policy is uncertain. The whole issue of regional organization will arise in another but related inquiry by the Governor into the structure and functions of local government. On the legislative side, ABAG has not been able to secure enactment of legislation to make membership in ABAG mandatory, to give it an independent source of financial support, and to require compliance with the regional plan. Nor have other regional interests been able to secure legislation to supplant ABAG, with another form of regional agency. In the same period, however, several new special purpose agencies have been created.

Without a State policy on regional planning, decision making, and administration, Federal and local action is likely to be tenuous. Nevertheless, I have recommended that ABAG take the initiative to form a more inclusive voluntary regional agency of all governmental units with regional impact. Such an agency would undoubtedly suffer from the infirmities of a voluntary council of cities and counties. However, it is more likely than ABAG alone to move the region along to the next step of regional development.

The great danger is that ABAG and other COG's, having been brought by Federal-local collaboration to the present level of development, will be unable to develop further without State legislation. There are actions that the Federal government can take to avoid loss of momentum and to encourage, if not require, State policies on substate regionalism.

The most immediate needs for Federal action can be met without additional legislation:

- 1) require COG's to prepare specific comments on the relationship between applications for Federal aid and the regional plan;
- 2) require that regional plans meet the statutory definition in the Demonstration Cities and Metropolitan Development Act of 1966, including
  - a) programming of capital improvements *based on a determination of relative urgency*;

- b) long-range fiscal plans for implementing such plans and programs; and
  - c) proposed regulation and administrative measures which aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned and inter-governmental coordination of related planning activities among State and local governmental agencies concerned; and
- 3) require Federal grant agencies to report to the respective COG's on the usefulness of the review and comment in deciding whether specific applications should be granted.

Congress decided during the 1960's that the quality of local programs supported in part by Federal grants would be improved if individual projects were related to regional objectives as determined by a regional agency. Statutory requirements of regional review and comment, as implemented in OMB Circular A-95 have resulted in a restructuring of horizontal as well as many vertical intergovernmental relationships in metropolitan areas. What is needed now is a Federal-State-regional-local strategy for the 1970's built upon the accomplishments of the 1960's.

The experience of the 1960's has demonstrated that a Federal strategy of "sustain and strain," however hesitantly and tentatively it may have been executed, can have a profound effect on the behavior and attitudes of local officials in metropolitan areas. Now the Federal government should take the initiative in calling for an intergovernmental strategy to replace, or to supplement, an exclusively Federal strategy. The new strategy should be based on three premises:

- 1) The Federal government has an obligation to see not only that it itself is operating effectively but that other governmental units receiving Federal funds are organized to plan, make decisions, and administer public policies. It is more not less important now that mandated programs are to be loosened under general and special revenue sharing that State and local governments meet performance standards with respect to planning, budgeting, and personnel management. The Intergovernmental Personnel Act should be supplemented by enactment of an Intergovernmental Planning Act to replace the scores of planning requirements in existing legislation.
- 2) State governments should act to provide a statutory base for substate planning and the Federal government should require that they do so as a condition for the continued receipt of Federal funds. Although proposed Federal land-use planning acts might be used as the vehicle for this requirement, it would be better to make it part of an intergovernmental Planning Act.
- 3) The strategy should be jointly developed and operated by all three levels of government. Such an intergovernmental approach should be taken as sub-components are developed at Federal, State, and regional levels.

This strategy, if executed, would meet ABAG's expressed needs for conversion from a voluntary COG to a statutory multi-purpose agency in which local governments would play an important but not exclusive role. It would also provide the context in which the multi-purpose regional agency could function as an effective partner in the governance of the Bay Area and in the development of urban policies for the State and Nation.

## Footnotes

<sup>1</sup>This essay is undoubtedly colored, I hope faintly, from my close association with ABAG. I have been consultant to the Goals and Organization Committee and to the Regional Home Rule Committee since 1965. Although I assume full responsibility for my objective subjectivity, I have asked people associated with all other regional organizations and movements to criticize the first draft of this essay. I am grateful to them for helping to keep me honest if not wholly objective. The intergovernmental relations of metropolitan governance have been examined from a more political point of view in my essay "Bay Area Regionalism: The Politics of Intergovernmental Relations," in *The Regionalist Papers* (Detroit: The Metropolitan Fund, 1973).

<sup>2</sup>See *Younger v. County of El Dorado*, 5 Cal. 3d 480 (1971).

<sup>3</sup>Melvin Mogulof, *Governing Metropolitan Areas: A Critical Review of Councils of Governments and the Federal Role* (Washington, D.C., The Urban Institute, 1971), p. 15.

<sup>4</sup>Barton-Aschman Associates Inc., *Toward a Unified Planning Program for the San Francisco Bay Area* (ABAG, 1970), p. 6.

<sup>5</sup>California, *Government Code*, Secs. 6500-6513.

<sup>6</sup>For voting and assessment of dues, San Francisco is counted both as a city and as a county.

<sup>7</sup>Barton-Aschman Associates, Inc., *Toward a Unified Planning Program* . . . , pp. 3-5.

<sup>8</sup>In 1967-68 regional planning by ABAG, Bay Conservation and Development Commission, Bay Area Transportation Study Commission, and the Bay-Delta Water Quality Study cost over \$6 million. Stanley Scott and Harriet Nathan (eds), *Adapting Government to Regional Needs* (Institute of Governmental Studies, University of California, Berkeley, 1971), pp. 275-277.

<sup>9</sup>For details see Victor Jones, "Bay Area Regionalism," in *The Regionalist Papers*.

<sup>10</sup>In two counties, Alameda and Contra Costa, the mayors' conferences have moved toward a more formal organization with part-time executive officers and offices located in the same building as ABAG and the Metropolitan Transportation Commission.

<sup>11</sup>See Institute of Local Self Government, *Special Districts or Special Dynasties* (Berkeley, The Institute, 1970), pp. 24-25. For the State it was reported that over 50% of incumbents on district boards originally were appointed. For 86 cities in the Bay Area, almost a fourth initially gained office in this manner. See

Kenneth Prewitt, *The Recruitment of Political Leaders: A Study of Citizen-Politicians* (1970), p. 131.

<sup>12</sup>California. Intergovernmental Council on Urban Growth, *Recommended Roles for California State Government in Federal Urban Programs* (1968). See also the survey on "Alternative Roles for California State Government in Federal Urban Programs," prepared for the Council by Baxter, McDonald & Co., March 24, 1967.

<sup>13</sup>Public Administration Service, *Regional Government Agencies and Programs in the San Francisco Bay Area* (1966), pp. 7-8.

<sup>14</sup>Public Administration Service *Regional Government Agencies and Programs in the San Francisco Bay Area*, p. 9.

<sup>15</sup>The council was first organized in 1964 as the Coordinating Council on Urban Policy. In 1965 its name was changed to Intergovernmental Council on Urban Growth and in 1968 it assumed its present title.

<sup>16</sup>California. Coordinating Council on Urban Policy, *California Urban Policy for Intergovernmental Action* (January 1965), p. 10.

<sup>17</sup>U.S. Congress. *Regional Planning Issues*, Hearings before the Subcommittee on Urban Affairs of the Joint Economic Committee (92d Cong., 1st sess.), May 20, 1971, Part 4, p. 606.

<sup>18</sup>U.S. Congress, *Regional Planning Issues*, p. 623.

<sup>19</sup>League of California Cities, Annual Conference, October 28, 1970. Resolution No. 13.

<sup>20</sup>ABAG has its own proposed amendments to the Regional Planning District Act (1972 session. AB220 Knox). These will be discussed later.

<sup>21</sup>The council had provided the central leadership in the movement between 1957 and 1961 to create a Golden Gate Authority or Transportation Commission. The council was also active in urging regional planning and in securing legislative creation of the Bay Area Air Pollution Control District and the Bay Area Rapid Transit District.

<sup>22</sup>Stanley Scott and Willis D. Hawley, "Leadership Views of the Bay Area and Its Regional Problems: A Preliminary View," *Public Affairs Report*, Vol. 9, No. 1, February, 1968 (Institute of Governmental Studies, University of California, Berkeley).

<sup>23</sup>William J. Middleton and Michael Preston, "Black Power and Metropolitan Politics" (unpublished paper 1973).

<sup>24</sup>ABAG, *Overall Program Design, 1972-75*, pp. 14, 18.

<sup>25</sup>ABAG, *Bay Region Planning and Information Support Center Review and Recommended Work Program* (June, 1972), tables 1-3.

<sup>26</sup>Stanley Scott and Willis D. Hawley, "Leadership Views of the Bay Area and Its Regional Problems: A Preliminary Report," *Public Affairs Report* (University of California, Institute of Governmental Studies, Berkeley) February, 1968.

<sup>27</sup>ABAG, *Overall Program Design*, p. 31.

<sup>28</sup>The General Assembly *approved* the Regional Plan instead of *adopting* it, in order to quiet the fears of those who considered it a step toward a binding plan under a regional government.

<sup>29</sup>ABAG, *Regional Plan! 1970-1990* (1970), p. 15.

<sup>30</sup>ABAG, *Regional Plan: 1970-1990*, p. 1.

<sup>31</sup>See Paul D. Spiegel, "Looking into the *Regional Plan: 1970-1990* as it Relates to Goals and Policy Formulations for the Regional Airport Systems Study Committee of ABAG," A Report to the ABAG Regional Airport Systems Study Committee, February, 1971.

<sup>32</sup>ABAG—General Assembly Resolution 1-72.

<sup>33</sup>The State Assembly Committee on Environmental Quality has held a public hearing in San Francisco on whether there should be a State policy on population growth and distribution. *San Francisco Chronicle*, Sept. 19, 1972.

<sup>34</sup>See Paul Fullerton, *Land Use Patterns in the Bay Area* (a

position paper prepared for ABAG's Regional Housing Task Force, June, 1972).

<sup>35</sup>The State Office of Planning and Research, created by statute in 1970 and placed in the Governor's office, is assigned the task of developing a "comprehensive statewide land-use policy" and coordinating all State departmental land-use planning. If the Jackson bill to provide Federal assistance in State land-use planning is enacted, the Office of Planning and Research plans to move rapidly toward statewide land-use planning. In the meantime, the Office of Planning and Research and the Council on Intergovernmental Relations are developing for cabinet consideration a system of regionalization of State activities that will interface with regional planning activities.

<sup>36</sup>See ABAG, Preliminary Regional Plan (1966) for a discussion of concepts of regional form for the Bay Area: composite plan concept, the urban corridor concept, the city centered concept, and the suburban dispersion concept. In 1968 the ABAG General Assembly endorsed the city centered concept and instructed that the Regional Plan be based on the assumption that regional population would increase from 4.6 million to approximately 7.5 million in 1990.

<sup>37</sup>All bills introduced in the legislature since 1969 to create a multi-purpose regional agency, provide for either "review and comment" or empower the agency to order cities, counties, and special districts to comply with the regional plan.

<sup>38</sup>Airports will be considered in a later section.

<sup>39</sup>Following secession from BART, transit districts were set up in San Mateo and Marin Counties.

<sup>40</sup>The act invites HUD and DOT each to appoint a non-voting member.

<sup>41</sup>In the same act (SB 325-1971) the legislature subjected gasoline to the sales tax. The total sales tax is 5 cents except in San Francisco, Alameda and Contra Costa Counties where an additional ½ cent is collected to help finance the construction of BART.

<sup>42</sup>ABAG, *Regional Home Rule and Government of the Bay Area*, report to the General Assembly of ABAG from the Goals and Organization Committee, September 26, 1966.

<sup>43</sup>BCDC, *San Francisco Bay Plan* (1969), p. 5c; see also *San Francisco Bay Plan Supplement* (1969), pp. 227-240 for a digest of the consultants' report on airports on the bay.

<sup>44</sup>The chairman of ABAG's Regional Airport Systems Study Committee, long associated with aviation in Contra Costa County and the Bay Area, is running for election to the State legislature. If elected, he may be expected to continue his interest in a regional airport system.

<sup>45</sup>Alameda County Comprehensive Health Planning Council, *Solid Waste Management Workshop Proceedings*, February 26, 1972, pp. 7-8. The study by a EBMUD staff committee was made at the request of the League of Women Voters.

<sup>46</sup>Memorandum to Executive Committee of ABAG, November 10, 1971.

<sup>47</sup>See Jones, "Bay Area Regionalism," for the politics of drafting a BASSA bill and getting it enacted.

<sup>48</sup>See Stanford University Workshop on Air Pollution, *Air Pollution in the San Francisco Bay Area* (Stanford, 1970). California's legislative analyst reports that "the Los Angeles County Air Pollution Control District has developed an Evaluation and Planning Division which is the only known staff in California having any significant capability to study, evaluate and plan comprehensive air control actions, even though the district is only countywide and does not cover all the coastal air basin in which it lies.

"On the other hand, the San Francisco Bay Area Regional Air Pollution Control District is the only regional agency in the state, but it has not yet developed a staff equivalent to the Evaluation and Planning Division. The Air Resources Board

similarly does not have such a staff. As a result, California does not now have fully in existence anywhere the capability to manage an air basin on a comprehensive basis." Legislative Analyst, *Air Pollution Control in California* (January, 1971—a report pursuant to ACR131-1970 Session), p. 40

<sup>49</sup>Evelle J. Younger, State Attorney General, to John A. Maga, Executive Officer, State Air Resources Board, October 6, 1971, p. 4.

<sup>50</sup>Evelle J. Younger to John A. Maga, p. 4

<sup>51</sup>Evelle J. Younger to John A. Maga, p. 6. The board is prohibited by statute from specifying the "design or equipment type of construction or particular method to be used in producing the reduction of air contaminants. . . . [But the board may set up] maximum pollution standards of general application and the person constructing or operating a structure or other source of pollution is free to do whatever he sees fit so long as he does not violate the standard." Pp. 5-6.

<sup>52</sup>California Legislative Analyst, *Air Pollution Control in California*, p. 36.

<sup>53</sup>California Legislative Analyst, *Air Pollution Control in California*, p. 37.

<sup>54</sup>Bay Area Council, *Regional Report* (June, 1972), p. 3.

<sup>55</sup>BAAPCD, *Minutes*, March 1, 1972. The motion was made and seconded by county supervisors who are also members of the ABAG Executive Committee.

<sup>56</sup>"Recognizing the importance of establishing a continuing long range planning program for a permanent regional open space system, CRPP asked . . . ABAG to develop a long range, comprehensive regional land use plan for the nine-county Bay Area. Parks and open space would be one element of that plan. With the assistance of CRPP President Mel Scott, ABAG applied for an received a federal planning grant to undertake such a study." Kenneth C. Frank, "A Brief History of People for Open Space," Appendix III in T. J. Kent, Jr., *Open Space for the San Francisco Bay Area: Organizing to Guide Metropolitan Growth* (University of California, Institute of Governmental Studies, Berkeley, 1970), p. 71.

<sup>57</sup>People for Open Space, Inc., *Economic Impact of a Regional Open Space Program* (1968).

<sup>58</sup>People for Open Space, Inc., *Economic Impact of a Regional Open Space Program*, p. 43. See statement by John H. Sutter, President of POS, to BARO, March, 1968.

<sup>59</sup>See Jones, "Bay Area Regionalism," for further discussion of efforts to enact regional legislation.

<sup>60</sup>ABAG, *Regional Open Space Plan*, Phase II (1972), p. 12. The percentage of the target already preserved varies greatly among the nine counties. ". . . less than 4 percent of the target has been preserved in Sonoma County and less than 6 percent in Santa Clara County, areas clearly under the pressure of urbanization." p. 44.

<sup>61</sup>ABAG, *Regional Open Space Plan*, p. 81.

<sup>62</sup>This would be an extension of work begun by the USGS-HUD-ABAG San Francisco Bay Region Environment and Resources Study.

<sup>63</sup>The HUD-ABAG budgetary and program impasse of 1971 will be discussed in the section on housing.

<sup>64</sup>BCDC, *The Bay Commission: What It Is and What It Does* (April, 1970).

<sup>65</sup>Statement of Supervisor Michael Warnum, Marin County, and chairman, ABAG Ocean Coastline Committee before Senate Committee on Local Government, April 10, 1972.

<sup>66</sup>ABAG, *Refuse Disposal Needs Study* (July, 1965).

<sup>67</sup>In October, 1970, after the Regional Plan had been approved, the Alameda County Planning Commission adopted a resolution urging ABAG "to give the highest priorities to concentrate manpower and fiscal resources to prepare the plans

and programs necessary to solve the problems of solid waste management in the Bay Area."

<sup>68</sup>ABAG—Staff Paper on Bay Area Comprehensive Health Planning Council, 1970, p. 3.

<sup>69</sup>Bay Area Comprehensive Health Planning Council, *The Public's Health-Bay Area, 1972: Stage One, Comprehensive Health Planning* (draft version, May, 1972), pp. 31-57. For supporting background documents, see pp. 163-179.

<sup>70</sup>BACHP, *The Public's Health . . .*, p. 90.

<sup>71</sup>BACHP, *The Public's Health . . .*, pp. 116-128.

<sup>72</sup>*San Francisco Chronicle*, January 8, 1971: "The council would present 'a united front' to federal and state agencies, said the mayor, and would spare individual departments from 'diverting their limited resources away from the urgent day-to-day justice system needs of the city to play complicated games with proposals, grants, evaluations, design and all other attendant paraphernalias of this federal grant program.'"

<sup>73</sup>*Caveat emptor!* I prepared for the Special Study Committee a memorandum entitled "Items for Consideration in Preparing Report of Special Study Committee (November 30, 1970) and a memorandum to the executive director commenting on the draft report of the Committee (December 29, 1970).

<sup>74</sup>Memorandum from Regional CJP Coordinator to Special Study Committee to Review Criminal Justice Planning, Dec. 10, 1970, pp. 5-6.

<sup>75</sup>Regional Criminal Justice Advisory Board—Special Study Committee, *Minutes*, November 6, 1970, p. 6.

<sup>76</sup>Robert H. Lawson, Executive Director, CCCJ, to J. Julien Baget, Executive Director, ABAG, October 2, 1970.

<sup>77</sup>ABAG, *Regional Housing Study* (1969).

<sup>78</sup>ABAG, *Regional Plan: 1970-1990*, p. 13.

<sup>79</sup>ABAG, *Regional Plan: 1970-1990*, pp. 16-17.

<sup>80</sup>National Committee Against Discrimination in Housing, "Presentation to ABAG's Regional Planning Committee Meeting," April 7, 1971, p. 4. "We may be called upon to assist you in the matters of housing and pledge our total staff support both national and local to support you in this effort. However, we may have to say at any time that ABAG is 'A-BAG' and cannot assist in providing a decent home for every San Francisco Bay Area family and state why. We hope this will not be the case." (p. 5).

<sup>81</sup>"The need is to develop, ultimately, an intergovernmental instrument, such as a metropolitan or regional authority or commission, that can deal systematically with the problems of race, residence, economics and related opportunities, set goals for the region and local areas and require their implementation; and further, that this new type of governmental authority have built-in safeguards to assure that it reflects the interests and concerns of the poor, the black, the Mexican-Americans, and other racial and ethnic minorities." National Committee Against Discrimination in Housing, "Highlights and Excerpts from Report on NCDH Demonstration Project, San Francisco Bay Area," n.d., p. 1.

<sup>82</sup>The creation of the Regional Citizens Forum is discussed above under "Information Exchange."

<sup>83</sup>*San Jose Mercury*, July 7, 1971.

<sup>84</sup>Letter from James Price, HUD Area Office Director to J. Julien Baget, Executive Director, ABAG, May 19, 1971. It indicated that NCBA concerns about the housing element and equal opportunity would be considered in reviewing the application for 1971-72 funds.

<sup>85</sup>Statement of Rudolph Platzek before California Senate Committee on Local Government, San Francisco, April 10, 1972.

<sup>86</sup>U.S. Congress, Joint Economic Committee, Subcommittee on Urban Affairs. *Hearings: Regional Planning Issues*, Part 4.

(May 19, 1971). p 606.

<sup>87</sup>ABAG, *Framework for Establishing a Regional Role in Housing* (adopted by Executive Committee, March 16, 1972). p. ii.

<sup>88</sup>James H. Price, Director, San Francisco Area Office, HUD, "Perspectives on a Regional Housing Plan: Federal Programs, Policies and Problems" (July, 1972), pp. 10-11.

<sup>89</sup>Even this self-examination was supported by a \$16,000 Federal grant under Section 701g of the Housing Act of 1965.

<sup>90</sup>Mogulof, *Governing Metropolitan Areas . . .*, p. 15. His criticism will be considered in this essay as specifically referring to ABAG unless he explicitly excludes it from his observation. His study is based upon an intensive examination of ABAG and the COG's in the Sacramento area and the Puget Sound Area, along with less extensive observations in the Minneapolis-St. Paul, Chicago, Jacksonville-Duval, and Dallas-Fort Worth areas (pp. 6-7, 24-26).

<sup>91</sup>Mogulof, *Governing Metropolitan Areas . . .*, pp. 28-32. This possibility is increased, of course, if there is any suggestion that agency policies are not supported by the President or other important members of the Administration.

<sup>92</sup>U.S. Congress. Joint Economic Committee. Subcommittee on Urban Affairs. *Regional Planning Issues*. Part IV (May 20, 1971), p. 623.

<sup>93</sup>The statutory definition of comprehensive regional planning in the Demonstration Cities and Metropolitan Development Act of 1966 seems to give full scope to the Federal government to require that regional plans (policies) be finer grained than for example, ABAG *Regional Plan: 1970-1990*. In addition to "general physical plans," the statutory definition includes:

- B) programing of capital improvements based on a determination of relative urgency [emphasis added];
- C) long-range fiscal plans for implementing such plans and programs; and
- D) proposed regulation and administrative measures which aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned and intergovernmental coordination of related planning activities among State and local governmental agencies concerned.

<sup>94</sup>Mogulof, *Governing Metropolitan Areas . . .*, p. 67.

<sup>95</sup>Mogulof, *Governing Metropolitan Areas . . .*, pp. 112-121. See my testimony in 1967 before the Senate Subcommittee on Intergovernmental Relations: "A good case can be made for . . . some form of block grants either to replace or to supplement program grants . . . provided that the recipient governments are capable of planning, of responsible decision making, and of effective administration.

"Block grants are not more desirable than categorical grants just because they are nonconditional grants. In fact, it is even more desirable that such grants be made conditional upon the existence of an adequate planning process, a political decision making process, a budgetary process, and a process of personnel management." U.S. Senate Committee on Government Operations. Subcommittee on Intergovernmental Relations. *Hearings: Intergovernmental Personnel Act of 1967 and Intergovernmental Manpower Act of 1967*, April 27, 1967, p. 146.

It is even more important that such performance standards should be established as conditions of Federal revenue sharing. See my testimony before U.S. Congress. Joint Economic Committee. Subcommittee on Urban Affairs. *Hearings: Regional Planning Issues Part I* (October 13, 1970), p. 44.

<sup>96</sup>U.S. Congress. Joint Economic Committee. Subcommittee on Urban Affairs. *Regional Planning Issues Part IV* (May 20, 1971), pp. 601-605.

<sup>97</sup>U.S. Congress. Joint Economic Committee. Subcommittee on Urban Affairs. *Regional Planning Issues*, pp. 604-605.

<sup>98</sup>U.S. Congress. Joint Economic Committee. Subcommittee on Urban Affairs. *Regional Planning Issues*, pp. 606-611. Further details of his proposals will be found in his prepared statement for the subcommittee. I was associated with Supervisor Bort as a consultant to ABAG's Regional Home Rule Committee and therefore the above recommendations can be viewed as ones which I would make.

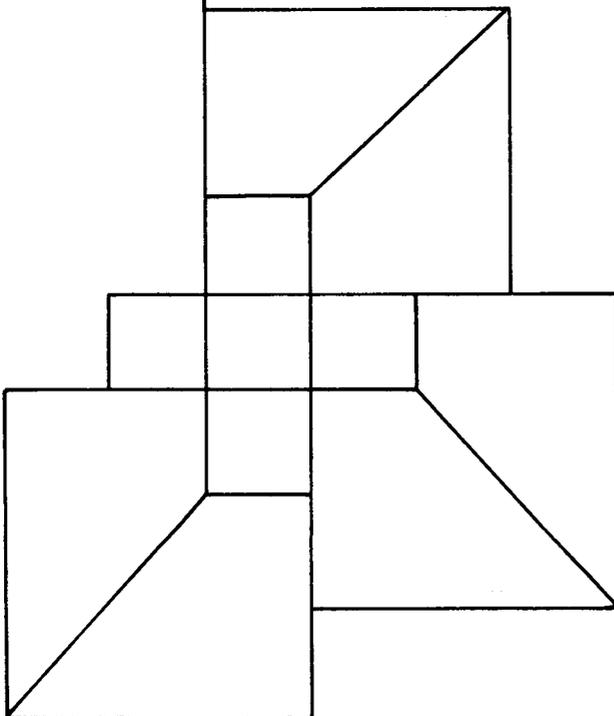
<sup>99</sup>U.S. Congress. Joint Economic Committee. Subcommittee on Urban Affairs. *Regional Planning Issues*, p. 624.

<sup>100</sup>Actually, the State board has contracted with ABAG to perform certain planning functions in the preparation of basin plans. However, the effect of the arrangement is that ABAG participates at the staff level in water quality planning for the basin.

<sup>101</sup>Prepared by Barton-Aschman Associates, Inc.

*Chapter IV*

**GOVERNANCE  
IN THE TWIN CITIES  
AREA OF MINNESOTA**



*Ted Kolderie  
Executive Director  
Citizens League  
Minneapolis*

In 1970, the 3,000-square-mile Twin Cities region included 1,865,000 people in seven counties—Hennepin, Ramsey, Anoka, Dakota, Washington, Scott, and Carver. The corporate cities of Minneapolis and St. Paul are joined in a residential area near the University of Minnesota campus, and both are surrounded by a quilt-like pattern of suburbs. On the Minneapolis side, which has experienced two-thirds of the growth since 1945, the third tier of suburban municipalities is complete and a fourth is beginning to form. Within the region, there are approximately 300 units of local government, including seven counties, 60 townships, 136 municipalities.

Until about 1945, when the two central cities accounted for almost 90 percent of the area population, the story of the Twin Cities was a story of the difference between Minneapolis and St. Paul. Postwar suburbanization has produced geographical polarization. As average homes were located in north Minneapolis and the east side of St. Paul, higher valued homes were built to the west and south. The northern suburbs came to have low valuations, high tax burdens, and relatively poor services; while those to the south had high valuations and relatively low tax burdens despite somewhat better services. The central cities are in the middle; their own relatively high valuations resemble the southern suburbs, and their high-cost populations produce fiscal problems which resemble those in the northern suburbs.

Prior to the mid-1950's suburban expansion was almost entirely residential. However in 1956, the first enclosed shopping center opened in Edina to the southwest. Subsequently, the headquarters of several major national corporations relocated into first-tier suburbs. The circumferential freeways, finished ahead of the radials into the cores, further stimulated the decentralization of warehousing, manufacturing, and office employment. As a result, by the mid-1960's, large, wealthy suburbs were created, psychologically and financially independent of the central cities.

This suburbanization was almost totally unaffected by the racial issue. In 1970 non-whites represented only about 2.8 percent of the population of the seven-county area. Some dispersal has occurred from the old concentrations of blacks and Indians, but it has been confined largely to central-city neighborhoods. Black migration to the suburbs has consisted almost exclusively of relatively higher-income and professional families who have created no new racial enclaves.

## PURPOSE AND EVOLUTION

### Basic Institutional Factors

A number of special factors help explain both the emergence of a strong regional governance arrangement and the particular form it took.

The State of Minnesota is involved with the Twin Cities area to an exceptional degree. The metropolitan area represents one-half of the State's population and more than one-half of its wealth. The Capitol is located in St. Paul, as is the University of Minnesota (itself a combined State and land grant institution). The major newspapers, the headquarters of most statewide trade and professional organizations, and the State Fair are in the Twin Cities area.

With two central cities, metropolitan unification presented itself first not as a demand for city/suburban cooperation but for cooperation between Minneapolis and St. Paul. Suburbanites were, therefore, ambivalent. A Minneapolis citizen might feel suburbanite in relation to Minneapolis, yet a Minneapolitan *vis-a-vis* St. Paul.

The governmental system tended to be dominated by legislative bodies, and the State government was dominated in many respects by the strong State legislature, which maintained close control over local government. A municipal home rule amendment was not passed until 1958, and no concept of county home rule ever effectively emerged. However, the legislature was an essentially passive institution with regard to initiating local policy and waited for issues and proposals to be brought to it.

The Twin Cities area has a strong tradition of citizen involvement in government. In recent decades, both the political parties and the government have had youthful leadership. With little patronage, political and governmental activity has tended to focus on the identification and resolution of problems. This issue orientation is reinforced by the close division between the two major parties, and by the competing newspapers and major television stations which are locally owned and competently staffed.

### Emergence of Regional Problems

Because of the recessive policies followed by the two central cities through the 1940's and 1950's, regional issues were created. St. Paul used its water and sewer systems to restrict the rate of suburban expansion; Minneapolis was fiscally conservative. Neither city moved aggressively to provide services to the new suburban community. By the time regional issues emerged, in the mid-1960's, an almost even balance existed between the total central cities area and the suburban area, in population and in property valuation. Neither could clearly dominate the other.

An awareness of the growth of the area, and of increased complications in its governmental pattern, led the executive secretary of the League of Minnesota Municipalities, C.C. Ludwig, to propose creation of the Metropolitan Planning Commission (MPC). The bill was killed by Minneapolis legislators in the 1955 legislative session, but it was enacted in 1957 with the help of Senator Elmer L. Anderson. After 1957, MPC began

adding regional dimension to the continuing urban problems discussion with its reports and discussion programs.

In the 1955 session a legislative interim study on municipal laws also was commissioned. It was directed by a lawyer, Joseph Robbie, who quietly rewrote the entire statute on municipal incorporation and annexation. The statute passed the legislature in 1959 without receiving a great deal of attention, and transferred the responsibility for the creation of new village government from the legislature to a State commission.

A major crisis surfaced in 1959, with the discovery that nearly one-half of the individual home wells in the suburban residential subdivisions were contaminated by nitrates recirculating from backyard septic tanks. An intense effort to get central sewer and water to about 300,000 persons in the suburbs began immediately. Municipal water was finally provided by the drilling of wells into the deep strata, but sewers were another problem. Several sharp divisions of interest appeared almost immediately. One was between the central cities and their nearby suburbs, regarding the rates to be charged for service through their interceptors and for treatment at their jointly owned plant downstream on the Mississippi. The second was between those unsewered suburban communities fortunately located on a major river and thus able to solve their own problems and those not-so-fortunate communities located inland, who were faced with building their own way to the river.

The inter-community implications were apparent. A proposal for a metropolitan sanitary district was defeated in the 1961 and 1963 legislative sessions. However, the second time the concept of sub-regional groupings of municipalities joining together to build interceptors to jointly owned treatment plants was beginning to emerge.

In 1964 the area's major electric power utility announced its intention to build a 500,000-kilowatt plant and an 800-foot smokestack near Stillwater on the St. Croix River. Two important conclusions emerged from the intense and frustrating struggle with this major development. First, municipal tax base considerations could defeat any effort to plan land uses in an orderly manner. Second, the Metropolitan Planning Commission, composed basically of representatives from various governmental units, could not effectively grapple with an issue where serious interests conflicted.

Efforts were being made to cope with these issues. The Metropolitan Planning Commission reports made an important contribution. The newspapers were becoming more aware of these developments. The League of Minnesota Municipalities' committees, at both the State and county levels, were engaged in intense discussions. Private organizations, such as the Citizens League and the League of Women Voters, were growing toward their own understanding of the problems. So was the legislature, which in 1963 took an important step with the

creation of a Metropolitan Affairs Committee in the lower house.

## The Governance Proposal and Its Purposes

The 1965 legislative session took little action with regard to the sewerage problem. Toward its close, the discussion of regional issues and organizations began to emerge.

This was the third legislative session to struggle unsuccessfully with the metropolitan sewerage problem. Although no action was taken, the idea of a sub-regional solution continued to gather strength. Since it was clear that sewerage service could be provided, it was increasingly a debate between those who preferred to see it provided through the emerging sub-regional districts, and those who preferred to work for the creation of a fully metropolitan sanitary district. The latter did not attempt to argue on engineering grounds that an areawide or single downstream plant system was in all respects preferable. Instead they argued that the decision on the location of treatment plants, whether there was to be one plant or several, ought to be made consciously by a regional body reviewing all the engineering and fiscal considerations. More and more, the critical need appeared to be the creation of a regional policy body capable of reaching a consensus on what kind of legislation the region wanted from the State.

The failure of proposals to begin the planning of a metropolitan transit system, in the same session, added further to the community's disappointment.

In the fall of 1965 and into 1966 the question of a regional policy body was discussed by many community organizations. Some of these were the League of Minnesota Municipalities, Metropolitan Section; Hennepin and Ramsey County leagues; the issues task forces of the two political parties; the Minneapolis, St. Paul, and suburban chambers of commerce through an Urban Study and Action Committee; and the League of Women Voters. In June 1966 the Citizens League formed a Metropolitan Affairs Committee to begin developing a specific proposal. The issue also entered the gubernatorial and legislative campaigns in the fall, with the candidates broadly concurring on the need for major action in the 1967 session. Key legislators, feeling the changing climate, visited Washington for communication with Federal officials and the staff of the Advisory Commission on Intergovernmental Relations.

By late fall the broad outlines of the consensus were fairly clear. With a few exceptions it was agreed that planning for major sewerage works, major open space, transit, metropolitan airports, and the zoo were appropriate topics for the new areawide body. This judgment was in no sense scientific, and came not as a result of the application of rigorous criteria to the problem of areawide functions, but from a kind of impressionistic judgment on the part of knowledgeable citizens and

local officials. Perhaps the distinguishing feature of this decision was the fact that the functions which they identified had never been handled (and were not then sought) by municipalities individually.

Rough agreement on the nature of a policy body was also achieved when Mayor Milton Honsey of New Hope and Mayor Kenneth Wolfe of St. Louis Park helped persuade the Hennepin County League of Municipalities to endorse the idea that members of the proposed Metropolitan Council ought to be elected directly by the people on a "one man, one vote" basis.

## The 1967 Legislative Battle

The arrival of metropolitan issues in the 1960's coincided with a transfer of power within the Minnesota legislature. The legislature had been non-partisan for many years. Prior to 1960, it had not been reapportioned for 43 years. The 1963 session brought new members, suburban representation, individuals more closely allied with the party organizations, and a challenge to the traditional outstate domination. Through 1971, the legislature met in session for 120 days, confined within the first five months of each biennium for which it was elected.<sup>1</sup>

The symbol of the traditional legislature was State Senator Gordon Rosenmeier of Little Falls, who dominated the entire institution with parliamentary skill and control of key committees. In resisting the home rule amendment in 1957, he understood the need for legislative authority in the reconstruction of local government. However, he tended to focus the opposition of both local officials and the younger, party-oriented legislators on himself. This common interest in their contest with the established power in the legislature had a considerable effect in drawing together local officials and legislators of both parties from within the Twin Cities area.

The Legislators moved first with a bill proposing the creation of a 30-member, elected metropolitan council responsible for planning and operating the agreed-on regional functions. As this idea began to attract growing support, particularly from influential sectors of the business community, Rosenmeier encouraged several conservative members of the metropolitan legislative delegation to introduce the "state solution." This legislation called for a smaller council, whose members would be appointed at large by the governor, and responsible for planning and coordinating the operation of such regional State-created agencies as existed at the moment or might be created in the future. The state solution did not provide the council with the power to operate metropolitan functions. As a result of Rosenmeier's efforts, the question with respect to a regional council was no longer whether it should exist, but how it should be constituted.

Those opposed to any metropolitan council proposal

were intellectually confused and politically disorganized. Outstate legislators were vaguely concerned about the creation of what might become a "second legislature." Although some suburbanites, legislators, local officials, and weekly newspaper editors were opposed generally to bigger government, there was really very little ideological opposition. Counties were not enthusiastic, but in 1967 they played such a minor role in the discussion that they had no leverage. The opposition was ineffective because of the urgent need for a mechanism which could find a solution to the pressing problems of the Twin Cities area. In short, the opponents were obliged, in the prevailing climate of opinion, to come up with a better solution, and none did.

The two bills were deadlocked in committee for most of the session while pressures built up. A group of metropolitan mayors spoke out strongly in favor of the elected, operating council. Mayor Al Illes of Minnetonka told the Senate committee that "we look on metropolitan government as local government."

At the end of the session, it was the Rosenmeier concept that prevailed. The bill was amended on the floor by metropolitan representatives to provide for representation by districts. In a final climactic move, amendments were offered for direct election of members. This lost in the House 66 to 62, and four days later in the Senate 33 to 33. A move to break the tie failed, after Rosenmeier rose to argue with his outstate colleagues regarding the dangers of creating an elected body for the emerging dominant community in Minnesota.

The bill, which created a coordinating council, was signed by the Governor, along with a separate bill establishing a Metropolitan Transit Commission. For the fourth time, a bill proposing a metropolitan sanitary district failed to pass.

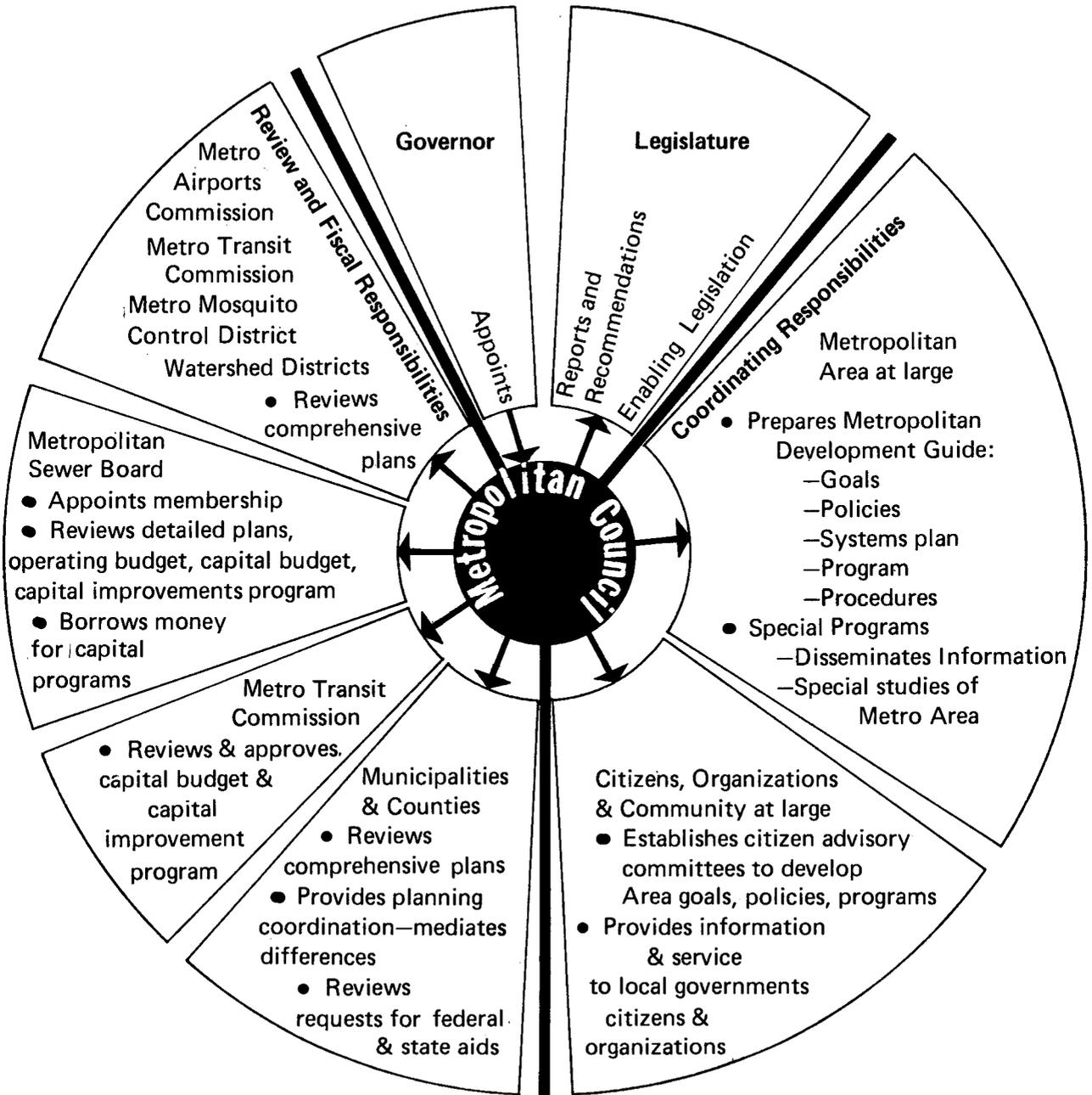
## NATURE OF THE METROPOLITAN COUNCIL

The arrangement evolving in Minnesota for the governance of the Twin Cities metropolitan area is so different from what is occurring elsewhere that some discussion of its central principles is required. Its structure was designed for the special situation existing in the Twin Cities area, and was little influenced by other urban models or political science prescriptions. As a consequence, it does not fit the standard typology of metropolitan government.

The fundamental fact about the regional arrangements in the Twin Cities area is that they are, in the main, *statutory*.<sup>2</sup> As a result, this is a case study in the response by the State legislature to problems in the governance of this major urban region. The Metropolitan Council itself is only one, albeit the principal, piece of a continuing legislative reorganization of the systems of

FIGURE IV.1

**Intergovernmental Relationships  
of the Metropolitan Council**



local government and finance in the Twin Cities area. The sweeping reorganization of the local fiscal system in 1971, the reorganization of county government, and the transfer of functions between municipal and county governments are all interrelated parts of this ongoing review. None of these is significantly the result of the work of the Metropolitan Council; they are the work and the responsibility of the legislature.

The keystone of the legislature's work is the general policy council created in the Metropolitan Council in 1967. Regional functions had existed in the Twin Cities area prior to that time, and there had been regional structures through which these programs were administered. There had also been regional planning for ten years prior to the Council's creation. The really innovative and significant development was the creation by the legislature of a truly representative and politically responsive general-purpose, policy-making body at the areawide level.

Yet the whole effort does not really represent the transfer of functions to State government if by that is meant the vesting of responsibility in the standing departments of the State government. The legislature did not assign the new operating responsibilities to State administrative departments or the State Office of Local and Urban Affairs. Rather, it assigned these responsibilities—both for policy and for program operations—to regional agencies of less than statewide jurisdiction. The Attorney General determined the Metropolitan Council to be neither an agency of State government nor an agency of local government, but a new unique agency lying somewhere between, possessing some of the powers and characteristics of each.

In this reorganization the legislature had not been consolidationist, with respect either to local government units or to existing areawide special districts. The legislature's determination in 1967 and in 1969 to establish a "coordinating" Metropolitan Council reflects a fairly conscious conclusion that existing agencies were doing their assigned tasks with considerable competence. The central purpose of the Metropolitan Council is to provide the general framework of regional policy for these other "implementing" agencies.

Further, by providing representation directly from the citizenry and by structuring the Council explicitly on an equal-population-district basis, the legislature was making a conscious effort to design into the Council a system of representation and voting genuinely able to resolve conflict and to produce a consensus with political validity.

In the Act creating the Metropolitan Council in 1967, therefore, a pre-existing statutory program of regional planning was essentially transformed into a statutory program of regional decision making when as the legislature abolished the Metropolitan Planning Commission, and replaced it with a politically responsible board

which took over both the law and the staff of its predecessor. What resulted was a new blending of planning and decision making which has produced not plans, but guidelines, proposals and policy directives to State, local, and regional agencies. A new kind of authority has appeared for implementation which rests largely on the unmatched credibility of the Metropolitan Council as the designated policy body, the only entity with responsibility both for the entire seven-county region and for the broad range of public functions.

Far from attempting to tidy up the regional structure by making implementation or program operations directly a function of the Council, the legislature has so far continued to establish the major regional programs in separate, though subordinate, agencies. Thus, it has maintained the concept of a coordinating council required to focus its energies on policy considerations, and forced to give direction to implementing agencies at all levels.

The Metropolitan Council's own best effort to depict responsibilities and relationships is shown in Figure IV.1 The Council districts established in 1967 and in use until 1973 (when a reapportionment is required) are shown in Figure IV.2.

## CHRONOLOGY OF LEGISLATIVE AND REGIONAL ACTION

### 1967 to 1969: The Start-Up

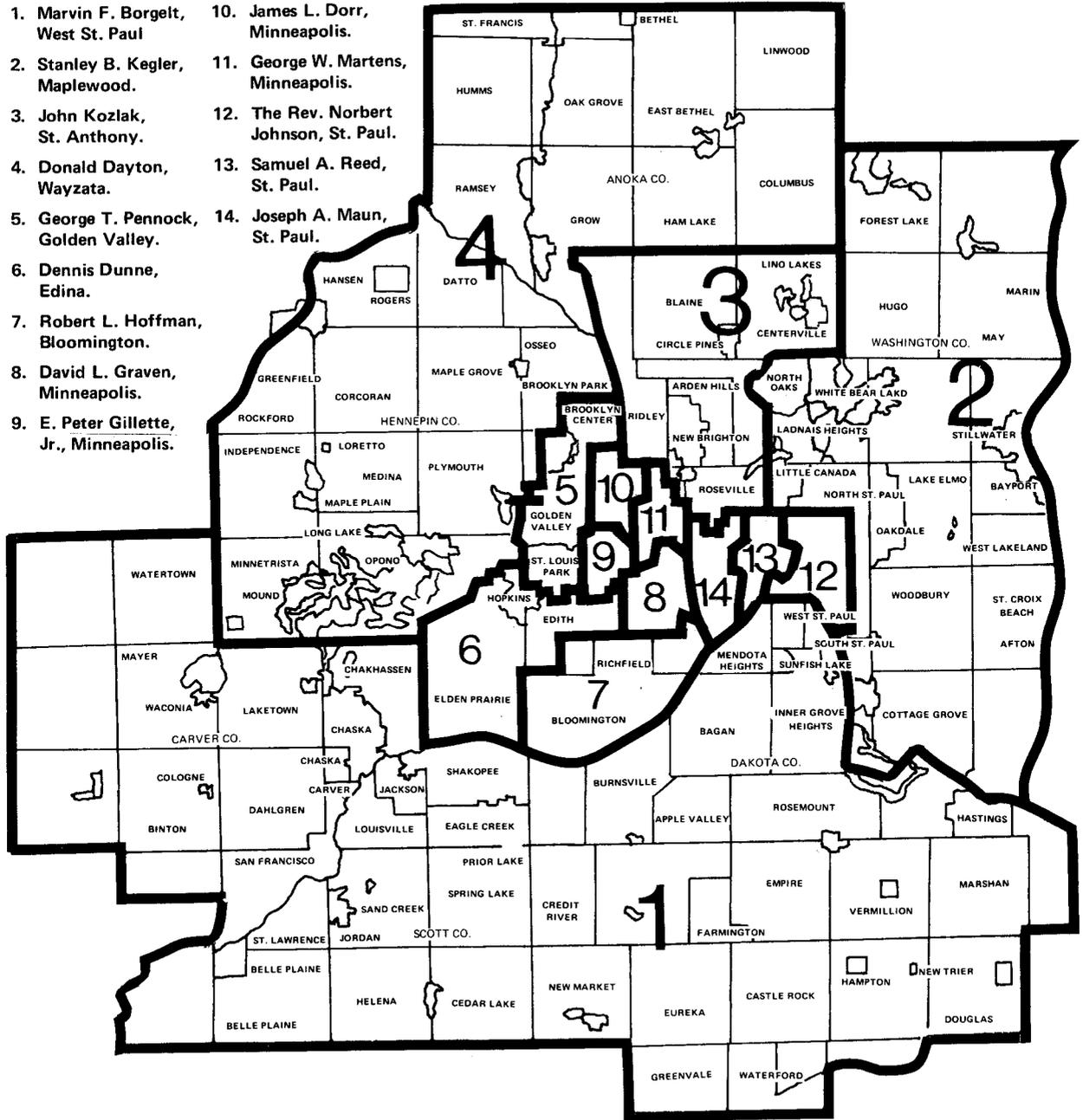
Governor LeVander moved quickly to implement the law. For council chairman, he chose James L. Hetland, Jr., a 43-year-old law professor at the University of Minnesota. It was arranged that Hetland would work half-time on Metropolitan Council affairs. In selecting the Council, the Governor followed to a reasonable degree the political character of the legislative districts from which the members were to be appointed. The notable exceptions were the two districts in central and eastern St. Paul, which were strong Democrat-Farmer-Labor (DFL) and labor areas. Here Governor LeVander appointed a black woman social worker and a Lutheran minister. The initial members included two former presidents of the Minneapolis City Council, the then-mayor of White Bear Lake and an attorney who was a former president of the League of Minnesota Municipalities. Beyond this, he drew rather heavily from the business community.

Hetland retained the acting director of the Metropolitan Planning Commission to be the Council's director of planning, and for the new post of executive director secured the services of Robert T. Jorvig. Jorvig was viewed as the area's leading urban professional, due to his service as Housing and Redevelopment Authority director both in St. Paul and in Minneapolis and, just previously, as city coordinator of Minneapolis.

FIGURE IV.2  
**METROPOLITAN COUNCIL DISTRICTS**

The councilmen and their districts are as follows:  
Chairman — Albert J. Hofstede, Minneapolis.

- |  |  |
|--|--|
| 1. Marvin F. Borgelt,<br>West St. Paul     | 10. James L. Dorr,<br>Minneapolis.         |
| 2. Stanley B. Kegler,<br>Maplewood.        | 11. George W. Martens,<br>Minneapolis.     |
| 3. John Kozlak,<br>St. Anthony.            | 12. The Rev. Norbert<br>Johnson, St. Paul. |
| 4. Donald Dayton,<br>Wayzata.              | 13. Samuel A. Reed,<br>St. Paul.           |
| 5. George T. Pennock,<br>Golden Valley.    | 14. Joseph A. Maun,<br>St. Paul.           |
| 6. Dennis Dunne,<br>Edina.                 |  |
| 7. Robert L. Hoffman,<br>Bloomington.      |  |
| 8. David L. Graven,<br>Minneapolis.        |  |
| 9. E. Peter Gillette,<br>Jr., Minneapolis. |  |



As a result of the Attorney General's ruling that the Council was neither a State nor local agency, the Council was permitted to have its own counsel, its own depositories, and its own personnel system separate from the State civil service. After a brief struggle, the Council was located in St. Paul.

## The First Legislative Proposal

The real test of the viability of the new Council was the issue of metropolitan sewerage. It was not clear, however, in the fall of 1967, that the issue could be delayed until the 1969 session. The sub-regional districts, particularly in the northern suburbs, were pressing hard on the State Water Pollution Control Commission to grant a permit for a major treatment plant upstream on the Mississippi at Fridley, arguing both that an outlet for that area's waste could not, in good conscience, be denied; and that the plant proposed would meet State standards. The Council opened with a major seminar (a practice it was to follow repeatedly late in 1967 and pushed its consultants hard through early 1968. The Water Pollution Control Commission indicated it would wait on the Fridley plant no longer than June, to see if an adequate metropolitan solution was forthcoming from the Council. The Council just made the deadline with its proposed plan. Its ideas were translated into bill form during the fall, and widely discussed with local officials and legislators. A plan for sewer service areas was developed late in the year, and a financing policy in December.

Basically, the sewer program was hammered out by Council members themselves. Other major projects were delegated to a set of advisory committees, composed of citizens and local officials, charged with the task of recommending legislation in the areas of parks, open space, refuse disposal, a zoo, and modification of the State law providing for municipal veto of highway routes. This decision to spread out across a broad front, with fairly detailed policy studies conducted by specialized committees under the Council, proved a rewarding one. The advisory committees reported in the fall of 1968 with their recommendations, which were rapidly drafted into bill form for presentation to the legislature.

Some uncertainty was evident with regard to pro-

galley 8-hs  
for a coordinating council, some key members of the Council staff were reluctant to propose the creation of one or more separate agencies. Also, some county representatives on the advisory committees were beginning to press, in the case of the solid waste and open space programs, for *no* regional operating bodies.

Coincident to the preparation of the legislature program were the activities occurring in other areawide functional areas. One was the announcement, in April, by the Metropolitan Airports Commission (MAC) that it

would propose a new metropolitan airport, to be located in a boggy area next to a game refuge in the northern township of Ham Lake. Another, at the end of 1968, was the disagreement over the re-formation of the transportation planning program, required by the Federal Highway Act of 1962, which had expired a year earlier. A third was the Council's publication of the first effort at an overall department guide, prepared by the former Metropolitan Planning Commission. Issued by the Council without endorsement, it was regarded generally as a disappointment as an effort to come to grips with overall metropolitan development.

A few new fields were also opening up during this period. In August 1968, the Council moved to end the confusion created by the 1967 Federal Partnership for Health Act by undertaking the job of setting up the comprehensive health planning agency for the Twin Cities area. And in the spring of 1969, already looking toward the 1971 legislative session, it made its first move into housing with the appointment of a 26-member housing advisory committee.

## The 1969 Legislative Session

The 1969 legislative session was a triumph for the Council. Rosenmeier and others made one fundamental change in early hearings on the Council sewage bill to preserve the concept of a coordinating council, making it clear that the Metropolitan Sewer Board would be separately established by the legislature, and would hold title to the major sewerage works, with the Council's control coming through its authority to appoint board members, to set its plans, and to provide its finances. With this done, however, the bill moved through both houses with no setbacks, the Council's proposal providing, as hoped, the consensus which made legislative action possible. Toward the end, the central cities became visibly concerned about the role provided for them as "bankers" for the financing of sewers into the urban fringe. But with significant help from the Governor's office, the bill passed with substantial majorities.

An act providing for the first public program in solid waste disposal was adopted, which directed the Council to prepare a plan and assigned implementation to the county governments. A board was established to begin planning for a zoo though the legislature's decision was to develop it as a State, rather than a metropolitan program. Early involvement was substituted for municipal veto of State highway locations. The bill establishing a program of major parks and open space in the metropolitan area was also approved. However, this was done on what had traditionally been regarded as the last day of the session, when passage of bills was forbidden, as a part of the legislature's effort to test the limits on the length of its session. Late in the session the Council prepared and passed a bill assigning the Council the

responsibility for land use and zoning in a three-to-five-mile belt around any major new airport.

## Implementation of the 1969 Legislation

The actions of the 1969 Legislature established a lengthy agenda for the Council in implementing the new legislation. Top priority was reserved for the new Sewer Board. The Metropolitan Council appointed the Sewer Board in July, chaired by Honsey, former mayor of New Hope. A chief administrator was appointed by late summer, and instructions for the take-over of municipal and sub-regional facilities were issued in the fall. The Council's development guide on sewers was completed in November and hearings held in January 1970. Once the Metropolitan Council plan was adopted, the Sewer Board began acquisition of local treatment plants and the interceptors which were to become part of the metropolitan system. All facilities were in metropolitan ownership by January 1971. Guidelines were then issued to municipalities for the preparation of their comprehensive sewer plans. In April 1971, the Council sold its first bond issue for the expansion of new regional plants and the modernization of the old metropolitan plant downstream on the Mississippi.

**Solid Waste.** A plan for solid waste disposal was adopted in March 1970. Guidelines and procedures for the development of county landfill programs were approved in July. In December 1970, plans from four counties were approved, with the remaining three returned for modification.

**Parks.** The new Metropolitan Park Reserve District Board was appointed in August 1969, and the development guide for parks and open space was approved in June 1970. However, in July the Supreme Court ruled against the legislature on its test of the legislative day, thereby invalidating the statutory existence of the board. Recognizing that the open space law was a test, the legislature had provided separately for the financing for the open space program by appropriating for the metropolitan area a share of the State cigarette tax. The flow of money went directly to the Metropolitan Council and the former board became an advisory body to the Council. A budget for \$2 million of State money, matched fifty-fifty with other funds, was approved in August 1971, and guidelines for the acquisition of land were approved in January 1971.

With the decision to establish the zoo as a State facility, the Council's role was limited to approval of the site. A location in the southern suburb of Apple Valley was conditionally approved in June 1970, and a concept plan for development in February 1971.

**Health.** The advisory committee designing a comprehensive health planning arrangement recommended in April 1970 that the Council itself become the 314(b) agency. A Metropolitan Health Board was consequently

established by the Council in June. Members were appointed in July, and in September the Health Board absorbed the pre-existing Metropolitan Hospital Planning Agency, a voluntary planning arrangement among major hospitals for the review of capital expansion programs. The Health Board was drawn early into a major decision in Hennepin County because of a new hospital proposed for development two blocks away from a major private hospital complex, which was itself in the process of reconstruction. The Health Board decided not simply to review the two plans separately when submitted, but to move in the early stages of planning with guidelines covering the relationship desired between the two institutions. A special study committee appointed early in 1971 concluded that the two institutions should be co-located and physically contiguous. These guidelines were affirmed by the Health Board, and a \$70-million joint development, with substantial sharing of facilities between the public and private institutions, proceeded into final planning and development.

## Emergence of Major Controversies

During this period the Council also began addressing itself to unresolved issues from 1968-69.

The Metropolitan Airports Commission had chosen not to appeal to the 1969 legislature the Council's suspension of its Ham Lake site proposal. The question of a new major airport therefore went into a period of joint study by the staffs of the two agencies in the summer of 1969. No basic agreement was reached, however, and in November 1970 the Metropolitan Airports Commission resubmitted the Ham Lake proposal. It was again suspended by the Council. The Council then applied to the Federal government for a grant to begin the preparation of a metropolitan airport plan.

**Transportation Planning.** By early 1969 a decision had been reached on the reconstruction of the transportation planning program. Its essence was a contract between the Council and the Minnesota Highway Department under which the highway commissioner would delegate to the Council his responsibilities under the 1962 Federal act for the development of a continuous, comprehensive, and coordinated transportation program. The original proposal for a management committee composed of the highway commissioner, the Metropolitan Council chairman, and the Transit Commission chairman was broadened, at the insistence of local government, to include one member each from the counties and municipalities. The city engineer of St. Paul was hired to direct the program, and a new travel behavior inventory was begun. The first corridor study in this joint framework was initiated in September 1970. The Council's transportation section of the development guide was brought to hearings in January 1971 and

approved the next month. Through this period, too, the Council was involved in specific disputes over the design of various highway interchanges, generally resisting the over-provision of access desired by local units and developers.

First steps were also taken to begin development of the public transit system. The Council had been required by 1969 legislation to approve the Metropolitan Transit Commission's acquisition of the area's private bus company. Studies began in 1969 and acquisition of the major operator was approved in August 1970. Studies were also initiated toward the development of a new transit system.

**Sewers.** Difficulties began to occur with the sewer program as the Sewer Board moved aggressively to get major interceptors out to fringe area communities. The need of these smaller communities for sewage outlets was difficult to deny, but the Council was concerned about opening up large areas to development as the interceptors reached across open country toward the problem areas. A serious struggle with the Sewer Board occurred in the preparation of the 1971 construction program. It was finally approved by the Council with certain exceptions and conditions, including the requirement that the Sewer Board prepare a five-year advance program, and a reaffirmation by the Council that *it* was to retain the paramount role in the planning of the system.

**Housing.** The housing section of the development guide was completed in late 1970 and moved to public hearing in February 1971. The hearing was distinguished by the lobbying of the Greater Metropolitan Federation, organized in 1970 as an extension of the social action programs of churches in suburban Hennepin County. The federation brought several busloads of its members to the hearing to insist on the retention, in the guide, of the so-called "policy 13" under which the Council would assign a lower priority, in the review of all grant applications, to municipalities felt not to be meeting their obligations in the provision of low- and moderate-income housing.

**Open Space and Parks.** The Council was also encountering difficulty in securing agreement on a bill for the reconstitution of the Park Reserve District. The board itself, which had been retained as an advisory body, proposed that it be given legal status, with broadened membership and incorporating the Hennepin County Park Reserve District. However, the idea of an operating metropolitan district was resisted by the revived Metropolitan Inter-County Council, which had set as its goal a major park program to be operated through the county government, and by the Hennepin County Park Reserve District, which had acquired and paid for a substantial park reserve program in the preceding decade.

All these controversies, combined with a somewhat relaxed attitude on the part of Council members following the 1969 success, were producing visible strains in the relationship with local government as the 1971 legislative session approached. This stress was reinforced by the decision, particularly in the creation of the open space board, not to name local officials to the subordinate boards. The Council attempted during this period to improve its contacts with local government by reorganizing and strengthening its community services staff, under the direction of a former suburban mayor. The Council also proposed a work program for 1971 focused on the relationship between regional programs and local actions in the implementation of a total metropolitan development program. An areawide conference on the topic of planned unit development was held in February 1971. But, far from reassuring local officials, this tended in some ways to agitate municipal government about the preservation of what local officials regard as their central function: the control of land use and zoning.

## The 1971 Legislative Session

With the preceding 18 months so largely absorbed by implementation of the 1969 program, the Council had less time to prepare for the 1971 legislature. It did not, as before, appoint advisory committees. The Council marked out fiscal problems as its own top priority as sewerage had been in 1969. Since members never really mastered the complexities of the issue, it proceeded essentially as staff work. As a result, more effort was expended on negotiations for repassage of the park program and for a new metropolitan housing program.

In the fall of 1970, metropolitan issues were overshadowed by a major dispute in the gubernatorial campaign over State assumption of responsibility for the financing of public education. Some of the strongest legislative supporters of the Council's programs did not stand for re-election. Also, in November, Rosenmeier was defeated and a DFL governor was elected. The Council thus began the 1971 session with a drastically altered legislative setting, and with the prospect of a turnover of five board members plus its chairman, whose terms expired in January.

Newspapermen covering the 1971 session reported that a subtle but real change in the climate of opinion meant the Council's legislative program was in trouble.

Heavy opposition developed to the open space bill. The Inter-County Council vigorously resisted the re-creation of an areawide operating district. Its concerns were shared by landowners in the northern suburbs, who were opposed to the acquisition of the Lino Lakes area as a major metropolitan park area as proposed by the Council's guide. Despite this, after intense hearings and close votes, the bill moved ahead through subcommittee and full committee in both houses. The legislators

recognized that rapidly disappearing land along streams and lakes was not likely to be preserved without the financial resources and condemnation power of an agency operating in the interests of the entire area. However, in the House the bill was successfully delayed in the Government Operations Committee by its opponents until the session expired.

Financing was provided for the Metropolitan Transit Commission, with the Council able to get a separate law requiring the Metropolitan Transit Commission, in developing its program, to follow the transportation section of the Council's guide. Watershed districts were made subject to the Council's planning controls. Also, county plans were made subject to the same review as municipal plans. Council efforts were indispensable in adoption of the plan for pooling and sharing a portion of the growth of the area's commercial-industrial tax base.

The Council's bill for a metropolitan housing assistance agency failed. Also, the legislative session did not pass a bill making the Metropolitan Airports Commission a subordinate board under the Council. Both houses failed to move on the basic question of electing the Council.

## The Transfer of Leadership

The new governor, Wendell Anderson, a former state senator, did replace the five members whose terms expired. The new appointees, who took their seats in March, reflected his political thinking. All were DFL people. The black representation from the central district in St. Paul was continued.

In a statement in late April, Governor Anderson gave strong support to the Council's legislative program, including support to make the Council elective in 1974. A special session of the legislature dragged on until November. But in June, the House leadership declined to consider metropolitan issues further, and the Council therefore turned its attention to repairing the weakness made evident during the previous two years.

A long-simmering controversy between Executive Director Jorvig and his director of planning over staff organization and the relative emphasis to be given to comprehensive versus functional planning, came to a head in June: The staff was reorganized in such a way as to strengthen its capability to deal with the functional agencies. As a result, the planning director resigned.

Gradually, in a series of individual changes, more and more people with relatively stronger backgrounds in politics and government began moving into key positions. The Council strengthened its position on the Sewer Board by filling one vacancy with one of its own former members, and a second with a 20-year veteran of the Minneapolis City Council who has been, in recent years, the director of the city's capital budgeting agency. Steps were taken to rebuild relationships with local

government. The community services department went through yet another reshuffling and was expanded. Chairman Hofstede also established a special committee to review the key issues in the Metropolitan Council program and structure. In the summer, offices were moved into downtown St. Paul, and the Council began a regular program of meeting occasionally in suburban village halls. The Council's willingness to talk about the relationship with local government was matched by a growing willingness by local officials to state their complaints frankly. Chairman Hofstede proved to be an understanding but forceful bargainer in these private sessions. In June 1972, in an effort to get this issue fully discussed prior to the fall legislative campaign, the Council opened a set of four weekly hearings to which it invited both local officials and citizen groups for a discussion of basic questions about the Council such as role, structure, and election. The feeling was that these issues would again complicate the legislative program in 1973 if they were not resolved.

In early 1972, the Council also tried to clear the air with legislators by inviting the chairmen of the Senate and House metropolitan affairs committees to express their feelings, and appearing itself before the joint meeting of the two legislative committees for a progress report on the status of its program. The chairman of the development guide committee frankly expressed to the legislators his disappointment with the guide as it stood. The Council members and MTC chairman also met with members of the Minnesota congressional delegation in an effort to keep them informed.

## The Drive for Decisions

Establishing the relationship of the Metropolitan Council to functional agencies was the major thrust of its work at the end of 1971. Sensitive and complex issues remained in the areas of airport planning, open space, the dispersal of low- and moderate-income housing, transportation, and the Council's promised "total development framework."

**Sewage.** The sewer program seemed full of troubles. The Sewer Board was constructing too many interceptors too fast, thereby opening many areas to premature development. The difficult question of "metropolitan benefit" had to be settled: Which areas were so significant that the costs of effluent removal should be spread across the entire region? And there were growing doubts about the wisdom of the "reserve capacity" policy, which authorized the financing of oversized construction to handle future need. By the end of the summer, the Council had resolved matters. A trimmed-down five-year capital program asserting the Council's primary role in sewerage planning was adopted; the metropolitan benefit issue was handled in the course of a shift to a new system of charges for the financing of

reserve capacity, according to which all municipalities would pay debt service in proportion to the amount of new construction each year. Eight developing municipalities, led by Mayor Cohen, challenged the new system in court.

**Transportation.** It was the transportation program, however, that was presenting the largest and most urgent issues. Even the settled routes in the Highway Department's program were coming into growing controversy. A proposal for a new freeway through the east side of St. Paul had been voted down by the city's council. An extension of the interstate system directly west from downtown Minneapolis, through a heavily traveled corridor, was encountering mounting citizen protest against both the design and the idea of any route. Within Minneapolis and St. Paul vigorous opposition rekindled against the completion of interstate segments for which some land had already been acquired and cleared. Encouraged by these highway difficulties, the Metropolitan Transit Commission was moving aggressively toward its proposal for a new transit system which it would present to the 1973 legislature. Real concern existed in the Council that it would find itself forced to react to an undesirable specific plan proposed by an aggressive regional body, but for which it would have no alternative.

This concern about transportation guidelines promoted the judgment that these issues could not be resolved in inter-agency staff discussion, but only by the increased involvement of policy officials. Conviction grew that what was required were not "plans," but policy decisions.

In December, Chairman Hofstede realigned the Council's committees and made Graven, chairman of the Development Guide Committee, responsible for policy proposals for the major regional systems. The guide committee's meetings were doubled, and focused on the transportation issue almost exclusively. The staff and its consultants were put under great pressure to shape issues for decisions.

The first consequence was to force a reappraisal of the drift of discussion about transit, which had been emerging as a debate between rapid rail and personalized rapid transit. Convinced that the option of reserved-right-of-way bus must at least be discussed, the Council early in 1972 directed the MTC to add busways to the four new systems it had under study. By summer the Council had reached its own conclusion that busways represented the most prudent solution in the near future.

By late 1972 the need to resolve the transportation issue had become critical. Convinced the MTC was too committed to an essentially rail system to give the busway a fair examination, the Council conducted a study of its own. By fall a strong preference for a reserved-right-of-way bus was emerging. In November

the MTC voted 7-2 for a transit system with a 37-mile "backbone" of automated 40-passenger cars, fed by buses. In December, increasingly attracted by the dual-mode potential of the bus, the Council's Development Guide Committee voted unanimously for the busway. This was confirmed by the full Council the following week. Some MTC members, supported by the City of Minneapolis, indicated they would pursue their argument in the 1973 legislature.

In January, on the basis of discussions with the Metropolitan Airports Commission, the Council concluded that any new airport, wherever located and whenever built, would be a replacement for, rather than an addition to, the region's major air carrier field. In July, it proposed a system plan itself. For the new site, it went north, instructing the Metropolitan Airports Commission to look within a 60-square-mile "search area" in west central Anoka County. It also recommended a long-deferred start on eight additional satellite fields.

**Open Space.** Early in 1972 the advisory Park Reserve Board, whose members were strongly identified with the effort to get a statutory regional park agency, resigned *en masse*, giving the Council an opportunity for a fresh start on the open space question. The Council appointed a new Open Space Advisory Committee, with a larger membership which included representatives of county government, and named as chairman a lawyer who had been executive secretary to Governor LeVander from 1967 to 1971. The task force reported in October, after deciding to compromise with the counties on a State-financed, regionally-planned, and county-operated parks program. No regional board was recommended.

In the spring, the Council reached a decision on its stated policy of distributing Federally subsidized housing more widely around the region, particularly into the first-tier suburbs. After some hesitation it vetoed an application for open-space funds from a first-tier suburb found not to have made an effort on low- and moderate-income housing. The new policy, combined with the work of the Housing Advisory Committee and the help of Mayor Philip Cohen of Brooklyn Center, produced a broad if not overly enthusiastic support for the allocation plan and the creation of a regional housing authority. By the time of the public hearing in December, it was evident that municipalities might prefer to contract with the Council instead of creating their own authority.

**Council Structure.** Pressed by these controversies with the special districts, Council members also reached a decision at the end of the year on their preference for metropolitan structure. They voted to seek authority to name the members and chairmen of the subordinate boards, and for the first time publicly favored a directly elected Metropolitan Council.

By the eve of the 1973 legislative session, the Council had established itself as the center of attention in

governmental affairs in the Twin Cities area. There was a feeling of a political decision-making process underway by the Metropolitan Council. Affected agencies' representatives were careful to be present, listening, as the Development Guide Committee and the Council debated its alternatives. The debates became front-page news and received prime time on television. The basic question of the future of the Council and its legislative program became the most salient issue in the fall legislative campaign in the metropolitan area.

The November election provided no clear view of the Council's prospects. Some supporters and some opponents would not be returning; turnover was unusually heavy. Probably the most important fact was that for the first time in history the DFL took control of both House and Senate, providing dependable majorities for Governor Anderson, who, with the five additional appointments due in January, would become primarily responsible for the success of the Metropolitan Council and its programs.

## THE STRUCTURE OF REGIONAL GOVERNANCE

The regional level of government has not evolved in the Twin cities area in the form of a multiple-purpose service district or as a kind of council/manager form writ large. Nor does it resemble the executive/legislative arrangement traditional in state government. It has been described as an "umbrella," with a number of special-purpose agencies drawn under the overall policy responsibility of a politically representative council.

Its distinguishing feature is the separation between the regional policy council and the operating agencies, whether other regional bodies, local units, or private organizations. Clearly evident from the Twin Cities experience is a willingness by the public and political officials to move much more rapidly toward regional arrangements in the area of policy making than in the area of program operations. There is a real reluctance to build a new administrative apparatus at the regional level. As a result, it is possible to see the overall structure in the form of contracts between the Metropolitan Council and the various private and public agencies managing development and providing services as determined by the policy body.

### The Policy Institutions

The decision-making structure of the Metropolitan Council consists of the council and staff, and a set of policy boards and advisory committees through which the Council extends itself into program areas for which it is responsible.

The council itself consists of 14 members appointed

by the Governor for overlapping six-year terms from districts created by combining the reapportioned state senate districts by twos, with each member representing about 100,000 people. A chairman serves at large at the pleasure of the Governor. Members are divided between two major committees: the Development Guide Committee, which receives plan proposals from the staff and advisory boards and committees and translates them into Council policy guidelines; and the Referral Committee, which reviews all applications from local units and private parties for Federal assistance. A few members overlap onto a Personnel and Work Program Committee, which also deals with questions of staff and Council structure. The chairman is designated the principal executive officer. With Council approval, he appoints an executive director, who supervises the 125-man staff.

The policy boards or committees are both permanent and temporary. Their membership typically mixes citizens and representatives of the interests under study. Some of them are further subdivided into task forces which reach for their membership still further out into the community. As of 1972, three committees could be considered permanent:

- (1) A 19-member Metropolitan Health Board, which prepares the initial plan and reviews projects in the health care system, with sub-groups for mental health, hospital construction, long-term care, emergency care, and community health, and with *ad hoc* study committees on specific project applications as required.
- (2) A 35-member Criminal Justice Advisory Committee, with representation balanced as required by Federal guidelines among professionals, local officials, and citizens.
- (3) A five-member Management Committee, with no citizen representation, to supervise transportation planning, along with related committees of local public officials and transportation professionals.

Three 25-member temporary committees exist:

- (1) An Open Space Advisory Board with task forces on recreation, open-space protection, fiscal resources, and implementation.
- (2) A Housing Advisory Committee with subcommittees on municipal relations, communications, legislation, and national legislative review.
- (3) A Cable TV Advisory Committee.

### The Operating Structure

As noted, other levels of government and private organizations are part of the implementing or operating structure. At the regional level, the basic arrangement for implementing regional policy is best thought of as a set of variations on what has come to be known as the "Sewer Board model." This involves a regional agency

legally separate from, but subordinate to, the Metropolitan Council, vested with the ownership of facilities and charged to carry out the program. In practice, some variation continues to exist in Council/board relationships in different functional areas.

The prototype, the *Metropolitan Sewer Board*, was created by the legislature in 1967. Its chairman and seven members are appointed by the Metropolitan Council. Each member represents a precinct created by combining the Metropolitan Council districts by twos. It exists to implement the sewer section of the Council's Development Guide. Operating and capital budgets are approved by the Council, and the Council sells the bonds to finance its work. It shares offices with the Council.

The *Metropolitan Transit Commission* was created in 1967 by law with nine members appointed by local government officials. It is charged with carrying out the Transportation Guide as developed by the Council. The MTC capital budget is subject to approval by the Council, but it issues its own bonds after consultation with the Council. It also shares offices with the Council.

The *Metropolitan Airports Commission* was created by law in 1943 and consists of four representatives from each central city and one non-resident of the area appointed by the Governor. The legislature has left its relationship to the Council unclear by authorizing the Council to suspend MAC plans, but failing to direct that MAC shall follow the Council's guidelines. The Council has no role in its financing. The MAC has offices at the airport.

The *Minnesota Highway Department* builds regional facilities in the Twin Cities Area. With the exception of the planning contract referred to earlier, the Minnesota Highway Department has no formal relationship to the Metropolitan Council. However, the Highway commissioner has indicated that he wants to rely on Council plans.

The counties joined together in 1959 in a regionwide agency to operate the mosquito abatement program. This district is governed by a board of two commissioners from each county. A similar arrangement has been proposed by the counties for the regional enforcement of State air pollution control regulations.

At the present time, there is no regionwide structure for the solid waste disposal program or the acquisition of parks and open space. The individual county governments establish landfill sites in line with the Council's guide. Counties and municipalities acquire major open-space property at metropolitan sites designated by the Council.

### Inter-local Cooperation

One hundred thirty-two cities and villages, representing about 90 percent of the region's population, are organized in a voluntary Metropolitan Section of the

League of Minnesota Municipalities. Separate, somewhat competitive, leagues of municipal elected officials exist on a countywide basis in Hennepin, Ramsey, and Anoka Counties. Municipal professional employees such as police chiefs and finance officers meet informally on a regional or sub-regional basis.

The seven county boards (plus Wright County to the northwest) are organized in a *Metropolitan Inter-County Council (MICC)*, whose board is composed of two commissioners from each member county. The MICC has committees for county professional persons in the areas of administration, personnel, transportation, finance, criminal justice, health and welfare, housing, environment, and parks. Sheriffs, attorneys, auditors, and treasurers also have regional associations.

Forty-two of the 49 school districts in the region are members of the *Educational Research and Development Council*, which provides in-service training for administrators, curriculum development, legislative analysis, and program evaluation service. The ERDC is governed by a board of eight superintendents elected by representatives of the member districts. Informally, the metropolitan superintendents also meet regularly on a regional basis, particularly for the consideration of legislative proposals.

The *Metropolitan Library Service Agency (MELSA)* was established in 1969 under the Joint Powers Act. Membership is open to cities of the first class and the seven counties within the metropolitan area. Carver County, which does not have a library system, is the only county which has not yet joined. MELSA is governed by a Board of Trustees, consisting of one appointee from each of the member library jurisdictions. It has three major goals: to improve library service in the metropolitan area; to coordinate total library service; and to work with other systems in statewide interlibrary cooperation. Financing is from State and Federal aids which totaled \$400,000 in 1972.

## REGIONAL FUNCTIONS

Broadly, the regional agencies perform three functions: policy making, the operation of facilities and programs, and the provision of research and advisory services to the public and local units of government. The general principle is that functions are not assigned exclusively to the regional level but are shared, with the State above and with the local units below. There are three separate sources which authorize the undertaking of regional functions: the Minnesota legislature, the Congress and the Federal agencies which issue regulations, and the joint powers authority of local governments within the region.

### Making General Community Policy

By State law, and by its designation as the "regional clearinghouse," the Metropolitan Council is established

as the body to resolve conflicts and to speak for the region. Council policy statements sometimes represent final action. On decisions, where authority rests at higher levels, the Council's policy represents significant local consensus which permits the other body to act without a full-scale review of the issues on its own. This policy-making function appears in several forms: consensus for the legislature, the Development Guide, review of local comprehensive plans, and project review.

**Consensus for the legislature.** The 1967 law specifically charges the Council to make recommendations on the control and prevention of air pollution; a program of major parks and open spaces; the control and prevention of water pollution; the development of long-range planning *in* the area (by other than metropolitan bodies); a program for solid waste disposal; the tax structure and ways to equalize tax resources; assessment practices; surface water drainage; the need for the consolidation of services of local units; and the advance acquisition of land for development purposes. Recommendations are to cover also the organizational and financial aspects of the solutions proposed.

**The Development Guide.** The same law directs the Council to say, specifically and with respect to a broad range of physical and social problem areas, what should be done in order to promote the orderly and economic growth of the region. In exercising this function, the Council creates policy guidelines for all relevant public and private agencies. They are contained in sections of the Development Guide, which to date have been completed on sewers, solid waste, parks and open space, transportation, total development (the pattern of major activity centers), and housing. Sections on airports, water resources, health care, and the criminal justice system are in preparation. Revisions in the direction of increased concreteness are continuous. The MTC is directed by law to follow the Council's Development Guide, as is the Sewer Board, and the counties with respect to refuse disposal. Under the 1971 State "certificate of need" law, the Council's determination is also generally relied on by the State Health Department with respect to proposals for health care facilities in excess of \$50,000. The Council's role is more than advisory also with respect to multi-jurisdictional special districts: It may suspend the plans or projects of these agencies. The agency may appeal to the legislature. The guide is also the basis for the advisory A-95 reviews.

**Review of Local Comprehensive Plans.** The Council is authorized to review the plans and projects of municipalities and counties in relation to regional policy and each other. On occasion, a municipality will bring to the Council a request for it to study an action by an adjoining municipality which it feels has some adverse spillover effect. Where the Council believes, either raises an issue of metropolitan significance, it can "hold" for

60 days and attempt to mediate the differences. One area in which a stronger review exists is that of municipal sewer plans: these are required under the 1969 Act, and in approving them the Council can make suggestions and set conditions.

**Review of Projects.** As the designated A-95 clearing-house, the Council reviews applications for Federal assistance. It screens projects proposed for funding under the Safe Streets Act, and makes recommendations to the Governor's Crime Commission. It reviews applications from private as well as public parties for aid for hospitals and health facilities construction. Partly by law and partly by contract with the Highway Department, it reviews proposed highway construction projects. It reviews applications from developers for Federally assisted housing. It also advises the Minnesota Municipal Commission with respect to proposed incorporations and annexations.

## Operating Programs

Under the framework of Metropolitan Council plans and policies, regionwide operating programs have come to be organized in three different ways: First, as a program of State government, perhaps decentralized to the seven-county region; second, as a new and separate agency created directly by the legislature on a seven-county basis; and third, as a regionwide joint effort of local units, particularly the counties.

Current operating programs include highways, a State-county undertaking; transit, controlled by MTC; airports, operated by the two central cities through MAC; sewerage, handled by the Metropolitan Sewer Board; mosquito control, run by the counties under a joint agreement; and open-space site designation, overseen by the Metropolitan Council, which recommends funding to individual counties.

## Research and Service

The Metropolitan Council coordinates the census in the Twin Cities area. It publishes and distributes population, housing, fiscal, and other data. It advises and assists local units on their own planning and on applications for Federal aid. And it is currently undertaking jointly with the State and local units the development of a regionwide system for the coordination of management and planning data.

Research and advisory services, and mechanisms for the joint study of regional problems, are also made available to municipalities, counties, and school districts by the three associations of local governments.

## REGIONAL FINANCING

No explicit or coherent policy on the financing of regional programs has been worked out by the leg-

islature. Like the structure, the financing is evolving on an *ad hoc* basis. Nevertheless, some patterns are discernible.

Generally, the capital and operating costs of the major regional systems are being financed by a combination of user charges and, where a general revenue subsidy is required, *ad valorem* property taxes. General non-property taxes are not in use at the regional or the local levels. Local costs are, wherever possible, supplemented by Federal grants-in-aid. In recent years the State has begun to provide a small stream of grants-in-aid toward the regional programs. But with the exception of Federal aid most revenues for regional programs are raised at the regional level by the regional agencies where they are so authorized by the legislature. The exception is the sewer program, in which the Metropolitan Sewer Board and the Metropolitan Council simply apportion costs and bill the municipalities, which are then responsible for actually raising the revenue from whatever combination of *ad valorem* taxes and sewer use charges they individually see fit. Bonding authority has been provided in most cases in order to make a fast start on the construction of the infrastructure such as sewers. Both State highways and major county roads are on a pay-as-you-go basis.

The decision to use the property tax must be seen in the context of overall State policy toward the financing of local government. In addition to increasing State aid for education, the legislature has acted to drive down the level of property taxes in the total fiscal "mix," with a 4 percent sales tax and a 22 percent increase in income taxes in 1971. In 1972, mill rates were about 10 percent below the previous year's level, even though State-local expenditures have increase. Property tax rates are more uniform across the region and the State, with State-collected non-property revenues used increasingly to offset the interlocal differences in valuations and in needs. Within this larger State-local system, the legislature has felt it appropriate for the regional agencies to return, in a limited way, to the property tax, with usually uniform areawide tax rates.

### Finances of Individual Agencies and Programs

The Metropolitan Council operates on an annual budget (for 1973 just over \$3 million), about half provided by Federal grants and half by a regionwide property tax levy. It assumed upon its creation the .5 mill levy of the Metropolitan Planning Commission (the MPC having been almost the first such agency in the country to get this kind of assured public funding). The levy was increased to .7 mill by the legislature in 1969. The grants have come from a variety of Federal agencies: HUD, though its proportion has been declining, EPA, FAA, LEAA, DOT, HEW. Stability was a problem. In 1972 the Council was able to enter into an arrangement with the Federal agencies through the Federal Regional

Council for an integrated annual grant for planning for 1973. The Council hopes that if this can produce a multi-agency plan and program the Council will not need to be so concerned about whether the capital grant money actually passes through its hands: The important thing is that the Council will have been able to determine the use of these capital dollars. At present it can only influence this flow of funds, which move to the program agencies directly from the Federal government or from legislative authorizations. The Council has no general fund for capital or program. It makes no grants to local units for capital or operations, though an aid program for local planning is included in its 1973 budget.

The Council receives no cut of Federal revenue-sharing, though hopes remain this can be achieved. It gets no private contributions. And it depends in no way on voluntary contributions from local government units. Its transportation planning program relies heavily on monies contributed by the State Highway Department.

With respect to the operating programs, the Council has its largest role in the financing of the Metropolitan Sewer Board. It both approves that agency's budget and sells the sewer bonds. For this program the Council assumed about \$208 million of debt issued by the sewer districts acquired in the formation of the metropolitan system, and through the summer of 1972 had borrowed and additional \$104 million for construction. In early fall it approved a 1972-76 program calling for the expenditure of an additional \$211 million. The current annual operating budget is \$26 million. Interceptor costs originally apportioned within six sewer areas will, under the 1972 revision, now be spread areawide, as are costs for treatment plants.

The Council approves the budget of the Metropolitan Transit Commission, but the MTC sells its own bonds. Over \$9 million was received in Federal grants and \$6 million borrowed locally for the acquisition of the private bus company and for new buses. The annual operating budget of the MTC is about \$20 million—about three-fifths of which is provided by fare-box collections and charter service. The debt service and the operating subsidy are funded from a property-tax levy within a defined "transit taxing district" covering areas served. The legislative policy here is significant. In 1971 it was noted that in the seven-county area almost three-fourths of the county and municipal road system was still financed in one way or another by charges to property—almost \$50 million a year. The legislature began an effort to shift more of this cost to road users, by mandating a reduction in county road and bridge property levies, authorizing the counties to impose a \$5-per-vehicle wheelage tax to replace the lost property tax revenue, and authorizing a new property tax for the MTC—all in recognition that the road system can now support both capital and operations from users, and that this general-revenue subsidy ought to be used for the

start-up of the transit system. Depending on the vehicle system selected, it is estimated this will cost between \$300 million and \$1 billion.

The Council really plays no role in the financing of the Metropolitan Airports Commission, except, as noted, to approve the projects on which money can be spent. Currently, MAC has a \$42-million development program under way at its existing airport, in which it now has \$104 million invested. The new major airport, and the eight proposed new satellite fields, have recently been estimated to cost in excess of \$1 billion. MAC bonds are secured against the tax base of the two central cities, and for a time tax levies were made to pay debt service and operating deficits. In recent years, revenues from users have been sufficient to support both operating and capital costs.

The solid waste program is financed by charges of from 40 to 90 cents per cubic yard for trucks using the landfills. In most cases, the sites are acquired privately, in line with the Council's plan, and operated under license by the counties.

The major open space program has moved slowly. Relatively little of the \$3.5 million of cigarette-tax money made available by the legislature since 1969 has been spent—partly due to the complex approvals required among the localities, the Council, the Federal government, and the legislative Minnesota Resources Commission.

The seven-county Metropolitan Mosquito Control District is financed by a per-capita assessment on each of the counties, collected by them through a property tax levy on their valuations.

The Council plays a key role indirectly in the financing of the area's hospital system since under the State's 1971 certificate-of-need legislation the Minnesota Health department, which parcels out the Hill-Burton aids, normally abides by the decisions on capital expansion made by the regional agencies—in the Twin Cities area, the Metropolitan Health Board.

## Financing Local Government

Dramatic changes were made in 1971 in the financing of the State's counties, municipalities, and school districts. Substantial increases in State revenue were provided, mainly for schools, with formulas increasingly moving away from "place of collections" or "per capita" toward new measures of need and "tax effort."

School finance was essentially taken over by the State. Each district will continue to make a local property levy, amounting to about 30 mills in 1972. But this can just as well be regarded as a State-mandated, or statewide, levy. Whatever this produces in dollars, the State will then supplement for 1972, up to \$750 per pupil unit. The implications of this far-reaching change are only now being absorbed. It means that for school operating purposes and up to \$750 per pupil unit the

valuation of a district or the valuation of any individual house is basically irrelevant, since the State guarantees the financing no matter how many children reside there. It was recognized even before the legislative debate ended that this alone would be disadvantageous to the central cities whose relatively high valuations per pupil meant they would receive little in non-property State aids. The legislature offset this with special credits for children in AFDC families and with an expanded program of revenue-sharing for municipalities.

No comparable amount of new money was provided for general local government. But a number of existing aid programs were abolished and a new State revenue-sharing system was established. In general, it tends to provide larger shares for municipalities than for counties and to recognize the special problems of the larger developed cities. In the Twin Cities area it takes an essentially metropolitan approach. The seven-county area is treated as a unit in the statewide per capita "first cut." This "pot" is then divided between municipalities and counties. Of the municipal share, the central cities receive a "cut" proportionate to their levies as a proportion of total regional municipal levies. The remainder is then divided among the suburbs on a per capita basis. In an effort to protect the tax sources necessary to fund this revenue-sharing program, the legislature also enacted a prohibition against any local unit's increasing a present, or levying a new tax on sales or income.

Local finances will eventually be affected also by the Metropolitan Development Act of 1971, which provides for a limited sharing of the growth of the non-residential property tax base in the seven-county area. Beginning in 1972, 40 percent of the net growth of non-residential valuations will be excluded from entering directly into the tax base of the jurisdictions where the buildings are located, pooled at the seven-county level, and shared among all jurisdictions. This will be done essentially on a population basis, but weighted so that a part of the region where valuations per capita are above the regional average will receive a slightly smaller share, and vice versa.

This program is intended to diminish somewhat the fiscal factors in such development decisions by municipalities as zoning, the location of freeway interchanges, the acceptance of open space, etc. The immediate tax-base advantages to be gained from such fiscal zoning will be somewhat reduced and municipalities will begin to experience some growth of tax base from the assured growth of the area as a whole, no matter where commercial or industrial buildings may be located. A delicate balance had to be struck here. The legislature did not want to change incentives so far as to encourage municipalities to resist all non-residential development.

It is too early to tell what the consequences will be, in terms of the way the tax base distributes, or in terms of municipal council reaction. It may be of particular

help to the central cities, where losses of valuation due to relocation of commercial activity and the demolition of properties will tend to reduce the contribution to the pool from their new development. (In one instance, following passage of the new Act, the State commission which rules on the extension of municipal boundaries revised its stand on incorporation, adopted originally for "tax base" reasons.

The law is being contested by an aggressive Dakota County municipality seeking growth. But the timing of the decision will not prevent the base-sharing from going into effect for the first year. If it continues in effect, it should reinforce the tendency in the legislature's revenue-sharing program toward a greater sense of regional unity. The Council was not the author of the plan but its legislative analysis and explanation were critical to its passage. Nor is the Council involved in the operation of the base-sharing. The legislature enacted it partly as an alternative to the creation of both a metropolitan taxing district and a metropolitan government, since it redistributes resources among local units to be taxed locally within the existing fiscal system.

## AN EVALUATION OF PERFORMANCE

No systematic evaluation of the Metropolitan Council has been done. However, some judgments are possible.

### Making Regional Decisions

Regional decision making has remained the central objective of the Council. Effectiveness has been defined not primarily in terms of functional achievements, but in terms of the ability to assert a regionwide policy interest in the programs of operating agencies.

The first major accomplishment was the decision to organize the sewerage system on a fully regional basis, plus the related decision to finance the cost of treatment plants regionwide and to introduce the metropolitan benefit concept. The Council's decision here resolved an eight-year deadlock within the legislature, and in less than two years the regional system was fully established with a major expansion program underway. Discharges of effluent into lakes are being rapidly eliminated; in October 1972 it was reported there had been a 60 percent reduction in algae in Lake Minnetonka, the region's largest recreational water body. In 1972, in approving the five-year capital improvement program for sewers, the Council was able to reduce the rate of new interceptor construction by requiring the Sewer Board to proceed only as Federal aid became available.

The second major decision was veto of the MAC proposal for a new major airport, first in early 1969 and again in late 1970. The vetoes represented an assertion of essentially environmental considerations felt not to have been adequately considered in MAC planning. This decision, too, has been effective. On neither occasion

did MAC choose to appeal the Council's action to the subsequent legislative session as it was authorized to do by law. In the summer of 1972, after months of work by a joint Council-MAC committee, agreement was reached on a general plan for the expansion of the airport system. The technical merits of the alternative north and south locations were approximately equal; the Council's decision was felt to be based essentially on a desire to balance development, which had been drifting to the south and southwest.

A third major decision was the Council's adopted revision of its Development Guide, which favors a transportation system consisting essentially of no new freeways within the central urban area, a grid of freeways on new alignments in the developing fringe, and a transit system consisting of buses.

In its effort to distribute low- and moderate-income housing more broadly throughout the region, the Council decided in December 1971 to move toward the first- and second-tier suburbs, except those in which the market had concentrated low-income tract developments. It also insisted that projects be well located with respect to commercial facilities and transit. The HUD area director encouraged potential developers to contact the Council early. Thus, the Council's staff has been able to advise early on where such housing should be proposed. Through 1971 and 1972 more Federally subsidized housing was approved in the suburbs than in all the years of the program up to that date. Looking toward the 1973 legislative session, the Council is proposing that it be designated a Metropolitan Housing Authority so that it could be contracted with by suburban municipalities for the development or public or publicly assisted housing.

### Improving Service Inadequacies

Major improvements in airports and transit await action by the 1973 legislature. But the bus system has already been vastly upgraded with the acquisition of the private operator, the purchase of 325 new buses, the extension of the system from 500 to 700 route miles, and the upgrading of service on existing routes. A trend of declining ridership has been reversed, and patronage rebuilt from about 50 million to about 54 million riders per year.

The closing of small treatment plants has reversed the deterioration of important recreational lakes, and central sewer service has come to areas which had depended on septic tanks. Most of the approximately 60 open burning dumps have been closed, and about a dozen sanitary landfills substituted. Little has been done in the acquisition of open space, largely as a result of a court decision which invalidated the Park Reserve District. State funding problems and county opposition prevented the legislature from acting on a new board in 1971. In health

care, the Council has directed Hennepin County to plan neighborhood primary care centers along with the new general-hospital/private-hospital complex.

## Costs and Economies

The argument for creating a regional structure never rested on the expectation that it would reduce service costs. Rather it was advanced with the recognition that the regional agencies would undertake activities not being performed, and that costs previously absorbed by the environment or appearing as sub-optimal development would, in the future, be expressed in public budgets. And these budgets have in fact increased substantially. As a result, pressures are appearing for the Council to begin setting cross-functional priorities among the major regional programs and to develop an overall capital budget.

Sewer Board administrators assert that their large treatment plants provide economies of scale as compared with the smaller sub-regional plants that would otherwise have developed. Hospital officials have testified that the joint development of Hennepin General and the private complex will save \$4 million in construction costs and \$1 million a year in operating costs. A reduction in bed supply, also involved, may improve hospital utilization, producing savings in insurance rates.

## The Reduction of Disparities

The extremes in wealth and service levels are to be found among suburbs, not between the central cities and the suburbs. These disparities have been significantly reduced since the creation of the Metropolitan Council in 1967. The important actions were, necessarily, taken by the State legislature, but the work of the regional agencies played an important part both in establishing the problem and in implementing the solutions.

Some equalization of sewer service costs has resulted from the decisions to spread treatment costs areawide and to base operating costs on volume of flow, rather than on distance from the plant, within sub-regional service areas. The principles of uniformity and ability to pay will be considerably extended by the new financing system, under which the annual debt service for major sewer construction will be collected annually from charges based on the amount of new development occurring in a municipality.

The 1971 school aid changes have also had a dramatic effect. In the large Anoka-Hennepin school district in the northern suburbs, for example, (which in 1970 had a per pupil valuation of \$3,700, compared with \$14,000 in Golden Valley and \$17,700 in Minneapolis) property-tax levies dropped from \$10.3 million in 1971 to \$4.3 million in 1972—a decrease of 57 percent.

## Impact on Local Planning

There has been little impact on local planning, partially because the Council has not established its exact role in providing guidelines for municipal development. Localities feel its advice wavers between the overly general and the overly specific. As the Council sees it, its job is to set regional plans within which the localities can make their own planning and development decisions.

One exception is local sewer planning. Since comprehensive sewer plans must be reviewed by the Council, it has an opportunity to specify where sewers should be extended and recently when as well. One major limitation is that although the law provides for Council review of plans when prepared, no law mandates their actual preparation.

## Intergovernmental Cooperation

The Metropolitan Council has mediated some inter-local disputes. It has also at times pointedly refused to be drawn into disputes it did not consider of metropolitan significance.

The regional governance mechanism is supplemented by the separate areawide associations of municipalities, counties, and school districts. Intergovernmental cooperation, therefore, is largely a function of these associations, which are cooperating extensively on such matters as labor relations.

Overall, the conclusion must be that the existence of the Metropolitan Council has increased the tension of intergovernmental relations. Municipalities, given their numbers and their diversity in size and interests, have not been affected greatly. However, the metropolitan counties are large enough and strong enough to believe they should and can move affirmatively to substitute themselves, singly or in groups, for the State-created regional operating agencies the Council would like to bring into existence.

The Metropolitan Council is a political body. Many of its members, appointed by the Governor, have public affairs backgrounds. Also, it has replaced the major city councils as the logical focus of attention from the news media. Policy decisions have been made with an eye toward their effects on relationships with local officials and the legislature, although these effects do not always override other factors. The Council's political character has been set largely by its members' willingness to involve themselves deeply in both internal deliberations and public debate.

Within the Council, its political character has been reflected in important votes which have rejected recommendations from its staff, policy boards, and advisory committees. Votes are frequently close. Yet no permanent factions have appeared; no continuing central city

versus suburban or Republican versus DFL division has been evident. In 1972, for example, Mayor Cohen was a leading supporter of the metropolitan housing development program while he was preparing to take the new sewer availability charge to court.

Increasingly, the Metropolitan Council is being lobbied by private organizations. It was pressure from the Greater Metropolitan Federation, which bussed 400 people to its hearing, that originally persuaded the Council to adopt its "policy 13" regarding low- and moderate-income housing. When considering approval for the new Hennepin County General Hospital, the Council was pressed by inner-city organizations to establish a priority instead on neighborhood primary care. Pressure groups representing both developers and residents have been active in the Council's decision on the location for the new major airport. And more than 40 representatives, mostly from private groups appeared at a hearing on the proposed new transportation guide.

### Minorities

An estimated 32,000 blacks represent about 2.8 percent of the region's population. About 17,000 persons are of Spanish extraction, and approximately 10,000 are Indians. There is no electoral district at any level where a non-white majority exists. Three blacks are in elective office. (The two black suburban elected officials ran successfully for the State legislature in November 1972. Both are from Hennepin County.)

This political situation has fundamentally shaped the attitude of the minority community toward regional affairs. With no prospect of controlling any unit of government, they see clearly that their efforts must be to push the majority-dominated institutions into policies favorable to them and to their interests. On the whole, regional government has not been very close to the top in the priorities of the leaders in the black and minority community. This may be because the Council's work to date has concentrated largely on the physical development of regional systems. As the Council and its agencies begin to raise issues about housing, health care, manpower development, and tax burdens—which could not be raised effectively among a collection of independent local units—leaders in the minority community may tend to be supportive.

The Council has had a black member since its inception. About 10 percent of the staff is non-white, though few occupy professional positions. Representatives of the black and Indian communities serve on the Council's advisory committees and subcommittees dealing with criminal justice, open space, and health care, in numbers beyond their proportion in the total population.

The significance of the role played by the State of Minnesota can scarcely be overemphasized. Although

not originally proposed by the State, the Council and the operating agencies were created by it through general State law. And the State provides the metropolitan agencies with their revenue or the authority to raise revenue.

### The Role of the State

The Governor's role has been an important one. He is involved, of course, in the policy process as the State makes its decisions on changes in the system of regional governance, and he is the appointing authority for the chairman and members of the Metropolitan Council. When campaigning for governor in 1966, Harold LeVander supported establishment of a metropolitan council. Once elected, he made it a part of his legislative program. His principal effort came during 1969 in efforts to help pass the metropolitan sewerage legislation. His successor, Governor Wendell Anderson (who as a senator in 1967 had moved the narrowly defeated amendment to make the Council elected) sent a special message to the legislature in the spring of 1971, reaffirming his support for the Council's program at a time when it was in legislative difficulty.

The State's role is exercised principally, however, by the legislature, which determines structure, establishes functions, and authorizes financing for the Metropolitan Council and the other regional agencies. The law required the governor to consult with legislators within each Council district prior to making his appointments. Senate consent is required on the appointment of the members and chairman. Perhaps most important, it is the legislators, as representatives of their districts, who are contacted first by citizens and local officials displeased by some action (or inaction) of the Metropolitan Council. In the fall of 1972, the debate over the future of the metropolitan arrangement was occurring largely in the legislative campaign materials and meetings.

Overall, the Twin Cities experience underscores strongly what Larry Margolis of the Citizens Council on State Legislatures means when he says: "The urban crisis is in the State legislatures."

By contrast with its intimate involvement in regional policy making, the State's role in regional administration is slight. The Attorney General's opinion permitted the Metropolitan Council to evolve basically as a separate, regional level of government. Consequently, it does not use the State Treasurer for its fiscal services, the Attorney General's office for its legal services, the State Civil Service for its personnel services, or the State Department of Administration for its purchasing services. The State Planning Director told the Council at its structure hearings in July 1972 that the administration regards the regional agencies statewide as entities of local government.

Legislators are ambivalent about the Metropolitan

Council. Like many local officials, they tend to support a regional approach when an issue arises within a particular functional area. Also like local officials, they become hesitant when it is suggested that the variety of functions appearing at the regional level be drawn together into an overall general government. They are responsive to the complaints of local officials, particularly about appearances of unresponsiveness or bureaucracy in the Council. They appear to enjoy criticizing the Council, and pushing it to perform. Yet they rely on it for advice and decisions with which they can resolve disputes which would otherwise fall with full force on the legislature itself. Overall, and considering even the Council's record in the 1971 session, it is fair to say that the legislature since 1967 has not weakened the Council or the metropolitan structure, but cautiously and critically has continued to expand its scope and authority.

In 1969, two years after the creation of the Council, the legislature moved into a statewide program of regional districts. This will likely be supportive of the Metropolitan Council in the long run. In the short run, however, it has been disruptive. Before 1969 the question of how best to govern the State's major metropolitan area was perceived by non-metropolitan legislators as a matter of statewide policy which affected them scarcely at all in their own districts. After 1969, with the passage of the new law, regionalization became a major issue in many of their districts. Efforts to begin organizing the outstate regional commissions were not always skillful and provoked in many areas a boiling controversy among the several county seat towns in each region, each either hoping to become the "regional capital" or fearing that its competitor might win this designation. This statewide bill came totally without the kind of education on the need for regional cooperation which had preceded creation of the Metropolitan Council. In 1971, therefore, outstate legislators, acutely conscious that whatever they did with the Twin Cities area might become a precedent for proposals later in their own regions, were extremely cautious about expansion of the Council's authority. All this is now, however, quieting. Regional commissions have been successfully established in three areas outside the Twin Cities area. (The Metropolitan Council's structure is not serving as a model for these outstate commissions which are made up as a combination of citizen members and elected local officials.)

The State government seems to be moving away from direct provision of services and operation of facilities. The adopted long-range plan for the Department of Public Welfare, for example, calls for a termination of State operation of major hospitals and other institutions and a devolution of these responsibilities to regional organizations or to individual communities. The whole field of social services lies open for regional organizations in a way that is only beginning to be realized.

## Volunteerism

The arrangements for regional governance in Minnesota are not a formalization of earlier voluntary arrangements. Each piece of the structure, almost without exception, was either created by law or established pursuant to a legal requirement.

When established in 1957, the Metropolitan Planning Commission was created in law. For five metropolitan counties provision was made for additional contiguous counties to join at the request of their county boards. Two later did. The original Minneapolis-St. Paul Sanitary District was established by the legislature in 1933; the Metropolitan Airports Commission in 1943.

The Metropolitan Transit Commission is an exception. It was formed as a voluntary agency by several municipalities in the Twin Cities area in 1966, after the failure of a bill for a statutory agency in 1965. It was then made statutory in 1967. In retrospect, it might have been better to wait for the 1967 legislation since the joint powers board, selected by local officials was carried forward into the new Transit Commission, and has operated with considerable difficulty.

The voluntary approach has existed and continues to exist in the Twin Cities area separate from and parallel to the statutory regional governance structure. Voluntary associations of municipalities, counties, and school districts at the regional and sub-regional levels, and in specialized functional and geographic groupings, are strong and productive.

## Centralization and Decentralization

The Twin Cities area has not been explicitly implementing a two-tier concept of regional governance. The new metropolitan level is coming in without a clear policy decision to take any existing level out. There are people particularly in the business community, concerned about this addition of a level of government to an already complicated pattern, but the issue has not really been sharpened. In fact, pressure from municipal and county officials to keep the metropolitan level within bounds tends to preserve the rationale for a three-level local system.

Nevertheless, the relationships will not remain static. There is some structural change, notably the increasing size of municipalities as a result of the Minnesota Municipal Commission's policy on incorporations, and as a consequence of occasional mergers. A movement for neighborhood organizations is beginning. And there is the continuing reorganization of governmental structure, most noticeably, since 1963, the dramatic upgrading of the competence of the county governments. Whether major change will occur, or in what direction, is hard to see clearly. From time to time municipal officials privately express their feeling that the county level could

just as well be divided, with some functions being transferred up to the metropolitan level and others downward to the municipalities. County officials, on the other hand, have been heard to express belief that they could handle the first tier functions more effectively and economically than the municipalities, perhaps in conjunction with some essentially advisory councils organized at the neighborhood level.

The really significant movement has been not in structure but in functions. Interestingly, this does not heavily involve the metropolitan agencies, which developed primarily to undertake activities never performed by any local units. Functions are being transferred most actively between municipal and county governments particularly in Hennepin County. In the last decade, the City of Minneapolis has transferred to Hennepin County most of its major specialized facilities and programs, so that the city, even though larger in territory and population, is now, functionally, virtually the equivalent of a suburban village.

A 1970 study by the Citizens League (a nonprofit public affairs research organization in the metropolitan area) proposed that Minneapolis establish a citywide framework of "community councils." This was urged partly as a way of better representing minorities (not only racial) in city decision making, and partly as a way of getting participation in decisions on major city projects from the neighborhoods. Essentially, it argued that citizen participation exists, if only in the form of people lying down in front of bulldozers. The prudent course, therefore, would be to structure participation so that it could be rewarding, rather than disruptive; constructive rather than negative; and productive of decisions rather than frustration.

In the fall of 1970 the league was asked by the Minneapolis Model City project to advise on the application of the small-unit-election system it had proposed for community councils in the Model City area, which was then governed by a large (105-member) and unwieldy board. Ultimately, a new board with about 60 members elected from regular city precincts (other members were added from caucuses and interest groups) was negotiated with the City Council. Elections were held in September 1971, and this board is now in operation.

The issue of community participation also became a factor in the campaigns for St. Paul City Council and mayor in the spring of 1972, the first election under the new "strong mayor" form of government. Partly because no element of district representation exists in St. Paul's governmental structure, the question of a new form of citizen participation came on with some strength. The DFL-endorsed candidate, Lawrence Cohen, endorsed the idea of community councils. He was elected, and in the fall of 1972 a committee was attempting to transform his campaign pledge into program specifics.

## FUTURE DIRECTIONS

In 1973 the regional arrangement in the Twin Cities area is on trial both as to concept and as to performance. The Council is engaged in a major test of strength with the three major areawide operating agencies as it seeks to assert comprehensive planning and development considerations and overall budgetary considerations into their program proposals. Local government is seeking a definition of metropolitan and local roles. The relationship with the legislature is uncertain, after one session of considerable success and one of some disappointment. And it remains to be seen, as the Council's relations with other units of government fall into the normal competitive pattern of intergovernmental relations, how broad a range of private and citizen interests will identify their values with the general-purpose regional policy-making structure.

### Who Is the Constituency for the Regional Government?

One constituent of the regional government is the State, particularly in Minnesota, where its prosperity depends so largely on the continued strength and health of the dominant Twin Cities region. How far the local units of government feel themselves served by the Council and its agencies remains an open question. The Council is trying to expand its service to local units, not only with plans and proposals, but also with assistance in grant applications and with information and data services. The attitude of the citizenry also remains unknown. The Council itself continues to emphasize that it represents people. Without the debate that comes with election campaigns, however, the Council has only begun to be visible as it begins to achieve real decisions about the location of airports, freeways, transit lines, and sewers—which affect particular individuals, neighborhoods, and economic groups.

Few patterns are yet clear. An airport site, north and south, will please some landholders and displease many homeowners. The Council's inclination toward a bus, rather than a rail, transit system, tends to please suburban areas, and to displease the central cities. Just the opposite has resulted from its tendency to insist on the distribution of low- and moderate-income housing in the suburbs. This has aroused the opposition of municipal officials. It has also activated, for the first time the interest of social action and minority groups. Environmentalists worry about the impact of the airport, yet they know that environmental factors would scarcely have been considered at all, without the Council and its veto of the MAC's Ham Lake proposal.

The problem of the Metropolitan Council is the problem of every general government, which must make choices among conflicting values. On any given issue its

opponents will be specific and vociferous; its supporters probably distant and perhaps unaware they have benefited. A great deal will depend on the Council's ability to arouse the interests of those served by its decisions in order to balance the displeasure of those offended.

### Will the Metropolitan Council Become Elective?

Intricate issues surround the question of electing Council members, which has been central since the Metropolitan Council was first proposed in 1966. Election was vigorously advocated then by legislators, local officials, and citizens in the metropolitan area, partly as a counter to the system of gubernatorial appointment which seemed to establish the Council as a State agency. Their original fervor has cooled somewhat, as they have watched the Council work as a local agency, and move with some genuine competence, determination, and courage on major areawide issues. Also, the cry for election has increasingly been taken up by Council opponents who see elections as the way to temper its aggressiveness.

There is confusion as to what should be the test of the need for the Council's election. The idea remains from the 1967 debate that it should become elective when it becomes an operator of programs and facilities. Others argue, however, that election depends not on whether the Council lets contracts or hires laborers, but on whether it is in fact making major policy decisions. This is, increasingly, the Council's own view.

Some see election clearing the way for an expansion of the Council's powers. Others argue that the Council should be made elective before it is given additional responsibilities, hoping perhaps that the thrust against election will thereby prevent the Council from expanding its authority.

There are also political implications. Both parties, and most major officeholders, are on record in favor of an elected Council. The political character of the Council now depends largely on the Governor. Under election, it would depend on the regional distribution of political power, particularly on the nature of political control of the suburbs.

In November 1972 the Council for the first time took a position in favor of election—for six-year, staggered terms, with no member permitted to serve two consecutive terms. Council members said they would not push this as legislation; it represents a *position*, in the event some legislator attaches an election amendment to the redistricting bill likely in the 1973 legislative session.

Council members themselves are ambivalent, and not solely because of their individual uncertainty about standing for election. Election would, they recognize, give them a political credibility to match that of other levels of government. Yet there is a special status

conferred on them, even if intangibly, by the tie to the legislature and to the governor, a status above other local governments, co-equal with the major state departments.

### How Many Issues Can Be Handled?

A remarkably broad charge has been given to the Metropolitan Council from its three major sources of authority. The 1957 MPC law (incorporated into the Council's authority) charges it to "make plans" for the physical, social, and economic development of the region. The 1967 law specifically directs it to carry on a continuous program of study, with recommendations, in ten major problem areas. Federal regulations direct it to review applications for Federal aid on a broad range of program categories. All these present a major problem of priorities. No functions are wholly local or wholly regional. There are regional aspects to almost all problems. Yet, clearly, the Council cannot allow itself to be drawn into everything at one time.

It had tried to move first on the major problems of physical development. Yet responsibilities in social program areas have been thrust upon it, particularly by Federal law, as in criminal justice, health care, and housing patterns. There are specific charges in its 1967 legislation to which the Council has not yet begun to respond, for example the recommendation of a program for the advance acquisition of land for public facilities. Yet it has chosen on occasion, as with cable television, to move into areas not specified as a part of its responsibility. With some reluctance, it has played no role in planning the rapidly expanding system of junior colleges and area vocational schools.

Even within the range of issues in which it has become involved, difficult choices are forced simply by the amount of time required for Council members to master planning, policy, and political implications, to the point where they can assert the Council's point of view effectively. In 1972, for example, the urgent need to concentrate at one time on vital decisions about the airport system, the transit system, and the sewer program made it impossible to work out the basic policies needed for the exercise of Council responsibilities in reviewing projects for the expansion of the health care system. To the considerable frustration of its health board, the Council handled individual applications for nursing home and hospital expansion on an *ad hoc* and essentially political basis. The Council has little enthusiasm for the effort it saw developing by the counties, in early 1972, to create in effect a metropolitan special district for air pollution control, but it simply had no capacity to move adequately on this issue, given its other commitments.

The Council has been able to enter as many fields as it has basically by spreading itself broadly, creating extensions of itself in the form of permanent and temporary advisory committees, each of which has been

able to move into a particular area in some real depth, and to shape for the Council a proposal which it could consider in a reasonably limited period of time.

### How Should Operations be Structured?

There is an intimate relationship between the Metropolitan Council's capacity to consider policy issues and its capacity to supervise the administration of program operations. This relationship has proved difficult for the Council as it moves toward the 1973 legislative session.

Some decision must be made about the structuring of new programs as they are added to the regional governance system. Some governmental unit must be responsible for the construction, operation, and maintenance of the facilities. In the Council's hearings during the summer of 1972 on regional organization, three general models were identified: (1) The function might be directly assigned to the Council, so that the Council itself would begin to develop an executive/administrative staff in addition to the staff serving planning and policy functions. (2) The legislature might create a regional operating entity, separate from but subordinate to the Council, on the "Sewer Board model," or might assign the new program to one of the existing subordinate boards. The Sewer Board, in the hearings, did propose that it be given operating responsibility for the forthcoming air pollution control program and for the solid waste disposal program. (3) The function might be assigned to some existing local government units, most likely the counties, or to some agency created voluntarily by them.

The Council's own attitude appeared to be ambivalent. Members did not uniformly relish the thought of more intense, difficult struggles of the sort they were then having with the Sewer Board, the MTC, or MAC, but neither did they eagerly seek the load of detailed decisions that would come with full responsibility for program operations. From the public point of view the issue was perhaps clearer. The deliberate structuring of a divided responsibility, between the general policy council and the specialized program agency, has in all cases produced an increasingly well-informed and open debate on major regional issues.

Program operations were contracted out to individual local units in 1969 when the legislature provided for the individual counties to implement the Council's plan for landfill sites. The same arrangement has now been recommended by the Council's Open Space Advisory Committee in its consensus for the 1973 session on a metropolitan park program.

In general, a distinction seems to be developing between programs in which the facilities truly need to be operated as a system, and programs in which the facilities need simply to be planned as a system. Day by day and hour by hour, for example, what happens at one

airport must be related to what happens at another airport, and what happens at one sewage treatment plant must be related to what happens at another treatment plant on the same river. This is not the case with park sites.

### What Does the Federal Government Want?

It seems clear that the National government is disinclined to try, through its own agencies, to become the delivery system for programs within urban areas. Rather, it appears committed to local planning, decisions, and implementation. The National government appears also to feel, however, that the existing local structure is inadequate, particularly in its inability to plan and to arrive at policy decisions on a regional, or metropolitan, basis. This is, at any rate, strongly suggested by the stream of laws and regulations since the mid-1960s, which increasingly mandate an "areawide" definition of "local."

As the 1971 annual report of the Advisory Commission on Intergovernmental Relations notes, the government continues to be essentially ambivalent both about the nature of these metropolitan arrangements and about the process by which they should be brought into existence. This ambivalence is clearly reflected in the six years' experience with the Metropolitan Council in the Twin Cities area.

In a sense the Metropolitan Council record poses a dilemma for the Federal government. This regional policy council is clearly not structured in the manner presently specified, or preferred, by Federal law and regulations. It is not a council of local governments. Its structure represents, rather, a determination by the legislature that a different—an equal-population district—pattern of representation and voting would be more desirable and/or workable for this region. Yet the Metropolitan Council's performance may surpass that of other regional bodies in the Nation.

What, then, does the Federal government want? If it moves toward regionalism, should it specify the organizational arrangements for the regional bodies? Or should it simply set a performance requirement, probably in terms of an ability to produce decisions, and let the States or metropolitan regions themselves design whatever structure seems to them workable in achieving the result required? The question is, by whom should regional bodies be created? By federal regulations, local governmental units, or the State legislature?

Congress and the executive departments recognize the importance of the orderly physical and social development of the great metropolitan areas. The government is deeply involved in assisting this development financially. Its vital interest would seem to be, therefore, in the emergency of effective regional institutions, which can make the political decisions required.

Regional institutions of this kind, with authority to

act in the interests of the region, can be created only by the state legislatures, in which reside constitutionally the power to make and to remake the basic institutional rules by which urban development proceeds. However, concerning regional governance, the Federal government relates scarcely at all to the legislatures. Rather, it has tried to relate mainly to local units. It has tended to specify, in its laws and regulations, the organization of regional bodies which it requires for the review of applications for its aid, and for the preparation of areawide plans against which these applications can be evaluated.

These arrangements are, in most cases, inconsistent with the bases on which the Metropolitan Council was created and has become effective. This has meant that the regional arrangements in Minnesota are in jeopardy on almost every occasion when a new law extending these planning and review requirements to a new Federal aid program is adopted, or when regulations implementing such a law are written.

The Metropolitan Council tends to be strengthened, on the other hand, when the Federal government requires simply the existence of a regional institution competent to make the decisions required, and leaves to the State legislature the decisions about its structure and system of representation.

The future of the regional arrangement in Minnesota depends, to a significant degree, on a choice by the Federal government between emphasis on the organizational specifics, or on the performance, of regional institutions.

## SUMMARY

The question of replicability requires, first, a decision on what are the central features of the Twin Cities area regional arrangement.

These conclusions emerge:

- The definition of regional functions or activities varies enormously among regions, and even within a particular urban region such as the Twin Cities area through time. This is probably both inevitable and desirable.
- The arrangements for the implementation of programs, the operations of facilities, the delivery of services, and the process of development are almost infinitely complex, even just within the Twin Cities area. They consist of a network of private and public, state, regional, and local agencies influenced by the Metropolitan Council's policy guidelines. These, too, are changing through time.
- The essential element of the urban governance system is the general regional policy council, which will at the direction of, or with the

concurrence of, the State legislature, write the definition of regional functions and design the arrangements for program operations.

- The principal distinguishing feature of the general regional policy council—in the Twin Cities area, the Metropolitan Council—is not its particular structure, but rather the process by which it was created, by the legislature, under its authority over the system of local government. The Council's grant of authority from the State gives many of its policy decisions the force of law.
- The general regional policy council has been established not as a replacement for, but parallel with, school, county, and municipal governmental units.

With respect to replicability, then:

- The definition of state, regional, and local functions will and should vary from state to state. The particular definition arrived at in Minnesota for the Twin Cities area is not replicable.
- The arrangements for the implementation and operation of programs and facilities will vary from one urban area to another. The peculiar combination of State, regional, and local agencies used in the Twin Cities area to implement the policy guidelines of the Metropolitan Council is not replicable.
- The decision to establish a general regional policy council, separate from the associations of local government units, is replicable. The policy council does not replace, but exists with, the organizations created to voice the legitimate interests of the local units in matters of regional policy.
- The complete, particular structure of the Metropolitan Council as to size, districts, method of selection of members, system of voting, selection of chairman, relationship with staff and other regional agencies, probably is not replicable. It works in and for the Twin Cities area. But certain aspects of the structure, such as the selection of members, can be transferred to other areas.
- The statutory character of the regional policy council in the Twin Cities area is replicable.
- The situation which impelled the legislature to create a regional policy council for this metropolitan area is replicable. The particular citizen and local official pressure which led to legislative action for the creation of the Metropolitan Council in Minnesota is not likely to be duplicated elsewhere. But it is possible to substitute for this the pressure of the Federal government, given a decision by it that regional institutions do in fact need to be created, and that they must be statutory in order to be effective.

The central message of the Minnesota experience is the importance of moving toward the State legislature for the creation of a regional policy body competent both to do regional planning and to make regional decisions. If held accountable for the effectiveness of this regional body, the legislature will then face the critical issues about equity of representation, systems of voting, and authority for implementation, all the questions which have so far been dodged in the formation of most regional bodies.

It should be of no importance to the Federal government that the particular organizational forms created by the legislatures might vary from region to region. Its central objective—the creation of competent

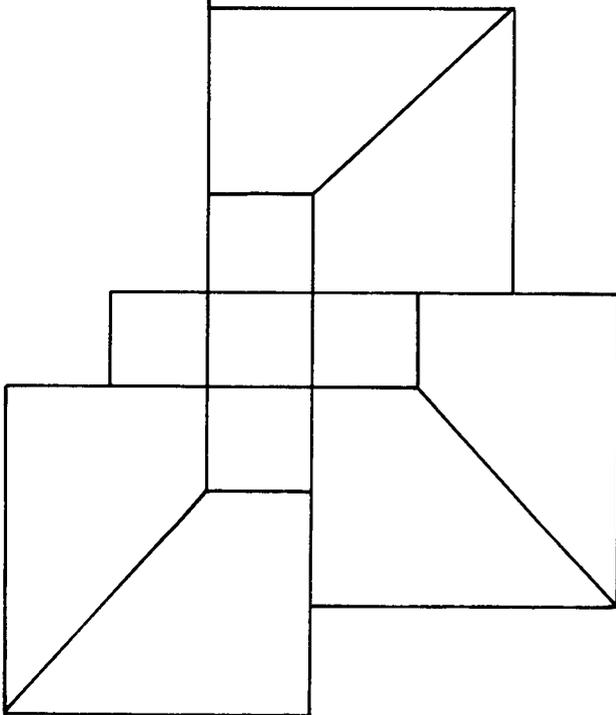
decision-making bodies at the regional level in the major metropolitan areas—would have been achieved, and without the Federal government's having itself to enter the thicket of issues surrounding the question of regional governmental structure.

<sup>1</sup>Beginning in 1973 the legislature will be able to use its 120 days within the first six months of either year.

<sup>2</sup>The relevant laws are to be found in Minnesota Statutes Chapter 473 (A) (B) (C) (D) (E).

Chapter V

**FEDERALLY ENCOURAGED  
MULTI-JURISDICTIONAL  
AGENCIES IN  
THREE METROPOLITAN AREAS**



*Melvin B. Mogulof  
Senior Research Staff  
The Urban Institute*

# THE CONTEXT FOR A FIELD STUDY OF MULTI-JURISDICTIONAL AGENCIES

## Problems of Metropolitan Governance

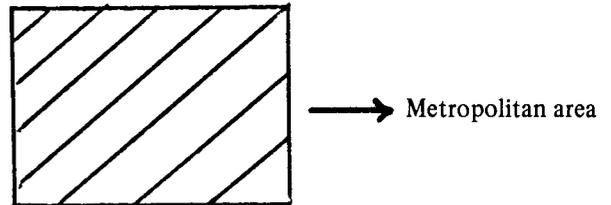
Virtually every one of America's metropolitan areas has problems in governance which run beyond the capacities and jurisdictions of existing local governments. Except for that bare handful of reorganizations which have fashioned a single source of governance appropriate to the metropolitan area of residence, there are no local general purpose governments which are metropolitan in scope. The American metropolitan scene is a system of action dominated by its sub-units and by those two major units of government outside the metropolitan area—the State and the Federal government.

Coupled with the absence of a local government to match metropolitan patterns of residence are a series of problems, such as transit, air pollution, housing, health services, and unemployment, which taken together have come to constitute the dimensions of what is called America's "urban crisis." While there is little good evidence that governmental fragmentation has been the cause of our urban problems, there is even less evidence that local governments, acting by themselves, have been able to develop an adequate capacity to deal with these problems.

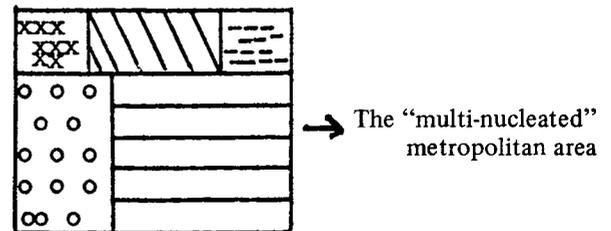
Conrad Weiler has noted that "in few areas of the world indeed does the boundary of a single municipal corporation even roughly coincide with the extent of a given urban, not to say metropolitan area."<sup>1</sup> While the polycentric character of government in America's metropolitan areas is similar to that which prevails in most other urban areas of the world, this fact can only be understood when one knows whether there is *any* government at *any* level which provides policy direction to the metropolitan areas' governments. A beginning premise of this paper is that the willingness of a central government to provide policy direction and policy constraints over those issues demanding intergovernmental agreements in the metropolitan area can itself be a functional equivalent for "a single municipal corporation" coincident with a metropolitan area. In effect, polycentrism on the metropolitan governing scene is not necessarily pathological. It may become that if there is no policy capacity concerned with metropolitan problem solving at any other level of government (i.e., the State and/or Federal government). It seems clear that the repeated attempts of the Federal government to act with regard to metropolitan governing issues represents, in some fashion, an attempt to compensate for this lack of governing capacity at the metropolitan level. This paper will concern itself with Federally encouraged efforts to deal with metropolitan problems of governance in the three metropolitan areas of Sacramento, Calif.; Pittsburg, Pa; and Portland, Oregon.<sup>2</sup>

A 1963 Advisory Commission on Intergovernmental Relations (ACIR) report appeared to distinguish between the issues of a policy capacity *for* metropolitan area and one *located* at the metropolitan level. The report noted, "For many urban services it is more important that their performance be coordinated with the planning and performance of other functions in a metropolitan area than that they be administered by an areawide jurisdiction." And in a subsequent paragraph the ACIR report clarifies the not hoary notion of coordination by noting that "agreement on areawide goals is the basic requirement for coordinated areawide action."<sup>3</sup> Given this approach the question then becomes whether there is a policy force that can provide the "agreement on areawide goals" and work to insure that action taken throughout the area is consistent with those goals? There is no assumption here that the policy force needs to be a single metropolitan government, or an intergovernmental force with policy-making capacity, or a policy-making central government (in our case, State or Federal). The nature of the metropolitan governing problem does not dictate a peculiar structural response, but rather an acknowledgement that there are such governing problems, and that, to echo the 1963 ACIR report, they demand "agreement on areawide goals [as] the basic requirement for areawide action."

These concepts of "areawide goals" and "areawide action" are central to this analysis. They rest in the reality of metropolitan areas of residence, with minimal local capacities to establish goals and engage in actions appropriate to the whole area. It is as if the potential field for action and goal setting resembled the following:



But the goal setting and action capacity for this area was either at the State or Federal levels or rested in the individual governments comprising the metropolitan area, as depicted below:



Given this last image (the one with the best fit to almost all of our metropolitan areas), if area goals and actions are to be decided locally, they must rest on the

aggregated responses of the different governments comprising the metropolitan area.

The federally encouraged multi-jurisdictional agency (MJA), and other special districts as well, are attempts to create a new capacity at the local level to establish goals and engage in actions affecting the entire area. The report will constantly refer to this as an "areawide policy capacity." The rationale for seeking to create this capacity rests in the assumption that certain issues require the setting of goals and/or action throughout the entire area.

But what are the kinds of issues which require this areawide capacity? In a previous paper I have suggested that areawide issues might be:

1. Those which are supportive of the jurisdictional boundary crossings which people in the metropolitan areas normally engage in great numbers (e.g., highway planning, mass transit, open space planning, airport planning and operation, planning for the regional job market, etc.);
2. Those where the negative (non) actions of one jurisdiction may undercut the actions of another jurisdiction (e.g., air pollution, low cost housing, waste disposal);
3. Those where economies of scale may demand interjurisdictional planning and operation (e.g., water supplies, specialized hospital, etc.)<sup>4</sup>

After presenting the above schema I noted that it was "hardly definitive." The point with regard to lack of definition as to the problems which demand a metropolitan policy capacity was more amply made in a report by California's Council on Intergovernmental Relations (CIR). The CIR report, in summing up the work of six different studies on the "areawide components of selected public services," noted their common agreement on only one such service (of 14 analyzed)—that of water quality.<sup>5</sup> This paper will not have much else to say with regard to the definition of an areawide issue. The question is tantalizing and extremely important, but it appears that in the near future the answers to the questions of "areawideness" will be more political than analytic.<sup>6</sup>

Some aggressive local governments will continue to attempt to act as if nothing is areawide. However, this tactic becomes less and less possible as local governments seeking to use Federal money are forced to bring a wide variety of projects under the review of metropolitan clearinghouses. In addition, the State and Federal governments will continue to define certain issues as areawide and will seek to intervene in a variety of ways to create a policy capacity able to be concerned with these areawide issues. This paper is about seven such attempts by the Federal government which have resulted in the creation of new multi-jurisdictional agencies (MJA's) in Ameri-

can's metropolitan/regional areas. These seven MJA's are the Cooperative Area Manpower Planning System (CAMPS—more recently labelled as Manpower Area Planning Councils); Economic Development Districts (EDD's); Air Pollution Control Agencies; Comprehensive Health Planning Agencies (CHP's); Community Action Agencies (CAA's); Regional Transportation Planning Agencies and Regional Criminal Justice Planning Agencies (CJA's). At least one of each of these MJA's is located in the observed metropolitan areas of Sacramento, Pittsburgh, or Portland. (These MJA's and the universe they were chosen from will be described in greater detail in the next sub-section.)

What is common to these seven Federally encouraged MJA's is that they are all intended to be under the policy control of governments and residents in the affected jurisdictions and all of them are expected to retain an important concern with planning (or what passes for planning in a particular program). These commonalities are important because they reflect a style of Federal intervention in areawide problems, a style which favors local dominance over the making or influencing of policy on areawide issues. Since each of the seven programs to be examined was a legislative product of the previous decade, it is not surprising to find them reflective of the following comments made by President Lyndon B. Johnson in a 1966 speech: "The Federal government cannot and should not require the communities which make up a metropolitan area to cooperate against their will for a solution of their problems. But we can offer incentives to metropolitan area planning and cooperation."<sup>7</sup>

The intent of President Johnson's language and the character of most of the seven Federally encouraged programs being examined suggest that the Federal government itself has not intended to define the goals for areawide action, but rather to enable a locally controlled policy capacity over areawide matters. In that sense, these Federally encouraged areawide mechanisms seem supportive of what Elazar calls "non-centralized" government.<sup>8</sup> Thus, even on issues which have been legislatively or administratively defined by the Federal government as requiring a multi-jurisdictional base for planning and/or action, there is an apparent reluctance or inability to create a centralized policy capacity not in control of area representatives.

A result of this Federal encouragement of *ad hoc* agencies, has been a further increase in the fragmentation of government on the metropolitan scene. This fragmentation occupied Max Pock, who in a 1962 study titled "Independent Special Districts," concluded that they had failed in four major respects:

- "1. With rare exception they have failed to include their entire metropolitan area;
2. They have been unable to keep pace with the territorial growth of their area since

establishment;

3. They have remained unifunctional;
4. They have been ineffectual in coordinating their planning to the totality of projects planned or undertaken by other projects in the area.”<sup>9</sup>

Presumably the Federally encouraged MJA's need not suffer the same problems of inadequate jurisdiction which Pock found in his studies. And Federal legislation and memoranda which led to the establishment of clearinghouses in almost every metropolitan area could compensate for the unifunctional and “go-it-alone” tendencies of the MJA's as special-district-type agencies. That is, the clearinghouse operating under the provisions of OMB Circular A-95 has the potential for making Federal granting agencies aware when aid requested by MJA's does not further the objectives of the clearinghouse's comprehensive areawide planning or is inconsistent with the planning of local governments.<sup>10</sup>

In an Urban Institute study by this writer, already referred to, it was found that metropolitan clearinghouses were failing to distinguish between good and bad actions from a regional point of view in that almost everything was perceived as good. However, I did note some greater tendencies by clearinghouses to make negative findings about those special-purpose agencies (such as MJA's) which were not responsive to the policy direction of local officials or their appointees.

Before proceeding in greater detail on the MJA as a Federally encouraged structural response to areawide governing problems, it may be useful to sum up what these first paragraphs have attempted to do. There has been no serious attempt to establish that there is a problem in metropolitan governance nor what the character of this problem may be. The larger ACIR report of which this paper is a part will attend to these issues. The primary concern of these pages is the creation of a policy-making capacity which can address itself to areawide governing issues. This capacity exists only erratically in this country, and it is only recently that the Federal government has attempted to deal with the issue. This paper is about one such category of attempts, the Federally encouraged multi-jurisdictional agency.

### The Multi-Jurisdictional Agency as a Structural Response

The federally encouraged MJA is generically like a special district. The Institute for Local Self-Government, in its study entitled “Special Districts or Special Dynasties?”, noted the varying definitions of a special district, some of which would appear *not* to be met in the Federally encouraged MJA's.<sup>11</sup> Chief among these would be the absence of authority in MJA's to tax or to sell bonds, and some question as to whether they are “units of government.” But as do other special districts,

MJA's clearly have a “governmental character,” operate primarily with public funds, and tend to be unifunctional and set up to serve only certain areas. Perhaps it is this latter characteristic of having manipulable boundaries which makes the MJA most like the special district and underlies the MJA's attractiveness. If part of the understood problem is the absence of a local government which embraces the metropolitan area of residence, the “boundary fluid potential” of the MJA makes it an attractive structural response, precisely because its boundaries are flexible.<sup>12</sup> (It ought to be noted that many MJA's are a structural response to a problem which is perceived as the absence of a *locally* controlled metropolitan policy capacity. The State or Federal governments are able to undertake policy development for metropolitan areas if they so desire.)<sup>13</sup>

If the MJA is within the special district family of agencies, note ought to be taken of the fairly sizable literature on special districts, very little of which can be said to be enamored of it as a governing mechanism. A 1967 *Midwest Review of Public Administration* forum on special districts makes the general point that “special districts have found very little favor in the eyes of both political science and public administration.”<sup>14</sup> Bollens and Schmandt in their basic work, *The Metropolis*, term special districts “the new dark continent of American politics.” The Institute for Local Self-Government subtitled a study of special districts “Democracy Diminished.” In a monograph entitled *The Problem of Special Districts in American Government*, ACIR notes that “two criticisms are so pervasive as to strike against the vast majority of metropolitan districts existing today: . . . [they] prey upon an area's financial resources by unilaterally determining their budgets without being subject to a machinery for balancing allocations of these resources . . . ; 2) they fail to mesh their activities, their programs and policies, which demand coordination, with those of governments co-existing in the same area.”<sup>15</sup>

The bitterness of the prevailing criticism about special districts does not seem to have depressed our general willingness to continue to form new ones. The seven kinds of MJA's under study in this report are sometimes flourishing examples of Federally sponsored intervention in areawide problem solving. However, a 1970 ACIR report looked at them less kindly by suggesting that too many areawide planning bodies stimulated by Federal requirements “seem to be headed toward becoming a new type of special district with all the problems that entails.”<sup>16</sup>

There are a number of lists of the kinds of efforts which would qualify as both Federally encouraged and multi-jurisdictional. To clarify the term “multi-jurisdictional” as used in this report, it is meant to exclude agencies which operate within a single county. Conceptually, this paper will argue that a MJA, fostered by Federal policy, ought to provide a new local policy capacity which is at least coterminous with the metro-



tion of some first-tier governments which are against any strengthening of the county. Nevertheless, the creation of Federally encouraged, independent MJA's in single-county SMSA's, unless the county is unwilling or unable to perform the relevant areawide function, may be a mindless act.

In those American metropolitan areas which are multi-county there is almost by definition no local government able to make policy on those issues which affect all residents of the metropolitan area.<sup>18</sup> Apart from other voluntary arrangements between local governments which permit some trace of a metropolitan policy capacity, the rapid growth of regional councils in recent years has been a most significant development with regard to metropolitan governance. In large part this development was made possible by regional council receipt of "701" comprehensive planning funds administered by the Department of Housing and Urban Development and the designation by OMB of many of these regional councils as metropolitan clearinghouses to administer the A-95 process. In a number of cases, and with regard to particular Federal program concerns (i.e., transportation planning and criminal justice planning) the regional councils/clearinghouses have had certain MJA's attached ("piggy-backed") to them. Whether piggybacked or not, the reader may begin to discern some potential rationality with regard to the formation of MJA's in metropolitan areas. In their ideal type, these MJA's could be seen as constituting a metropolitan policy capacity with regard to functions which have been designated as areawide in implication by Federal legislation and/or administrative policy. But in addition to the functionally oriented MJA, Federal policy encouraged the establishment of a metropolitan clearing house whose generalist tasks include comprehensive planning and review of a wide variety of programs, including those efforts supported in the functionally oriented MJA's. The potential rationality in this scheme (assuming one supports the creation of a locally controlled areawide policy capacity) may be captured in the diagram on the preceding page.

In that scheme, the clearinghouse represents a comprehensive areawide policy capacity, generally under the control of local elected officials or their designees. The MJA's, which have been established as independent unfunctional agencies, presumably have their independence and their narrowness tempered by the review and comment procedure, which forces MJA requests for Federal funds through the clearinghouse.<sup>19</sup> In a previous report, where the focus was the clearinghouse, I concluded that the rationality of the above process is seriously eroded by the general blandness of clearinghouse reviews.<sup>20</sup> In this report, the focus is the MJA.

Before proceeding to describe the intergovernmental relations of the MJA, it would be useful to say something further about the potential universe of Federally encouraged MJA's. A recent report of the

Council of State Governments lists nine "major areawide planning programs" that are supported by Federal funds:<sup>21</sup>

1. Justice — areawide law enforcement planning councils;
2. Housing and Urban Development — "701" Comprehensive Planning Districts;
3. Health, Education and Welfare — areawide comprehensive health planning agencies;
4. Agriculture — Resource, Conservation and Development Districts;
5. Labor — Comprehensive Area Manpower Planning Systems;
6. Commerce — Economic Development Districts;
7. Environmental Protection Agency — Air Quality Control Regions;
8. Appalachian Regional Commission — Local Development Districts;
9. Office of Economic Opportunity — Community Action Agencies.

The Department of Agriculture's resource and development districts and the Appalachian Regional Commission's local development districts are not included in the purview of this report because they are generally oriented to non-metropolitan areas. The Department of Commerce's EDD's might also have been excluded on these grounds. However, a number of EDD's include counties which are parts of metropolitan areas, and in the Southeast a fair number of EDD's have sought and won designation as clearinghouses, thus making the EDD a much more important unit of observation with regard to areawide governance. Also excluded from this report, despite their being Federally supported MJA's, are the "701" comprehensive planning districts (which in many cases have become clearinghouses). Because of its comprehensiveness and its growing capacity to review the programs of other MJA's, the "701" planning agency where it is also a clearinghouse is seen as *sui generis*, and will be treated separately in another paper as part of this ACIR report.

Excluded from the Council of State Governments' list, but an important unit in this report are regional transportation planning efforts supported by the Department of Transportation. The Federal Highway Act of 1962, Section 134, provided that the Federal government not approve for funding "any program for projects in any urban area of more than 50,000 population unless [the Secretary] finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by State and local communities."<sup>22</sup>

The terms "continuing," "comprehensive," and "cooperative" became the watchwords of the transportation planning process and in a number of cases resulted in the creation of new multi-jurisdictional agencies able

to conform to the intent of Section 134. However, a better sense of the variety of response to the federal highway legislation can be seen in the following data from a Department of Transportation report. "At the present time, of 378 active Section 134 Planning Grants, 215 (or 57%) were made to *ad hoc* area transportation studies, 65 (17%) to State agencies, 64 (17% to regional planning commissions, 15 (4%) to councils of governments, 6 (2%) to city agencies, and 15 (4%) to miscellaneous recipients.<sup>23</sup> It may be assumed that some portion of the planning grants which go to *ad hoc* studies contribute to the support of locally based areawide planning efforts. In addition, at least 21 percent of these Section 134 funds (those going to regional planning commissions and COG's) is supportive of an urban area transportation planning function which is "piggybacked" (in some way an organizational part of) on to the comprehensively oriented regional planning agency.

In the Federal Highway Program, the operative words in the legislation which can be seen as encouraging an MJA is the stipulation of a particular kind of planning process ("continuing," "comprehensive," "cooperatively") "in any urban area of more than 50,000 population." The path to an MJA in OEO's community action efforts is much less sophisticated—apparently more oriented to notions of administrative efficiency than to the creation of a problem solving capacity in an urban area. Administrative regulations governing the recognition and support of local community action agencies simply indicate that 50,000 is the minimum base for an agency. By inference and by practice, OEO has been willing to support multi-county agencies where a single county will not meet the minimum population criteria. The distinction between OEO and DOT criteria with regard to jurisdiction is that the Highway Act sees a concentrated area of settlement as the proper base for planning whereas OEO simply specifies an efficiency base ( a minimum population) with no notion of population concentration, interconnection, or areawideness.

The Economic Development Administration, in its guidelines to the formation of an EDD, implies a variety of motivation. The guidelines are somewhat oriented to OEO's ideas of an efficient base for program, and also concerned with creating a capacity to view problems from an areawide point of view. But the basic concern would appear to be problem solving—establishing a local vehicle (the EDD), which can make recommendations for dealing with problems of economic development. An EDD project guideline states that "the Public Works Economic Development Act of 1965 authorizes the setting up of EDD's—usually composed of 5 to 10 counties—to help solve the job and income problems in areas of high unemployment or fairly low income."<sup>24</sup> At least two of the counties in a district (MJA) must be designated redevelopment areas (as defined in Title IV,

P.L. 89-136) eligible for EDA grants and loans, and there must also be a development center—a city or center of economic activity that contains a population of not more than 250,000. Unlike Section 134 of the 1962 Highway Act, and unlike OEO's population guidelines of 50,000, the EDA deliberately sets out to form a multi-jurisdictional agency as a vehicle for more effectively dealing with problems of economic development. Still, the focus of EDA's regulations is on solving the problem. In effect, the multi-jurisdiction is seen as a more effective base for problem solving, but not because it embraces a particular number of people or all of the people in a particular area. The hoped-for effectiveness of EDD's multi-jurisdiction apparently rests in its capacity to bring more people together around the potentials of a development center.

The Department of Health, Education and Welfare's comprehensive health planning program appears to favor the creation of areawide agencies for purposes of appropriate policy development, as opposed to efficiency. However, it gets at "areawideness" by detailing what it feels to be the components of a health planning system. The HEW program guide specifies, "The area should be appropriate for comprehensive health planning. That is, it should have a population of sufficient size so that a full range of physical, mental and environmental health services, facilities, and manpower, except for highly specialized resources, is or can be available within the area."<sup>25</sup> When translated into practice these guidelines become focused on tying rural areas with sparse health services to urbanized areas to form a comprehensive planning system. Thus it is not so much a metropolitan health capacity or an urban area health capacity that is anticipated as it is a more sophisticated urban area health system available to the residents of a region including urban and rural residents.<sup>26</sup>

If HEW guidelines seem intent on bringing rural areas into the health system planning orbit of the urban area, criminal justice planning grants seem intent on doing the reverse. A relatively innocuous phrase in the Omnibus Crime Control and Safe Streets Act of 1968 called for State planning agencies to "define, develop and correlate programs . . . in the State or combination of States or units [or general local government]."<sup>27</sup> In a following paragraph the act called for Federal funds to be "available to units of general local government or combinations or such units . . ." State administration of Federal funds, more prominent with regard to criminal justice planning than in most of the other programs under observation, was characterized by an initial, almost national, rush to use MJA's as a base for planning and fund allocation. Apparently, after a short while the multi-jurisdictional approach was considered to perform badly, and big cities and counties chafed at having to work within a regional framework.<sup>28</sup> Law Enforcement Assistance Administration (LEAA) guide-

lines were modified to encourage planning grants made directly to cities over 250,000 and counties of over 500,000 without having to go through any existing multi-jurisdictional agency. As a consequence, there has been an impetus to large urban jurisdictions to remove themselves from regional criminal justice planning agencies and go it alone.

Criminal justice planning appears to favor multi-jurisdictions for purposes of efficiency, while assuming that this efficiency is enhanced when large units of general purpose government receive their own criminal justice planning grants. The net result is the obverse of the HEW comprehensive planning programs. Large urban places are permitted to define themselves out of regional criminal justice planning; in the CHP program, rural areas are required to be defined into the areawide health planning agency.

The CAMPS' program began with a notion of areawidness largely built around large urban concentrations of population. CAMPS was meant to serve as an information exchange among various local agencies using a variety of Federal manpower monies and also as a planning and clearance device to prevent program duplication. The primary target of manpower programs was, and remains, central city residents, and thus it was seen as reasonable that the focus of manpower planning be on the central city. Beginning in 1971 many CAMPS have been translated into Manpower Area Planning Councils, with such councils seen as advisory to central city mayors. While the focus was something called the "manpower area" it was clear that DOL meant to be flexible in determining what such an area was. A May 1971 guideline indicated that "SMSA boundaries, political jurisdiction lines, OMB Circular A-95 and present CAMPS areas must be considered in setting MAPC area lines. However, where reasonable boundaries that cover less than the SMSA are evident, they should be used in determining the manpower planning council area."<sup>29</sup> If other Federal multi-jurisdictional programs can be characterized as being primarily concerned with either an areawide policy capacity, issues of efficiency, or focus on a particular problem, the CAMPS' effort can best be seen as aimed at the development of a policy capacity.

The examination of Federal guidelines and legislation underlying the formation of multi-jurisdictional agencies always carries the implicit or explicit notion that jurisdiction is to be based upon an individual unit or combinations of units of local government. The idea of using political jurisdictions as the building blocks for the MJA, in each of the foregoing six programs, is generally consistent with a particular program's notions of its proper geographic boundaries. Not so with air quality control. The idea of an airshed is almost multi-jurisdictional by definition, but beyond that an airshed is often apt to ignore existing jurisdictional lines. Thus, if a concern is a planning and enforcement capacity of sufficient scope to deal with problems throughout the

airshed, the air quality control agency may need to consider the violation of local political jurisdictions.

The dilemma of the divergence between airsheds and customary political boundaries is resolved in the Clean Air Act by allowing local political units to be planning and control agents acting within State and National clean air standards. In effect, policy for the multi-jurisdiction of the airshed is determined at the State and Federal level, while the means of achieving that policy are determined by local units of government.

In a sense, the clean air guidelines are almost a synthesis of the multi-jurisdictional issues in other Federal programs. From the point of efficiency the Clean Air Act rewards the coming together of multiple jurisdictions.<sup>30</sup> But it also recognizes that the hoped-for efficiency of multiple units of government may not contribute anything additional to problem solution. Thus, in addition, the Act holds the State responsible for policy applicable to a region, at the risk of Federal intervention if National standards are not maintained.

The assignment of a primary objective to each of these seven Federally encouraged programs is an important step in the analysis. If these seven programs can be conceived of as having different *primary* purposes in seeking a multi-jurisdictional base for action, then it is reasonable to expect that they will (and should) have different local structures to carry out these purposes. In all cases these assumptions as to purpose are based upon existing legislative and administrative guidelines, as well as current practices in program administration.

The following is a summary of assumed primary purposes in the establishment of these MJA's:

**Areawide policy capacity:** CHP, CAMPS/  
MAPC, Regional Transportation Planning

**Efficiency:** Multi-county CAA's, CJA

**Problem solving:** EDD, air quality agencies

While all of these agencies are generally MJA's, those in the first category, assumed to be established to further an areawide policy capacity, will also be referred to as areawide agencies. The difference in language is meant to indicate that a MJA is not necessarily expected to approach issues from an areawide point of view; an areawide agency, by definition, is expected to do so.

## Plan of the Study

Each of the foregoing seven sets of Federal legislation and policy guidelines provides the stimulus for the formation of multi-county agencies. Whether a multi-county agency came into being as a result of Federal pressure, local will, or some combination of both is often not clear. Such observers as James Sundquist and Daniel Elazar have opposing things to say about the impetus for the local formation of new agencies to meet Federal guidelines, and undoubtedly they are both right. In the following reconstruction, Sundquist shows us how

quickly Federal encouragement becomes a requirement. "Why are we organizing another district? It is not *our* idea. The Federal government insists upon it. They tell us that if we want the agriculture programs, we have to have an RC&D, and if we want the EDA programs we have to have an EDD. We want all the programs, so we are doing what the Federal government requires. Of course, we'd rather do it all through a single organization. But they won't let us."<sup>31</sup> Conversely Elazar suggests: "The establishment of new agencies to handle Federal grants has frequently been the end result of Federal legislation, but the reasons for it are reflected as Federal "coercion" or even as strictly influence."<sup>32</sup>

The great variety of local response to Federal policy suggests that where Federal guidelines are permissive, local will is dominant. There are no single-county EDD's because the guideline mandating a multi-county mechanism is crystal clear. It is also unlikely that more than a handful of CAA's exist which serve a population of under 50,000. At the other extreme, the flexibility written into the Clean Air Act and the CAMPS guidelines suggests a variety of local arrangements. The divergences within and between Federal programs which encourage multi-jurisdictional approaches is not necessarily a sign of sloppy or confused administration. As the previous paragraphs attempted to demonstrate, the conceptions underlying the encouragement of multi-jurisdictional programs varies sharply among these Federal efforts. If the primary concern is efficiency, it is quite easy to give up any insistence on a multi-jurisdictional arrangement if local government effectively argue that alternate arrangements will be more efficient. If the primary concern is problem solving, local governments can easily be tempted to expand or contract boundaries and argue that the change is conducive to more effective problem solving. There is no common agreement in these or other Federal programs with the observation that regionalization's "essential purpose as an adjunct to local governance is to equip instrumentalities with a policy making capacity large enough in scope and purpose to embrace inter-jurisdictional problems."<sup>33</sup> This observation may fit the comprehensive health, manpower, and transportation programs, although in these efforts as in others, we have precious little agreement as to what an "inter-jurisdictional problem" is.<sup>34</sup> Until there are such agreements we ought to continue to expect a variety of purposes in multi-jurisdictional programs in metropolitan areas.

The assumed variance among and within Federally encouraged MJA's is at the heart of this paper's observations. There is already demonstrated a variance in the way that Federal programs encourage the formation of MJA's. The metropolitan/regional area of Sacramento, Calif., has been selected as one of the few areas of the country (perhaps the only one) where each of these seven Federal programs has a local counterpart which is multi-county in scope. The Sacramento metro-

politan area thus becomes an ideal ground on which to observe the experience of these MJA's in contrast to each other. (Sacramento was also attractive because of its being the State capital.) Portland, Oregon, and Pittsburgh, Pa., were also observed, both much less intensively.<sup>35</sup> The Portland and Pittsburgh area SMSA's are both multi-county, although neither of them possess all seven of the Federal programs being observed, and those they do possess are not all multi-county. In addition to the fact that these communities varied with regard to the multi-jurisdictional aspects of the programs being observed, Portland was selected because its SMSA is interstate. The Portland SMSA includes Clark County and its cities in the adjoining State of Washington.

The next section of this report will deal with the governmental environment of the MJA's. It will be followed by one on the character of MJA decision making and one concerning itself with questions of planning and action in the MJA. In each of these sections a primary focus will be the comparison of MJA's in the Sacramento area, with supporting material based on observations in the Portland and Pittsburgh areas.<sup>36</sup>

Before beginning this comparison, some attempt needs to be made to discuss the issue of geographic boundaries between programs as well as the semantic problems inherent in the concepts of "areawide," "urban," "metropolitan," "regional," and "district." The concept of "metropolitan" can be most easily related to the idea of an SMSA. It deals with urbanized populations living in some interdependence, with the primary criteria of interdependence being patterns of work and residence. As Weiler notes, one of the greatest weaknesses of the SMSA concept arises from the same aspect that provides much of its greatest utility: "... the aggregation of county units meeting the appropriate criteria to define the area. The use of county aggregates means that counties surrounding the central county and meeting on average the criteria of metropolitan character and integration, but with large portions of their area not meeting them individually, could often be included in the SMSA. On the other hand, counties surrounding the core county would not be included if they do not meet the criteria as a whole, although they might have an urbanized area near their border with the core county."<sup>37</sup>

Weiler's concerns about the SMSA concept are not just academic. They are reflected very sharply in all three of the metropolitan areas observed, where counties surrounding the central county meet criteria for being part of the SMSA, but in fact have very large areas which are only minimally involved with the central city and whose politics are often the counterpoint to urban concerns. When one defines the multi-county metropolitan area by the political jurisdictions which make up the SMSA and uses these as the boundaries for an MJA, it is almost certain to include one or more largely rural

counties (and their cities). These are the counties which must be taken account of in resource distribution and with whom the central city/county must share MJA voting privileges (often of the one unit, one vote variety).

If the metropolitan area is defined by density of population without regard to political jurisdictions, one creates a new domain, not necessarily built upon existing political units. The point is that it is not only air and water basins which can defy political boundary lines, it is "people basins" as well. There are virtually no successful attempts in the three metropolitan areas observed to surmount political jurisdiction and form a MJA around portions of political units. The only effort in this direction in the agencies studied is an air pollution control district in the Sacramento area, which combines one and one-half counties into a single district.<sup>38</sup> (The objective of placing half of Solano County into a joint authority with Yolo County was to remove the more rural portion of Solano County from the jurisdiction of the San Francisco Bay Area Air Pollution Agency, with its assumed tougher standards of enforcement.)

While the above paragraph is meant to draw some distinction between the concepts of "urban" and "metropolitan," it is not a distinction which has been subject to implementation. The practical problems resulting from this difficulty are of large proportion. They mean that our attempts to put together multi-jurisdictional mechanisms in metropolitan areas always include political units which appear to *feel* less interdependence with the urban area and in fact *have* less interdependence. It is these less metropolitan populations to whom the issues of metropolitan governance are often irrelevant, and it is these populations which often contest the new MJA's, or contest their own inclusion in the MJA and help to erode its capacity.<sup>39</sup>

The term "regional" as generally used seems to imply geography larger than the metropolitan area.<sup>40</sup> In effect, the notion of region can compound the problems of a metropolitan designation by including even more areas which are rural in character and which tend to feel disconnected from the inter-jurisdictional problems of the urbanized area. Further complicating all of this boundary confusion is the rapidity with which most States have recently carved out substate districting schemes. Presumably these districts may be devices for decentralizing State-administered programs, as well as forming a common base for Federally encouraged multi-jurisdictional efforts. The essential problem is that the district (and parenthetically, the region) is more of an efficiency device for dividing the State into inclusive substate boundaries than it is for urban area problem solving below the level of the State. As a result, both Federal agencies and their local bureaucratic counterparts feel free to ignore established substate districts where they are not viewed as supportive of the intent of

the multi-jurisdictional effort. The net result is that boundary setting for multi-jurisdictional efforts (whether or not there is a substate district scheme) seems to be one of the great examples of American free enterprise. In the Sacramento metropolitan area, none of the seven MJA's observed shared the same boundary. In the Portland area, backed by Oregon's presumably powerful substate districting scheme and serious administrative intent to make that scheme work, boundaries are somewhat erratic between MJA's. In the Pittsburgh area, programs which are multi-jurisdictional elsewhere in the State (e.g., criminal justice and air quality control) are single jurisdiction within the core county of Allegheny while the surrounding counties are part of a multi-jurisdictional effort. This particular form of boundary entrepreneurship in the Pittsburgh area, where the heart of the region is ripped out and made into a separate agency, is really only insane if the objective is a policy-making capacity for the entire urbanized area. But if the objective is administrative efficiency, it may be perfectly rational to take the larger county and make it into a separate agency, while joining the surrounding, less populated counties into a multi-jurisdictional agency.

The variances in boundaries in the communities observed are so pervasive that variance is the norm. Common boundaries between MJA's are the anomaly to be explained away. But this should come as no surprise. If the argument is sound that different Federal programs have different objectives for MJA's, then it is reasonable to expect that boundaries will differ. Boundaries are an instrument; they are fashioned differently to achieve different kinds of goals. If all Federally encouraged MJA's were to have efficiency as their primary objective then one might expect the use of common boundaries along the lines of substate districts (or planning modules within that, if efficiency demanded a smaller population base). But if an objective is to create instrumentalities with "a policy-making capacity large enough in scope and purpose to embrace inter-jurisdictional problems" in urban areas of residence, then we are back to the dilemma of how to structure MJA's so that they include only the true metropolitan population.

There is little point in spending additional time over the "boundary mess" at this stage of the report. Perhaps it is useful to suggest that it is only symptomatic of our problems in areawide policy making, not a cause of them. The report will return to the issue of boundaries in the closing section.

As a way of concluding this opening section, the following table compares the seven different Federally encouraged programs, observed in the three communities, under a variety of headings.

The absence of EDD's and OEO supported multi-county agencies in the Pittsburgh and Portland areas does not reflect negatively on these communities or on the Federal agencies administering these programs. OEO's efficiency criteria simply do not demand multi-

TABLE V-I

**Comparisons of Multi-Jurisdictional Agencies in 3 Metropolitan Areas**

	(1) Is an MJA present?			(2) Number of MJA's with whom common boundaries are shared			(3) Does MJA conform to recommended sub-state district boundaries?		
	Port-land	Pitts-burgh	Sacra-mento	Port-land	Pitts-burgh	Sacra-mento	Port-land	Pitts-burgh	Sacra-mento /E
TRANSPORTATION PLANNING	⊙	⊙	⊙	0	0	0	√ /C	X	X
C.J.A.	⊙	X	⊙	2	0	0	√	X	√
CAMPS/MAPC	√	X	√	2	0	0	√	X	X
E.D.D.	—	—	√	—	—	0	—	—	X
CAA	X	X	√ /D	—	—	0	—	—	X
AIR QUALITY CONTROL AGENCY	√	X	√	0 /B	0	0	X	X	X
CHP	√	√	√	2	0	0	√	X	X

- Notes: A. Encircled agencies under column (1) are piggybacked onto the regional council/clearinghouse.
- B. One county has pulled out of the air quality agency, an action being challenged in court at time of writing.
- C. Conforms, but also includes an additional county in an adjoining State.
- D. An OEO supported multi-county planning agency exists alongside four single-county CAA's.
- E. California boundaries are recommended by the Council on Inter-Governmental Relations, not legislatively adopted.

county agencies in heavily populated areas. EDA's legislatively established problem criteria for support of an EDD in the Pittsburgh and Portland areas are apparently not met.

Taken on its face, the data in Table V.1 is early verification that there is indeed variance in these Federally encouraged programs as they are implemented. And further, that there is variance between these Federally encouraged programs within a single metropolitan area. Given these two variances, between programs and between communities, the stage would seem to be amply set for the comparative assessments which are to follow.

## MULTI-COUNTY AGENCIES AND THEIR GOVERNMENTAL ENVIRONMENT

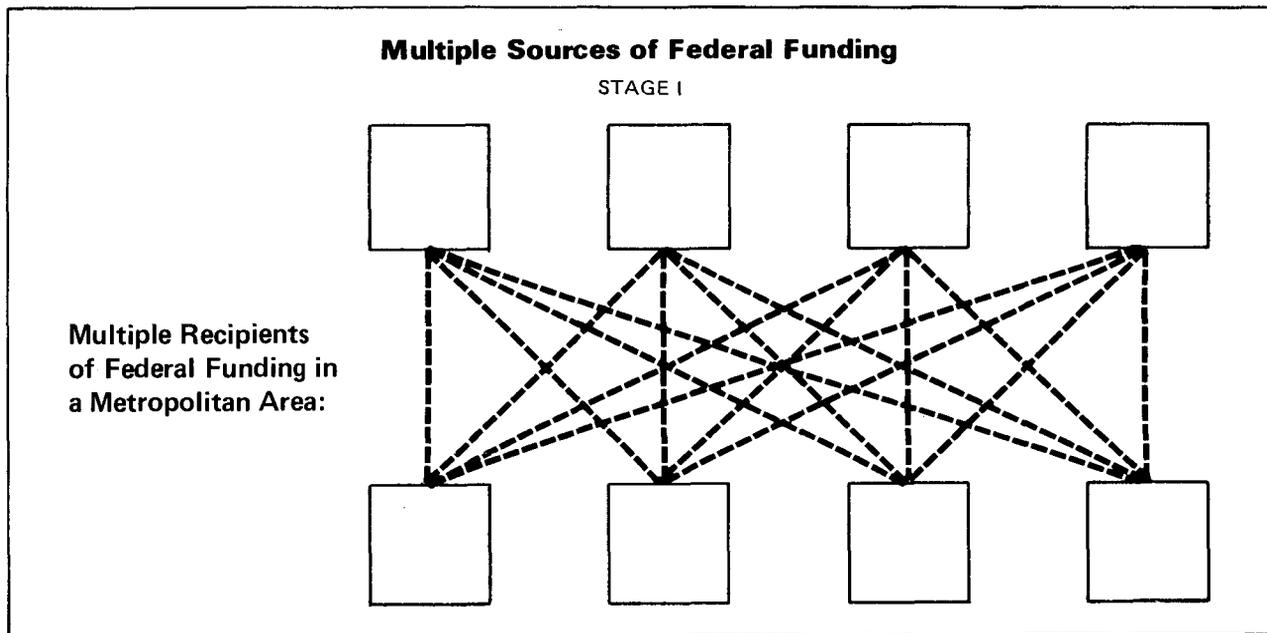
### The Federal Government

In the first part of this report an attempt was made to distinguish between the absence of a *locally* controlled metropolitan policy capacity and the absence of *any* metropolitan policy capacity. In the nature of the American governmental system the State always has the potential capacity to be the areawide policy maker (except in interstate areas). However, it is the Federal government which seems to have been the aggressive actor with regard to metropolitan governance, in part as evidenced by the seven programs under observation. Targovnik has noted that central authorities in Israel do not merely aid the governments of urban regions; "their activities there are part of their own program of action."<sup>41</sup> But in the American experience, as reflected in these seven programs, there seems to be reflected a synthesis of Targovnik's observation. These Federally

encouraged MJA's can often be understood as an attempt to enable local officials or their designees to carry out Federal policy through locally determined actions. The slippage in, and the problems resulting from, this philosophy of Federal action in metropolitan and regional programs is the context for many of the comments which follow.

Elazar has captured some of the confusion in the Federal-local relationship. He writes, "Quite frequently . . . the Federal bureaucratic fragmentation, which is a legitimate organizational concomitant of the administration of the several different programs, becomes a source of external fragmentation and disharmony at the community level as the different Federal line agencies make differing demands upon local governments."<sup>42</sup> The CAMPS program and the CHP program, both of which have been suggested as primarily interested in providing an areawide policy capacity, have been encouraged by Federal policy to review and comment on programs in the areas of manpower and health. This review and comment procedure would also hopefully provide a local, more unitary, perspective on proposed grants as a way of compensating for the Federal bureaucratic fragmentation which Elazar noted. The stages of Federal-local relationship, before and after the intended intervention of the MJA, are described below.

In the contemplated second stage, the CHP or the CAMPS is placed in the middle of the above relationship. These MJA's are expected to review and comment upon the requested transfer of funds to local grantees from units of the Federal government. The CHP and CAMPS are not intended to act as conduits for funds, but rather as rationalizers of their transfer. Presumably the rationale is to be based upon the development of a manpower plan for the metropolitan area by the CAMPS

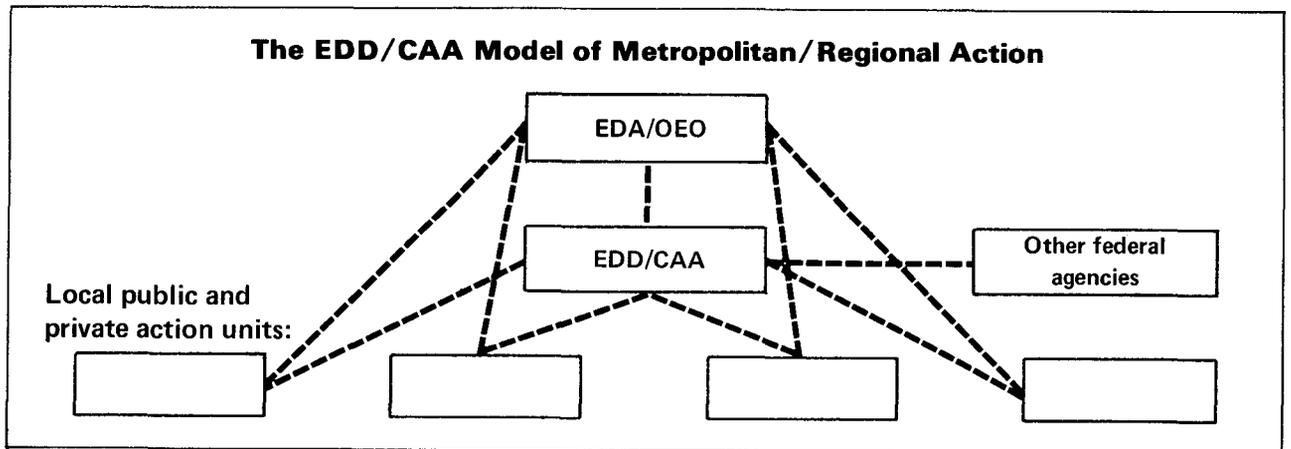
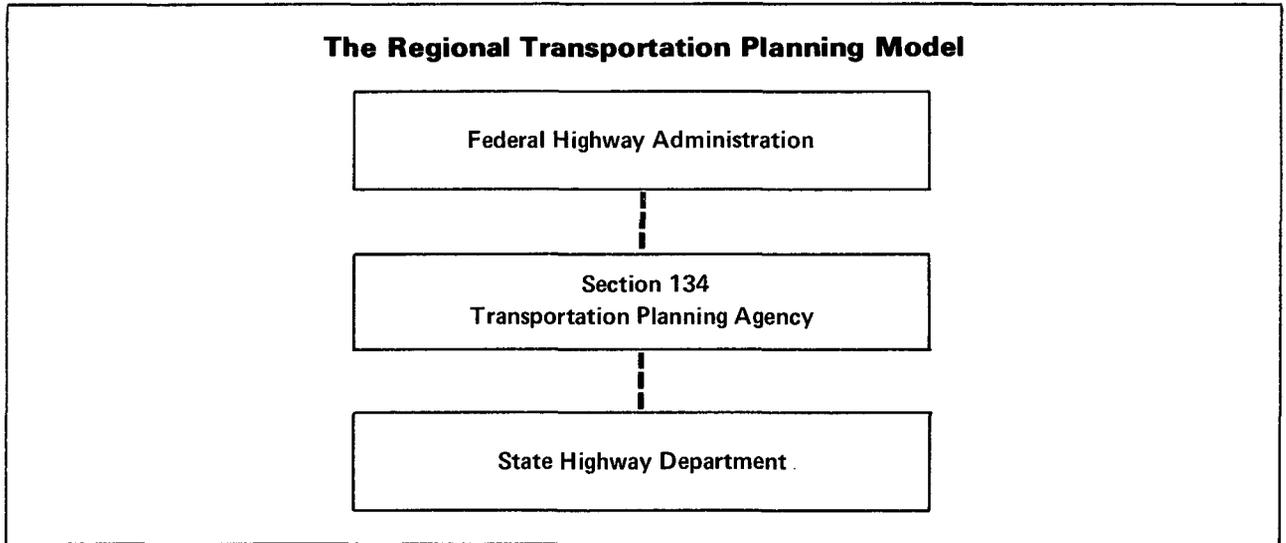


agency and a health plan for the region by the CHP. It is the Federal support for the development of this plan, and its use by a multi-jurisdictional agency in reviewing the proposed actions of local government and non-government units, that characterizes the above model as potentially leading to an areawide policy capacity. This model, but with a more comprehensively oriented planning agency as the intervener, would also seem to reflect the Federal program philosophy supporting the A-95 clearinghouse process.

The intent in the above model of relationships needs to be clear so that the report's description of what happens within it can be measured against Federal (and perhaps local) expectations. Bish and Warren write, "Proposals that would have the effect of expanding bureaucracies which are unresponsive and insufficient within large cities to a regional scale without introducing constraints upon monopolistic behavior is a strange solution to urban problems."<sup>43</sup> The metropolitan/

regional policy model in the CAMPS and CHP programs is *not* an attempt to expand into large-scale bureaucracies as a way of dealing with areawide governing problems. In fact, none of the seven programs observed (except the air quality control agencies under certain circumstances) can be viewed as such an attempt. The net result of diverse Federal action in most of these seven multi-jurisdictional efforts is a strategy aimed at encouraging planning on a multi-jurisdictional basis as a way of providing a policy context for action within traditional, more local governmental and non-governmental units.

The above metropolitan/regional policy model, which was drawn to have its best fit to the CAMPS and CHP programs (and to the clearinghouse itself), is also pertinent, with modifications, to all the other multi-jurisdictional efforts except air quality control. The following are depictions of the other MJA's based upon current Federal policy and practice.



The EDD and the multi-county CAA plan in terms of the multi-jurisdictional problems they are concerned about—economic development and poverty. Based upon the willingness of EDA and OEO to support the MJA's plan, funds are channeled through the MJA to local public and private action units (or directly to local units in the case of the EDD). In addition, the EDD's and CAA's are expected to help seek other Federal sources of funds for direction to their local constituents.

In some respects the character of relationships that EDD/CAA's have to the Federal government is similar to that of CAMPS/CHP's. All four are established in part to create a policy capacity which will direct or influence the expenditure of Federal funds in the area. EDD's and CAA's expect that the Federal agency which contributed to their establishment will be strongly guided by their funding recommendations. Based upon their current experience, CAMPS and CHP's are hopeful that their review and comment (in effect, policy recommendations) will act as constraints upon Federal action. The reality of CAMPS/CHP's in the communities observed tends to be different in that they have almost all experienced situations where pertinent Federal resources have come into their areas without their approval or, in some few cases, over their objections.

Federal legislation has mandated the policy influence of an urban-area-oriented group over the urban actions of the State Highway Department. In a facile sense the position of the transportation planning agency is similar to that of CAMPS/CHP. It is attempting to influence the expenditure of Federal monies in accordance with locally developed urban area planning. As previously suggested, the primary role of the transportation planning agency, as with CAMPS/CHP, is to provide a metropolitan policy capacity. But the resemblance ends there. The regional transportation planning agency is attempting to rationalize the flow of Federal funds to the State Highway Department, often itself possessed of highly sophisticated planning capacities. In addition, if the regional transportation planning agency chooses to intervene, it risks conflict with a level of government (the State) which holds crucial resources for itself and for those local governments involved in the regional transportation planning agency. The problems in this process, leading to a muting of the urban area point of view, are all too apparent and will be discussed in more detail in later sections of the report.

**The Criminal Justice Planning Model.** The Criminal Justice Planning model is similar to the CAA and EDD models. The primary difference is that the multi-jurisdictional CJP agency deals with the State rather than with the Federal government. In effect, the Federal government, by giving block grants of criminal justice funds to States, has seemingly rid itself of the problem of how to use its funds in a metropolitan/regional area. But not quite. The language of the pertinent Federal legislation recognized combinations of local government units as

appropriate grantees, thus leading to extensive use of MJA's. And as if to countermand this encouragement of multi-jurisdictional action, Federal policy makes a city government of 250,000 or over eligible for a planning grant no matter what the regional arrangement. In effect, Federal notions of efficiency (or local political reality) supersede any interest in a metropolitan/regional policy capacity, just as they do in the OEO program. And of course, there is little way to fault Federal policy in this regard since there are no objective criteria (or consensus) which suggests that antipoverty or criminal justice programs need to be areawide in their policy or their management.

**The Air Pollution Control Model.** The one radically different Federally encouraged agency amongst these seven, from the point of the implied model for local action, is the one concerned with air quality. In addition to having a concern with planning, the air quality agency is primarily an actor—an enforcer to standards which are established at the Federal (and sometimes the State) level. In effect, with regard to air quality control, the Federal and State governments have pre-empted the areawide policy capacity. Unlike the areas of criminal justice and antipoverty action, the objective material and public consensus are clear that air quality is an inter-jurisdictional issue with an important interstate aspect. While Federal legislation encourages multi-jurisdictional planning and enforcement agencies, the underlying reasons are efficiency and an assumed greater effectiveness in dealing with control problems. The issue of an areawide policy capacity is minimal because it has been legislatively determined that all levels of local government are inappropriate for the establishment of basic policies with regard to air standards. Thus, when the Federal EPA makes grants to an air quality agency, it insists that the grantee have enforcement authority. This is in sharp distinction to CAMPS, Section 134 transportation planning agencies, and CHP agencies, where often the only authority possessed is that inherent in the review procedure, which Federal funding agencies may then choose to ignore.

If the Federal government is the major source of policy with regard to air quality standards for an area, there are nevertheless policy problems and possibilities that are peculiar to an area or an airshed. In addition to its encouragement of control units including "two or more municipalities," the Clean Air Act calls for the State to submit plans for the achievement of certain air standards "within each air quality control region" in the State. In the Sacramento area this has led to a 14-county air quality control coordinating council, and in the Portland area it has led to joint meetings between the districts which make up the airshed of which the Portland area is a part.

The model of Federal action in the case of air quality control is instructive because it is so clearly different from those in the other multi-jurisdictional efforts being

observed. Federal legislation supplies the policy context for all jurisdictions in the country; it is recognized that there are air quality regions which may require particular kinds of planning if air quality standards are to be attained (and the State is held responsible for this planning); and Federal funds are made available for planning and enforcement through local units of government. The nature of this Federal-local air quality relationship may owe most to the breadth of understanding about the national policy requirements for effective air quality control. As a result, the relationship may not be useful to draw conclusions from. Nevertheless, the model of relationship will be important to return to after the report examines the operating problems evident in the various multi-county efforts.

The foregoing is an attempt to capture different models of what the Federal government appears to be "buying" in these various multi-jurisdictional agencies. The local MJA doesn't necessarily perform in the way Federal policy intended it to, and in some cases, erosion sets in from the moment of the program's establishment as arrangements are made and bargains struck between the Federal granting agency and local recipients, which then work to hamper the achievement of certain objectives. Evidence of this appears in previously cited DOT data which indicates the variety of implementers of Section 134 highway planning, including State highway departments, the very agency that regional planning is supposed to offer an urban area counterpoint to.

Apart from the initial bargaining which may distort the intent of the multi-jurisdictional effort, there are a variety of other Federal compromises. In the case of the CHP/CAMPS review mechanisms, it is common to hear complaints that the Federal agencies which have supported the establishment of the review process are the very ones who bypass it. In one CAMPS effort it was even reported that the Department of Labor asked that a grant be reviewed *after* the Federal decision had been made to fund it. In that way it was felt that the appearance of a review process could be maintained. Again with the Department of Labor, there are a variety of contracts signed with national organizations to perform local services which are excluded from the areawide review process. In effect, the metropolitan policy mechanism of CAMPS is often presented with a *fait accompli* operating in its own backyard.

The Federal government does not necessarily blunder into the situations by which it contributes to the weakness of its own multi-jurisdictional mechanism. In many cases, a self-fulfilling prophecy is at work: The Federal agency assesses the local multi-jurisdictional agency as "weak" (e.g., its planning is poorly developed, its policy people are "obstructive,") and the Federal agency proceeds to bypass the MJA, thus contributing to its further weakening.

There are other Federal "failures" which can be perceived as such only when the focus is a strengthening

of some metropolitan/regional policy capacity, rather than a single-minded concern with program delivery. One of these failures is the continued Federal willingness to support a maddening variety of boundaries for MJAs. And it is not that Federal agencies are insensitive to the issue of boundaries—they are simply tired of it. The issue is now in the hands of the governor's offices, and many Federal agencies feel reluctant to make an issue over inconsistent and erratic boundaries which are sanctioned by units within a State administration. Perhaps the most interesting Federal failure is its unwillingness to push a relationship between regional councils/clearinghouses and *ad hoc* MJAs. In a number of cases it is not a matter of pushing, the supporting Federal agency deliberately sets out to keep its MJA separate from the regional council/clearinghouse.

The above failures and others are continuing examples of the importance of functionalism in Federal program administration. The goal is to move a program—to get the maximum number of inputs and outputs—not to develop a structure or something as nebulous as a "metropolitan capacity for policy making." Structures, clearance procedures, plans, can all be viewed as devices to facilitate some output, and when Federal program administrators decide that the structure is getting in the way of product delivery, it is the structure that goes. Thus, the willingness to live with a variety of boundaries; the unwillingness to protect review procedures which slow down program delivery; and the failure of Federal agencies to consistently support the clearinghouse as the comprehensive multi-jurisdictional planner.

Occasionally, there emerges Federal legislative or administrative policy which addresses the issues of structure so as to give pause to the functionalists. The general purpose government preference provision of the 1968 Inter governmental Corporation Act (IGCA) is such a policy. If an extreme interpretation were given to it, Federal agencies might stop the support of new *ad hoc* multi-county districts unless their policy board were controlled by local general purpose governments. Despite the IGCA, the Federal government continues to support multi-jurisdictional CHP's, EDD's, and CAA's, all of which may have minimal connection to local government. It is not that Federal administrators are remiss or conspiring to break the laws. More likely, it is that they assume local government officials not to be interested in yet another Federally sponsored program whose pertinence for local government is not clear. Or local officials themselves give tacit or specific approval to the formation of a new agency nominally separate from local general purpose government.

There are yet other examples of Federal administrative unwillingness to grasp the multi-jurisdictional potentials of the agencies they are supporting. If each of these seven multi-jurisdictional programs support areawide planning, and if most of them favor some process by

which locally developed plans will form the context for requesting and reviewing requests for Federal funds, one might expect far more Federal attention to the quality and the content of local planning. Except for air quality control (ironically the one Federally encouraged MJA under observation which does *not* review or act as a conduit for the movement of Federal funds to other local agencies), there does not seem to be any serious process by which supporting Federal agencies sit in judgment on the planning process Federal funds have helped to pay for, and which presumably Federal agencies will accept the guidance of, in their own funding decisions.

Without meaning to anticipate a later section on planning in these seven programs, one might suggest that the Federal reluctance to judge the quality of multi-jurisdictional planning is an astute move. If Federal administrators had to publicly acknowledge the weakness of the intelligence which was guiding metropolitan/regional decisions and advice, there would be even less grounds for supporting a role for MJA's in Federal decision making. Or there might be some further impetus to rethinking at what stage locally developed intelligence is mature enough to influence and/or control the expenditure of public funds. Perhaps the greater likelihood is that there would be a deemphasis of multi-jurisdictional planning and review, and an increase in block granting to States and unrestricted revenue sharing with first-and second-tier governments. Despite the comparatively small amount of Federal monies which has gone into revenue sharing, there is no absence of prophets who see current approaches to revenue sharing as leading to the eventual erosion of Federal support for MJA's. Extensive revenue sharing to State and local governments, but not to MJA's, would seriously block the development of a locally controlled areawide policy capacity.

If Federal agencies have generally not looked carefully at the quality of multi-jurisdictional planning Federal funds are paying for, they have also failed to develop a reward system favoring areawide approaches to planning and action. Unless, as in the CAA and CJP programs, the reason for the multi-jurisdictional agency is basically one of efficiency, there is an *a priori* assumption that areawide problem solving or policy development demands some capacity to see across jurisdictional lines. It is almost a tautology. The creation of an across-jurisdictional capacity is presumably a basic reason for the formation of the MJA. Then why doesn't Federal policy make clear that it favors planning which is genuinely multi-jurisdictional rather than a pasting together of the plans of affected units? And why doesn't Federal funding financially reward programs which propose to act across jurisdictional lines? The highway program does this in restricting certain supports to a supra-metropolitan/regional agency—the State. CAMPS, comprehensive health, and EDA make no apparent move

to reward multi-jurisdictional approaches.<sup>46</sup> To the contrary, the comprehensive health and EDD agencies seem to engage in planning practices which make the MJA partially dependent upon the planning activities of its constituent units, thus decreasing an across-jurisdictional capacity with which to view problems. The air quality program makes some move toward rewarding a multi-jurisdictional approach by giving additional financial support to multi-jurisdictional agencies, but it is a relatively feeble effort. However, EPA, unlike most of the other supporting Federal agencies, begins from a position of strength in that it has already established an areawide context at the Federal level for local planning and action.

In summarizing the role of various Federal agencies as forces in the environment of MJA's one cannot help but be impressed with the problems of the relationship. Based on Federal agency actions to date, as well as the quality of MJA work, there is not too much to be encouraged about. While Federal support has been instrumental in the creation of these MJA's, there is no firm evidence that the commitment of the various Federal agencies would continue if it were found that MJA's in any significant way impeded the delivery of a product. But there are differences in Federal agency support of these programs and these differences may be instructive with regard to the continued well-being of MJA's. There is a fairly clear consensus that inter-urban highways and air quality standards cannot be built and maintained without a continuing capacity to make and implement policy across jurisdictional lines. In using the State as its primary grantee the Federal highway program has always been multi-jurisdictional in its approach to urban areas. The Section 134 regional transportation planning grants are not meant to replace the State, but rather to offer a potential regional counterpoint to State planning. To date, there is no overwhelming evidence that regional transportation planning has been very influential with State agencies. And if Federal transportation officials had to make a choice, many of them might choose to attempt to make State transportation planning more genuinely multi-modal rather than counterpoint it with a generally ineffective regional point of view.

As noted, the air quality program begins with a multi-jurisdictional point of view developed at the Federal level, it doesn't depend upon new "regional" *ad hoc* agencies for its manufacture. Perhaps as a result, many air quality agencies are single county (multi-jurisdictional by Federal standard) with little potential concern for the development of a *locally* based areawide policy capacity.

To this observer, air quality and highways exhaust those of the seven functions which are generally agreed to require a multi-jurisdictional capacity. Anti-poverty planning and CJP programs, as currently legislated and administered, seem to be multi-jurisdictional by accident

of population. There is no hesitancy in either of these programs to go the single jurisdictional route when that appears to be more efficient or more politic. Which leaves us to account for the EDD, the CHP, and the CAMPS programs as the Federally encouraged multi-jurisdictional efforts where an areawide policy capacity is sought or a multi-jurisdictional approach to problem solving is encouraged. But there is little common agreement that the success of these programs depends upon having a local multi-jurisdictional base. Amongst the seven programs being observed, these three become the most fragile ground on which to examine Federal policy and local performance with regard to areawide efforts. This is not to say that the sheer competence (or other factors) in anti-poverty and criminal justice planning, or a redefinition of the multi-jurisdictional aspects of the problems being dealt with, may not raise them to more crucial testing grounds for multi-jurisdictional action. Or conversely, that local governments may not come to some agreement that what they need most and are prepared to fight for is greater local control of a policy capacity with regard to highways and air quality.

This section suggests the conclusion that at the present time, and particularly in the communities observed, these seven programs conveniently divide themselves into three principal (but not exclusive) categories with regard to the multi-jurisdictional implications of their actions, and Federal actions with regard to them:

- a) Programs operating under a non-locally controlled areawide policy capacity: air quality and transportation planning;
- b) Programs which are multi-jurisdictional when efficiency is assumed to be furthered: CAA's and criminal justice planning;
- c) Programs where the primary focus is on the creation of an areawide policy capacity or the multi-jurisdiction is viewed as intrinsic to problem solution: CAMPS, CHP, and EDD's.

Implicitly, administration in the various Federal agencies seems to have taken account of the above categorical differences. This report would hope to make some of these actions explicit so that future Federal agency policies could be developed more consciously in furtherance of particular goals.

## State Government

The previous section has suggested that the Federal role with regard to a locally controlled areawide policy capacity has been inconsistent. At times, different Federal programs have acted as if they were interested in the issues of areawide governing structure, but in most instances the essential Federal interest is in the delivery of a program, not in the structure affecting that delivery. The State's role must be seen somewhat differently. On

the one hand, Daniel Grant argues, "The role of the State in meeting metropolitan area pressures for local government reorganization has been predominantly negative, grudging, road-blocking or simply indifferent in its general stance."<sup>47</sup> Even though that may be the actuality, the potential is very different. In the case of Massachusetts, Meyerson and Banfield have written that "it is hard to see how the Commonwealth can fail to become the equivalent for all practical purposes of eight or more metropolitan governments."<sup>48</sup> Alan Altshuler, a student of urban planning, and now secretary of the Massachusetts Department of Transportation, has suggested, "I would raise the possibility of State legislators taking on the regional legislative function."<sup>49</sup>

Zimmerman wonders whether States will follow the lead of New York State in creating special authorities to solve problems transcending local political boundaries.<sup>50</sup> Or will the States follow the lead of the Minnesota legislature in creating a third tier of metropolitan governance with very specific authorities aimed at constraining the unilateral actions of special districts? State legislatures have periodically been willing to let local electorates vote on the possibilities of restructuring metropolitan areas, and the State of Indiana has recently demonstrated that this restructuring can take place through State legislative action without a local referendum. Still other States have become increasingly active in creating a common set of substate districts (consistent with metropolitan areas of residence) to serve as the administrative base for various State departmental activities. Equally interesting is the possibility that States would require special districts seeking State funds to submit their proposals to metropolitan clearinghouses for review and comment.

The above are bits and pieces of actual or proposed State policy. There is nothing resembling a primary course of action by which States propose to deal with their metropolitan governing problems. Perhaps the dominant pattern remains an amalgam of establishing special districts, handling some metropolitan functions through existing State departments, and doing nothing.

In the seven programs under observation, doing nothing is no longer a predominant State pattern. In fact, the following observation may suggest that the formal State government position now opts for an areawide policy capacity which is locally controlled. A 1971 Council of State Governments' report notes that "attempts by local elected officials to tailor a coordinated attack on inter-related areawide problems have been thwarted by their inability to exercise policy control over these federally initiated areawide boards and agencies."<sup>51</sup> The reality of State action makes the State appear less benign to some local officials. States are often seen as contestants with local governments with regard to the control of an areawide policy capacity. Time after time, in interviews with local officials, the following sequence of thought has been expressed:

Official: We don't want or need "metropolitan government."

Interviewer: Are there certain functions which you would agree are inter-jurisdictional within this metropolitan area?

Official: Yes — (proceeds to name some of these functions).

Interviewer: Who ought to make policy with regard to these functions?

Official: Not the State (or the Feds) — we'll do it here.

In California there was an aborted attempt to make the air quality program into a State effort which would be regionally administered. The effort was defeated, and the county is now the basic enforcement agency (recognized as a multi-jurisdictional agency by the EPA and thus entitled to a funding bonus), albeit operating within strong State policy constraints. In the Pittsburgh area, the State administers the criminal justice planning program although the program is under the policy direction of a State appointed, locally resident, advisory board. In this case, there is reported to be continuing conflict between State and local attempts to control the policy of the single-county CJP agency.

As previously suggested, the State highway department represents an areawide policy capacity operating at the State level. The Section 134 transportation planning requirements were intended to force the State to share its policy making with urban area representatives. Some seven years after the inception of the process, State highway departments seem to remain firmly in control of areawide policy making, despite the Section 134 legislative mandate.

Further evidence of conflict between State and local policy makers over control of multi-jurisdictional action is reflected in the following statement of alarm at the prospect of converting the economic development district program into a block grant to the State. The president of the National Association of Development Organizations (EDA agencies) is quoted as fearing that if EDA were "... put out of business ... and the Districts were funded by block grants under supposed revenue sharing ... the Districts would lose their autonomy and become, in effect, a State agency. Our strongest assets are the fact that we are neither State nor Federal nor local." (Emphasis in original statement.)<sup>52</sup>

Conversely, the criminal justice planning program is supported through a Federal bloc grant to State criminal justice agencies. These State agencies operate within the context of Federal legislation which seems to encourage regional approaches to criminal justice action. At present the regional approach seems to be eroding due to a combination of events: the desire of large local jurisdictions to control their own planning, a change in Federal policy so that it now supports the potential independence of these large areas, and an underlying lack of commitment by State CJP agencies to the need for an

areawide capacity in criminal justice planning and policy development. The net result in California is that a region is whatever State and local officials agree it is. In the Pittsburgh area, the State recognizes Allegheny, the central county, as one CJP region while the surrounding eight counties constitute a separate region. If there is really something about criminal justice planning which requires an areawide capacity, then the Allegheny separation is a brilliant maneuver by the State. It ensures that the State will be the only available actor to deal with issues which are inter-jurisdictional between the central, most populous county of Allegheny, and its surrounding eight-county hinterland. On the other hand, there is no strong evidence that criminal justice activities require an inter-jurisdictional base for their planning, and therefore the criminal justice boundary maneuvering in California and Pennsylvania may not make much difference with regard to effective criminal justice activity.

If one can theoretically suggest a contest between the State and local governments over who shall control the multi-jurisdictional policy function, some of the facts "on the ground" do not necessarily verify that conflict. In California, the State CJP agency seems to have a *laissez-faire* position with regard to the support of multi-jurisdictional agencies, so that it seems willing to go along with whatever arrangements are satisfactory to local government.

In the CAMPS program, the initial attempt to build an areawide policy capacity might have been interpreted as a device to temper the powerful State employment service. In that sense the CAMPS program has some conceptual kinship to the Section 134 regional transportation planning grants aimed at influencing action by the State highway departments. And just as highway departments remain the dominant influence in Section 134 programs, the employment service has seemed able to ensure that the CAMPS program would be no threat to its areawide activities. The recent effort to convert CAMPS into MAPC's, with the central city mayor as a leading force, might appear as an attempt to counterpoint the State employment service with planning led by the central city. At this point, there seems general agreement that the MAPC's will not be permitted to be any more threatening to a State employment service relationship to the Department of Labor than were the CAMPS.

In the CAMPS and Section 134 transportation planning program, both of which the report suggests were established with a primary aim of enabling an areawide policy capacity, one might hypothesize that the more powerful the State functional department, the weaker would be the capacity of the Federally supported areawide agency to influence policy. In effect, it could be argued that a State agency with strong areawide policy interests will be able to effectively coopt or neutralize a new, Federally supported, areawide agency.

The support for this proposition is consistent in the communities observed.

The case of areawide comprehensive health planning relationships to a counterpart State health planning agency are interesting in this regard. The same Federal legislation which has enabled the areawide agency (314(b) agency) also enables the establishment of a State health planning agency (314(a) agency). In California the 314(a) agency reviews and approves the budget of the 314(b) agency, but there is little evidence that the State agency has been willing to engage in serious conflict with the areawide agency over who shall control areawide policy making. The explanation may lie in the youth of the State health planning agency as compared to State highway departments and employment services.

The same argument of relative youth might have prevailed in observing the relationship of State air agencies to local air control agencies. But the State air agencies came armored with an articulated set of National and State policy to use in their relationship with local air control agencies. There is no contest over who shall control areawide policy making with regard to air quality. The contest has been decided *a priori* in favor of non-local control. In the Sacramento area one even senses the interest of the local (county) air pollution control districts in attempting to use a recently formed regional council as a buffer against State intervention. But the policy lines are clear; it is the State Air Resources Board which must accept (agree to) the proposed plans of the regional council, and it is the State which retains the right to intervene in the locality if standards are not maintained. Undoubtedly this aggressive State position is abetted by Federal policy which proposes to do the same thing in the State if Federal air standards are not maintained.

The variances in State relationships to these seven multi-jurisdictional programs are undoubtedly magnified when comparing States to each other. We are not yet close to the point where the State is a predictable actor with regard to areawide policy making. In two of these seven programs (CAMPS and transportation planning) where established State prerogatives are at stake, the State appears not about to let its capacity for areawide influence go by default. In the criminal justice program, the very fact of a Federal bloc grant to the States has made the State a powerful actor with regard to areawide policy making. The Portland area criminal justice agency indicated that four of 22 recent local grant requests approved by the CJA were reviewed by the State and rejected for "no apparent reason." In California and Pennsylvania the State CJP agency apparently is also careful to hold on to its prerogatives of grant rejection. One can see the signs of an important State force developing, but one which is likely to be guided by its local constituents (the CJP agencies) until (and if) it is able to develop powerful State policy with regard to local criminal justice activities.

The State has always been a potential force with regard to the boundaries of multi-jurisdictional programs, particularly since the Federal government has come to recognize the chaos bred by its former practices. But to this point the State governments observed appear unwilling to test Federal good faith with regard to boundary alignments. Of the three States observed, Oregon appears to be the most serious about its substate districting scheme, and this is reflected in far fewer boundary anomalies in the Portland areawide agencies. But ironically, as noted, Oregon's districting scheme seems to work against the establishment of areawide agencies reflective of the true metropolitan area, which is interstate.

Lastly, in commenting upon the State role with regard to areawide policy making one is drawn to the county. The county is a substate district of long tradition, and in over one-third of our SMSA's it is *the* areawide unit of government. To the extent to which States go beyond seeing their counties as administrative units and are willing to grant them "home rule" authority, the State can be seen as willing to give up certain areawide authorities to a local policy making capacity. The emergency of strong county government in states like California reflects this position. However, the State is less certain about how to deal with urbanized areas which are *multi-county*. The resistance to redrawing county lines for better conformity to an urbanized area is formidable, and the State is uncertain about acting so as to create new third tiers of governance, although it does precisely that each time it legislatively creates an areawide special district. Perhaps the real resistance is to the creation of new, third-tier, *general purpose* governments.

What is clear, is the increasing tempo of State involvement with areawide organizations. The State may fight them when they appear to encroach upon established State policy prerogatives. And the State may aggressively test certain newly won areawide prerogatives in programs such as air quality and criminal justice. Whatever the case, the State is a force which will increasingly re-examine the options available to it in dealing with areawide problems. As in the past, a most attractive option will remain doing nothing. The Federal encouragement of MJA's makes that option more difficult. As increasing agreement develops that certain problems demand an areawide policy capacity, it is likely that States will also understand better that this policy capacity doesn't have to rest at the local level. The areawide policy capacity can be dominated by the State, as it is in regional transportation planning; it can be neutralized by the State as it is in manpower planning; it can be experimented with as it is in comprehensive health and criminal justice planning; or it can be understood as legitimate only within the framework of established State (and Federal) policy governing all areas, as in air quality control. Except in interstate

metropolitan areas, the State will continuously need to be conceived of as the potentially most competent areawide policy maker because it has the "turf" and the legitimacy.

## Local Governments

Robert Smith has written that "increasingly the authorities are becoming the planning agencies for a metropolitan region, and the general purpose city and county governments are becoming operating units."<sup>53</sup> If this were true, these roles of *areawide* planner and *local* implementer would be the epitome of what is implied in the notion of a two-tiered local government. The second tier, with geographic scope, would be expected to supply the plans and the policy constraints while the first tier, with limited geography, provided the service in such a way that it was not inconsistent with services supplied in other area first-tier governments.

The above division of functions between policy making and service giving is perhaps best reflected in the comment of one county manager, who said during an interview that he did not want the county picking up the garbage. A strong county, with adequate home rule authority, establishes an entirely different context for areawide policy making. Even where the SMSA is multi-county, unless there is no one predominant county, the largest county is always a potential contestant for the areawide policy-making role. Each of the three metropolitan areas observed for this report were multi-county, but in each, the county embracing the central city was potentially the most important unit of government. Interesting examples of possible trends in this direction were evidenced in both the Pittsburgh and Sacramento area CAMPS programs. In the Pittsburgh area, Allegheny County was not ready to agree that it would surrender the leadership in manpower planning for the county to the central city mayor. As a result the attempt to reorganize the Pittsburgh area's CAMPS program was in limbo. In the Sacramento area, the mayor of Sacramento refused to apply for a manpower planning grant and to take leadership of the CAMPS program because he publicly said that it was inappropriate for him to have policy leadership over program efforts in a multi-jurisdictional area. In effect, these were direct challenges to DOL's interesting idea that, given the continuing dispersal of job opportunities to areas outside the central city, one could expect the central city mayor to exert leadership over the outlying county (or counties). It was as if, in the search for means to organize a policy capacity for areawide issues, the Department of Labor had seized upon the central city mayor while everyone else was looking for some new multi-jurisdictional arrangement, or looking to the State government. DOL's approach to areawide policy making becomes more understandable if one assumes that the Department of Labor doesn't really want *any* areawide

capacity which might challenge its own decision prerogatives. Or if one considers the manpower problem essentially the property of the central city, and therefore demanding of central city leadership.

The foregoing questions regarding the intent of the Department of Labor in establishing a seemingly inappropriate areawide mechanism ought to be looked at carefully. The MJA, whether or not Federally encouraged, doesn't enter the governing scene *de nouveau*. Each metropolitan governing situation is always in delicate balance and the establishment of a new mechanism with Federal money and sanction must be cause for anxiety. Sometimes the actor most affected by the new MJA is the supporting Federal agency itself. After all, a CHP agency or a CAMPS program which makes differential assessments of local requests for Federal funds and pressures the Federal agency to fund in accordance with those assessments, is narrowing the option for Federal action with local grantees. In turn, these local grantees must look anxiously at the possibility of the new areawide agency constraining the local unit's funding relationships with the Federal government.

Just as State highway departments and State employment services have been able to defuse the potential disturbance of Section 134 agencies and CAMPS, so have local governments acted to control MJA's. There is nothing invidious about this observation. The attempts by local government to control MJA's are completely consistent with the idea that local governments should control all areawide policy capacities. It is consistent with the general purpose government preference provision of the IGCA of 1968. Each time a Federal agency, supporting an MJA, specifies local government membership or control of MJA policy making, it is in support of the idea that local government ought to control areawide policy capacities. Some of the consequences of this pattern of policy making, by which local government controls the MJA, will be examined in a later section.

In programs such as CAMPS and criminal justice planning, where the local recipients of Federal funds are a variety of governmental agencies as well as non-governmental ones, it is common to find MJA policy bodies dominated by potential and actual beneficiaries of the grant award system. In effect, the areawide interest is almost assumed to be represented by the aggregated interests of those organizations involved in the delivery of service. The example is carried to its extreme in the Sacramento area's OEO supported multi-county planning agency. This agency has a policy body which consists of the four CAA's in the four-county jurisdiction; the multi-county agency is considered as a service arm of these four CAA's. Again, there is nothing invidious in this description. The multi-county planning agency was not conceived of as having a capacity independent of its four constituent units when OEO was asked to support it.

Interestingly, it is only the comprehensive health

planning program which makes an attempt to block those directly affected by the areawide agency from controlling it. HEW guidelines for the development of CHP policy boards specify that they must be at least 51 percent "consumer" dominated. In effect, it is only the CHP program which opts for an areawide mechanism for policy development whose control would be separated from the units of action already in place.

EDA guidelines also call for a policy board separate from, although including representatives of, local units of government.<sup>54</sup> In the Sacramento area EDD, this kind of policy arrangement was unacceptable to local and State government, and a compromise structure was developed in which the four affected counties constituted a joint powers authority to handle budgetary matters for the EDD while a separate not-for-profit board (also having significant local government representation) was established for the development of program policy.

In these seven kinds of multi-county efforts, except for the "consumer" controlled CHP's, all MJA's were nominally controlled by representatives of local government units or their designees. None of this is by accident. No matter what the dominant theme of these MJA's (i.e., efficiency, policy development, problem solving) these Federally supported programs, as if by design, linked themselves to their affected local government. In at least two cases, CAMPS and regional transportation planning, the linkage was not sufficient to block the continued dominance of State agencies in areawide policy making. And in one case, air quality, local control was forced to operate within the context of articulated Federal and State policy, thus materially changing the character and importance of areawide policy development.

At least in form, in six of these programs, policy development for the multi-jurisdiction began under the domination of local governments and service units. But further analysis indicates that precisely those programs which could be seen as having a major interest in developing an areawide policy capacity (e.g., regional transportation planning, CAMPS, and CHP), either had their local governmental influence attenuated by aggressive State bureaucracies, or in the case of CHP, by Federal guidelines giving "consumers" potential policy control of the areawide agency. In the Sacramento area, the nomination of these consumers must be sanctioned by county boards of supervisors, although to this point the sanctioning seems a *pro-forma* process. The conclusion might be drawn that despite evidence of Federal encouragement for the creation of locally controlled areawide policy bodies, there is no assurance that this will lead to a policy capacity controlled by local government. And in the CHP program Federal policy seems to contribute to this attenuation of local government influence. But in all cases, the issue of areawide policy control is never just a contest between local

governments and those forces wanting a new independent policy tier. The State and the Federal government remain very much on the scene as contestants for areawide policy influence.

### Relationship to the Clearinghouse and other MJA's

In the ACIR work on substate regionalism, the clearinghouse will be examined in its own right as a special and potentially very important MJA. The clearinghouse by intent is meant to curb the functional isolation of other Federally supported MJA's.<sup>55</sup> But the clearinghouse, to the extent to which it pursues a comprehensive metropolitan planning agenda and exercises its review powers, is also forced into potential conflict with every MJA which engages in planning. Everywhere one hears that as the planning of the MJA's and the clearinghouse mature, there is certain to be conflict. The logic is impeccable. If both agencies (the unifunctional MJA and the clearinghouse) are engaged in planning, it is reasonable to anticipate points of difference, and it is equally reasonable to assume that the clearinghouse will use its superior review position as leverage to bring the single-function MJA planning into line with that of the clearinghouse. Surprisingly, recent National Association of Regional Council (NARC) data seems to suggest that the potential planning conflicts are not as severe as informants seem to indicate. A NARC survey of regional councils reveals the following percentages of councils involved in functional areas which have a kinship to the planning being undertaken in the MJA's under observation: transportation (64%); air quality (18%); public safety (44%); health (39%); manpower (33%); and economic development (20%).<sup>56</sup> The relatively high percentages in transportation and public safety are undoubtedly a function of the fact that the Section 134 agencies and the criminal justice agencies are the ones most likely to be piggybacked onto the regional council.

Relatively high percentages of duplicated multi-jurisdictional planning are reported by NARC in health and manpower. Not surprisingly, both of these duplications of planning occur in MJA's which the report suggests were established primarily to create an areawide policy capacity. Thus, if both CAMPS and CHP agencies are planning and performing review functions, the potential opportunity for conflict with the clearinghouse is great. The reality is somewhat different. To this point CAMPS appears to be an almost invisible organization in the life of clearinghouses. The quality of manpower planning in CAMPS seems to be primitive and the clearinghouse seems not very occupied with the review of manpower programs. In addition, even where CAMP's are willing to review projects proposed for funding, their exercise of influence on those reviews is almost non-existent. The clearinghouses observed have not con-

ceived of themselves as likely applicants to run the CAMPS (now MAPC) program.<sup>57</sup> Lastly, there is no general agreement that manpower matters are an area-wide concern. All of these factors seem conducive to extremely distant relationships between CAMPS and clearinghouses in the communities observed.

Not so with the CHP-clearinghouse relationship. In these three communities, contacts are relatively extensive, and on occasion feelings are somewhat "high." In the Portland area, the clearinghouse made a bid to be the CHP agency and lost out because it failed to get State backing (despite the Governor's public support of piggybacking MJA's on to the clearinghouse). In the Sacramento area, there is some residue of feeling by clearinghouse leadership (public officials) that they should not have agreed to the independence of the CHP agency, as well as more recent feeling about the CHP agency's relocation to a building away from the clearinghouse, thus presumably hurting opportunities for coordination. In the Pittsburgh area, the clearinghouse has told the CHP agency that it does not regard its planning as sufficiently regional in scope.

The greater intensity of feeling in the clearinghouse-CHP relationship as opposed to the relative invisibility of the relationship to CAMPS seems to be due to the fact that CHP agencies possess a sizable staff capacity and are engaged in a review process similar to that of the clearinghouse. In fact, in the Portland and Sacramento areas, relatively firm procedures have been worked out whereby the CHP does preliminary reviews of health projects as part of the A-95 process. But in some sense it is this very interdependence between the CHP agency and the clearinghouse which contributes to the abrasion.<sup>58</sup>

It is difficult to tell how real the sounds of conflict are between the clearinghouse and the MJA's. On one hand, the director of the Sacramento clearinghouse rates his relationship to other MJA's as the most serious problem confronting his agency. On the other hand, the policy board of the Sacramento clearinghouse tabled a report it had commissioned from Harold Wise Associates which recommended that the clearinghouse seek legislation which would give it a veto over the planning and action of functionally oriented MJA's. Wise's proposal for a Twin-Cities-style regional mechanism in the Sacramento area seemed too much like regional government to be acceptable to the area's local elected officials.

If the CHP-clearinghouse relationships are occasionally difficult, they are only so by comparison to the placid relationships which seem to prevail between clearinghouses and other MJA's. In these three metropolitan areas only one clearinghouse-MJA relationship was observed which resembled open conflict. The four-county EDD in the Sacramento area, embracing two counties in the clearinghouse and two counties which have refused to join, is openly vying with the clearinghouse to replace it and be designated as a non-metropolitan clearing-

house. In a publicly available report, the EDD has stated that "insofar as [the EDD's] projects are concerned, the 'clearinghouse' process has yet to yield a constructive comment."<sup>59</sup> Some of the conflict's cause appears to lie in the distrust that the more rural county policy makers in the EDD feel for the clearinghouse (in spite of the fact that the clearinghouse policy board is numerically controlled by its less urban counties).<sup>60</sup> Despite repeated attempts, the more rural counties in the EDD have not, to this point, been permitted by the State to form their own clearinghouse. However the issue is resolved, part of the problem in this and similar conflicts is an absence of a good working definition of how to construct a multi-jurisdictional agency boundary. While one of the EDD counties is nominally part of the Sacramento SMSA, and all four counties are part of the recommended substate district in the Sacramento area, the fact is that the EDD's rural, sparsely settled counties have a set of concerns which are not so apparently interdependent with the residents of Sacramento City and County. The seemingly enforced marriage of the mountain counties to the Sacramento area in the clearinghouse and in other MJA's may be less of a problem when the personalities in the situation change. Paradoxically, the linkage of these rural counties to the dominant metropolitan county may be most costly to urban area residents. The growth of an areawide policy capacity may be impeded among those urbanized units of government which share a genuine sense of interdependence because of the rural counties' disproportionate voting powers and their resultant ability to block areawide action.

If the EDD-clearinghouse relationship in the Sacramento area is atypically difficult, one might expect that the relationship of a piggy-backed MJA to the clearinghouse would be more placid. Again, yes and no. The transportation planning grants seem completely integrated into the clearinghouses observed. The two CJP operations seem less successfully a part of their clearinghouses. Criminal justice planning is often oriented to social concerns, which Marando notes are generally more difficult for clearinghouses to live with.<sup>61</sup> In addition, the policy making structure for criminal justice planning seems to have little duplication with the clearinghouse board, and sees itself as having direct responsibility to the State CJP agency. The net result is that criminal justice planning does not seem to rest easily inside the clearinghouse structure. But this unease should hardly be interpreted as a reason to approve separation. Strain in the relationship ought to be expected and considered as potentially constructive. In fact, the relationship may not be sufficiently strained at the present time, because the clearinghouse does not seem to provide useful policy guidelines for its CJP activities.

It is the general absence of strain between the unifunctional MJA's and between them and the clearinghouse, which continues to attest to certain failures

regarding MJA policy development. The assumed interdependence between functions should have led to far more contact between MJA's than exists. And the fact of MJA's and clearinghouses both engaged in multi-jurisdictional planning (one from a functional and the other from a general point of view) should have led to more conflict than is evident. The failure of this contact and this conflict to develop may indeed be a result of the immaturity of multi-jurisdictional planning—but how much longer can immaturity be used as an explanatory factor? The relative absence of contact and conflict may better reflect an unwillingness to deal with the kind of developmental issues which presumably demanded a multi-jurisdictional capacity in the first place. An MJA's lack of conflict with other MJA's does not always carry over into other areas of its activity, particularly as some multi-jurisdictional agencies attempt to deal with issues of priorities and allocations. These questions of conflict will be examined further in a following section on decision making in the MJA.

## The Character of Decision Making in the MJA

### Formal Policy Structures

An organization's policy structure is rarely a random occurrence. It can often be seen as representative of forces in the environment of the organization that it thinks it must come to terms with. Thus a preponderance of general purpose government representatives on MJA boards could be interpreted as a successful effort by sub-units of the area to control these agencies. Conversely, disconnection of MJA policy structures from affected sub-units could be seen as a policy-making model leading to conflict between the MJA and its local governmental environment.

In Federally funded programs, such as those under consideration, the issues of policy structure can become important criteria precedent to the release of Federal funds. For example, the inclusion of citizen representatives on CAA boards, "consumer" representatives on CHP boards, and "minority" representatives on EDD boards all represent Federal standards with regard to including formerly excluded populations into public decision making. In California, the State Council on Criminal Justice has a requirement for "some balance between elected officials, Criminal Justice representatives and public members" on CJP boards. This requirement is similar to the "three-legged stool" notions of the OEO (public sector, private sector, and the affected community), which continues to govern the structure of CAA boards.

The requirement that MJA's need to reflect a coalition of interests is hardly unique to these decision

bodies. But they seem peculiarly important to the efforts to create some areawide capacity to act across jurisdictional lines. In all of the seven programs, and in each of the communities being observed, the idea of coalition decision making is the dominant factor in the organization of a policy structure. In no case does an MJA board of directors emerge which is truly areawide in its potential perspectives. That is, in no case is the board made up solely, or even primarily, of representatives who are chosen without regard to the territory in which they live or the organizational interests with which they are associated. In effect, all boards in these MJA's are federations of interest which are seen as legitimate to the issue under concern (e.g., health, air quality). Erie and Associates have noted that these federated approaches to areawide decision making are characteristic of all areawide governing bodies. They write, "The tendency of representatives of the areawide governing bodies to view themselves and act as delegates of specific sub-areas can be found throughout the entire range of [metropolitan] reforms."<sup>62</sup>

Federated decision boards are the MJA norm, as is the willingness of MJA policy makers to act as delegates of their governments and service units. This is precisely what is intended in seeking local control over areawide policy making. There is nothing unexpected about a sub-area representative acting to protect the interests of his or her sub-area in areawide decision making. That is why the representative is placed there—to represent. One might even assume that representatives would be recalled if they did not protect their sub-area's interests. What are the consequences of sub-area dominance of MJA policy boards for areawide goal setting and action? Before that question is dealt with, some greater detail is needed about the composition and functioning of the MJA policy board.

In the programs under observation, the following boards seem to be constructed solely or overwhelmingly of representatives from the units of government embraced by the areawide agencies: the air quality organizations in the Portland and Sacramento areas; the EDD; the transportation planning agencies in all three communities; and the CHP agency in the Sacramento area. In the case of the areawide air quality organization, the board members are elected representatives from local government. In the Sacramento area CHP, the agency's board members are approved of by local government. The EDD dual board system includes one board entirely made up of local government representatives and another board made up of government representatives as well as others approved of by the constituent local governments. The transportation planning agencies are in two cases part of councils of government and therefore essentially composed of elected local government representatives. In the third case, transportation planning occurs in a regional planning commission whose mem-

bers tend not to be elected officials, although they are approved of by such officials.

While not composed of local elected officials, the multi-county, OEO supported, planning agency in the Sacramento area is the epitome of these federated type agencies. All four of the board members are directors of the constituent units (the CAA's) of the multi-county agency.

The various CAMPS' structures seem to have a more tenuous relationship with local government and instead are reflective of the organizational units involved in manpower affairs. The criminal justice planning boards seem similar to CAMPS in that representatives of the units in the criminal justice system seem to dominate decision making.

The details of the way different policy boards are structured ought not obscure the fact that almost invariably formal decision structures in these MJA's are controlled by those existing units which can be viewed as having the greatest stake in the consequences of areawide action. The MJA in which this kind of federation decision structure comes closest to being modified are the areawide comprehensive health planning bodies. HEW's insistence that such bodies be roughly balanced between "consumers" and "provider" representatives, coupled with the fact that these bodies are seen as significantly concerned with the activities on non-governmental agencies (the private medical world), seems to attenuate the influence of local government over them. However, in each of the three CHP councils the policy board member must meet the test of being nominally representative of a particular political unit (the county in each case).

Put another way, there are no policy bodies in any of these seven kinds of MJA's which *a priori* represent the interests of the entire area as a result of direct election. The only situation approximating this is the single-county CJP agency in Allegheny County whose board is appointed by the Governor of Pennsylvania.

None of the foregoing should come as a surprise to anyone concerned with an areawide policy capacity. In multi-county SMSA's there is no areawide unit of general purpose government (other than the State and the Federal government) with which people identify and which they could consider as representative of them. And even States, when appointing representatives to areawide policy bodies, are likely to be guided by local jurisdictional lines.

The almost universal way in which federated policy bodies become characteristic of these MJA's should not necessarily be perceived negatively. If the purpose of the decision structure is to solve a problem which is common throughout an area (e.g., air quality control or economic development) or to perform some activity more efficiently in a number of adjacent jurisdictions (e.g., criminal justice or fighting poverty), there may be few, if any, negative consequences to a federated board

as a policy structure. Presumably, the purpose in establishing the MJA doesn't require a capacity to develop a point of view which is supra to the individual governments or service units in the area. To the contrary, the meeting of the MJA's purpose (efficiency or problem solving) may require that all of the affected units be coopted into the policy making process.

But is the situation so benign in those MJA's which have been established primarily to develop an areawide policy capacity? In developing an area health system or an area manpower plan or an area transportation plan, there is assumed to be a primary focus on the areawide nature of the problem to be solved. Thus, in these three functional areas (health, highways, manpower) there would potentially be serious damage to areawide capacity if there was an over-focus on the well-being of the individual units in the area as opposed to the interdependence of the entire area. Whether due to its federated policy structure or not, the CAMPS system seems unable to produce an areawide plan which will be useful in distinguishing between the capacities of the different manpower units in the area. CAMPS planning does not seem able to go beyond the consensus of the different units around the area manpower planning table. Nor does the Department of Labor's move to give the central city policy control of the manpower planning apparatus seem calculated to facilitate an areawide point of view.

On its face, the situation with regard to regional transportation planning reflects the above set of problems. The affected units of government are in policy control of the regional planning apparatus, thus presumably hampering the development of an areawide point of view. But the situation with regard to highways and areawide planning is very different from that which prevails in manpower. It is true that in both cases there are powerful State agencies involved. But the employment service, unlike the State highway department, is not a monopoly supplier. The employment service seems to have less of a stake in developing its own areawide approach to manpower problems than it does in protecting its share of the Federal manpower pie in the metropolitan area. Thus, in manpower, while there is a powerful State agency, it does not follow that this agency represents a powerful areawide capacity. The reverse would seem to be true with regard to highways. Here the State represents so strong an areawide capacity that one of the purposes of the Section 134 planning process was to establish a locally influenced counterpoint to the areawide position of the State highway department. In effect, the federated approach to regional highway planning in the regional transportation planning process must be seen in the context of the strong regional approach capable of being manufactured by the State's highway department. The Section 134 agency may not be so much an areawide policy mechanism as a *counter* areawide policy mechanism.

When stated in these rather radical terms one begins

to get a very different sense of the policy issues. There are very powerful strains favoring local government in our country. Even when we stimulate an areawide capacity in these seven programs, we establish it so as to make it very difficult to produce anything which is not agreed to by all the units involved (hence the federated approach to decision making). Where the State has come to represent an important areawide capacity we may become alarmed and structure another areawide agency which *de facto* bargains for local interests against State-generated areawide approaches. Regional highway planning may be such an instance. In the Sacramento area, the attempt by county air districts to use the regional air quality council to help soften an increasingly vigorous State and Federal policy may be another example.

There is not always available a strong State or Federal articulation of areawide policy. Then the MJA which reflects a federated policy structure and produces policy compatible with the wishes of its constituent units has no areawide position to test itself against. As previously suggested, this is not a problem of importance if the function does not demand an areawide policy capacity independent of local sub-unit interests. The best areawide policy in economic development, anti-poverty, and criminal justice may be one which is most acceptable to the constituent units involved. In air quality and transportation there is regionally based counterpoint planning under way. In these functions an existing State/Federal policy structure affecting areawide action is being tested by a process which is most likely to articulate the interests of its local government constituents. In highway planning this counterpoint process is neither well established nor well understood, although it is implied in Section 134 and made likely by the strength of State highway planning. In air quality control, the movement to dilute Federal/State policy influence through locally controlled areawide agencies is very young; it may be unanticipated and may never receive Federal sanction, as it does in highway planning.

Manpower planning does not fit the above argument because there is neither an effective State capacity for areawide policy making nor an areawide structure able to effectively articulate local manpower interests.

Another interesting example is the policy making structure of comprehensive health planning. This report has suggested that an areawide policy making capacity is a primary purpose in the establishment of CHP agencies. HEW guidelines for policy making have stimulated the creation of a mixed CHP policy board, one which is incompletely aligned with local political units and at the same time operates without a strong Federal/State policy context. All three of the CHP agencies observed seem to be making their areawide policy structure heavily dependent upon input from county-based health planning councils. In that sense, CHP agencies, with the encouragement of HEW, may be in the process of

surrendering their areawide capacities to county-based units. All three of the CHP's are exercised about the possibilities of having their areawide policy capacities eroded. The staff of the Sacramento area CHP seems extremely sophisticated about these issues and perhaps able to deal with them because the leadership of their agency appears to be passing to consumer types who are regionally oriented. The Portland area CHP has an areawide health association, which it is hoped would act as a pressure group for areawide points of view in the making of CHP policy. In the Pittsburgh area, the CHP policy body is the recipient of two sets of policy advice—one from the county-based health councils and one from an areawide advisory body. This built-in internal tension may or may not be successful in consistently surfacing an areawide point of view.

The Pittsburgh area CHP's structured attempt to surface different points of view within the organization appears to be the most calculated. However, almost all of the MJA's have processes for decision making which involve other sources of influence prior to policy board consideration of an issue. Regional transportation planning brings issues before committees dominated by local government professionals as a first step in the MJA decision process. CHP's and the EDD seem to be partially dependent upon the advice of county-based units in the making of their decisions. The Sacramento area CJA places great reliance on an executive committee in setting the context for board decision making. The Portland area CJA has a technical advisory committee appointed by local governments, of whom some two-thirds are professionals employed by local government. The Portland area air agency board has a 22-person advisory committee mandated by State law. This advisory committee includes technical and public representatives, and has its positions allocated geographically as well. The advisory committee has become an important force in the process of issuing variances to air quality regulations.

Despite the complex systems of decision making in these MJA's, the various sub-structures seem to re-enforce local sub-unit control. Only the Portland and Pittsburgh area CHP's and the Portland area air quality agency have established potential areawide counterpoints *within* the MJA's decision processes.

In all of these areawide agencies, no matter what the devices (if any) for surfacing an areawide point of view to the policy body, there is always the expectation that professional staff will be the most cosmopolitan (areawide in point of view) because they are the one group not owing allegiance to any particular unit in the area. Whether the staffs are cosmopolitan in fact will be examined in a later section.

The last issue concerning policy structure is the continued and seeming anomaly of apportioning policy seats on the basis of affected units of service or government rather than affected numbers of people. If

an areawide MJA is meant to provide a new policy capacity for all of the residents of an area, then both logic and law would seem to dictate a population-weighted policy-making scheme. Only the CHP agencies, in some way, seem to be attempting population-weighted voting structures, and then usually in the context of assigning a fixed minimum of votes to each constituent political unit. The multi-county OEO supported agency, the EDD, the transportation planning agencies, and the air quality agencies seem firmly rooted in constituent-unit voting schemes. Except for transportation planning, these are all efficiency or problem-solving mechanisms, built upon the integrity of their constituent political units in the performance of their problem-solving tasks. In these agencies, the avoidance of one man, one vote policy structures does not seem inconsistent with the initial intent in establishing the areawide agency. While transportation planning is assumed to be interested in an areawide capacity, it is more reasonable to suggest that it is interested in the potential manufacture of a counter to State areawide planning, with this counter exercised on behalf of local governments. In that light, transportation planning's one unit, one vote scheme can also seem logical.

CAMPS tends to allocate its policy places by "stake in the game" criteria rather than according to political units. Thus, manpower service agencies in the central city and urbanized areas are well represented, with the unlooked for result that CAMPS comes as close to a one man, one vote policy group as any of these seven programs. Criminal justice planning seems to be weighted toward constituent political units and within that to the criminal justice organizations in these constituencies. However, the voting scheme in the CJP agency may be the most vulnerable because the agency is allocating new resources in a situation where the demand for funds is well ahead of supply (not initially true). There may be additional pressures to have CJA policy structure better represent population, or more likely, to make initial eligibility for fund allocations according to the population within the CJA's political units. In that way regional criminal justice allocations may come to resemble the national experience with the multi-county CAA's, where fund eligibility is divided between counties based upon population/problem criteria and separate county-based policy advisory boards are established to make preliminary allocations on requests for funds.

Whatever the current facts of policy structure within these seven programs, the issue is not a static one. Particularly as some of these MJA's grow in authority there may come new pressures to adjust decision making to favor population size rather than political units. And, of course, the courts are always in the wings with their expected ruling that local governmental structures need to be based upon one man, one vote patterns.

## The Influence of the MJA

In the nature of events in many criminal justice planning agencies, some "damage" must be done. The CJP agencies in the Portland and Sacramento areas must do damage because they have more requests for funds than they have funds to allocate. Thus, some of the constituent units represented in the CJP process which seek funds must be hurt. The position of having to administer the distribution of "pain" is a difficult one for any organization; it is particularly difficult for one which depends on the support of, and has its policy made, by representatives of its constituent units. What saves the situation and indeed may make it attractive is the knowledge by CJA policymakers, that if they don't administer the pain, someone at the State level, less sympathetic to local nuance, will.<sup>63</sup>

Thus, in examining the issue of influence, it can be suggested that a primary concern to MJA policy board members is to prevent the organization from doing harm to the local governments they represent while at the same time having the MJA appear competent enough to keep Federal support coming. A number of forces and circumstances seen conducive to this potentially bland state of events. One of these is the almost universal practice of building MJA policy structures on a constituent unit basis. In these structures, a decision making norm arises which favors action by consensus. Influence often gets exerted in the MJA to halt the taking of action. In a sense, influence is expended in the MJA to prevent it from being an influential organization. It is as if the local constituent units feel that any action by the MJA will compromise their own opportunities for action. What is not perceived (or if perceived, not acted upon) is that non-action by the MJA is no guarantor that the prerogatives for action will accrue to the concerned constituent units. They are just as likely to shift to (or remain at) the Federal or State level. This is clearly what has happened in areawide transportation planning where State highway departments continue to be the most influential force.

Inaction is also the dominant pattern of action in the CAMPS program. Here the result is that there is minimum interference with Department of Labor decision making, while the current recipients of DOL funds hope to ensure their continued receipt of funds. Whether central city mayors in charge of manpower planning will seek to become a force toward change of this chain of non-events is not yet clear. It may be that central cities are also well enough advantaged by current patterns of resource distribution so that they would not seek to convert CAMPS/MAPC to a mechanism for influencing new patterns of manpower resource distribution.

The EDD observed is generally able to avoid the administration of pain by virtue of having a Federal regional office which is willing to distinguish between

good and bad requests for EDA funds. The EDD works with the Federal EDA to facilitate this process: it submits only programs for Federal support which are able to assure the necessary local matching funds and which meet current EDA interpretations of contributing to economic development. Since everything from community amenities like a swimming pool to major water and sewer grants have met the economic development criteria, the EDD has been able to use its influence in screening applications for EDA funds to become an important organizational force in its four-mountain county area. Of most importance is that the EDD is not forced to distinguish between local applications for funds, but rather seeks to rationalize those that it wants to support, leaving to EDA and other Federal agencies the decision of whether or not to fund them. This is a radically different process than exists in the criminal justice MJA, where the agency must distinguish between applications within the limit of monies assigned to it by the State.

Both the EDD and the CJP agency have special problems with regard to the use of influence because they are heavily involved in the distribution of resources within their multi-jurisdictions. The EDD is essentially an advocate seeking to influence as many funding sources as possible to put money into its four constituent counties. If the EDD chooses not to support a local unit's request for funds, it may damage that unit. But the EDD always has the option to say "yes" to everything and leave the "nay saying" to the Federal funding agencies. The CJP agency is deliberately established as a "nay saying" device. The result is a major focus by the EDD on how to win more resources from its Federal and State funding environments. Conversely, in the criminal justice agency, with a relatively fixed sum of resources available to it, the major struggles for influence tend to be engaged in internally, between different elements on the policy board.

In other parts of the country, where there are multi-county community action agencies which seek to bring resources into their area, their task tends to be a cross between the EDD and the CJP agency. For part of its resources, the multi-county CAA has to operate against relatively fixed financial guidelines and make distributions within that, as does the CJP agency; in many other cases the multi-county CAA can be a conduit for new funds. In the Sacramento area multi-county OEO funded agency, there is no charge to the agency to seek funds or to distribute funds among its constituents. The multi-county agency's only resource is its very small staff and the intelligence it can manufacture. The result is extremely limited influence for the multi-county agency over its constituents and over whatever multi-jurisdictional implications there are with regard to problems of poverty.

If the CHP agency and CAMPS were to consistently make choices amongst the various applications for funds

which are (or could be) channeled through them, the opportunities for influence would be enormous. Despite the evidence that Federal agencies have overridden the advice of these areawide policy mechanisms, there is other evidence that Federal agencies would be greatly constrained in their funding activities if these areawide agencies were to seek aggressively to be sources of influence on Federal funding action. To date, these policy oriented areawide agencies (CHP/CAMPS) have been content to let the Federal government be the *de facto* areawide policy maker with regard to the expenditure of Federal funds in their areas of concern. There is a growing awareness in these and other MJA's that the opportunities for influence are much greater than have been realized. The rhetoric is pervasive that Federal agencies would defer to MJA influence on what not to fund (although not necessarily the reverse). But unless Federal agencies force areawide agencies such as CAMPS and CHP to establish priorities for Federal funding between local recipients, it seems likely that areawide agencies and other MJA's dominated by constituent political and service units will be unable to choose to be a continuing source of influence affecting these units.

While much of the opportunity for influence lies between the MJA and those controlling resources in its environment, there are equally interesting potentials for exerting influence *within* those MJA's which are coalitions of different forces. Any MJA policy structure, even when composed solely of governmental representatives, lends itself to some differentiation and categorization. Major potential differences exist between representatives of the dominant city/county and other outlying communities. Other differences within an MJA exist, sometimes expressed along the dimensions of "urban-rural"; "have-have not"; "cosmopolitan-local." However, these differences are not worth detailing because at this point they do not seem to lead with any frequency to internal attempts to redistribute resources between interests represented in the MJA. The general state of events, except for criminal justice agencies and somewhat in the CHP agencies, is for the MJA not to seek to be a source of influence. The CJP agency is forced by the State to make choices and thus must abandon this non-action tactic. Because of the split mandated in the CHP policy board by Federal guidelines, and because of the increasing role being given to it to engage in facilities review and approval, the CHP seems an agency with greater potential for being used as an influence force.

One interviewee has commented that initially "the providers" in the CHP agencies tended to dominate events because of their medical sophistication; sheer force of numbers seems now to be swinging that influence to consumers. In turn, there is evidence that some providers are tending to remove themselves from CHP affairs until "their ox is gored." A CHP whose consumers seek to make it into an influence source will have many occasions for goading the providers' ox.

Unless "areawideness" is an imaginary idea, and I don't believe it to be, there are areawide issues which lend themselves to agitation, struggle, and the seeking of influence. In the case of air quality and regional transportation, MJA's can seek influence with those State and Federal agencies which have developed pertinent areawide viewpoints. The relative inaction between area and State agencies in air quality and transportation may not continue much longer.

In the case of CAMPS and CHP, it is the Federal government which has been the areawide actor, and which is now supporting the establishment of a locally controlled, areawide source of influence on Federal decision making. These agencies have been very slow to test the seriousness of the Federal offer.

In CJA's, EDD's, and CHP's the diversity build into policy boards ought to ensure that there is some contesting for influence on areawide issues *within* these MJA's. The criminal justice agency because of its mandate to make choices, and the CHP agency because of its increasing authority and policy board divisions, seem the most likely agencies to witness internal struggles for influence. What is not clear, to this point, is whether these struggles will be over areawide issues or over bread and butter questions such as "how to split the pot."

Despite these possibilities of conflict over the exercise of influence, the greater likelihood is that without the spur of Federal requirements, these MJA's will continue to mute conflict and to develop formulae for "splitting the pot" based upon some notion of population/political unit fair share as opposed to what may be best in terms of the needs of all the people of all the area. And that may be less than surprising given the lack of clarity and consensus as to how genuinely areawide are many of the issues these agencies deal with.

## Role of Professional Staff

Almost invariably, MJA policy boards are composed of those chosen as sub-unit representatives. This does not preclude certain sub-unit representatives from emerging as leaders for areawide action, but the transition from a local to a regional orientation is not easy nor readily predictable. Not so with the MJA's professional staff. There is a continuing expectation that staff will be able to see the area as a whole. If policy makers are the localites, it is staff who always have the potential to be the cosmopolitans. Friesema has also taken note of a similar tendency on the part of certain staff involved in intergovernmental action. He writes, ". . . the intricate intergovernmental system forced department heads to be 'cosmopolitan'."<sup>64</sup>

If, in fact, staff were able to sustain this cosmopolitan role within MJA's it might produce a certain useful organizational tension. That is, the more local orientation of the policy maker would be potentially countered

by the areawide biases of staff. This tension, if present, might ensure that internal to the MJA there was always a focus on the areawide implications of issues for policy makers to consider. The observed facts are partially supportive of this speculation. Those policy makers who publicly adopt an areawide position on issues (in effect, become regional "statesmen") are almost always backed with a professional staff analysis pointing to decision options favoring "areawideness." In one CHP agency there has been the accusation of an alliance between staff and consumer representatives, enabling these consumers to favor area over local concerns.<sup>65</sup>

While it is clear, in each of these MJA's, that staff are always the ones most likely to ask whether an issue is good or bad from an areawide point of view, this staff proclivity does not produce much internal tension between staff as the cosmopolitans and policy makers as the localites. It may be that in new, relatively fragile organizations, staff are not ready to risk much internal conflict. The hostile, external organizational environment which confronts the staff undoubtedly makes them less than eager to risk splitting the MJA internally. But perhaps more important as an explanation of this relative lack of internal tension is that there is no pervasive professional wisdom (or Federal reward system) which, for example, supports redistribution of resources within an area or multi-jurisdictional programming as valued goals of the MJA. Instead, the professional task seems to be to better the area, while at the same time not hurting any of the units in it. Where there is strain between these two positions, and there often is, the task of staff is to propose some resource distribution system which is perceived as fair by all of the MJA's sub-units.

In the Sacramento area CJP agency, staff has devised a highly sophisticated system for helping policy makers to allocate resources. The system is addressed to realizing certain established goals, but staff cannot permit the system to operate in a way which would be perceived as disadvantageous to constituent political units. In effect, the first priority for staff becomes an equitable distribution system and only secondarily, if at all, the realization of areawide goals.<sup>66</sup>

In the CAMPS operation, planning appears to be so weak that there is minimal capacity to formulate areawide goals. It is only recently that Federal funds have become available to provide a manpower area planning staff. It is as if the CAMPS program was deliberately blocked from developing an areawide point of view, thus ensuring a relative status quo in funding patterns. In the Sacramento area, the agency administering the State Employment Service also receives Federal support for minimal staffing of the CAMPS. Thus the CAMPS staff director is an employee of a major unit that the areawide CAMPS agency is concerned about. The constraints upon staff performance in this situation are transparent.

Difficulties in staff's holding to an areawide point of view are also threatening to take place in the various CHP programs. Limited CHP staff resources are being assigned to county health planning councils and thus diverted from the areawide agency. It would not be unlikely for these county-based staffs to become advocates of a more parochial position vis-a-vis more centrally oriented CHP staff. It is as if the CHP felt that its current alignment did not permit the surfacing of an adequate local point of view—a somewhat ironic position in an areawide agency.

This surfacing of a local point of view seems precisely what is intended with regard to regional transportation planning. There is an expectation that staff will be more local to counter the assumed centralist orientation of the State highway department. The fact that whatever regional transportation planning takes place generally seems to sanction proposed highway department activity may be a subtle indication that regional transportation planners facilitate the emergence of a position supportive of the areawide position of the State highway department. This is entirely speculative, but may be useful as one way of explaining the apparent blandness of regional transportation planning.

The failure of staff to be as areawide in orientation as they might be expected to be is seen as resting in the marginality of the MJA, the lack of Federal rewards for areawide approaches, the weakness of a professional wisdom defining problems and solutions as areawide, and perhaps the unexpected fact that some MJA agency staff are simply not expected to be areawide in their approach.<sup>67</sup>

Nevertheless, if "areawideness" is a policy goal in many of these agencies, then staff would seem to represent the best potential for surfacing areawide approaches. In almost every situation where problems and solutions are approached from an areawide point of view, it is staff who has generated this approach.

### Minority Leadership and Public Accessibility

One of the invidious comments made about special districts as a class of government which seems to apply to these areawide agencies is that they are "invisible." The MJA's are not understood by the public as dealing with issues which are of great moment nor are they seen as generally capable of doing great damage to anyone. In addition, unless the MJA has decision making authority, it seems not to have been discovered by those community groups seeking to move an issue. In short, the MJA is an exotic mechanism, whose potential is always of interest to those who worry about the governing problems of multi-jurisdictional areas, but the interest does not extend much beyond this small group. The MJA, not having authority, tends to receive the most minimal of coverage in the press. Contributing to this

invisibility is the general blandness of these agencies. Invisibility and blandness are mutually reinforcing: Do nothing and no one notices; if no one notices, why do anything.

The invisibility of MJA's extends beyond the general public. Relatively sophisticated participants in local government, when interviewed about MJA's, frequently do not understand what they are set up to do, and what, if anything, they have the authority to do. And to compound the injury, there have been interviews where participants in multi-jurisdictional policy making were not familiar with the purposes of their own agency. This general state of invisibility may be typical of new organizations. The public, as an undifferentiated mass, is seldom very knowledgeable about the governing organizations which can affect its life. In the case of the MJA, this lack of knowledge seems to extend to the special publics which are assumed to have a stake in these agencies.

The growing exception in this bleak analysis is the MJA with authority. The multi-county air quality agency in the Portland is not invisible. It is an agency with enforcement powers, whose actions and non-actions are of great importance to a variety of publics in the Portland area. Conversely, the Sacramento area regional air council is without enforcement powers, without a staff of its own, without funds—and virtually of no interest, even to those interested in issues of air quality control. The council itself experiences repeated difficulty in securing a quorum for its meetings.

The authority now available to the Sacramento area's CHP to issue "certificates of need" for the new health facilities has been a major contributor to its visibility. The medical community and the business community interested in the construction of new facilities have had to become aware of the CHP quickly. In turn, the CHP has sensed its growing importance and has been willing to conduct its reviews as a public forum with the encouragement of interested party participation.

The EDD and the CJP agency do not so much possess authority as they represent the potential of new resources to their areas. The EDD as an aggressive procurer of funds and the criminal justice agency as an important force in the State agency's allocation process, are both visible to the various agencies in their areas, which are constantly seeking additional resources. Thus, within a particular domain of organizations, the EDD and the CJP agency have begun to be seen as organizational forces which need to be dealt with. The EDD is viewed by some agencies in its environment as having the power to block the flow of Federal funds. The criminal justice agency is seen as one whose recommendations are likely to be the deciding factor in the distribution of important new resources. The growing importance of these MJA's with apparent influence over the allocation of public funds makes them potentially able to trade their influence for local organizational behavior better in

accord with articulated MJA goals. The Sacramento area criminal justice agency is attempting to move in this direction, although it is seriously constrained by the need to distribute its resources equitably, in this case according to population and political unit criteria.

The visibility of some of these agencies should not be taken to imply any general public visibility. Despite occasional or continuing importance to certain special publics, the MJA's simply do not generate interest or concern in any way similar to that which accrues to local, general purpose government. In only limited ways have any of these agencies sought to increase their general visibility or their visibility to the special publics potentially interested in them.

In a number of cases, the Federal and State governments have not been content to let the MJA deal with issues of public accessibility on its own. The Department of Labor in the case of CAMPS, HEW with regard to CHP's, EDA in its guidelines for the policy structure of EDD's, OEO with regard to all CAA's (whether or not multi-jurisdictional), and State agencies with regard to criminal justice boards, have all recommended and even mandated that MJA policy boards include minority members and/or members of the general public (or in the case of CAMPS, the client population).

There is a continuing focus in American public life on the importance of including formerly excluded minority communities in public decision making. Thus, it is sometimes useful to interpret requirements for public participation as essentially a euphemism for minority participation. The requirement for consumer participation in CHP's seems to have enabled minority membership on CHP boards. EDA does not engage in circumlocution regarding minority participation and policy making. It specifies minority participation and it seems firm in seeking local performance. CAMPS' call for the participation of client representatives was undoubtedly also meant to bring minority representation into the CAMPS operation since many clients in manpower programs are visible minority group members. Client participation is not very noticeable in CAMPS, but a number of the key manpower personnel are minority group members, and their participation in CAMPS ensures minority group (if not general public) participation. Minority groups are also reasonably well represented in some of the agencies seeking to benefit from criminal justice funds, as well as among the client population, and there seems to be an effort to secure minority representation in criminal justice decision making. In the regional transportation and air quality programs, which depend largely upon elected officials for their policy makers, the participation of visible minorities is almost non-existent.

Despite the formal participation of some minority representatives, the general impression is that the organized minority community remains largely untouched by and oblivious to the MJA's. This conclusion is not

universal. The increasing visibility of the CJP agency coupled with its involvement with certain minority areas of concern (e.g., drug abuse programs, treatment of delinquents, police practices), seems to insure that minorities will seek access to criminal justice activities.<sup>6 8</sup>

Some criminal justice activity and minority representation to the contrary, the invisibility of MJA's to minority communities is almost a caricature of their general invisibility. Certain minority leaders and writers may be exercised about the implications of MJA's for black control of central city decision making. Whatever the reasons, the ostensible threat posed to minority communities by these agencies has not led to aggressive attempts by minority groups to become involved in, or seek control over, the MJA's observed. The reasons may be found in my previous explanation of a similar lack of contact and concern between minority communities and COGs: "... if minority communities have a very limited sum of political resources, why expend it on the COGs? ... Is there any particular point in trying to neutralize or influence COG decision making if the COG has shown little propensity to punish anybody, but rather seeks to reward everybody."<sup>6 9</sup>

If this analysis of minority participation in the COG fits the MJA's, then we may expect to see increasing concern for minority involvement in precisely those MJA's which take actions in areas of direct impact on the minority community. Activity in the Sacramento area CJP agency may be a portent of things to come in CAMPS and CHP's, if these agencies affecting immediate minority interests should seek to better realize their areawide policy capacities.

## Issues in Multi-Jurisdictional Decision Making

Two related phenomena will dominate this discussion of decision making in the MJA: 1) the decision makers are strongly representative of sub-units in the area, and 2) a decision making norm results which is generally bland in that it seeks to avoid doing harm to sub-units represented on the MJA. These two phenomena are well known to Federal supporters of MJA's, as well as to leadership within these agencies who are impressed with the need for an areawide policy capacity. Is anything being done and should anything be done? (And does anybody *want* to do anything?)

One approach is to mandate the MJA to establish priorities between local groups requesting funds in the context of State established goals. This is what has happened with regard to criminal justice planning. The Sacramento and Portland area CJP agencies, because they have more requests for grant approval than they can meet, are forced into making decisions/recommendations which can be seen as harmful by some of their constituents. In the same way, the Portland area air quality agency is forced into making decisions which are

potentially harmful to its constituents as it enforces State and Federal air quality standards. None of the other MJA's are *compelled* to make decisions or recommendations which can be perceived as harmful. (Of course, a number of these agencies do so of their own will, such as the EDD's rejection of sponsorship for a local application for funds or a CHP's rejection of a certificate of need.)

Each MJA deals with a situation of relatively limited resources, and each MJA must determine if it is going to seek to be a factor in the distribution of these resources. Unless compelled to by outside forces (e.g., the State agency in the case of criminal justice funds and State/Federal law in the case of air quality regulations), all MJA's under observation almost always choose to limit their influence in decision making to seeking to insure that the MJA's constituent units are not harmed. Thus, CAMPS agencies are erratic in their reviews of requests for Department of Labor funds; CHP and regional transportation planning agencies almost invariably agree to proposals for use of funds which they are called upon to review; the EDD seeks funds for almost any program which can provide local matching funds, leaving to Federal funding agencies the decision as to what is most important for the EDD's four mountain counties; the OEO supported multi-county agency has not been allowed to become an areawide force by the four local CAA's which control its policy.

The issue confronting the MJA, as well as the Federal supporters of these agencies, is whether they are (or could be) an appropriate locus for locally controlled areawide decision making. This is the same issue which was outlined in the first paragraphs of this report. Not whether there shall be areawide decision making, but rather who shall control it. In the bulk of these programs there is an apparent willingness, perhaps by default, to have areawide decisions made at the State/Federal level or there is simply no agreement that the function under concern demands an areawide decision capacity. But life is not static in any of these MJA's. Almost all of them are engaged in an activity which fits under the rubric of planning. Planning implies some specification of goals and some priority system governing the kinds of actions best suited to attain those goals. In most of these seven programs, it is precisely the planning activity which Federal funds are paying for. Assuming these plans reach some stage of maturity, can these MJA's continue not to be a source of influence with regard to the realization of their own planning? So far most of the MJA's have successfully avoided the issue.

In addition to the basic issue of whether the MJA wishes to be a source of influence in areawide matters, a variety of other problems confront MJA decision makers. Will they continue to settle for boundaries which have little integrity except for their neatness, and will they continue to live with the consequences of these inappropriate boundaries? For example, if the CAMPS

program is genuinely to be addressed to metropolitan manpower issues, how can manpower planning in the Sacramento area get along without the participation of one of the three counties which is part of the SMSA? How can the Portland area CAMPS get along without the county in Washington state (also part of the SMSA), which instead is organized into its own CAMPS effort? Conversely, should more urbanized political units be forced into MJA's along with more rural jurisdictions which have little interdependence with them? In many of these forced marriages, too much energy is spent on keeping irreconcilable elements within a single agency rather than on establishing goals and action appropriate to those communities which can acknowledge their interdependence.

Other issues confronting decision makers may not be so generic but their resolution may be necessary before an agency can begin to pursue an aggressive areawide role. The boundary question is one of the preliminary issues which prejudices much else that happens in the MJA. Other issues may be peculiar to only some of the MJA's. For example, can the CHP agency engage in giving technical assistance to potential grantees for Federal funds if at some point it is going to sit in judgment on their applications? The Sacramento area EDD gives technical assistance, when requested, to local applicants, and then seems to vacate the task of areawide decision making to Federal aid administrators. The failure of the EDD to play an effective priority setting role is only important if there is agreement that economic development priorities should be set on an areawide basis by a local agency. In fact, there is no such agreement and it could be argued that the most important thing the EDD can do is render assistance toward the procurement of public funds in a rural, mountain area not having too many professional staff resources.

A rather different issue, which MJA policy makers only occasionally face, is the fact that the Federal agencies which contribute to their support bypass them in the grant review process, or ignore their recommendations. This situation is peculiar to CHP, CAMPS, and regional transportation planning, each of which is seen as being interested in the development of an areawide policy capacity. The Federal management oversights which can lead to a bypass of the area agency's review process can be stopped. The prerogative is clearly that of the areawide agency *if it wants it*. One CAMPS director noted his agency "repeatedly attempted to influence Federal funding decisions but was unable to accomplish this." The report's point is that local MJA's can win the prerogative of conducting a review prior to funding, though it doesn't follow that the Federal agency will respect the MJA's advice. But the MJA may not consistently want to be involved in Federal funding decisions, because to do so would bring the areawide agency too close to the Federal decision process. In the

same way, areawide policy development agencies (CHP, CAMPS, transportation planning), if they wanted to, could become very serious constraints upon Federal funding action by repeatedly calling for explanations when local advice is ignored. Again, there is serious question as to whether these areawide agencies as presently constituted want to be so powerful an influence upon Federal funding decisions. But until they do, the Federal funding agency remains a *de facto* areawide policy maker. The "hidden agenda" may be the fear of areawide policy makers that if they are successful in winning greater influence with Federal agencies, they will be forced to seek the same prerogatives with their local governments around issues having an areawide impact. At that point, the areawide agency would be on its way to becoming a powerful areawide force for governance, a state apparently not desired by the local sub-units which control the areawide agency. As a result, some areawide agencies may moan about Federal failure to take recommendations into account, but in fact their local government members are not terribly unhappy with the situation.

The thread running through the above argument is the omnipresent issue of whether an MJA, whose policy is made by representatives of the area's subunits, can be a force distinct from, and on occasion act in opposition to, these sub-units. There is simply no evidence in any of the seven programs that such can be the case. The essential blandness in most of these seven programs is not an unexpected occurrence—it is a direct consequence of the current patterns of policy making in these MJA's. And this report has argued that this only needs to be of concern in those efforts where an areawide policy capacity was an initial purpose or where there is clear agreement that the problem to be solved demands an interjurisdictional policy capacity. Highways and air quality may represent the clearest consensus with regard to the latter point, and in both those cases there is an areawide policy capacity located *outside* the area. Thus, our focus moves to CAMPS and CHP as the remaining programs with the posited goal of establishing an areawide policy capacity. The recent attempts by DOL to place CAMPS leadership for the area on the shoulders of the central city mayor is Federal recognition that a CAMPS composed of the units affected by areawide policy, has trouble making that policy. Yet to be resolved are the problems involved in vesting areawide manpower leadership in the political unit (the central city) whose metropolitan role is in the descendance.

The CHP seems to be the areawide agency most disconnected from local first and second-tier units and theoretically best able to adopt a position "distinct from and on occasion, in opposition to" these local governments. Ironically, the efforts of all three of the CHP's observed seem bent on developing a health council constituency, built around the county, which may compromise the possibility of an areawide policy capa-

city which the CHP has the greatest promise of winning.

In addition to a policy dependence in the MJA's upon first-and second-tier units, all of them are in some way dependent upon these same units for financial resources. Perhaps the greatest strain is felt by the CHP's, which need to turn to their health community for financial support—the very community whose members they may seek to constrain in the name of areawide well-being. To this observer, the dependence upon first- and second-tier units for financial support is another factor compromising the development of an areawide position. (Again it must be noted that the development of an areawide position primarily sensitive to sub-area units is not necessarily a negative factor in these seven programs. In fact, given the analysis to this point, it is only negative in the CHP and CAMPS programs, where an areawide policy capacity is sought, and none is currently operative at the Federal/State level.)

The last set of issues to be examined is a consequence of the MJA's being (or seeking to be) a major influence on resource distribution. The agency which best reflects this issue is the CJA. The MJA which influences the distribution of resources will be seriously strained toward a pattern of distribution which is equitable based upon political units and population. Whether a carefully prepared plan can soften this strain toward political unit/population equity and instead favor redistributive schemes or other areawide approaches remains to be seen. To this point there are no such carefully prepared plans which seek to attenuate population/political unit approaches to resource distribution.

In addition to helping to erode areawide rationales for action, the task of distributing resources seems likely to force a whole set of other uncomfortable possibilities and issues upon the MJA. Since these issues are treated more extensively in other parts of the report, they only need to be summarized here: 1) the likelihood that authority as an area resource distributor will lead to a departure from current constituent unit voting schemes to something resembling a one man, one vote pattern; 2) the probability that the establishment of some kind of priority system would perforce involve the MJA in distributing pain among its constituents; 3) the need to develop an evaluation program so that the MJA can act with some intelligence about the refunding of programs. These issues of priority setting, evaluation procedures, and movement to a one man, one vote scheme, all imply an MJA's becoming more like a genuine areawide policy making force. And that is precisely what many of the first-and second-tier units, which compose the MJA, do not want it to become. The dilemma is currently resolved through avoidance in many MJA's. But if in fact the nature of the function requires an areawide policy capacity, avoidance is not calculated to help the MJA get there. And how much longer will Federal funds support agencies which are unwilling or unable to fulfill their charter?

## PLANNING AND ACTION

### Planning in the Multi-Jurisdictional Agency

Earlier in this paper an assumption was made that Federally encouraged multi-jurisdictional agencies are a type of special district. ACIR has also made this assumption, and various attempts to define special districts seem broad enough to encompass the agencies under observations. However, there does appear an important general distinction between the special district and the MJA as a class of special districts. The special district tends to be formed to pursue a particular kind of action within a particular piece of geography. The MJA's under observation have almost always been formed to provide a context for the action of others. This focus on the provision of an action context is what engages these MJA's in acts which may generically be labelled "planning." Within a multi-jurisdiction, these Federally encouraged agencies are almost all occupied with the manufacture of some intelligence, which if used, would have something to say about the rationality of action by other units in the multi-jurisdictional area. These other units are the Federal government (and local applicants for Federal monies) in the CHP, CAMPS, and EDD programs; the State government (and local applicants for Federal funds administered through the State) in the criminal justice program; the State government as it seeks to use Federal funds in the regional transportation program; and local public and private units in the air quality program.<sup>70</sup>

This overwhelming focus on planning in these Federally encouraged MJA's derives from Federal and local unhappiness with some of the consequences of the direct Federal to local funding relationship. In the last two decades, as the Federal government increased its direct funding relationship to local units (thus bypassing the State as the potential areawide planner), Federal/local relationships came to resemble the top chart on the next page.

Because there is an assumed interdependence between local units in metropolitan areas with regard to certain actions, multi-jurisdictional agencies have frequently been established to help rationalize the transfer of funds from the Federal to local level. Thus, with the establishment of the multi-jurisdictional planning agency, the foregoing relationship was expected to be modified so it would look as that depicted in the bottom chart on the next page.

In the case of the CJA, the above model prevails except that the CJA engages in a review and approval process for a State rather than a Federal agency. In the highway program, the MJA is never a conduit for Federal funds, and its planning is presumably meant to help rationalize the transfer of Federal funds to a State agency.<sup>71</sup>

Whatever the model for action in the multi-jurisdictional programs, it is clear that Federal encouragement

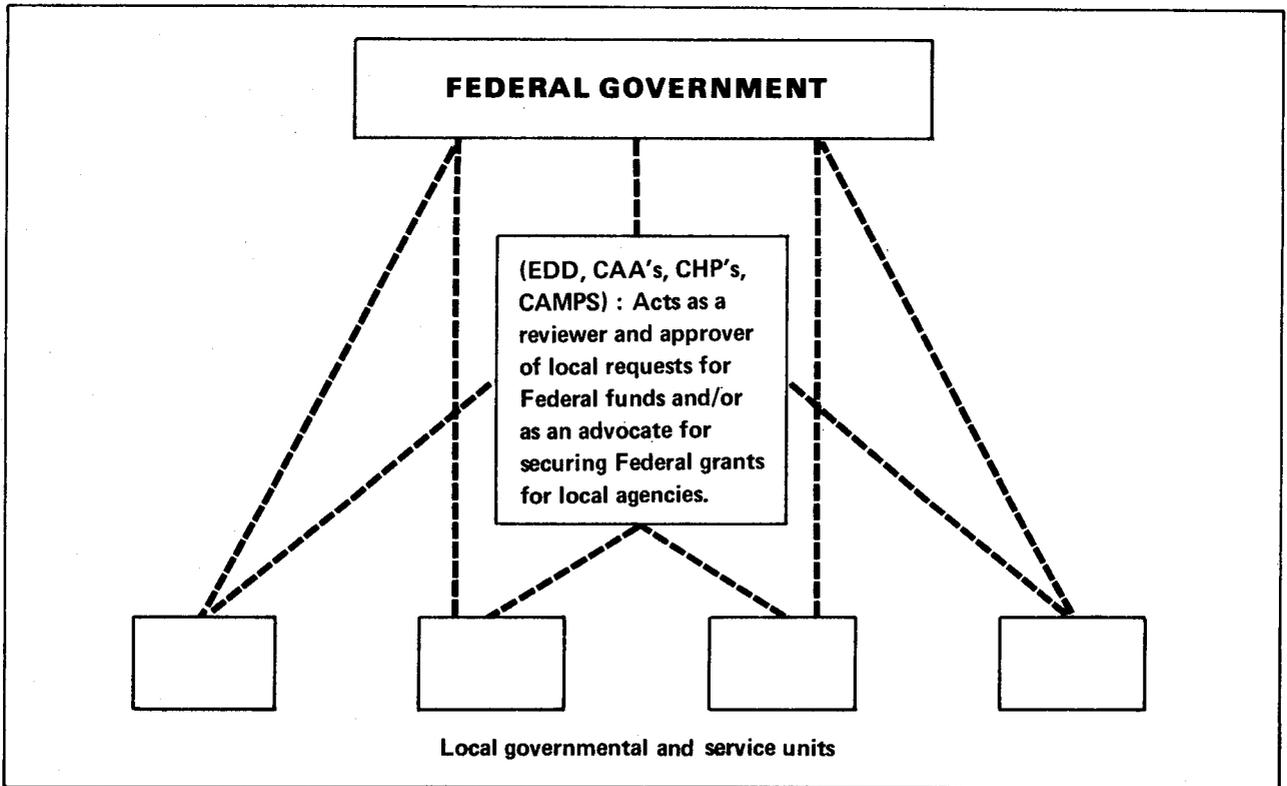
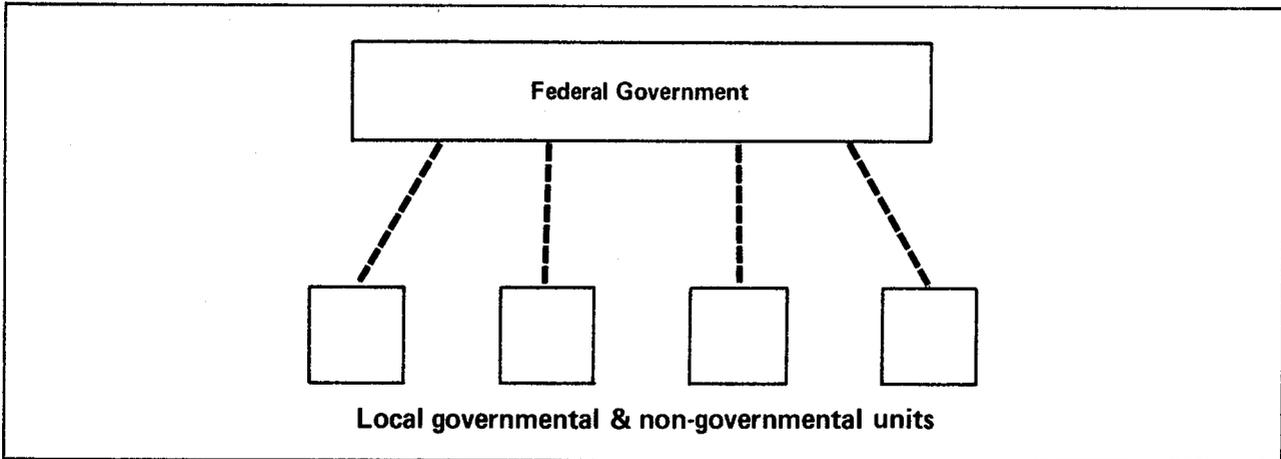
of planning in these agencies was meant to provide a more rational basis for the transfer of Federal resources to metropolitan/regional areas. ACIR even hoped that this planning, when carried out on an areawide basis, might provide some of the same benefits as governmental reorganization in the metropolitan area.<sup>72</sup> It is this kind of Federal support of the production of a metropolitan intelligence through planning which moved Victor Jones to call the Federal government the pre-eminent "focus for discussion of urban and metropolitan affairs."<sup>73</sup>

While Federal action in metropolitan areas is heavily staked in multi-jurisdictional planning, Federal administrators have not been blind to the inadequacies of local performance or to the confusions inherent in the way that Federal agencies administer the various planning grants.<sup>74</sup> It could even be argued, based upon observation of these seven programs, that Federal administrators are so impressed with the weakness of the multi-jurisdictional planning process that they feel no constraints in bypassing it (and thus contributing to its further weakening).

It would be relatively easy (and irresponsible) to dismiss the current state of planning in MJA's, and the uses of this planning, as inconsistent with Federal intent and unworthy of continued support. As one cynical interviewee noted, "Planning is something you wrap around a grant" so that everyone can feel better about the decision to fund. This report will make due note of the erosion and weaknesses in planning which appear in multi-jurisdictional agencies. But first, additional attention will be given to planning as a context for rational action in these projects and the steps being taken to enhance planning activity.

A Federal task group examining Federal planning requirements concluded that "... there is no generic concept of the comprehensive planning process underlying the planning requirements of federal aid programs... [and] there are no guidelines for achieving consistency or compatibility among the planning requirements of different federal aid programs."<sup>75</sup> There are a number of definitions in the planning literature, a distillation of which can be seen as saying that planning is the defining of a course of action which, if implemented, would result in the achievement of a set of specified goals.<sup>76</sup> Thus planning needs to become involved with goal specification, the designation of appropriate instrumental action (and priorities amongst these actions), a program of evaluation to determine whether instruments have been made operational, and an evaluation of the contributions of these instruments to goal achievement.

The seven MJA's engage in tasks which potentially require the development of plans if they are to be pursued rationally. The CAMPS, CHP's, CJA's, EDD's, and the regional transportation agencies review proposed requests for funds. One purpose of the review is to



apprise the Federal or State funding agency of which projects ought not be supported, or conversely, to seek support for those which are seen as useful. If this distinction is to be based upon the capacity of the proposed action to achieve certain goals (e.g. contribute to economic development, fight crime, enhance the quality of health care), then the reviewing agency (the MJA) must have some notion of which goals are worthy of achievement and some preference as to actions most likely to achieve these goals. Having this, it has what might be called a plan. Using it, the MJA is theoretically able to distinguish between good and bad proposals for action.

Air quality agencies are provided with a set of goals (or standards) and are engaged in specifying the necessary actions to achieve those standards. Criminal justice planning is assumed to operate within the context of goal specification by the State. However, the Sacramento area CJA has refined and altered these State specifications, presumably influenced by local conditions. Some CHP's are engaged in the approval of new facilities and thus should have some notion of what is an adequate facility level. If not, each facilities review becomes idiosyncratic, with each application judged on its merits without any context of what *ought* to be. EDD's and those multi-county CAA's which seek Federal funds to deal with special problems presumably have to rationalize their proposed projects in the context of some planning. (Observers suggest that the Federal practice in the case of both these MJA's is to ignore the planning requirement and make grant awards on a project-by-project basis.)

Without attempting further specification of the role of planning in these MJA's, it seems clear to this observer that each of them is (or ought to be), except for the OEO supported multi-county planning agency, engaged in a process which might be labelled planning.<sup>77</sup> And this planning is not make-work activity; it is central to the purpose for which almost all of these MJA's have been established. What then is the current state of activity with regard to planning in the MJA's which engage in it?

The three multi-county CHP's are all occupied with the process of planning. None of their planning seems to have reached a state of detail which permits it to be consistently useful in reviews of requests for HEW funding or in facility reviews. In the words of one CHP director, "We fly by the seat of our pants." In addition, all of the CHP's have made strong commitments to the development of county health councils, whose plans, when taken together, could become the basis for CHP's areawide plan. In the Pittsburgh area, as noted, staff of the regional planning council (the clearinghouse) indicate their concern that the CHP's dependence upon county-based planning seriously erodes the areawide potential of the plan. In the Sacramento area, the CHP is wrestling with the kind of constraints it ought to apply

to county health council planning, so that these plans contribute to an areawide approach in addition to reflecting sub-unit biases, but it has not yet come up with working answers.

CAMPS plans, as far as the three observed CAMPS are concerned, seem almost non-existent. In the Pittsburgh area, some attempt is made to describe the various manpower programs; when collated these descriptions are intended to constitute a plan. Presumably the troubled planning situation in these CAMPS programs will be ameliorated when central city mayors are in receipt of Department of Labor funds for manpower planning staff. But whether a manpower planning process controlled by the central city mayor can produce a plan effective throughout the manpower area needs to be empirically determined.

Regional transportation planning in all three of the metropolitan areas observed is piggybacked to the metropolitan clearinghouse. Transportation planning in these agencies becomes an integral part of the clearinghouse's overall development planning. This report does not presume to assess the quality of this planning. It is clear that some transportation planning is taking place and that important policy issues are being addressed. But the evidence in these three communities is that regional transportation planning has not been an important factor in the planning of State highway departments. The experience in these communities tends to support the observation of a DOT official, who noted in an interview that "when it comes to areawide transportation planning, the State highway department is by far the most competent force there is."

The EDD's approach to its planning tasks seems very similar to what was locally envisioned should the EDD become a nonmetropolitan clearinghouse. A committee member in the EDD program, in commenting on the perceived requirements of areawide planning, noted, "Each county has their [sic] own general plan, and it would be very simple for the four general plans to go together and we would have a plan".<sup>78</sup> In the same way, EDD goals and proposed actions seem basically a composite of the overall economic development plans (OEDP's) of its component counties. As one observer of this EDD and others throughout the country noted, "what is called a plan in an EDD is basically a wish list of desired programs."<sup>79</sup> In its willingness to let its planning be a composite of constituent units plans, the EDD has realized a pattern which the various CHP's seem headed toward duplicating. It is a pattern which is also found in the CAMPS efforts and in the plan of the Sacramento Air Quality Control Coordinating Council. In these agencies (except for the CHP), where multi-jurisdictional planning tends to be a composite of sub-unit planning, two predisposing factors exist in common: 1) the planning staffs are extremely small, thus making the MJA heavily dependent on its sub-units for intelligence, and 2) the policy bodies of the MJA are

controlled by sub-unit representatives. CHP's have a much more adequate staff complement, and a policy body which is less clearly sub-unit controlled. Unfortunately, from the view point of developing an areawide planning capacity, CHP's are dissipating this staff capacity through assignment to county health councils. Apparently, they are being pushed in this direction by HEW guidelines, and they have not yet developed a strong enough areawide point of view to act as a constraint upon planning in these local health councils.

In the regional criminal justice agencies, as in most MJA's, what passes for planning is often an attempt to wrap rationalizing statements around a set of projects that the MJA wants to support. In effect, rather than the plan serving as the basis for selection of particular criminal justice projects, the projects are first selected and planning serves as an after-the-fact rationalization. Part of the reason for this erosion is that criminal justice agencies, during their first years of existence, "had to get the money out" while at the same time starting to plan. At this point, CJA's are locked into the support of a great number of projects funded in their first year, while also trying to develop some rational basis for selecting new projects. The result is the uncomfortable feeling that much of what passes for CJA planning is in fact apologetics for early funding decisions.<sup>80</sup>

In criminal justice planning, as in all other planning under observation, the obvious cautions are that these are very young agencies and that competent planning doesn't happen very quickly. Whether competent areawide planning can ever happen in agencies with a tiny staff capacity and with a policy structure which may be inappropriate to an areawide agency remains to be determined. A more important question, which runs through this report, is how to define competency in planning and in any other multi-jurisdictional action. It may never be a sign of competency for the EDD or criminal justice agencies to develop a plan which is more than a sum of its constituent parts. And to the contrary, in regional transportation planning, the mark of a competent plan may be greater capacity (than the State highway department) to reflect a point of view which is more sensitive to the needs of local constituent units.

John Hirten, a deputy assistant secretary in the DOT, transmitted a report to OMB which neatly summed up some of the erosions in the processes of planning. "Metropolitan plans often merely ratify the previous highway plans, due in part to the predominant role of State highway staffs in the Section 134 process and in part to the lack of time, expertise and money to consider meaningful alternatives."<sup>81</sup>

In addition, there are specific concerns which contribute to the current problems of confidence and competence in MJA planning. Apart from the fact that planning expertise is a rare and ill-defined commodity, there is often the sheer lack of money to buy staff bodies. This is particularly apparent in CAMPS, the

EDD, and the Sacramento Area Air Quality Control Coordinating Council. This is not to imply that staff complements are generous in the other agencies; it is my impression that none of the MJA's has enough staff to undertake the planning tasks expected of it. But even if staff size and competence were adequate, there is the pervasive problem of having to deal with the realization of unclear goals within badly defined boundaries. Are EDD's which receive EDA funds large enough to hire a staff of two really expected to define and propose solutions to the economic development problems of a multi-county area? Are CAMPS with a staff of one (Sacramento area CAMPS, and other CAMPS before the mayors received manpower planning staff funds) supposed to plan for an area, and use this plan as a context for reviewing requests for manpower funds? Or is the assumption that CAMPS were expected to plan incorrect? Perhaps the DOL never really expected CAMPS to be anything more than a reporting and information exchange device — a function the Sacramento CAMPS seems to perform reasonably well with its one-person staff.

One cannot lay the planning problems of the Sacramento Air Quality Control Coordinating Council at the feet of the EPA, since the air council is a State-required agency, not supported by Federal funds. But can a 14-county council produce a plan which is anything other than a composite when it has no staff capacity which belongs exclusively to the council?

Is MJA planning which is a "paste-up" of constituent unit plans an erosion? If so, then the plans and the processes which produced them are victims of this erosion. However, this erosion is less apparent in the Portland area's air quality agency and the criminal justice planning agencies. Both of these, in part, can be seen as holding onto an areawide, as opposed to a constituent unit, focus. Not surprisingly, it is these two areawide agencies which most nearly operate within a set of policy constraints established by the State and/or Federal government. (Of course, air and criminal justice agency planning also reflect constituent unit concerns. Because of this, there is likely to be some tension in the planning process between constituent unit interests and State/Federal policy guidelines.)

Whether MJA planning with a strong constituent-unit orientation represents an erosion can only be decided by rephrasing the question of purpose in the establishment of these agencies. If this report's assumption is correct that CAMPS and CHP's have been established to develop an areawide policy capacity, then planning which is primarily a composite of sub-unit points of view betrays that purpose. Conversely, while regional transportation planning was also established to develop a policy context, this policy is intended to be a counterpoint to the areawide orientation of the State highway department. Thus, regional transportation planning which reflects a sub-unit approach (as well as a reconciliation

of areawide and sub-unit approaches) is not a miscarriage of purpose. Similarly, the air quality agency and CJA attempts to reconcile State/Federal policy and local interests are not miscarriages, unless in the process State/Federal standards are ignored.

With regard to EDD's, it would appear that EDA has defined economic development in such a way as to encourage an areawide problem solving approach. When a district is authorized, EDA regulations specify that counties in the district which do not individually meet certain standards of economic depression will not be eligible for special EDD funds until a plan pertinent to the entire district has been completed. Presumably, this plan would be able to specify the way in which the economically healthier counties (and specifically the growth centers within them) will be of aid to those adjoining counties that are more depressed. This represents a rational context for the encouragement of a multi-jurisdictional approach to planning. But then the small staff resources provided to the EDD, a policy structure based on constituent units, and a focus on individual county economic development planning, all combine to help erode the possibilities for *areawide* planning.

These EDD problems seem examples of not being clear as to what the planning task is and sometimes having an unmanageable boundary within which to do this planning. Inappropriate planning boundaries in agencies which are meant to produce a genuine areawide plan are always a potential deflection of an areawide planning capacity. In the Pittsburgh and Sacramento areas, the failure to build a CAMPS which is inclusive of all the SMSA counties must hurt areawide planning, if all of the SMSA counties are in fact part of the manpower planning area. Conversely, the arbitrary and erratic way in which planning boundaries are established in many other cases, creates a territory which must be planned for (and resources distributed to) even though all the political units included do not constitute an interdependent area. What are the boundary criteria by which a 12-county CHP is created in the Pittsburgh area (in the context of a nine-county recommended State district and a six-county clearinghouse); or a four-county CHP established in the Portland area when the SMSA includes a fifth county in the adjoining State of Washington; or a six-county CHP in the Sacramento area which excludes two counties relatively more populated and closer to the metropolitan core than two counties which are included.

There is no point in further beating upon the boundary disaster. But the tendency to create large MJA's for the sake of neatness by including counties not appropriate to the problem being dealt with, contributes to a planning process which must focus on all the units in an area as opposed to those units which share some genuine interdependence. The counter-argument is that neatness avoids a sense of arbitrariness about boundaries and creates greater potential for inter-MJA cooperation.

Despite the counter-arguments, the report strongly opts for curtailed MJA planning areas more appropriate to the problems being dealt with. It would seem that a *precondition necessary to encourage areawide* planning is that the units being planned for are in fact interdependent. The larger and more inappropriate the planning unit, the more likely it is that planning will degenerate into a specification of how to distribute resources equitably. The conclusion may be that if we desire areawide planning, then we need to drop our focus on large, State-designated districts or regions, and instead deal with planning for the most heavily urbanized metropolitan areas, where there is some legitimate assumption of unit interdependence. There would be great difficulties in accomplishing this because it would mean MJA's composed of parts of counties, as well as a downgrading of the substate district concept. The way to avoid this difficulty is to move to population rather than political-unit weighted voting schemes in the MJA's, in which case the inclusion of non-interdependent, rurally oriented units in the MJA becomes less important. However, population weighted voting seems unlikely to occur on a broad scale unless required by the courts. (Large district planning for purposes of efficiency rather than "areawideness" will of course continue to be appropriate, but no one ought to be surprised, or concerned, if the result is a plan built upon the needs of individual political units.)

### What Difference Does the MJA Make?

One purpose of this report is to describe what MJA's do, and whether they seem to do it effectively. Apart from the OEO supported multi-county planning agency and the multi-county air quality agency in the Portland area, what these MJA's seem to do most of fits under the headings of planning, program reviewing, and something as nebulous as communication. Prior to undertaking field work, I speculated that it would be likely for some MJA's to move into service giving as a way of best realizing their plans, or because there was no other appropriate agent to do the job. There is almost no evidence that this has happened. The MJA which can most readily be seen as a service giver is ironically labelled the multi-county planning agency. But this OEO supported agency does not engage in multi-jurisdictional planning, instead it renders planning assistance as a service to its constituent members.

The CHP's indicate some confused perceptions by their communities as to whether they were intended to be service providers. Except for certain technical assistance matters, CHP's are not rendering services. HEW's support of Regional Medical Programs as a separate service-oriented entity has made it unlikely that CHP's will seek to provide services, and has also confronted CHP's with an adversary force with regard to action throughout the area.

The MJA which might be most likely to evolve into a service giver is the EDD. Charged with the broad task of economic development and operating in mountain counties with the likelihood of a less complex set of organizational services, the EDD as a service giving agency seemed an expected development. The expectation was further supported by Sundquist's observation of EDD's in the Southeast. Sundquist reported one EDD director as typically saying, "Every function of government is within our scope of interest . . . except maybe welfare."<sup>82</sup> The EDD has engaged in some limited efforts to provide personnel training as a way of upgrading skills in the mountain county area. Apart from this, the EDD observed does not conceive of itself as a service giver, but rather as an advocate to help secure funds for organizations in its area.

The explanation for the EDD's minor role as a service provider may be that there already exists a set of organizations in the mountain counties aggressively interested in securing funds to enhance their own services, and whose efforts were conceived of as contributing to economic development. Had the EDD sought an active role as a service giver, it would have become competitive for new Federal funds with existing organizations. (The possibility that the Federally funded planning agent would become competitive for new Federal funds exists in many efforts, and has sometimes led to the disengagement, or even the prohibition, of these planning agencies from seeking Federal funds for the direct provision of service.)

The EDD, in its encouragement of local development corporations, and the Portland area CHP in its success in helping to establish new areawide service organizations with regard to alcoholic and drug abuse problems are excellent examples of an alternate approach to service giving by the MJA. In these instances, the MJA helps to determine that the resolution of certain problems demands a new organizational capacity, but does not jump in and seek to furnish this capacity itself. Instead, a new structure is brought into being, sometimes with cross-jurisdictional service capacities.

If service giving is minimal in the MJA's there is no dearth of concern for the way in which certain services and other resources are to be distributed. The various planning and program review efforts are all addressed to resource distribution, if not to redistribution. The general question of redistribution is a central one with regard to metropolitan restructuring. One indicator of our metropolitan governing problem is the increasing separation of the metropolitan area into two kinds of municipalities — one of which has extensive problems and shrinking resources. Metropolitan restructuring continues to be looked to by some as a force for shifting resources within the metropolitan-wide community. My previous work with regard to councils of government and to a comparison of new metropolitan governing forms suggests that earmarked Federal funds, rather than

new structures at the metropolitan level, are most likely to contribute to a redistribution of resources.<sup>83</sup> Thus, one might expect efforts at redistribution to be likeliest in Federally supported programs such as community action and economic development districts whose declared goals were to bring new resources to "have not" individuals and communities.

Despite the study's interest in the issues of redistribution, success or failure in this regard is not considered an indicator of an MJA's effectiveness unless so specified in the legislation which serves as the context for the Federally encouraged effort. As Sandalow has noted, ". . . a key goals question for metropolitan restructuring is whether we seek only economic efficiency or whether increased equity among the inhabitants of the region is also a goal".<sup>84</sup> The report is not about to impute redistributive goals to all of the MJA's simply because they are multi-jurisdictional, but it seems important to try and infer the presence or absence of such goals from MJA planning and action.

Programs such as EDD's, CAA's, and manpower grants, can all be seen as redistributive by intent. If they reach the population intended by their legislation then there seems an increased possibility for achieving greater equity between populations in the area and in the Nation. The CAMPS programs under observation have not been a force in the direction or redirection of Federal manpower funds. As a result, they have neither enhanced nor detracted from the redistributive potential of Federal manpower programs. Because the OEO support of the multi-county planning agency was essentially as a service provider to its constituents with no attempt to be a source of influence in its own name, it is almost impossible to tell whether this agency has had any impact on the normally expected redistributive aspects of the OEO program.<sup>85</sup>

If CAMPS and the OEO supported efforts appear by their inaction not to disturb normal Federally encouraged redistributive efforts, the same non-disturbance might be implied in the EDD program. As previously noted, the EDD did not seek to provide a powerful overall perspective. Instead it sought to be an advocate for agencies in its district in helping them to secure funds. It was reported that the EDD almost never failed to seek Federal funding for a proposed effort in the district which was able to produce local matching support. Conversely, the EDD would not process applications for Federal support which were unable to supply local matching funds. The impact of these practices may be to ensure that certain programs lacking local financial support, but with the greatest potential for enhancing economic development (and therefore the redistribution of resources to these four counties) were not encouraged. The issue is entirely speculative, but also instructive in pointing to the way that non-action in the region can deflect from (or not enhance) the redistributive potential of Federal programs.

The local EDD's decision to consider amenity-type programs (e.g., recreation facilities) may also be seen as channelling scarce resources to less salient economic development efforts and in that way helping to erode efforts at redistribution. If in fact amenity programs deflect redistributive efforts, then this deflection can be seen as Nationally encouraged since EDA policy has wavered with regard to the legitimacy of supporting these kinds of efforts in all EDD's.<sup>86</sup>

If the functions of other MJA's are not so clearly redistributive in their potential, they nevertheless can be bent in the direction of affecting redistribution. CHP planning efforts all address the issue of better health services for the poor, but there is almost no evidence of these CHP's using their review processes to enhance this likelihood.

Regional transportation planning in the Pittsburgh area is deep into the issue of whether new highway construction shall serve the densely populated core area or open up new areas for development. The implications for redistribution are clear, just as they are each time an MJA opts to concentrate resources in the central city as opposed to distribution according to political unit and/or population criteria. There is little evidence in these agencies of an ability to intervene in the resource distribution process so as to concentrate resources on populations of greatest need. The primary notions of equity in distribution that must be met are those of a "fair share" to political units and a "fair share" by population; the use of these criteria alone are not conducive to efforts at redistribution.

If the MJA's observed to not seem much occupied with questions of redistribution, it is nevertheless difficult to fault them on it. Apart from a general charge to be concerned about the health problems of ghetto dwellers in the CHP program, there is nothing to suggest redistribution of resources as a specific concern of these areawide programs.<sup>87</sup> And perhaps the best that might be expected, as in the manpower, CAA, and EDD efforts, is that MJA's not distort Federal efforts at redistribution.

Concern for enhancing efficiency, increasing local competence, and facilitating communication opportunities among local officials are more readily apparent than a concern for redistribution in these programs. In almost all MJA's these concerns have been partially met. Because they bring together sub-unit officials and representatives, the MJA's are good grounds for communication. A sense of multi-jurisdictional community is established, and all those affected enjoy (and even benefit) from the contact. One county commissioner from a more rural county in the Portland area commented that he felt more kinship with his colleagues in the MJA than he did with his fellow county commissioners. There is little question that the contacts enabled by these agencies have contributed to the creation of a cadre of local officials and representatives who are

intellectually aware of their interdependencies, even if they have been unable to act upon them through the MJA to this point.

Some have suggested that the contacts enabled in the MJA establish possibilities for bargaining between localities sharing a common problem. Presumably, this bargaining would be facilitated by having an areawide plan as a context for the bargaining. I have no tangible evidence that such bargaining has occurred, or if it has, that it has contributed to the resolution of inter-jurisdictional problems. Whatever the case, it appears that contact and identification with a multi-jurisdictional group does take place, and this is perceived (if not realized) as a benefit by almost all of those involved.

An interesting and perhaps unintended benefit of the review process in CHP's and CJA's is that some local units requesting funds are reported to be taking more pains than previously with their own planning. In the Sacramento area there is some evidence that the pursuit of planning the CJA has stimulated the development of a counterpart capacity in local units of the criminal justice system.

One criminal justice planner compared his agency to that of a "carpetbagger," arguing that the new professional faces and the attempts at areawide planning have contributed to the "opening" of the criminal justice system. In the same way, one of the intents of regional transportation planning is that it will contribute to the opening of the State highway department.

These allusions to "opening the system" may be synonymous with the creation of new tensions in public decision making, but such tensions may be precisely what we intend to pay for in the work of these new multi-jurisdictional mechanisms. The implicit theory seems to be that a monopoly of decision making, whether by an areawide agency (the State highway department), or by local agencies (e.g., criminal justice units), is not healthy. In most cases, of course, it is the *inappropriate* monopoly of local decision units on issues having areawide dimension that has stimulated the creation of MJA's. The generic purpose in creating the MJA, applicable to criminal justice, to transportation, as well as to other MJA's, may be the establishment of a planning capacity which can counterpoint intelligence created at any other level of government. In that case, the pervasive blandness of planning and action in the MJA's bespeaks a failure of large proportions.

In some cases, the difference the MJA has made can be measured by its effectiveness in bringing new resources into the area. For example, the EDD's success in bringing in \$75 per capita for each 15 cents of local money expended is an enviable record. The sheer presence of a staff to focus on new resources for the four mountain counties of the EDD seems to make an important difference. Thus, the establishment of an EDD is itself a redistributive act because it permits "have not" areas to compete more successfully for funds. A

universal EDD program which would place "have" and "have not" counties on an equal footing would take this edge away and thus work against redistribution.

While the evidence is strong that Federal policy often contributes to redistribution, the Federal presence with regard to areawide issues is not always benign. The history of duplication of grants, the use of inappropriate grantees, the making of grants which negate each other, all suggest that the Federal government is in need of better intelligence to guide its local actions. The Federally supported MJA can be conceived of as a response to that need, although not surprisingly the Federal government has often chosen to ignore the intelligence that it is paying for. But here again the situation is not all bleak. Federal agencies appear to be under mounting pressure to use (if not to follow) the multi-jurisdictional capacities they have brought into being. As one CHP director commented, he has the increasingly good feeling that someone at the Federal level is "listening to them." The listening is at least as apparent in the State criminal justice relationship to regional agencies. Even though State criminal justice agencies reserve the right of grant approval, there is no question that regional agencies are the most powerful forces in establishing the context for that approval.

In the CAMPS program, the Department of Labor has gone on record as saying that "except in certain cases, national contracts etc.," it will be guided by local recommendations for funding. Whether DOL will be able, or will want, to deliver on these commitments to CAMPS, whose planning is weak or non-existent, is not clear. Whatever the details of the CAMPS-DOL relationship or the CHP-HEW relationship, it seems clear that the potential for MJA influence on Federal action is enormous. Where some Federal unit is potentially interested in the intelligence created by an MJA, it seems possible for competent MJA's to become powerful constraints upon, or even determiners of, Federal grant-in-aid actions. This seems a mode of action very much *en rapport* with a Federal administration interested in the idea of decentralized decision making. The tougher question, which this report cannot answer, is whether MJA's really want to be a powerful constraint upon Federal decision making, and whether the competence of multi-jurisdictional planning will increase to the point where it *ought* to serve as a basis for Federal decisions.

One of the other likely (or at least reasonable) requisites, if Federal funding is to be guided by multi-jurisdictional priority setting, is an insistence upon the evaluation of local program achievement. A logical action model would see the Federal agency requesting evidence that a local program works before agreeing to refund. Two of the MJA's observed, the Sacramento area CJP agency and the Portland area CAMPS, were making beginning attempts to monitor the activities of local grantees. These steps ought not be exaggerated, but the possibility of an MJA as planner and evaluator of actions

carried out by other units of local government, with this planning and evaluation serving as the basis for renewed Federal financial support, is useful to contemplate. But this possible system of action will demand more competence and political will than has been displayed by most MJA's so far.

This evidence of the difference some MJA's have made, when taken together, is hopeful and even impressive: the encouragement of regional service agencies (in the Portland area); the participation in the administration of Federal programs of redistribution; the stimulation of a planning capacity in local service agencies; the opening of formerly closed systems to new influence; the contacts afforded local officials around issues of areawide import; the opportunities created for bargaining on areawide issues; the stimulation of a planning counterpoint as a way of introducing needed tension into decision making affecting the area; the bringing of much needed new staff resources into underdeveloped areas; the provision of a staff capacity which can be cosmopolitan in its thinking; the potential rationalization of Federal decision making in light of multi-jurisdictional intelligence; beginning programs of monitoring to determine whether the reality of local action is commensurate with the promise. These differences attributable to the MJA can be seen as indicators of the kind of achievement that was Federally intended in the support of MJA's. And if the MJA is seen developmentally, with the likelihood that passage of time will make these differences more widespread in appearance and expert in performance, there could be much to be encouraged about.

The above list of differences needs to be seen in the context of widespread weaknesses in planning and decision making, which seem to be due to the structure of many of these MJA's and the confusion in performance expectations surrounding them. Department of Transportation officials have observed that despite seven years of regional transportation planning, this planning makes a minimal contribution to decision making with regard to highways. Federal LEAA staff, in attempting to compare the regional impact of single county and multi-county CJA's in California, have failed to notice any greater capacity on the part of the multi-county agencies to generate areawide approaches to problems. And finally, note must be taken of the prevailing weakness of the CAMPS program, to the point where a local participant has noted that "its disappearance would affect no one."

What is the balance? How endemic is the observed weakness? How differential are the capacities of these seven kinds of agencies? How much is the weakness, if it is weakness, a function of how long the MJA is in existence? And do we have enough clarity in our expectations of an MJA to assess its performance? For example, the report does not have the capacity to determine whether the efficiency criterion assumed as

the primary basis for establishing multi-jurisdictional criminal justice agencies has been met. (If in fact efficiency is a primary criterion, then the previously noted "failure" of CJA's in California to be multi-county in their program approach is not necessarily a failure.) Nor does the report have the capacity to determine whether the air quality agencies and the EDD's have been effective in their problem solving tasks. But some ideas can be presented on the achievement of an areawide policy capacity—a goal which was posited as primary for three of the observed agencies, and a goal which is undoubtedly present, if not primary, in all of the other MJA's.

The clearest case for the successful development of an areawide policy capacity is the Portland multi-county air agency. It is a legally established, powerful force for governance across jurisdictional lines. It can and does make decisions which are enforceable in multiple jurisdictions on a problem which is clearly no respecter of political boundaries. None of the other MJA's observed has this enforcement capacity (except, in a limited sense, the Sacramento area CHP); none is in effect a unit of government, but rather combinations of units of government. Within these limitations, a number of the other MJA's have begun to reach for and test what their governing capacities may be—even where these capacities are exercised through uses of power rather than authority. The EDD, through its skills as a fund producer, its special leverage with EDA, and the willingness of its staff to engage in conflict, has become a powerful force able to affect public decision making for its four-county area. It is a force which is despised in many quarters, because it is perceived as illegitimate, uncooperative, and capricious. Nevertheless, it has given to its area some beginning capacity to examine and act upon the interdependencies of its political units.

All of the CHP's have begun to examine the question of how to constitute a health system whose parts rest in different political units. The answers may be weak, and the planning process unsatisfactory, but there is an organizational capacity to look at issues across boundary lines where there was none before. In the Pittsburgh area, regional transportation planning has begun to talk about a new set of priorities, which if implemented, will affect all of the governments in the area. Even if not implemented, but only treated seriously, regional transportation planning in the Pittsburgh area will contribute to the modification of action in its multi-jurisdiction. Sacramento area criminal justice planning has posited a set of goals peculiar to its area which have become a factor in its allocation recommendations. This is not to deny that other factors (e.g., notions of political unit and population equities) are more important in making allocations—it is only to say that the *process* of making criminal justice allocations is different in the multi-county CJA even if LEAA observers note that the

*product* is not much different from that of the single-county agencies.

These distinctions between "process" and "product" are perhaps at the core of what is promising and what is troublesome about many MJA's. The process and the potentials of the MJA's are indeed different; in their difference they begin to resemble a metropolitan policy capacity. But the product of all this seems barely different from what occurs in presumably disorganized areas. Is the process worth supporting in the hope that the product will soon be different? Or is the process that has begun in these Federally encouraged programs compromised by current facts of structure and policy so that these programs will never develop a genuine areawide decision-making capacity. In attempting answers, the next two sections deal further with the evidence of areawide policy-making capacity in the MJA's as well as with the issues of authority.

### Holding an Areawide Focus

In a 1972 report entitled *Multi-State Regionalism*, the ACIR, perhaps without meaning to, captured a certain ephemeral quality about regionalism. In commenting upon the Appalachian Regional Commission, ACIR noted, "Through its composition, voting procedures, and the professionalism of its staff, the commission generally has acquired what in the overall might be termed a sense or spirit of regionality."<sup>88</sup> In the immediately preceding section, this report presented a substantial list of achievements which might also be construed as pointing to a "sense or spirit of regionality." The sheer creation of a multi-jurisdictional mechanism, because it provides opportunity for intercommunity contact, is indicative of "regionality." But is the Federal government, in its support of these mechanisms, prepared to settle for contact, a "spirit of regionality," and little else? Is the Federal government ready to settle for an interjurisdictional *process* which is built upon preserving the integrity of sub-unit preferences even where this preservation disadvantages the area as a whole? In reflection of this, the current essence of most MJA decision making is that what advantages the area can only be discerned through sub-unit preferences.

There are no hard measures of regionality which would permit the observer to say that one agency is more regional than another in its approach. There are some expectations of these agencies which could be termed "areawide" in their implications, but there is little indication that anyone (Federal or local) assesses these agencies on the regionality of their actions, and rewards and punishes them accordingly. CHP's are enjoined to think about a "health system" in their multi-jurisdiction, surely an invitation to think and act across political boundary lines. Regional transportation planning and CAMPS, where the concepts of "urban area" and "metropolitan area" cover a multi-county

area, are also expected to think across political boundary lines. As noted throughout the report, these three agencies, CHP's, CAMPS, and regional transportation planning, are the MJA's most clearly expected to be areawide in approach.

While the EDD has been categorized as a problem-oriented agency, it is clear in EDA guidelines that the EDD is expected to approach its problems from a multi-jurisdictional vantage point. The cross-jurisdictional implications for the CJA, multi-county CAA's, and the air quality agency are less apparent. There is a clear understanding that the quality of air in a jurisdiction is affected by the action of adjoining jurisdictions, but there seems no expectation that jurisdictions will meet to act across boundary lines to deal with the problem. Instead the assumption is that if each jurisdiction meets National and State standards *in its own jurisdiction*, problems will be solved.

The report is back to the core problem of not having a clearly accepted basis for determining which functions require a locally controlled areawide policy capacity. To the contrary, in those two functions, air and highways, having the broadest agreement as to their regionality, the strongest areawide policy capacity exists outside the region. There is no articulated set of ideas as to what the costs, if any, are, of not having a *locally controlled* areawide policy capacity. Thus, how can one see any of the erosions in areawide policy capacity this report has specified as bad? How can it be bad when we know so little about what is good with regard to areawide policy making?

In the Sacramento area CJP program, there has been some talk about the pre-establishment of allocations for each of the eight counties comprising the CJA, so that the "region may be preserved." If pre-allocations for counties were established, it might diminish some of the conflict, but gone would be the capacity to see the region whole. Is that bad? Not really, if there is no acknowledged need to see the region whole at the regional level. It may be enough to see the region whole at the State level, or the Federal level, or nowhere at all.

In the CHP program, a capacity for viewing things whole is specified in Federal program guidelines, but now apparently this is being eroded in the emphasis on local county health councils. Perhaps out of this will emerge the CHP as a third-tier mechanism, separate from local health councils, with a genuine capacity for "areawideness"—to this point there is rhetoric but no evidence in this direction. What is more likely is that the CHP will fall under the control of its sub-units, as has occurred in all of the other MJA's observed.

If the primary factors militating against accepting the importance of "areawideness" are a lack of agreement as to its utility and necessity with particular functions, there are other, more mundane factors as well. Staff of the Sacramento area CJA note that proposals for multi-jurisdictional action are much harder to put

together than those for a single jurisdiction. Because the competition for criminal justice funds is severe, applicants tend to play it safe by sticking to their own jurisdictions, where agreements to undertake a program are relatively easier to negotiate.

The strain toward political unit and population equities in planning and resource distribution are primary factors working against areawide approaches. There is neither a Federal policy nor a clearly established rationale for action in most of these programs which would temper the practice of satisfying sub-unit equities to the detriment of areawide action. This is not to imply that sub-unit equities are of little concern in areawide programs such as the multi-county air quality program. Sub-unit equities are of course important in this Portland area program, but existing laws work to assure that they will be dealt with within established Federal and State policies. It is the absence of defined areawide policies in many of the other program areas which permit the repeated victories of the sub-units in policy making affecting the area.

Other problems in holding an areawide focus stem from the MJA's concern for the preservation of its own boundaries. The possibility that the CJA in the Sacramento area will initially carve up its allocations by county is a price it may be willing to pay to hold the form of the region together. In the Sacramento area CHP there is evidence that the agency soft-pedals a regional approach when dealing with its more rural county constituents. After all, a health "system" approach to the CHP's six-county area could mean that the most specialized, sophisticated health facilities will be located in Sacramento, with the sparsely populated counties restricted to more general health services. This is not a message that the rural counties want to hear (even if it could be seen as rational); hence the CHP is encouraged to mute its regional role. An HEW official noted that the broader the participation in the CHP planning, the less likely was the result to be regional in approach. Apparently, the payoff for breadth of participation must be a dispersion of resources to all of the units represented. One day soon, HEW may have to push its analysis to the point where it attempts to compensate for the possible incompatibility of extensive, local unit oriented participation in health planning with an areawide health "system" approach.

Perhaps the best articulation of the strain between areawide action and the exigencies of keeping a regional agency together is contained in a current planning document of the Sacramento area criminal justice agency. The CJA plan talks about the value of a variety of regional approaches to law enforcement activities, but defers the pursuit of these approaches to "subsequent years after the regional planning concept has won full acceptance by all concerned".<sup>89</sup>

Despite the factors which work against the MJA's taking a regional approach, a few factors run the other

way. However, the battle is an unequal one, as we know empirically. A number of the agencies observed have supported multi-county actions (for example, the Portland area CHP, the two multi-county CJA's, the EDD). In each case they have found that the multi-county effort gives the MJA more visibility and more capacity to argue that it is concerned about all of the political jurisdictions in its area. However, this argument has apparently backfired in the Portland area, where the central city and county have been unhappy with their share of criminal justice allocations. The City of Portland and Multnomah County were not overly impressed when reminded that in computing their share of allocated funds they needed to take better account of multi-county efforts, which included expenditures in the central city and county.

The multi-county program effort is particularly useful where a smaller county does not possess organizational capacity in an area of service, but is able to be served through a multi-county effort. In a sense, this is the basic idea behind OEO's support of the Sacramento area multi-county planning agency, which is intended to bring planning resources to small CAA's which ordinarily would not be able to afford a planning staff capacity. The Sacramento area CJA has also discovered that multi-county efforts tend to have more backers when resource allocation decisions are made.

In detailing factors supportive of multi-county approaches, one also needs to include strong staff biases in this direction. In addition, Federal staff, who might also be categorized as cosmopolitan, look with favor upon multi-jurisdictional approaches in programming. There are also a number of multi-county service agencies fitting the more traditional definition of a special district which are applicants through the multi-jurisdictional agency for new funds. Not surprisingly, the presence of multi-county service agencies facilitates multi-county programming. This has been particularly true in the EDD program.

Nevertheless, despite the staff biases and the politics of allocation and planning, which could be seen as favoring multi-jurisdictional efforts, the experience "on the ground" tends to strongly favor the single jurisdictional approach to programs. As one interviewee noted, "In real life, inter-county activity doesn't make it, although it seems useful." With regard to multi-jurisdictional programming, as with so much else in this report related to evidence of a regional "spirit," the evidence should not be interpreted as failure. True, there is something transparently good about a multi-jurisdictional effort which brings new resources to a formerly unserved or under-served area. But beyond that, where is the evidence that public goals are better met because something is done by a single organization in multiple jurisdictions or by a single organization without regard to jurisdiction? In the absence of clear agreement as to the public problems which demand

areawide approaches, the answer must lie in the local intelligence produced by each MJA. The support of an intelligence-producing function, *and its location in an agency having the authority to assure that something is done on an areawide basis*, would seem to be the major developmental issues with regard to metropolitan/regional governance. This question of authority will be the last to be dealt with before the report moves, in summary, to recommend next steps in the development of these Federally encouraged MJA's.

## The Authority of the MJA

In two of the MJA's under observation, authority to act is vested in the agency by legislation. The Portland area air quality agency is established under State of Oregon law (Chapter 449, 1969, Water and Air Pollution Control Act), giving it enforcement authority. The Sacramento area CHP, under California State Assembly Bill 1340, 1969, has the authority to review, regulate, and veto construction or changes of licensing categories for all-State licensed hospitals and nursing home facilities in its area. There are established appeals procedures from the exercise of authority by the Portland area air quality agency and the Sacramento area CHP, but these rights of appeal do not diminish the fact that these two agencies alone, among the MJA's observed, have the authority to make enforceable decisions affecting a multi-jurisdictional area. As a result these two multi-county agencies represent a real capacity for areawide governance.

In all the other situations observed, the multi-county agency is *advisory* to the State or Federal government, or as in the case of the OEO supported multi-county planning agency, advisory to its constituent membership. CAMPS, CHP's, and the EDD are advisory to units of the Federal government; criminal justice agencies, the Sacramento area air quality council, and the Portland area CHP are advisory to State governments; regional transportation planning is advisory to both the State and Federal governments. To be in a position to give advice to another unit of government concerning multi-jurisdictional issues is not necessarily a position of weakness.<sup>90</sup> It can become that if little is done with the possibility to exercise influence, or if the influence exercised adds no new point of view to the resolution of multi-jurisdictional governing issues. A DOT report captures the possibilities of this advisory process by noting that "... while A-95 *requires* merely a negative control, it *permits* skillful agencies to exert major positive influence in virtually all decisions, including those pertaining to transportation, which have significant areawide consequences."<sup>91</sup> This opportunity for positive influence is raised to an entirely different level when a Department of Labor regional manpower administrator sends a memorandum to "Projects in areas covered by manpower planning grants to mayors" (CAMPS/MAPC)

indicating that DOL “will not fund or refund” a project unless recommended for funding by the mayor as head of the manpower area planning council.<sup>92</sup>

In no other instance where an MJA reviews proposed grant action has a Federal agency promised to abide by local advice. If DOL delivers on this promise, effective authority in certain kinds of manpower actions will be shared between DOL and certain multi-jurisdictional manpower agencies.<sup>93</sup> DOL has carefully hedged its promise so that it applies only to certain manpower actions, but the most significant hedge is that, if implemented, it gives the central city mayor the right of veto, but not the authority to approve grant action. In effect, this DOL promise shares decision making between central city mayors and DOL since both parties would have to say “yes” before certain grant actions can proceed. Whether the central city mayor would be able to “no” to a grant action outside of the central city remains to be tested.

The current pattern of advice-giving by many MJA’s;

the fact that the process securing this advice is increasingly protected so that Federal/State action doesn’t take place without it (although the actual advice may still be ignored); the potential evaluation of advice-giving into a situation of shared authority as in the manpower program—all suggest that the review procedure practiced by the MJA can be a powerful force toward the making of policy affecting multi-jurisdictional areas. Paradoxically, this projection received strong empirical support and equally strong rejection. The support rests in the evidence of extremely few instances where the Federal granting agency has overridden an MJA’s recommendation “not to fund.” The evidence of weakness is that only rarely do MJA’s recommend the rejection of anything. The result is that the MJA’s have not really tested the influence available to them in various review and comment procedures.

Generally speaking, the MJA, because of the blandness of its actions as an advisor to Federal/State decision makers, chooses *not* to be a force on behalf of

TABLE V2

**Patterns of Authority in MJA’s**

PRIMARY INTENT OF MJA	NAME OF MJA	LOCAL AUTHORITY: NEW TIER OF GOVERNANCE	SHARED AUTHORITY WITH FEDERAL/STATE GOVERNMENT	STATE OR FEDERAL GOV'T AS POLICY MAKER	MJA IS ADVISOR TO FEDERAL/STATE AUTHORITY
Areawide policy making capacity	CHP	Certification of Need (Sac' to CHP)		✓	✓
Areawide policy making capacity	CAMPS		(1) Region IX only ✓	✓	Shared authority in Region IX ✓
Areawide policy making capacity	TRANSPORT			✓	✓
Problem solving	EDD			✓	✓
Problem solving	AIR QUALITY	✓		✓	Air Quality Council-Sac' to Area
Efficiency	CAA			✓	✓ (2)
Efficiency	CJA			✓	✓

(1) The shared authority system in Region IX is promissory only. The CAMPS observed in the Sacramento area is not considered a “funded MAPC” and therefore not eligible for DOL’s promise of shared authority.

(2) Nationally, the multi-county community action agency has an advisory role to OEO. In the Sacramento area, the multi-county planning agency is basically advisory to its CAA constituents.

local control over multi-jurisdictional governing issues.<sup>94</sup> One possible conclusion, based upon observations in these agencies, is that locally elected officials are afraid of *any* strong regional policy capacity—even one that they can control. But the other conclusion may be that by opting for weak multi-jurisdictional mechanisms, local officials ensure that in functions which demand an areawide policy capacity, authority will continue to accrue to State and Federal levels of government. And this puts the report precisely where it was in the opening paragraph. The issues are separable; one must speak of local control as distinct from areawide policy making. We will need to continue to worry about *which* issues require an areawide policy capacity. *However, once agreeing that such a capacity is required, the policy options are for the control of this capacity to rest at the Federal, the State, or the local level (including the possibility of a new tier of governance), or some combination of shared authority between these levels.*

The seven kinds of programs observed represent a variety of combinations with regard to the issues of authority in the making of policy on interjurisdictional issues. This variety (albeit its dominance by a particular pattern) is depicted in the table on page 184.

The table indicates that the overwhelming authority pattern is for the pertinent policy decisions affecting the multi-jurisdiction to be made at the Federal/State level, with the locally controlled MJA serving as an advisor. However, this local advice-giving role is weakened because of its erratic pursuit. Equally important is that there is no one policy source which controls all or nearly all activity in a particular function throughout a multi-jurisdictional area. Thus, the Federal and State governments as potential areawide policy makers, have their roles diluted unless they are able to establish policy which will govern all areawide actions, even where these actions are not supported with Federal/State funds. In functions such as air quality control and regional highways, we are very close to this model. In other cases, we are very far away, thus testifying to the “non-centralized” character of government and the lack of legislative agreement that a function is really of areawide concern.

It is also interesting to note that in only two cases in the MJA’s observed has something resembling a new tier of governance (the more traditional special district) been established. This, of course, results from the fact that the report’s concern is Federally encouraged MJA’s. The two new local authorities (the Portland area Air Agency and Facilities Review and the Sacramento area CHP) are established as part of State law. Federal action on an areawide basis generally involves the establishment of a locally controlled advisory group or the possibility of a “shared authority” system as contemplated in the manpower program in Federal Region IX. There are no observed instances where in the making of a “no strings” bloc grant to MJA the Federal government has *de facto*

established a new tier of governance.

An important distinction needs to be drawn between the Portland air quality agency and the “certificate of need” authority of the Sacramento area CHP, which together represent the two new observed tiers of governance. The air quality agency operates within a context of strong Federal and State policy, which seriously constrains the MJA’s actions. In effect, Federal and State air quality policy says that while a multi-jurisdictional agency is the desired governmental form for the carrying out of air policy, the air agency must operate within a consistent set of standards applicable to all other single or multi-jurisdictions. Thus, in air quality, the situation is really one of shared authority between the multi-jurisdiction and Federal and State governments. Perhaps, this is a testament to National agreement that air quality issues are only appropriate for local decision making when governed by policies made at the State and Federal levels.

Conversely, the authority to issue a “certificate of need” for health facilities construction by the Sacramento area CHP is minimally conditioned by Federal and State policy. It is as if there was agreement that the making of such facilities decisions by a CHP concerned with an area’s health system would have minimal impact on other adjoining areas. The fact that facilities certification is decided at the State level in Pennsylvania and Oregon would indicate some lack of consensus as to whether facilities certification was an appropriate function for areawide policy control, as occurs in the Sacramento area.

With this detailing of patterns with regard to authority, the report is now ready to move to its concluding section on developmental issues facing the Federally encouraged MJA’s. In regard to developmental issues, the authority question is a crucial one, because it forces us to reconfront the twin issues of whether a particular function calls for an areawide policy capacity, and if it does, who shall control that policy capacity. The currently dominant answer to these questions is Federal and/or State control of aspects of areawide policy making and the potential for locally developed influence on this policy making. The report indicates that this pattern does not appear to work very well. In all of the MJA’s except air quality control the decision system affecting areawide issues is porous, because a great deal of what happens in the area is not subject to review by an MJA. Those things which are reviewed are seldom strongly influenced from a locally developed areawide point of view. It is these core issues, as well as others which have been identified in the foregoing pages, which become the base for examining developmental issues for the MJA.

Despite all the negative analyses in this report and elsewhere, the special district is apt to remain in the metropolitan governing scene for some time to come. The reasons are simple. There are metropolitan problems

which seem to demand a governing capacity to act throughout the metropolitan area and the special district is the easiest governing form to fashion in response to that need. The task for public policy would thus seem to become the development of devices which could constrain the negative aspects of the special district.

## DEVELOPMENTAL ISSUES AFFECTING THE MJA

### What Role for the MJA in Metropolitan Governance?

But which "negative" aspects of the MJA, as a special district, need to be constrained? Earlier in the report a study by Max Pock was cited, which lists the major special district problems as those of inadequate jurisdiction, unfunctional scope, and failure to coordinate. This report suggests that rather than inadequate jurisdiction, the MJA's may be plagued with too much jurisdiction; many MJA areas include too many rurally oriented units of government which feel little interdependence with the urbanized areas of the region. The unfunctional dilemma doesn't seem unsolvable. A metropolitan clearinghouse which engaged in comprehensive areawide planning and used that planning as the basis for its reviews would help to solve the unfunctional problem, as it would the problem of coordination. What is needed is an areawide point of view in helping to determine interjurisdictional and interfunctional relationships. We have the mechanism in the clearinghouse, but we don't have clearinghouses capable of consistently producing and *using* points of view which are areawide in scope and comprehensive as to function.

The foregoing paragraph should not be read as an attempt to dismiss the "go it alone" tendencies of MJA's, and the failures to coordinate between other local agencies performing similar functions. These failures are important and are abundantly evident in each of the observed areas. However, the expected continuation of disarray and functional isolation in our metropolitan areas suggests that other analyses and rationalities prevail. Daniel Grant's projection of the metropolitan future is not the future, it is now. Grant writes, ". . . the future in store for local government in metropolitan areas is evolution in the direction of many headless and formless 'intergovernmental megalopolities'. These would consist of a network of special districts, some single purpose and some multi-purpose, several counties with increasing, but segmental responsibilities, and an assorted spectrum of public and private utility type enterprises and an elaborate variety of cooperative arrangements with higher governmental levels."<sup>95</sup>

This concluding section of the report seeks some clarity with regard to the role of the MJA within Daniel Grant's pessimistic view of the future. It also seeks

policy recommendations which may help to attenuate and turn around certain aspects of that future. The context for these recommendations rests in the following series of observations, which run like continuous threads throughout this report.

- We do not know with any certainty or with much common agreement which activities demand an areawide policy capacity. Damning evidence that six major analyses of governing problems agree on only one function in common (of 14 examined) as demanding an areawide capacity is indicative of the major policy problem. The Federal and State governments ought not, and will not, be stopped from acting in metropolitan areas simply because there is no consensus about what is areawide. But given the lack of agreement on the need for areawide action, it is likely that the result in many MJA's will continue to be a blandness reflected in a general unwillingness to favor areawide actions inconsistent with the preferences of the area's sub-units.
- Our societal pulls favoring non-centralization of government will continue to neutralize efforts toward areawide policy making unless there is real agreement that the issue demands actions within a common policy framework. The entirely different analysis generated by the air quality control MJA in this report suggests what can happen when there is National agreement about the areawide nature of an issue. The air quality model of strong Federal/State policy and local control within that policy suggests one appropriate procedure when we are clear enough about our jurisdictional interdependencies.
- The issue of who will control areawide policy making must always be seen separately from whether there needs to be an areawide capacity. The report has noted that we have at least four loci for areawide policy making: the Federal government, the State government, new tiers of areawide governance, federations of area sub-units. If we can get to the point where there is agreement that an areawide policy capacity is needed, we still need to confront the issue of who ought to control that policy making. A surprising amount of public discussion seems to slip into the assumption that areawide policy making ought to be controlled by an area's sub-units. The evidence in this report is that this kind of federated policy making tends to result in an MJA's having minimal impact on areawide problem solving. Contrary to the idea of

federated (sub-unit) control of areawide decision making, when there is strong public agreement about the multi-jurisdictional nature of an issue (e.g. highways, air quality control), there seems a more likely move to policy making at the Federal/State level or to a new tier of areawide governance.

- There are a whole range of areawide functions and pieces of functions where policy control rests at the Federal/State level. Current moves toward revenue sharing to the contrary, we may expect the Federal government to remain a powerful areawide actor through legislative policy and resultant National standards for local action. However, despite the impressive range of areawide policy control which rests at the Federal/State level, the situation is porous. It is porous in the sense that in very few cases does Federal/State policy establish effective control over all actions affecting an areawide issue. Local governments can and do develop their own interventions related to areawide issues which run counter to or ignore Federal/State intervention. Again, air quality control is the exception, where Federal/State policy acts to prevent this porosity through the establishment of standards which must be locally met. In most of the other functions under observation, when the Federal government acts to affect areawide issues it shares this role with local governments. And only when forced to by Federal/State standards or the desire for Federal/State money have local governments been willing to submit their locally supported actions to an MJA for review. Thus, the porous nature of areawide policy making is further demonstrated. In effect, local government is saying that on issues where there is no legislative mandate to act through or under the review of an areawide agency, local government will continue to "go it alone." And in the absence of any legislative policy to the contrary, there is no way of saying that this unilateralism on the part of local government is wrong.
- The MJA's under examination are generally not the most powerful or the most prevalent form of response to areawide governing problems. It is the State government and/or the local electorate, in establishing a new tier of governance, which constitutes the most likely response when there is agreement that an issue demands an areawide governing capacity. The relative ease of this response and its apparent effectiveness in delivering certain services on a multi-jurisdictional basis

make it likely to continue as a way of coping with areawide governing problems.

- Very often, what appears to be a new tier of governance, and in fact has the authority to govern on a multi-jurisdictional basis, is actually composed of officials from existing local governments (e.g., the Portland air quality agency). In these cases, the new tier, similar to almost every one of the seven MJA's observed, reflects a federated style of policy control (in that the affected sub-units control policy making). In the programs under observation this federated style of decision making rarely produces actions which are not consensual and reflective of equity for the sub-units involved. Based upon this pattern of action, the report concluded that local officials do not want a strong multi-jurisdictional mechanism—*even one under their own control*. Nevertheless, federated policy groups can produce decisions which are difficult to make when required to do so by the State (e.g., the CJA), or can seek optimization for sub-units within Federal/State standards (e.g., the air quality program).
- The lack of agreement as to what is areawide, the powerful role of Federal/State governments as areawide policy makers, the porosity of Federal/State policy making, and the strength of the evidence that local governments will be able to gain control over areawide mechanisms and depress their influence — all of these suggest that radical restructuring with regard to areawide governance is not around the corner. But neither is the situation devoid of hope. The MJA's observed are an important part of what exists with regard to our areawide policy capacity. Next steps in development might seek to build upon these MJA's—not over their corpses. In addition to recommending that new developments take cognizance of the foregoing points, these recommendations are based upon an assumption which needs to be explicit. Certain kinds of tension in public decision making are required for our common good. Our structures for areawide governance need to promote this tension if it is not there, as it is not in most of the observed MJA's. The MJA must be a tension-producing (or tension-reconciling) mechanism with regard to issues of who shall control areawide policy making. The MJA must also serve as a grounds for examining and reconciling those local actions which negate the legitimate goals of other local units. And the MJA must

constantly produce a public examination of the issues of race and class which continue at the heart of our metropolitan governing problems.

To what kind of an MJA do these observations lead us?

*The MJA can play one of two roles in a developing system of metropolitan governance: It can help to pull together a local point of view which may be counter to an areawide point of view manufactured at another level of government (as potentially occurs with regional transportation planning) or it can itself manufacture an areawide point of view which may run counter to that of existing local governments.* Both functions are legitimate; both can produce vantage points necessary to providing the best governance on areawide issues. But it seems unlikely that both functions (the MJA as a counterpoint to Federal/State government, and the MJA as a counterpoint to local government) can be embodied in the same MJA.<sup>96</sup> If the purpose is to produce a potential counterpoint to Federal/State policy, it would seem useful to continue to support MJA's which are under the control of local elected officials (e.g., regional transportation planning, air quality control). However, this model of local control of areawide policy making may prevail inappropriately in almost all of the other MJA's. Local control is inappropriate if a strong areawide policy capacity is desired and if one does not already exist at the Federal/State level. In manpower, economic development, health, criminal justice, and anti-poverty there is no strong areawide policy capacity at any level of government nor is there any real clarity that there ought to be one. In these functions, the MJA policy capacity that is established tends not to be areawide although it can present the illusion of being areawide while being under local control. This problem is deeply compounded where the clearinghouse is also under local sub-unit control, as it is in most cases.

The foregoing arguments are complex because they seek to take account of the differences between the MJA's in the context of opting for an areawide policy capacity *someplace* (Federal, State, area) which is not under the policy control of local governments. Perhaps a further attempt at differentiation among the seven MJA's would help.

1. Where the MJA is established to promote efficiency or solve problems, as is assumed in criminal justice, economic development, and anti-poverty action, the character of the MJA's policy structure is not a central issue. Hopefully, the supporting Federal/State agency would be concerned about developing indicators as to whether efficiency is achieved and problems are solved. In addition, if the MJA's not piggybacked to the clearinghouse engage in actions with great areawide impact using Federal funds, these actions will come under review of the clearinghouse as the areawide comprehensive planning agency.

2. In the case of regional highways and air quality control, the report has argued that there exists a strong areawide policy capacity controlled at the Federal/State level. As a result, it seems appropriate for there to be local control of an MJA which has the potential to act as a counterpoint to more centrally developed policies. Of course the areawide actions of these agencies, of separate from the clearinghouse, also come under the review of the clearinghouse when Federal funds are requested.

3. This leaves the health and manpower MJA's to account for. But it also raises again consideration of criminal justice, economic development, and anti-poverty action. In all of these functions, *to some extent* there is agreement about the areawide character of the activity and therefore the potential utility of an areawide approach to policy making. In none of these functions is there now an effective areawide policy mechanism at any level of government. Thus the MJA, encouraged by the Federal government, becomes the best potential source of an areawide policy capacity. But in practice many of these areawide policy capacities are eroded because the MJA is controlled by representatives of local governments or local service units.<sup>97</sup>

If an areawide policy capacity independent of local government is desired in health and manpower (or economic development, anti-poverty, or criminal justice), then these MJA's must be created independently of the clearinghouse, because most clearinghouses are controlled by local governments. In fact, the overwhelming majority of CHP's and CAMPS/MAPC already exist outside of the clearinghouse. In addition, CHP guidelines assure that nominally most CHP's will not be in control of local governments. The Department of Labor, partially as a result of unhappiness with CAMPS, which were controlled by representatives of local service units, is now attempting to establish the central city mayor as an areawide decision force (a creative, if not very hopeful approach).

The net result of the foregoing analysis takes us in some surprising directions. Until such time as the clearinghouse comes to resemble a genuine areawide policy capacity in that it is not controlled by local governments, it would appear rational, in some cases, to establish MJA's separate from the clearinghouse. In addition, it would appear rational to specify that the MJA's established for the purpose of an areawide policy capacity have policy boards which are partially or fully separated from local governments. None of this is meant to suggest that local government ought not to be a powerful and consistent force affecting areawide policy issues. Rather it means that the influence of local governments needs to be counterpointed by a genuine areawide point of view in those functions where an areawide policy capacity is desired.

Not surprisingly, it is impossible to make a coherent set of recommendations with regard to Federally encouraged MJA's without first knowing where the

clearinghouse, as an MJA, is headed in its own development. In my report *Governing Metropolitan Areas*, I proposed a clearinghouse that “engages itself with the issues of regional governance.” To do this, the clearinghouse must be freed of its domination by units of local government. If this “freeing” does not happen, and it seems unlikely over the short term, the following represents the report’s primary set of recommendations with regard to Federal support of MJA’s:

1. The clearinghouse remains the most useful organizational home for transportation planning and similar multi-jurisdictional functions where a locally controlled counterpoint to more centralized areawide policy making is desired. The clearinghouse ought also to be considered, for efficiency and coordination purposes, as the proper sponsor of other multi-jurisdictional activities which are considered not to require an areawide policy capacity.
2. Where an areawide policy capacity is seen as important, and not currently present anywhere else, the Federal government ought to continue its support of MJA’s separate from the clearinghouse, provided the policy structure of these MJA’s is not dominated by representatives of local government. (CHP requirements for 51% consumer representatives and the multi-sector requirements of other MJA’s are instructive.)
3. No matter who dominates its policy making, the clearinghouse ought to have the prerogative of prior review and comment on all requests for funds by Federally and State-supported MJA’s.<sup>9 8</sup>
4. Federal supporters of the clearinghouse must require that it engage in comprehensive areawide planning pertinent to all of the functions it is called upon to review. The clearinghouse ought to be certified by its Federal/State supporters based upon the adequacy of its planning, and it ought to be required to use its planning in the review and comment procedure on proposed MJA actions.

The key to the above recommended series of actions, in the face of a clearinghouse not having a genuine areawide policy capacity, is some agreement as to which functions demand this capacity. This report, and others before it, have not been able to demonstrate convincingly an areawide policy necessity for any great number of functions. Without such an agreement as to what is areawide, it is likely that Daniel Grant’s description of the metropolitan governing scene will continue to be realized. Our metropolitan intergovernmental capacities will be “headless and formless,” characterized by chance and circumstance rather than

informed by the principles which might come from knowing what needs to be areawide.

My own report on *Governing Metropolitan Areas* suggests certain developments for the clearinghouse to help it become an effective force for areawide governance. Until that happens, Federal experimentation in the MJA’s observed is desirable, provided the MJA’s are viewed as probes, with an emphasis on learning from them. For these probes to be more useful, certain modifications, at least in some MJA’s, would appear to be indicated. These have been suggested in various parts of the report and are summarized below.

**1. The staff capacity of MJA’s must be increased.** Staff represents a crucial element in the surfacing of an areawide point of view. Planning, which is a core activity in many MJA’s, requires adequate time and adequate manpower possessing particular skills. Small staffs become much more dependant upon the local orientations of their policy makers and less able to sustain an areawide point of view. Obviously, an adequate staff capacity would require sizable amounts of new money, which may not be available. In that case, strong consideration ought to be given to closing down inadequately staffed MJA’s. The MJA, as a probe toward governmental reorganization, is too important a device to cripple in advance through inadequate support, and then have the failure generalized to all MJA’s.

**2. The boundary problem must be dealt with,** but not necessarily through tactics of “neatening up” and seeking congruence between MJA’s. That would be nice, but it seems less important than the creation of boundaries which approximate, as closely as possible, the urbanized areas which share a genuine interdependence—in effect, those jurisdictions which would be most likely to understand the potential gains from working within commonly established policies. Another implication of this recommendation is that substate districting schemes are unlikely to be useful in determining boundaries if the goal is a metropolitan (urban area) policy capacity. The substate district is generally too large and includes too much territory which is not urbanized and not convinced of its interdependencies with the core metropolitan area. A recommendation leading to the creation of MJA’s including only the urbanized parts of counties would be difficult to realize. The need for its realization would be radically altered if policy making positions in MJA’s were apportioned on the basis of population rather than political units. In that way, the influence of rural areas on metropolitan policy development would become more equitable.

**3. Great effort must be made to ensure that MJA’s include representative leaders from visible minority communities.** EDD and OEO policy guidelines in this direction are excellent. But there are issues of minority involvement in multi-jurisdictional policy groups which are too complex, and not reflected in our observations,

to risk much detail in these recommendations. The ACIR ought to turn its attention specifically to this issue. What is clear now is that the unrepresentative character of decision makers on a number of MJA's is too dangerous to continue. What is hopeful, in terms of previous recommendations, is that an MJA not linked to local elected officials would generally find it easier to include minority representatives.

4. Once we begin to talk of **restructuring MJA policy groups to decrease or eliminate dependence upon local governments**, we are also parenthetically raising new issues about the legitimacy of the MJA as a force in governance. For example, concern has been indicated about the legitimacy of consumer-dominated CHP's unresponsive to elected officials. The question of legitimacy of the MJA, if the dependence upon local government for policy makers is ended, is almost insoluble under current conditions. So long as MJA's remain separated from each other, it is unreal to recommend anything like direct elections for MJA boards. There are enough special district governing boards cluttering up the electoral landscape now without adding a new cluster to further ensure their invisibility and self-perpetuation. It may seem equally unreal to recommend that MJA policy makers be appointees of the Governor or legislature (or their designees), but that appears the best available alternative. Hopefully, the difficulty of the task would itself be a factor in consolidation of MJA's, or placing them under a single areawide State-appointed policy umbrella such as exists in the Twin Cities area in Minnesota.

5. **A much better understanding must be developed about the place of planning and evaluation in MJA's.** We are not talking about the wholesale restructuring of local government in this report. Rather, in some cases, the report is concerned with the establishment of a policy context governing local action on areawide issues, with this policy context to be furnished by an MJA not under the control of local government. The development of this policy context, springing from local conditions and local interdependencies and geared to the realization of common goals, can best be embraced under the rubric of planning. Planning defined in this way is a painful, difficult, time-consuming process. It is only dimly resembled in the MJA's observed. But there is no choice but to plan if we are interested in the development of areawide policy addressed to the realization of goals and able to point to instruments for their achievement. If the MJA is a probe, it is a probe primarily addressed to whether planning on a multi-jurisdictional basis is a feasible way of enabling the realization of our public goals. Federal and State agencies supporting MJA's must become much more impressed with the time and the staff quality and quantity required to pursue planning.

Federal and State agencies must also be continuously concerned with the planning *product* they are getting from the MJA. There will need to be a similar concern

with priority setting and evaluation as intrinsic parts of the planning process. MJA's must be expected to say which program actions are most important to an area, based upon the MJA's planning for the area. And MJA's must be expected to revise constantly their priorities for action based upon their evaluation of what works and what doesn't work in local practice. When this process is a competent one, it seems likely that more and more authority will be genuinely shared between Federal/State agencies and the MJA (or at least, that MJA's will be in a much stronger position to press for such sharing).

6. **The linkages among MJA's and between independent MJA's and the clearinghouse must be enhanced.** Despite our understanding that there are interconnections between all urban functions, and our continuing rhetoric about the need for comprehensive approaches to problem solving, the linkages between the various MJA's are not satisfactory. The most likely potential for ending this organizational isolation lies in the maturation of the clearinghouse's comprehensive planning and the presence of an adequate staff capacity in the clearinghouse, to aggressively go out and enable metropolitan actors to talk to each other about the realization of common goals. Federal and State support must be forthcoming for more adequate staff resources for the clearinghouse and for more pointed insistence that it get on with the development, adoption, and use of its areawide planning.

It is not unnatural that these developmental recommendations should be heavily dependent upon the Federal and State governments for realization. The Federal government is central because it remains the major supplier of resources for MJA's. But the State is equally central. Because of the problems inherent in some of the above recommendations, the State must continue to be looked to as a primary force for areawide policy making.

#### What Role for the State?

The State needs to be conceived of as the potentially most powerful areawide policy maker because it has the "turf" and the legitimacy.<sup>99</sup> The recommendations of the previous section founder with regard to creating a MJA whose policy body is not dominated by local government representatives. To meet this criterion without resorting to direct elections, only the State can assure the potential areawide orientation of the MJA's policy body by appointing its members. Another option is for the State to establish a single comprehensive areawide policy body appointed by the Governor and/or the legislature. This, of course, is the Twin Cities model and there is much to recommend it.

Additional options for State action in the metropolitan area are spelled out in my report *Governing Metropolitan Areas*. They include a reassessment of the role of the counties, regionalization of State bureau-

cracies, continued establishment of regional single-purpose districts, and of course the standard option of doing nothing. Given my observations of MJA's engaged in air quality control and Highway planning, the report has been continuously impressed with the role of the State as a standard setter for areawide action. In these cases, it is the State, along with the Federal government which through its legislative and administrative processes becomes the developer of an areawide policy context. It is a role which Banfield and Meyerson envisage for Massachusetts and one which Altshuler suggests may be useful in all States. If this State role is realized, MJA's composed of representatives from first-and second-tier governments (as in regional transportation planning and in the Sacramento area air quality council) would be an important potential counterpoint to more centralized policy control on the part of the State. Particularly in geographically smaller eastern States, where metropolitan areas abut each other, this model of the State as areawide policy maker (with local governments in control of a planning counterpoint in the MJA) warrants serious consideration.

For those who feel that areawide policy making demands a more local point of view than is available in the State or Federal government, there is yet another option. If the State is attractive because it has legitimacy and "turf," the county in many metropolitan areas is attractive for the same reasons. Over one hundred of our SMSA's are single county, and many others are nominally multi-county but in fact dominated by a single county. The three metropolitan areas observed for this report fit the latter description, and interestingly, in two of them, studies were under way with regard to city-county consolidation.

Where the central county in the metropolitan area has adequate "turf," and where this county has home rule authority and locally elected officials, it can be an extremely useful base for the kind of multi-tiered governance the report has envisaged for metropolitan areas. A county with adequate domain could serve as a force for areawide governance, able to supply a policy context for all first-tier governments in the area. In effect, the point-counterpoint in these single-county metropolitan areas would be played out by two units of local government — the county and the cities within it. In these cases, the county becomes the MJA par excellence. To realize this, in the single-county metropolitan area Federal and State policy need to operate together to ensure that new, independent MJA's are not created to deflect from the county's potential role as a force for areawide governance.

One problem is that even where a single county is dominant, it may not remain that way much longer as metropolitan areas expand. For the county to be truly useful as a metropolitan governing device, the State must be willing to alter county boundaries as the urbanized population spreads out. The Governor of California has

recently suggested this possibility, and there is adequate precedent for such action in Canada and England, if not in our own country. I would not be sanguine about any-large scale redrawing of county boundaries to enable them to perform areawide policy making functions better. Nevertheless, the county, as it currently exists in many metropolitan areas, along with state government, represents a most important source of areawide policy capacity.

In any discussion of areawide policy making it is easy to get carried away with the potential role of the State, given resistance to new third tiers of general purpose government. The current reality of State performance, despite the promise, is not very encouraging. The criminal justice program, through its bloc grants to States, has generated a new capacity for areawide policy making at the State level. The capacity seems not to be well realized. It may be that an areawide policy capacity at the State level is better achieved through the legislative route than through issuance of administrative guidelines as in the criminal justice program. Whatever the case, to this point State legislatures have not concerned themselves frequently with issues of metropolitan governance. The best evidence of this may be the rarity of State contributions to the fiscal support of MJA's. Until that happens it is likely that the Federal government will remain the dominant force on the metropolitan governing scene.

## Federal Policy and the MJA

There is no intent in these recommendations to prescribe a single Federal policy applicable to all MJA's. The varying purposes underlying MJA's precludes such an approach. Until there exists a metropolitan government with adequate jurisdiction over its urbanized areas, there are likely to be independent MJA's established through Federal, State, or local impetus primarily because of their "boundary fluid" potentials. The establishment of such MJA's for reasons of scale or to solve particular cross-jurisdictional problems can be seen as useful approaches to our metropolitan governing problems. However, MJA actions with areawide implications need to be subject to the constraints of an areawide policy mechanism not dominated by existing local governments. Federal support of the clearinghouse represents the best National *potential* in this regard.

If Federal support can sustain the clearinghouse and strain it so that it becomes a genuine areawide policy making force, willing to use its policy in review and comment processes, then Federal agencies would have to look again at their support of other unfunctional MJA's. Given the clearinghouse as a powerful areawide force not dominated by local governments, Federal policy would need to insist that all MJA's have their plans and actions subject to approval of the clearinghouse. Not to do so would fragment and damage any

genuine areawide policy capacity in the clearinghouse.<sup>100</sup> So long as the clearinghouse remains a federation of local governments, unwilling or unable to be a force for metropolitan governance, Federal support of unifunctional MJA's able to produce areawide policy separate from the clearinghouse is rational. Conversely, regional transportation planning agencies and other MJA's oriented to producing a counterpoint to State/Federal-dominated areawide policy making, should always be piggybacked onto those clearinghouses currently structured to represent local government.

Other recommendations for Federal support of MJA's are indicated in the earlier part of this concluding section. The lack of a uniform approach to all MJA's in these recommendations can only be perceived as rational if two things are accepted: one, the argument that only *some* MJA's have the primary purpose of producing areawide policies; two, the evidence in this report and elsewhere that MJA's controlled by local governments are unable to produce and use areawide policy which is other than bland and consensual.<sup>101</sup> Thus, if Federal policy desires the first (an areawide policy capacity at the area level), it must avoid the second (MJA's controlled by local governments). The differences in recommendations emerge from the recognition that public policy does not always require the first, and therefore can be differently concerned about the second. Further, the recommendations suggest that if there is a comprehensive areawide tier of governance not dominated by local officials, with adequate authority over actions with areawide implications, then much of the discussion with regard to sustaining independent, unifunctional MJA's becomes less important. At that point, it would become possible to talk of a uniform Federal policy for MJA's built around the centrality of the clearinghouse (or other device for metro governance) in areawide policy development.

Apart from issues of structure and purpose with regard to MJA's, the report has suggested a number of other metropolitan policy considerations as the basis for more consistent Federal action. Too often, of course, it is difficult to discern any consistent Federal policy with regard to metropolitan governance. Some Federal agencies encourage areawide action, while others seem not to have discovered the concept at all. The Executive Office of the President supports a metropolitan planning and grant review capacity, while some Federal departments treat the Federally supported clearinghouse as an obstructive force to whatever performance of function they are interested in. Some departmental offices in Washington support a metropolitan capacity to establish priorities between local applicants for Federal funds, while other Federal offices in the field regard this as an intrusion upon their capacity to administer a program. Whatever the anomalies in Federal performance on the metropolitan scene, and they are many, the Federal government will not go away. On a National basis, it

remains the most important force seeking new capacities to cope with metropolitan governing problems.

Some areas for additional Federal concern with regard to metropolitan action are summed up under the following headings.

**Standard Setting.** National standards of performance (e.g., air quality, highway construction) are potent policy determinants of what happens in every American metropolitan area. Where such standards of performance are legislatively established, they serve by law as the policy context for all local action. For a variety of reasons (both legal and traditional) much domestic policy has attempted to "seduce" local performance through grants-in-aid rather than mandate such performance through legislative standard setting. Our willingness to establish air quality standards, an issue which is clearly inter-jurisdictional (and interstate), seems to have profound impact on metropolitan action. It is conceivable that Congress could conceptualize (and the courts would sustain) a variety of other legislative efforts in areas which are clearly inter-jurisdictional (and interstate, if that is the legitimation needed for Congressional action), which would call for national performance standards as opposed to the cajoling of performance through grants-in-aid?

**Interstate Metropolitan Areas.** Interstate areas suffer the same problems as other metropolitan areas concerning lack of a genuine areawide policy capacity. However, unlike other metropolitan areas, they lack recourse to the State as an alternative to filling the policy making gap. In interstate areas, the States become another sub-unit potentially contesting for influence rather than a potential areawide policy leader. It is particularly in interstate metropolitan areas that some of our largest and most successful (within their function) special districts have been created and with them all of the attendant problems of unfunctionality and organizational isolation. The case for strengthening the areawide policy capacities of clearinghouses in interstate areas is apparent. Despite this report's observations in the Portland-Vancouver interstate area, there is not a sufficient base established to make useful recommendations for Federal action.<sup>102</sup> What is clear is that there are issues which require an interstate policy capacity and this capacity is only erratically present. Only leadership by the Federal government can begin to enable the kind of interstate and inter-local arrangements which can fill the interstate metropolitan policy void.

**Revenue Sharing.** If the above is a plea for a more calculated Federal role as an influencer and maker of areawide policy for metropolitan areas, general revenue sharing seems to run in the opposite direction. The notion of general revenue sharing as an unrestricted grant to local governments could be extremely regressive in terms of the development of an areawide policy capacity. But it doesn't have to be. First of all, funds made available under general revenue sharing will remain

a minor part of Federal domestic expenditures. But secondly, it seems likely that there will be great new opportunities for enacting performance standards when the currently contemplated approaches to the use of shared revenue (such as the lowering of local tax efforts or the expenditures of funds on grandiose capital items) become more visible nationally. Revenue sharing could be administered in the context of a set of nationally established goals which would have to be achieved by localities as the basis for receiving shared revenue. In effect, program instrumentation would be left up to localities (both single and multi-jurisdiction) so long as Nationally determined goals were achieved. This, of course, is similar to the model of action in the air quality program.

**Redistribution.** If a society is built upon a set of interdependencies, then there must be a societal policy force continually willing to worry about sufficient equity to sustain these interdependencies. By definition, the Federal government is the only policy mechanism we have capable of worrying about the whole of the National enterprise. It has been a major and continuing force helping to ensure sufficient redistribution of resources to support our interdependencies. Conversely, multi-jurisdictional policy groups, dominated by local governments, have shown no capacity in the direction of redistribution. The problems of maldistribution, as well as an attenuation of connection in metropolitan areas between the central city and the suburbs, remain indicative of the metropolitan governing problem. As currently structured, MJA's seem not to see themselves as able to deal with the problem. Federal policy as a force for redistribution remains primary to metropolitan well-being. It ought to be conceived of that way and reinforced. The MJA can be an instrument to facilitate Federal redistributive policies; it seems less able to be a determiner of such policies.

**Areawide Planning.** Federal support of the MJA's under observation in most cases includes the support of a planning process. It is often a very shoddy process, one embarrassing to its local supporters and destructive of public intent. Francis B. Francois, president of the National Association of Regional Councils, has said, "We all know from hard experience that planning without implementation is a waste and a fraud."<sup>103</sup> Federal agencies must end their almost mystical belief that the sheer support of multi-jurisdictional planning is a good thing. Much of the planning observed is simply not able to transcend the interests of the affected first- and second-tier local governments. As a reflection of this, much of the planning tends not to be areawide but rather a composite of local plans.

Some planning is so general in nature that it can be used to support any conceivable action — it is the illusion of planning. And other planning, even if competent, or *because* it is competent, is not being used by MJA's, whose governing bodies find areawide

policies too difficult or too unacceptable to implement. Federal supporters of the planning processes in the MJA's have the capacity to end this nonsense. It requires some clarity as to what planning is about, and some Federal willingness to stop supporting MJA's which are unable to plan and/or unable to use their plans to influence action. Current practices, both Federal and local, have contributed to discrediting planning as a rational process for solving problems and have on occasion transformed it into a wasteful charade. The onus for continuing this state of affairs in certain MJA's rests on Federal shoulders.

**Shared Authority.** Under the heading of "Standard Setting" I have suggested the superb potential of the Federal government as an areawide policy maker through the process of establishing standards. But standard setting is only one aspect of planning; developing the programs to achieve these standards is an essential second step and here the Federal government may be less effective. No central government as large as ours can possibly know how to program so as to take account of the unique potentials of each metropolitan area. The MJA as planner is established to take this Federal weakness into account. If certain policies are established at the National level, the MJA can take this policy, translate it into more proximate goals, and specify the programs and the priorities to achieve these goals.

A sharing of functions between the MJA and the Federal government, is exemplified in the review and comment procedure. In this procedure, the MJA, based upon its planning, is expected to review and comment upon local applications for Federal funds. This model of shared action has its best fit to the clearinghouse, and to CAMPS, CHP, and regional transportation planning. It is also not very far from current conceptions in the EDD, the multi-county CAA, and with the CJA on a State level. But, as noted throughout the report, it is a model of shared authority between the MJA and the Federal government which is often honored in the breach. The reasons for the breach are ample. The pressure to get grants out is great; the miserable state of MJA planning is well known; and many locally controlled MJA's really don't seem to want to be a decision force. But the deterioration of this process also has the elements of a self-fulfilling prophecy. The MJA's expect not to be influential on Federal funding decisions, and a chain of events ensues which results in the fulfillment of their expectations.

The MJA can be radically invigorated as a multi-jurisdictional mechanism with areawide policy making capacities, if as previously suggested, the supporting Federal agency goes through a serious process of examining and accepting MJA planning which is to be used as a basis for the review and comment procedure. Once this planning is accepted, subject to some processes of annual certification, the Federal government ought to

make an unequivocal commitment that it will share authority with the local MJA. That is, that a Federal agency will not fund any programs in a number of predetermined areas which have not first won the approval of the MJA.<sup>104</sup>

The conclusions in this report, as well as the observations they are based on, may not be satisfactory to some of those concerned with MJA's and with the general issue of metropolitan governance. The observations are based on a modest field study of three metropolitan areas which may be typical only of themselves. I cannot argue the generalizability of the material, except to say that it is consistent with seven metropolitan areas I studied for a previous report on COG's and the five restructured metropolitan areas I studied for a more recent Urban Institute report. To

those who are skeptical, my only refuge is to suggest additional study.

The problems of our metropolitan areas will not go away, and the MJA is an important Federal commitment in helping to deal with them. There is much that is wrong with most of MJA's, but what is wrong is subject to remedy if we agree that there are a series of problems which require a capacity for metropolitan governance (not necessarily a metropolitan government). The MJA, and more particularly the clearinghouse, can be an important force for such governance. But first we need more clarity as to the ends for which the MJA is an appropriate instrument, and more clarity about current problems in the MJA's performance as this instrument. Hopefully, the report has been useful in both of these regards.

## Footnotes

<sup>1</sup>Conrad Weiler, Jr., "Metropolitan Definitions and Comparative Political Research," *Comparative Politics* (April 1971), p. 445.

<sup>2</sup>The Federally encouraged agencies to be examined sometimes define their concerns as regional rather than metropolitan. This report will often use the term "areawide" as embracing of the concepts of metropolitan and regional. Part of the problem of incongruous boundaries between agencies owes to the different way multi-jurisdictional areas appropriate to a problem are defined.

<sup>3</sup>Advisory Commission on Intergovernmental Relations, *Performance of Urban Functions: Local and Areawide* (Washington, D.C., September 1963), p. 27.

<sup>4</sup>Melvin Mogulof, *Governing Metropolitan Areas* (Washington, D.C.: The Urban Institute, December 1971), p. 10.

<sup>5</sup>California Council on Intergovernmental Relations, *Allocation of Public Service Responsibilities* (Sacramento, June 1970), p. 22.

<sup>6</sup>Those interested in the question of how to define an areawide service will want to review ACIR's basic 1963 study, "Performance of Urban Functions: Local and Areawide"; the California CIR's 1970 report "Allocation of Public Service Responsibilities"; and the 1971 study by Campbell, Fredrickson & Mauro on "Administrative and Political Indicators" published by Syracuse University.

<sup>7</sup>Norman Beckman, "How Metropolitan Are Federal and State Policies?", *Public Administration Review* (June 1966), p. 98.

<sup>8</sup>Daniel Elazar, "The Shaping of Intergovernmental Relations in the 20th Century," *Annals of the American Academy of Political and Social Science* (May 1965), p. 10.

<sup>9</sup>Max Pock, *Independent Special Districts* (Ann Arbor: Michigan Legal Publications, University of Michigan, 1962), p. 182.

<sup>10</sup>Executive Office of the President, *Circular A-95: What It Is and How It Works* (July 1969), p. 1.

<sup>11</sup>The Institute for Local Self-Government, *Special Districts or Special Dynasties?* (Berkeley, Calif., May 1970), p. i, ii.

<sup>12</sup>Robert Smith, *Public Authorities in Urban Areas* (Washington, D.C.: National Association of County Officials, 1959), p. xv.

<sup>13</sup>The States are limited in what they can do individually, because 22 percent of the Nation's population lives in 33

interstate SMSA's.

<sup>14</sup>"Special Districts as Instrumentalities of State and Local Government", *Mid-West Review of Public Administration* (August 1967), p. 119.

<sup>15</sup>Advisory Commission on Intergovernmental Relations, *Problems of Special Districts in American Government* (Washington, D.C., 1964), p. 58.

<sup>16</sup>Advisory Commission on Intergovernmental Relations, *Federalism in 1970* (Washington, D.C. January 1971), p. 8.

<sup>17</sup>The single-county approach to metropolitan governance in rapidly growing areas must eventually become inappropriate. In that sense, over the longer term Federal support of expandable MJA's in single-county SMSA's may not be an error.

<sup>18</sup>Depending on definition, the Metropolitan Council in the Twin Cities' area in Minnesota may qualify as the only third-tier government in a multi-county area having a range of policy concerns.

<sup>19</sup>Funds for the Sacramento area CAMPS are not currently subject to the clearinghouse procedure. The Sacramento CAMPS, as a non-funded MAPC, gets its staff support from the State, which in turn receives Federal money to help cover the cost of the CAMPS program.

<sup>20</sup>Mogulof, *Governing Metropolitan Areas*, p. 115 *passim*.

<sup>21</sup>Council of State Governments, *Coming Together* (Washington, D.C., July 1971), p. 37.

<sup>22</sup>U.S. Department of Transportation, *Policy & Procedure Memorandum*, Transmittal No. 162 (November 24, 1969).

<sup>23</sup>U.S. Department of Transportation, *An Evaluation of the Urban Transportation Planning Process as Required by Section 134 of Federal Highway Legislation* (mimeographed, April 1972), p. 3.

<sup>24</sup>U.S. Department of Commerce, *EDA Economic Development Districts, A Job Creating Program* (Washington, D.C., October 1971), p. 3.

<sup>25</sup>U.S. Department of Health, Education and Welfare, *Program Guide for Areawide Comprehensive Planning* (Mimeographed, November 1971), p. 10.

<sup>26</sup>The terminology applied to issues of jurisdiction—*areawide, urban, regional, metropolitan*—is often tortured and complex. Specific note will be given to the issue of jurisdiction at the close of this section.

<sup>27</sup>*Omnibus Crime Control and Safe Streets Act of 1968*, Section 3724.

<sup>28</sup>The National Urban Coalition, *Law and Disorder II* (Washington, D.C., no date).

<sup>29</sup>U.S. Department of Labor *et al.*, *Inter-Agency Cooperative Issuance*, No. 72-2 (May 21, 1971) (attachment).

<sup>30</sup>U.S. Environmental Protection Agency, *The Clean Air Act* (Washington, D.C., December 1970), p. 6-7.

<sup>31</sup>James Sundquist and David Davis, *Making Federalism Work* (Washington, D.C.: Brookings Institution, 1969), p. 201.

<sup>32</sup>Daniel Elazar, "Fragmentation and Local Organization Response to Federal City Programs," *Urban Affairs Quarterly* (June 1967), p. 3.

<sup>33</sup>California Council on Intergovernmental Relations, *Conversations at Asilomar* (no date), p. 54.

<sup>34</sup>California Council on Intergovernmental Relations, "Allocations of Public Service Responsibilities," *Conversations at Asilomar*, p. 22.

<sup>35</sup>There is no implication intended that these three metropolitan areas are typical of other areas in the country. Their only typicality may be the condition of fragmentation as concerns multi-jurisdictional agencies.

<sup>36</sup>The author has recently completed a comparison of five metropolitan governments in Jacksonville, Fla., Dade County, Fla., the Portland metropolitan area, the Metropolitan Council of the Twin Cities area in Minnesota, and Metropolitan Toronto. Material will be used from this study as appropriate. See Melvin B. Mogulof, *Five Metropolitan Governments* (Washington, D.C.: the Urban Institute, 1972).

<sup>37</sup>Weiler, p. 432.

<sup>38</sup>The interstate Tahoe Regional Planning Agency splits two California counties, and includes only portions within the Tahoe Basin.

<sup>39</sup>None of this is to imply that rural areas fare less well than their more urbanized counterparts in the MJA. The evidence in this study is that rural areas do at least as well in resource allocations influenced by MJA's, and generally have their interests protected because of political unit representation schemes which tend to give rural areas disproportionate voting influence in the MJA.

<sup>40</sup>This is not necessarily true. In California, Criminal Justice Planning Agencies are divided into 21 "regional" agencies, some of which include only parts of an SMSA.

<sup>41</sup>Efraim Targovnik, "A Perspective on Central Metropolitan Relations," *Journal of Comparative Administration* (February 1972), p. 481.

<sup>42</sup>Elazar, *Urban Affairs Quarterly*, p. 45.

<sup>43</sup>Robert Bish and Robert Warren, "Scale and Monopoly Problems in Urban Government Services," *Urban Affairs Quarterly* (September 1972), p. 117.

<sup>44</sup>This model of a multi-county CAA is not pertinent to the OEO supported multi-county planning agency in the Sacramento area. Rather it is typical of multi-county CAA's which exist in other parts of the country.

<sup>45</sup>This figure depicts the hoped-for flow of influence. It does not capture the flow of funds in that Section 134 funds are passed through the State highway department, thus reversing the above figure. The problems this can lead to in the planning agency's exercise of influence ought to be apparent.

<sup>46</sup>EDA does make a bonus amount of money available to a county within an EDD. Nevertheless, this is not the same as rewarding the development of programs within an EDD which are multi-county in nature.

<sup>47</sup>Daniel Grant, "Urban Needs and State Response: Local Government Reorganization," *The States and Urban Crisis*, ed. Alan Campbell (Englewood Cliffs Prentice Hall, 1970), p. 74.

<sup>48</sup>Quoted in Alan Campbell and Donna Shalala, "Problems Unsolved, Solutions Untried," in *The States and Urban Crisis*, ed. Alan Campbell, p. 6.

<sup>49</sup>Alan Altshuler, *Reflections on Regional Reform* (Massachusetts Institute of Technology, no date), p. 8.

<sup>50</sup>Joseph Zimmerman, "Metropolitan Reform in the United States," *Public Administration Review* (September 1970), p. 543.

<sup>51</sup>Council of State Governments, *Sub-State District Systems* (Lexington, Ky., September 1971), p. 4.

<sup>52</sup>National Association of Development Organizations, (March 1972), p. 2.

<sup>53</sup>Smith, *Public Authorities in Urban Areas*, p. 299.

<sup>54</sup>It is reported that EDA's insistence on EDD boards which were independent of local government, as well as having significant minority representation, were stimulated by the fact that the majority of EDD's would be in the Southeast where office holders might not be sympathetic to the EDD program. Apparently EDA was willing to accept a dual board arrangement in California, where one board was composed solely of representatives of local government.

<sup>55</sup>More subtly, the clearinghouse is also intended to curb the functional isolation of the various Federal agencies from each other. Through a concern for coordination of local action seeking to use Federal funds, the clearinghouse is expected to eliminate problems which normally would not be caught at the Federal level, where agencies characteristically exhibit little capacity to coordinate their funding actions.

<sup>56</sup>National Association of Regional Councils, *Special Report* (Washington, D.C., August 1972), p. 2.

<sup>57</sup>Subsequent to the completion of field work for this project, the mayor of Sacramento requested DOL to consider using the COG (clearinghouse) to "undertake areawide labor market planning." COG staff is strongly in favor of this development, although it has not yet received the approval of the policy body.

<sup>58</sup>This seems partially reflective of Hawley's hypothesis that an increase in the number of areawide agencies would lead to an increase in conflict, which might then become a force encouraging more radical governmental reorganization. Willis D. Hawley, *Inter-Organizational Conflict and Metropolitan Integration* (Unpublished paper, 1971), p. 11.

<sup>59</sup>Sierra Economic Development District, Overall Economic Development Program, *Annual Progress Report* (Grass Valley, Calif., 1972), Section III-13.

<sup>60</sup>I have no evidence that the EDD, in fact, fares badly in any of its contacts with the clearinghouse. Other aspects of the conflict are so idiosyncratic as not to lend themselves to analysis in this kind of report. It is even likely that members of the EDD would object to being labelled a "Sacramento area" agency, as this report has done. They would want the point made that their focus is the mountain counties, not the Sacramento area.

<sup>61</sup>Vincent Marando, "Metropolitan Research and Councils of Government," *Mid-West Review of Public Administration* (February 1971), p. 11.

<sup>62</sup>Erie, Kirlin and Rabinovitz, *Can Something be Done? Lessons from the World of Metropolitan Institutional Reform* (Unpublished paper, September 1970), p. 17.

<sup>63</sup>In the situations observed, the State CJP agency leaves to itself the option of deciding that local allocation decisions (despite or because of their sensitivity) are not acceptable from the State's point of view. However, there is no evidence that States reject CJA funding recommendations because areawide criteria are not met. Instead, State rejections appear to be based upon the State criminal justice agency's perception of what constitutes potentially effective local action.

<sup>64</sup>Paul Friesema, "Some Organizational Implications of Intergovernmental Activity Within Metropolitan Areas," *Mid-West Review of Public Administration* (February 1967), p. 16.

<sup>65</sup>A group of physicians, during the course of an interview, made a very different observation about the areawide propensities of the consumer. These physicians claimed that

consumers found it hard to deal with large, systemwide health issues, and therefore tended to be parochial. Conversely, it was argued that it was the provider because of an areawide health orientation who was able to take a cosmopolitan point of view.

<sup>66</sup>It could be argued that equitable distribution is the areawide goal in an MJA, such as criminal justice, established for efficiency purposes.

<sup>67</sup>In some cases, staff may be too small to sustain an areawide position in the face of a locally oriented policy body. Colleague support may be very important in establishing an areawide position when confronted by policy makers (employers) oriented in a more local direction.

<sup>68</sup>In the Sacramento area there was public talk by black-dominated groups in favor of seeking a court injunction to stop the criminal justice allocation process. Others interpreted this as a tactic to seek more black representation in criminal justice decision making. Whatever the reason, the example with regard to minority involvement is instructive.

<sup>69</sup>Mogulof, *Governing Metropolitan Areas*, p. 101.

<sup>70</sup>The OEO supported multi-county planning agency does not so much plan (as its name implies) but assists its constituent CAA's in their planning. Thus, this particular agency does not seek to provide a context for the action of others. However, in the more usual case of multi-county community action agencies, the agency does attempt, through planning, to determine what is rational anti-poverty action within the multi-county area.

<sup>71</sup>These review and approval models of MJA's do not have a good fit to the air quality program. The purpose of the federally encouraged air quality MJA is not to help rationalize the transfer of resources through planning, but rather to use planning as a tool in helping to realize Federal and State policy within the multi-jurisdictional area.

<sup>72</sup>Advisory Commission on Intergovernmental Relations, *Metropolitan America: Challenge to Federalism* (Washington, D.C., 1966), p. 113.

<sup>73</sup>Victor Jones, "Representative Local Government: From Neighborhood to Region," *Public Affairs Report* (Berkeley: University of California, April 1970).

<sup>74</sup>Letter from Dwight Ink, Office of Management and Budget, to Charles Byrley, June 30, 1972 (Attachment).

<sup>75</sup>Inter-Departmental Planning Requirement Task Group, *A Unified Planning Requirements System* (Washington, D.C., Mimeographed, December 1969), p. iii.

<sup>76</sup>Edward Banfield, "Politics, Planning and the Public Interest," *Strategies of Community Organization*, eds. Cox, Erlich, Rothman and Tropman, (Peacock, 1970), pp. 306-311.

<sup>77</sup>As noted, in the Sacramento area, the OEO supported multi-county planning agency is basically engaged in providing a staff planning resource to its constituent CAA's. In other multi-county community action agencies, there is a planning process similar in intent to those observed in the communities and agencies under study.

<sup>78</sup>Sierra Economic Development District, *Overall Economic Development Program, Minutes of Committee Meetings for Calendar Year 1971*, March 18, 1971, (Grass Valley, Calif., 1972), p. 39.

<sup>79</sup>Others have suggested that in the EDD and some other MJA's the plan is basically a ritualized practice. It is a hurdle to be overcome, precedent to being eligible for Federal funding, with little likelihood that the funding will be informed by the planning.

<sup>80</sup>The recent focus on "crime specific" funding in criminal justice programs can be interpreted as an attempt to recognize the weakness of planning and to depress its importance. "Crime Specific" allows a project to be funded if it seems intrinsically interesting or related to special problem areas, without needing to be rationalized by planning.

<sup>81</sup>U.S. Department of Transportation, *An Evaluation of the Urban Transportation Planning Process . . .*, p. 3.

<sup>82</sup>Sundquist and Davis, *Making Federalism Work*, p. 182.

<sup>83</sup>Mogulof, *Five Metropolitan Governments* (Washington, D.C.: The Urban Institute, July 1972), p. 106.

<sup>84</sup>Terrence Sandalow, "Federal Grants and the Reform of State and Local Government in Financing the Metropolis," *Urban Affairs Annual Review*, ed. John Crecine, IV, 1970, p. 95.

<sup>85</sup>There is evidence that in prior years the OEO multi-county agency did attempt to be an active force distinct from its constituent CAA's. This kind of action was deemed unacceptable, the former director of the multi-county planning agency was fired, and the role of the agency as a service giver to its constituent CAA's was emphasized.

<sup>86</sup>U.S. Department of Commerce, *The EDA Experience in the Evolution of Policy* (Washington, D.C.: February 1972), p. 54.

<sup>87</sup>To the extent to which all of these efforts are obligated to implement the Civil Rights Act of 1964, they are all generally concerned with issues of redistribution.

<sup>88</sup>Advisory Commission on Intergovernmental Relations, *Multi-State Regionalism* (Washington, D.C.: 1972), p. 140.

<sup>89</sup>Sacramento Regional Area Planning Commission, *Comprehensive Criminal Justice Planning* (January 1972), p. 255.

<sup>90</sup>Melvin Mogulof, *Citizen Participation: The Local Perspective* (Washington, D.C.: The Urban Institute, March 1970), pp. 98-107.

<sup>91</sup>Department of Transportation, p. 12.

<sup>92</sup>U.S. Department of Labor, Manpower Administration, Memorandum, San Francisco, Calif., August 1, 1972.

<sup>93</sup>The explicit DOL promise not to "fund or refund" without the approval of the mayor as head of CAMPS/MAPS, is peculiar to Federal Region IX. The regional office indicates that this promise is consistent with national DOL policy. Nevertheless, the language in the regional memorandum, agreeing to share authority with a mayor, is appreciably stronger than language in National policy guidelines.

<sup>94</sup>A major exception is the CJA, which is compelled by State guidelines to make its recommendations so as not to exceed available resources. Thus the CJA establishes priorities, and by so doing becomes a force for governance in its multi-jurisdictional area.

<sup>95</sup>Grant, "Urban Needs and State Response . . .," p. 83.

<sup>96</sup>Theoretically a capacity to take on all other levels of government would be possible with an MJA whose policy board was directly elected and responsible to no one but its own constituency.

<sup>97</sup>The policy control of MJA's by local units is not nearly as severe in those MJA's (e.g., EDD's, multi-county CAA's), where national guidelines require local policy bodies to be coalitions of public and non-public forces.

<sup>98</sup>The reasons for subjecting the actions of an independent MJA to review by a sub-unit-controlled clearinghouse are two-fold: 1) the current lack of contact between MJA's demands that their proposed actions be locally reviewed with an eye toward enhancing coordination; 2) there is a great deal to be gained from surfacing differing points of view about a proposed areawide action, so long as the locally controlled clearinghouse is not in a position to veto requests for funds by independent MJA's.

<sup>99</sup>This, or course, is not true in interstate metropolitan areas.

<sup>100</sup>This model of relationship, carried to its conclusion in the Twin Cities area, has been labelled an "umbrella." The "umbrella" does not require the termination of separate MJA's, but rather the termination of their independent policy capacities.

<sup>101</sup>Erie, Kirilin and Rabinovitz, *Can Something Be Done?*, Figure 2.

<sup>102</sup>The reader is referred to ACIR's April 1972 report *Multi-State Regionalism*. While instructive, the report does not often directly deal with interstate *metropolitan* policy issues.

<sup>103</sup>Francis B. Francois, quoted in *Goals for Action* (Washington, D.C.: National Association of Regional Councils,

no date), p. 1.

<sup>104</sup>Of course, the Federal government would still retain the prerogative of saying "no" to a project which the MJA had said "yes" to. In effect, two green lights (MJA and Federal) would be needed for a project to be supported.

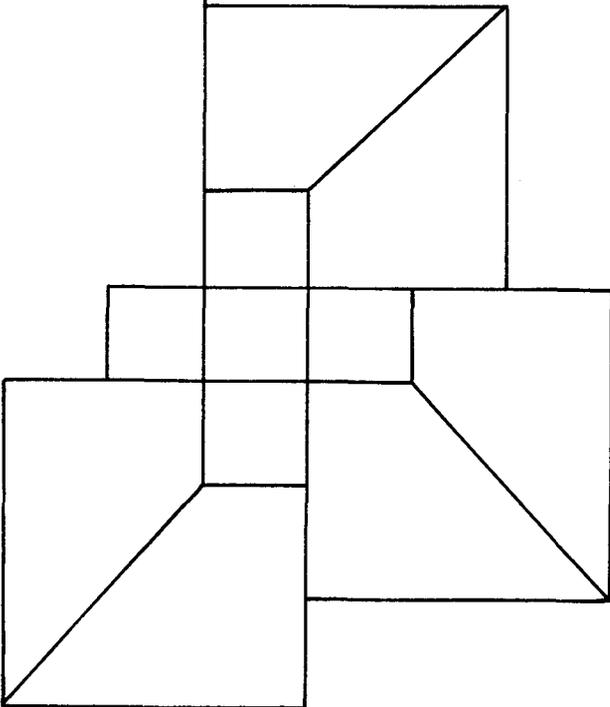


*Chapter VI*

# **THE NEW YORK INTERSTATE METROPOLIS\***

*Joan Aron  
Assistant Professor of Public Administration  
New York University*

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## HISTORICAL NARRATIVE

### The Regional Setting

The New York metropolitan region is the largest, most populous, most diverse, and most complex metropolitan area in America. Nineteen million people live within its 7,900 square miles: 12.0 million in New York, 5.4 million in New Jersey, and 1.6 million in Connecticut. About 8.4 million people are employed here. No other metropolitan area in the country is remotely comparable in size to this "tenth of the nation."

The most commonly accepted definition of the metropolitan region is that used by the Tri-State Regional Planning Commission, the official planning agency of the metropolitan area. It includes twelve counties in New York State (including the five counties of New York City), nine counties in northern and central New Jersey, and six planning regions in southwestern Connecticut. (See map for the jurisdiction of the Tri-State Regional Planning Commission.)

The governmental structure of the region is noteworthy for its complexity. In addition to the three states and 27 counties and planning districts, the region includes about 1,500 units of local and special-purpose government. The Federal government also plays an important role in regional governance. Since local jurisdictions exhibit great variety in size, structure, formal powers, and political arrangements, a large number of autonomous decision-making centers attempt to cope with the problems commonly associated with urban growth: polluted air and water, deteriorating transit facilities, housing shortages, and racial and economic segregation.

As the Nation's largest metropolis in terms of population, economic wealth, education, and cultural resources, New York City occupies the dominant position among the region's local governments. It contains nearly eight million people and four million jobs within its 320 square miles. Large and medium-sized cities that would dominate other parts of the country—Newark, Jersey City, Bridgeport, New Haven, Yonkers—lie in the shadow of their giant neighbor. Each of them has an urban life independent of New York City, but each is also inextricably involved in the life of the region.

As in most metropolitan areas of the nation, the older cities of the region have ceased to grow in population. During the 1960's, the region's population grew from 17 to 19 million, with the entire increase taking place in the suburban counties. Economic growth is also an increasingly suburban phenomenon. In the last decade, the suburban counties gained three times as many new jobs as New York City. At the same time, the older central cities contain increasingly large concentrations of low-income, unskilled black and Puerto Rican families. By

1970, New York City alone had approximately 1,845,000 non-whites, or about two-thirds of the region's non-whites. This demographic change has been accompanied by severe social and economic dislocations which intensify the split between city and suburb and sharpen the need for regional accommodations.

Despite its great diversity and complexity, the New York region forms, in many ways, a single interdependent community. A limited degree of "regional consciousness" has been helping to shape policy and policy-making institutions in the region for half a century. The development of this awareness is traced in the following section.

### The Development of Regionalism

**Emerging Regionalism, Private and Public.** A "regional consciousness" first emerged in the New York area during the first two decades of this century. While the greater New York City government created in 1898 was in many respects a true metropolitan government, absorbing two giant cities, outlying suburbs, and rural farms and villages, it soon became clear to planning advocates that the city did not encompass the network of social and economic interactions that comprised the metropolitan community.

Thus, Charles D. Norton, chairman of New York City's Advisory Commission on the City Plan, wrote in 1915:

No plan of New York will command recognition unless it includes the area in which all New Yorkers earn their livelihood and make their home.

From City Hall a circle must be swung which will include the Atlantic Highlands and Princeton; the lovely Jersey hills back of Morristown and Tuxedo; the incomparable Hudson as far as Newburgh; the Westchester lakes and ridges, to Bridgeport and beyond; and all of Long Island.<sup>1</sup>

Norton campaigned tirelessly for the formulation of a New York regional plan, persuading the Russell Sage Foundation in 1921 to finance a tri-state planning project. The work was begun the following year with the creation of the Committee on the Regional Plan. The committee conducted extensive physical and economic surveys of the metropolitan area, and formulated a variety of proposals for regional development. Between 1929 and 1939, it published ten survey volumes and its *Regional Plan of New York and its Environs*.

The Regional Plan Association (RPA), a private civic association, was formed in 1929 to promote the adoption of proposals included in the *Regional Plan*. During the 1930's, RPA helped governments in the region plan and execute a variety of Federally aided public works projects originally proposed in the plan.<sup>2</sup>

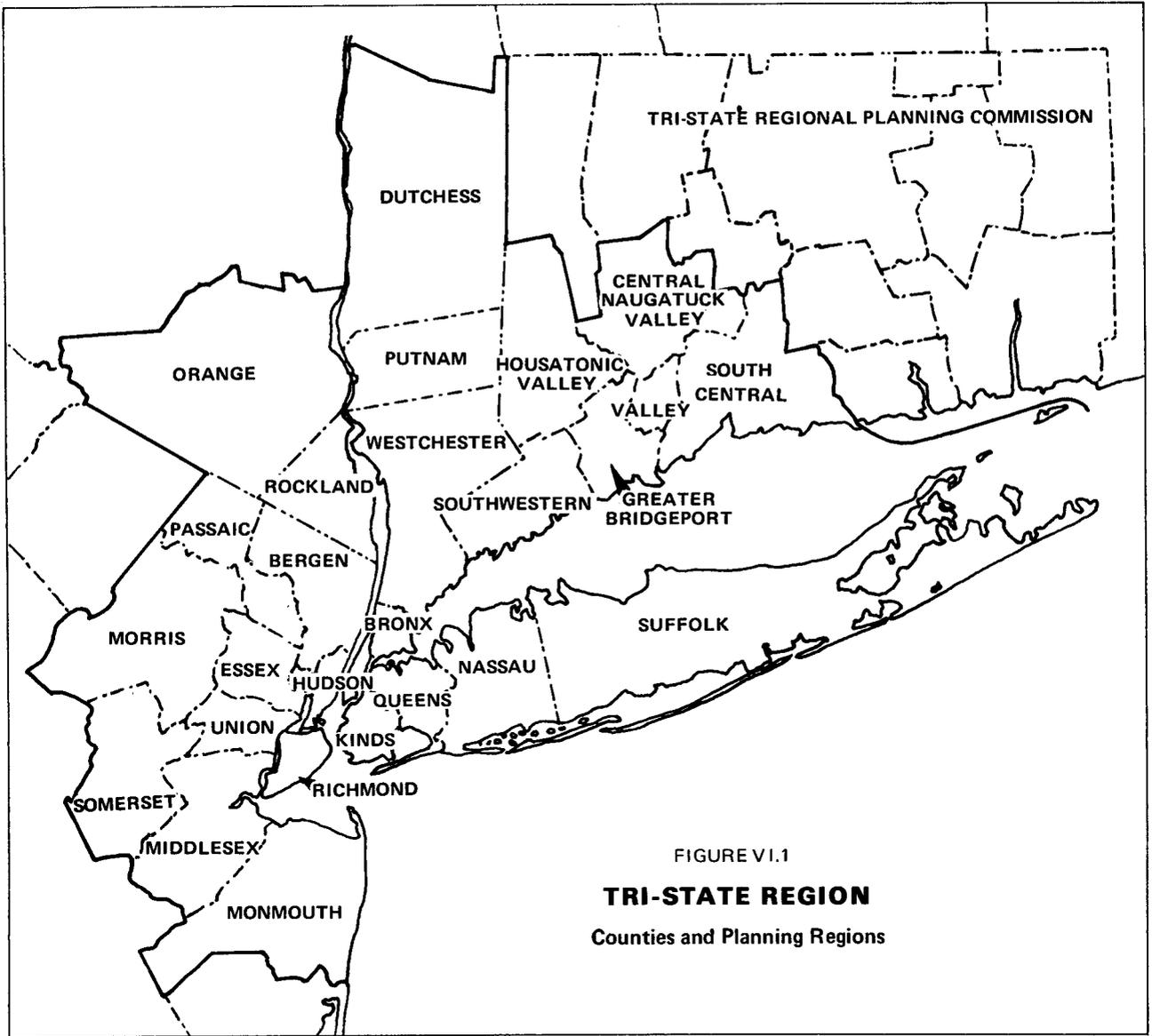


FIGURE VI.1  
**TRI-STATE REGION**  
 Counties and Planning Regions

During this same period, the public sector also began to display an interest in regional approaches. In 1921, New York and New Jersey created the Port of New York Authority to plan and effectuate coordinated development of the immense complex of pier, terminal, and transit facilities on both sides of the Hudson River. By the early 1930's, the Port Authority had acquired or constructed a half dozen major river crossings. Tolls collected on these facilities enabled the authority to become self-supporting by the mid-1930's and to undertake a variety of development projects related to the port.

In 1936, New York and New Jersey established the interstate Sanitation Commission to control pollution in a new sanitation district embracing the tidal waters of the region. Connecticut joined the compact in 1941, extending the commission's jurisdiction along the eastern portion of Long Island Sound. In 1937, New York and New Jersey entered into another compact providing for the creation of the Palisades Interstate Park Commission. The compact formalized a long-standing cooperative agreement between the two States to preserve and maintain the Palisades Interstate Park. The commission now exercises jurisdiction over 52,000 acres of park lands and operates a large number of different types of recreational facilities.

In the 1940's, the States continued to rely on special-purpose agencies to operate within different geographic sectors of the metropolitan region. The Port Authority continued to expand, most notably through the leasing and operation of LaGuardia, New York International, Newark, and Teterboro Airports. The Triborough Bridge and Tunnel Authority was created in 1946 to consolidate a number of previous authorities which operated bridges and roadways within New York City. Like the Port Authority, the Triborough used toll revenues and the proceeds of bond issues to construct additional facilities. Between 1948 and 1952, the New York Thruway Authority and the New Jersey Turnpike and Highway Authorities were created to build major limited-access highways between cities and suburbs in the region. Coordination among the different transportation networks was enhanced by the regional presence of Robert Moses, who, by virtue of his many official positions, was able to relate transportation arteries with housing and recreational projects in the region.

**The 1950's: Recognition of Regional Problems.** During the 1950's and early 1960's, a new kind of regional awareness developed out of a regional transit crisis stemming from the decline of the commuter railroads. Increased operating costs coupled with reduced revenues led the railroads to neglect commuter services and to seek permission to raise fares and reduce services on their least profitable lines. Several railroads went into

bankruptcy. Pressure was brought on the three States to keep the commuter trains running and to finance improvements in the quality of service.

In 1954, a coalition of groups interested in rail transportation persuaded New Jersey and New York to create a bi-state Metropolitan Rapid Transit Commission to develop a plan for transit facilities in the metropolitan area. The commission proposed creation of a new bi-state agency, the Metropolitan Transit District, which would provide financial assistance to the commuter railroads and construct a new trans-Hudson rail link between New York City and New Jersey. Legislation embodying this proposal was enacted in New York but was killed in 1958 in the New Jersey legislature.<sup>3</sup>

The States subsequently embarked on unilateral short-term programs to meet the mounting transportation pressures in the New York region. Largely as a result of the interpersonal relationships that developed out of the periodic crises and because of the prodding of the Regional Plan Association and the Metropolitan Regional Council (an organization of local officials), the three Governors created a Tri-State Transportation Committee in 1961 to study and recommend measures to meet regional transportation problems.

Local recognition of regional problems also emerged in the mid-1950's. In June 1956, chief elected executives of local communities in the New York metropolitan area met at New York City Hall to discuss the possibility of joint action for problems transcending local boundary lines. Their efforts resulted in the creation of the Metropolitan Regional Council (MRC), a voluntary organization of 37 county and municipal governments in the tri-state area, chaired by New York City's Mayor Robert Wagner. MRC undertook studies in transportation, water and air pollution, water supply, recreation and land use, and law enforcement, and determined to secure legal recognition of its efforts. Because of strong resistance by suburban interests, the attempt to gain legal status was abandoned in 1963. Although most of the local officials who participated in MRC's activities were convinced of its value, they were unsuccessful in persuading their local legislative bodies to ratify an agreement pledging regular financial contribution to the council. MRC could not recover from its downward course. By the early 1960's it became clear that the council would not be an important force in formulating regional plans or developing regional programs.

During this same period, the Regional Plan Association undertook sponsorship of the New York Metropolitan Region Study, a massive survey of physical, economic, social, and political developments in the tri-state area. Ten volumes were published between 1959 and 1961 and sparked new interest in regional affairs.

**The 1960's: State and Federal Regional Initiatives.** During the 1960's, Federal and State programs turned

toward the use of regional approaches as a means of solving major metropolitan problems. Largely as a response to provisions of the Federal Aid Highway Act of 1962, which required that all Federally aided highway projects in urban areas be based on a comprehensive transportation planning process, a compact was drawn up in 1963 to convert the informal Tri-State Transportation Committee into a tri-state commission. Because of objections by New Jersey legislators to a compact provision calling for operating as well as planning authority, the compact was amended to limit the agency to a planning role. In 1965, the legislatures of the three States agreed to create a Tri-State Transportation Commission to perform transportation planning in the New York metropolitan region and to "consider all land-use problems related to the development of proper transportation plans."

In the next few years, the States became more and more directly involved in the region's transportation operations. In 1965, New York created the Metropolitan Commuter Transportation Authority to rehabilitate and operate the Long Island Railroad and improve transportation services throughout the New York sector of the region. Connecticut created the Connecticut Transportation Authority to finance and supervise improvements on the New Haven Railroad. New Jersey created the region's first Department of Transportation and authorized it to make direct grants to New Jersey's commuter lines. Both New York and Connecticut also created State transportation departments.

The era of regional institution-building by the States culminated in the creation by New York and New Jersey of three agencies with broad regional authority. New York created the Metropolitan Transportation Authority in 1967 to extend and improve mass transit facilities within a 12-county area. The legislation was coupled with a \$2.5 billion transportation bond issue, the largest of its kind in the Nation's history. New York established the Urban Development Corporation in the following year in an effort to overcome the many obstacles that had limited the effectiveness of conventional urban renewal and housing development programs. New Jersey created the Hackensack Meadowlands Development Commission in 1968 to plan and effectuate the development of a large tract of undeveloped land in Hudson and Bergen Counties into an urban complex. Like the Urban Development Corporation, it is empowered to act without regard to many local limitations.

Meanwhile, the Federal government had been encouraging the development of regional perspectives in State and local decision making. Between 1960 and 1965, Federal grants were made contingent upon area-wide planning in many different functional fields: open space acquisition, highways, mass transit, and water and sewerage facilities. The Housing and Urban Development Act of 1965 made Federal planning assistance available to groups such as councils of government and stimulated

the revival of the dormant Metropolitan Regional Council. The Demonstration Cities and Metropolitan Development Act of 1966 required that local applications for grants or loans in a large number of urban programs be submitted for review to an areawide agency. The Tri-State Transportation Commission gradually assumed responsibility for additional planning and review functions and it was designated as the official review body under OMB Circular A-95. Largely because of pressure from HUD, Tri-State's enabling legislation was amended in 1971 and its name was changed to the Tri-State Regional Planning Commission to reflect its expanded responsibilities.

Despite the existence in the New York region of two Federally supported regional bodies, only the Federal Departments of Transportation and Housing and Urban Development (in the case of Tri-State) and the Law Enforcement Assistance Administration (in the case of MRC) have utilized these agencies to implement metropolitan programs. Other Federal programs incorporating regional approaches, such as community action, comprehensive health planning, law enforcement planning, air quality control, and manpower area planning, have been assigned to different agencies within the States and localities.<sup>4</sup>

At present, then, the New York area contains a small number of regional advisory bodies and some powerful, single-purpose bodies. It is also affected by a large number of State and Federal programs with regional impact. All of these forces exert some pressure over regional growth and development. The relative influence of the major regional bodies will be discussed in the following section.

## ANALYSIS OF MAJOR REGIONAL BODIES

### Advisory Bodies

**Metropolitan Regional Council and Interlocal Cooperation.** MRC, the local COG, is the prime example of interlocal cooperation in the New York region. It was revived and incorporated on Nov. 2, 1966, pursuant to the Membership Corporations Law of New York State, as an agency "through which elected chief executive officers of municipalities . . . may, by association, consultation and study, aid each other in dealing with governmental and community problems that transcend the geographic borders of their individual communities and are of common interest."<sup>5</sup> The by-laws provide that any elected chief executive officer of a municipality in the metropolitan region may become a member simply by notifying the executive secretary of his desire to join and paying his annual dues. Since the term "municipality" is broadly defined as "a county, city, town or village," membership in MRC is available to some 600 local communities. Presently, only two-thirds of the

region's population, or roughly 12 million people, including New York City, are represented by the 16 elected officials who are dues-paying members of the council. Many large and important communities, containing about six million residents, are not supporting members. Population disparities among MRC's members are enormous: member communities range in size from Westport, Conn., with 21,000 people, to New York City, with nearly 8 million. According to the by-laws, each member community, regardless of size, has one vote.

The by-laws provide for a nine-man board of directors—four from New York, three from New Jersey, and two from Connecticut—to serve for one year. A chairman and vice-chairman may be elected from these nine members to serve as president and vice-president of the council respectively. The by-laws also call for membership on MRC committees and participation in MRC activities by representatives from the three States and interstate agencies but do not confer on such representatives the right to vote.

MRC has had financial problems since its inception. Once it developed into a legal entity, it became eligible for 701 planning assistance funds and it has received Federal planning grants of from \$100,000 to \$150,000 per year since 1968. Annual membership dues based on a population formula were used to provide matching funds to Federal grants. Dues payments range from a high of \$40,000 for a community with over 4 million in population (i.e., New York City) to a low of \$5,000 for a community with a population of less than 50,000. In 1970, HUD recognized the Tri-State Transportation Commission as the sole applicant for comprehensive planning assistance funds in the New York metropolitan region and MRC now receives Federal funds through a subcontractual arrangement with Tri-State.

Since 1967, MRC has functioned with a small staff (ranging from five to eight professionals) and an annual budget of less than \$200,000. It has supported a small number of programs, including narcotics prevention services, a waterfront cleanup project, a volunteer service and urban corps-work study project, and a public information and educational program—undertaken jointly with RPA. MRC's sponsorship with RPA of public meetings throughout the region to promote discussion of RPA's 2nd Regional Plan has provided its major exposure to the general public. Other than this, its public contacts have been limited to specialized public and private groups.

The council's most important current projects include the coordination of law enforcement programs in narcotics control and the construction and operation of a closed circuit television network linking counties and major cities of the tri-state region. When it is operational, the TV system will be used to coordinate law enforcement activities, to televise conferences and meetings of public officials, and to train municipal employees. The council has recently received two grants to

support these activities: \$115,000 from the Law Enforcement Assistance Administration to form a regional narcotics task force, and \$102,000 from the National Science Foundation to conduct a study of communicating patterns and practices among the region's local officials.

Because of MRC's limited program concerns, its narrow membership base, and its relative anonymity, it plays a small role in bringing local governments together to develop solutions to major regional problems. It feels constrained by its membership of diverse, highly specialized, local communities, and by its voluntary character, to consider only "safe" issues which lend themselves to consensus-building activities and to shun regional issues which might tend to provoke conflict among its members. It has thus carved out a niche for itself as a service agency for local governments—rather than as a spokesman for local interests in formulating regional policy decisions.

Aside from MRC, there is little organized effort to effectuate collective action on the part of the region's local governments. Intergovernmental agreements at the local level have been limited both in geographic scope and in programs that have been covered. Robert Wood, a well known observer of local governmental behavior, pointed out more than ten years ago that cooperative arrangements require "highly complex and cumbersome procedures . . . protracted negotiations, and . . . a political and administrative finesse which (the region's) local units do not ordinarily possess."<sup>6</sup> Cooperative patterns appear to have changed little in the intervening time.

The most notable instances of interlocal cooperation center on the joint planning undertaken by some of the region's local governments. In 1965, for example, Nassau and Suffolk Counties in New York joined in creating the Nassau-Suffolk Regional Planning Board to analyze changing patterns of regional growth and development on Long Island. Both counties contribute equal amounts to the board's total planning budget of approximately \$200,000. The board issued a major regional plan in 1970. It presently serves as the review body for local applications for Federal grants and furnishes technical assistance to local municipalities.

The six regional planning agencies in the Connecticut sector of the New York metropolitan region furnish another example of interlocal effort to deal with regional problems. These agencies are organized on an official basis following an affirmative vote of at least 60 percent of the municipalities in a defined planning region. They receive financial assistance from the State and Federal governments and from member municipalities.

Despite these few examples, the region's local governments exhibit little sense of regional consciousness. The dominant local government, New York City, has not

actively related its own planning efforts to regional planning activities or defined regional issues of importance to itself; nor has it assumed leadership in formulating and sustaining a regional strategy. The city's master plan, a massive series of documents issued in 1969 after many years of preparation by the City Planning Commission and outside consultants, neither discusses regional issues nor considers suburban resources that would be useful to the city.<sup>7</sup> The region's other communities are equally parochial; they frequently refrain from joint action even when they seek a common end. When local communities are located within different States, regional bonds are virtually non-existent.

In the absence of regional policy generated by the region's local governments, a greater impetus has been given to direct intervention in regional affairs by the States. The State programs raise the possibility of positive collaboration between State and local interests, but, thus far, local participation in State-sponsored programs has been limited.

**Tri-State Regional Planning Commission and Comprehensive Planning.** The Tri-State Regional Planning Commission is basically State-oriented and State-controlled. Since its creation, it has consisted of 18 members, five representatives from each of the party States and three non-voting members from Federal agencies. The States are represented mainly by the commissioners of departments of State government and include, in all cases, representatives of transportation and planning agencies. Before the compact was amended in May 1971, local interests and citizens were represented on the policy-making board by the chairman of the New York City Planning Commission from New York State, two private citizens from New Jersey, and the chief executive officer of a Connecticut municipality, all appointed by the respective governors. Under the new compact, membership from New York and Connecticut remains unchanged; New Jersey members now include two State commissioners and three public members appointed by the Governor, two of whom are to be local officials from the New Jersey sector of the region. In the new compact, then, State commissioners still outnumber local interest by a ratio of 2-1, and the governors retain veto power over plans affecting their respective State sectors.

By virtue of its parity of members from each of the three party States, Tri-State's representation is skewed in terms of population. The New York portion of the Region has more than twice the population of the New Jersey portion, and New Jersey, in turn, has three and one-half times the population of the Connecticut portion. Thus, each of New York City's members represents five times as many people as Connecticut's,—a major departure from the one man, one vote principle.

The commission has not encouraged local partici-

pation in its policy-making efforts. Local "cooperating committees" composed of local officials were part of the original intent but they were rarely convened and fell into disuse. Instead, Tri-State has maintained contact with localities through a "technical advisory group" composed of staff representatives of State, county, city, and Federal agencies. Despite the proximity of MRC as a 701-supported body, until recently there was no contact between the two agencies. Since 1970, MRC has received HUD grants through a sub-contractual arrangement with Tri-State and the professional staffs of the two organizations are now coordinating their planning efforts. Tri-State's revised compact legislation spells out its intent to work with "advisory committees and panels representative of citizens, and political subdivisions and other governmental agencies" in the region in performing its function and developing its plans, but the effect of this provision is uncertain. Tri-State's commissioners still have the final say in policy formulation and the region is actually too large and unwieldy to facilitate direct citizen input.

Until recently, Tri-State's work was heavily oriented toward transportation and transportation-related activities. Within the past few years, the commission has broadened its planning sights to cover further aspects of the physical environment like waste management and recreation.<sup>8</sup> These new areas of interest conform with its additional responsibilities under the amended compact legislation. This changed the commission's name, designated it the "official comprehensive planning agency of the party States for the compact region," and directed it to "conduct surveys, make studies, submit recommendations and prepare plans designed to aid in solving immediate and long-range . . . problems, including but not limited to plans for development of land, housing, transportation and other public facilities." To date, the commission has not published reports dealing with social and economic issues of regional concern; its housing reports, prepared in compliance with HUD requirements for a "housing element," have not yet been issued as public documents.

The commission's focus on transportation is not unexpected. Originally created as a transportation planning body, it has received more money from FHWA-DOT than from HUD in financing its annual planning budget. During 1971-72, the commission's budget for comprehensive planning studies approximated \$2.8 million. The Federal share covers about two-thirds of the cost. The balance is derived from the States in the form of matching funds and is apportioned among the three states, New York, New Jersey, and Connecticut, on the basis of an assessment ratio of 45: 45: 10. The commission also receives Federal grants for demonstration projects which are matched by the State or States in which the program takes place.

Like MRC, Tri-State is largely unknown. Instead of

seeking publicity for its findings or stimulating public discussion of its plans, it distributes its publications, quietly, to planners, public officials, and interested citizens and groups. The commission's insulation from the greater regional public appears to conform with its view of its initial role as a planner and researcher for operating agencies within State governments. In recent years, however, the commission has developed its substantial research capabilities into a regional resource, making available its abundant data base, analytical processes, and census-tape retrieval services to all of the region's communities and planners. Tri-State is now working more closely with sub-regional agencies in an effort to coordinate its own projections with theirs, to furnish technical assistance when required, and to perform its responsibilities of regional review and certification.

Despite Tri-State's great research strengths, its view of future regional developments has been found to be unduly cautious and bland.<sup>9</sup> The commission has also been faulted for its failure to take positions with respect to controversial regional issues such as the creation of a fourth jetport or the building of a bridge over Long Island Sound. As with sensitive issues of social concern, troublesome issues have been sidestepped so as not to generate controversy among its members.

The representation of the three States on Tri-State's policy body quite naturally limits the commission's actions to those narrow areas which conform to each State's conception of appropriate planning concerns, and which respect statewide political considerations. This severely restricts the commission's flexibility and scope as a plan-generating body. The use of State appointed officials to represent the interests of the States further limits the development of independent policy. As commissioners of operating departments within their respective States, each official tends to negotiate within the framework of specialized interests and to avoid programs which might conflict with his primary responsibilities.

Tri-State's impact on regional development is difficult to assess. On the one hand, its strong complement of State officials (which hinders it in carrying out its primary role as the region's planner) is useful in providing for an exchange of information and views among the three States and focuses the attention of State agencies on the compelling problems of the New York metropolitan region. And Tri-State's expanded contacts with local planning officials have served to secure greater coordination of regional and sub-regional planning efforts. On the other hand, the linkage between regional planning and regional decision making in the New York region is tenuous. In reviewing applications for Federal grant requests under the A-95 procedure, Tri-State wields advisory powers only and has no power to veto, or even delay, implementation. Although there

is little hard evidence concerning the commission's influence over the distribution of Federal resources to local applicants or its impact upon the programs of the independent functional agencies, there are informal indications that the A-95 comments are useful to the Federal funding agencies: However, Tri-State, in common with planning bodies elsewhere, lacks the political base and the constituency to oppose programs of the powerful single-purpose agencies which do not conform with its own regional plans.<sup>10</sup>

**Regional Plan Association.** RPA is a private research and planning organization which seeks wide public exposure of its planning efforts. Consequently, its plans and proposals are better known than those of the publicly-supported bodies. In 1968, RPA formulated its *2nd Regional Plan*, calling for the creation of a series of new, relatively self-contained, metropolitan communities. The association has attempted to gain public support for these metropolitan sub-centers, holding a series of public hearings in different counties. RPA is currently preparing to present the issues discussed in the *2nd Regional Plan* and other regional planning documents to a large regional audience within a series of six one-hour television "town meetings" to be broadcast by every station in the region in the spring of 1973. It plans to organize listening groups and distribute a questionnaire for mass response; it hopes that a half million people will participate.

RPA's planning budget of approximately \$800,000 per year is raised from membership dues, foundation grants, and special study grants from public and private bodies. It has a staff of 12 to 15 professionals and uses outside consultants as required. Its board is composed mainly of prominent business and civic leaders representative of different geographic areas and professional interests. Like the public advisory bodies, it is not representative of the region's low-income groups or the minorities.

It is noteworthy, however, that RPA is the only regional body which has issued a public document dramatizing the magnitude of the regional housing crisis. RPA's "Housing Opportunities: An Analysis and Presentation for the New York State Urban Development Corporation" (1969) described the increased racial and economic segregation in the region, emphasized the growing mismatch between housing and job opportunities, and suggested remedial measures. RPA has also acted as consultant to a National Committee against Discrimination in Housing study of employment and housing opportunities for racial minorities in suburban areas of the New York metropolitan region. It has supported the Urban Development Corporation's proposals to build low- and moderate-income housing in Westchester County.

As a private body, unhampered by the political constraints of State and local governments, RPA has

been free to tangle publicly with the large functional authorities which abound in the region. It disputed the Port Authority's proposals regarding expansion of the region's commercial airport facilities, for example, contending that the immediate need was ground access to the existing airports. Recently, it has criticized plans for development of the Jersey Meadowlands, claiming that the office complex proposed by the Hackensack Meadowlands Development Commission would have a depressing effect on neighboring cities.<sup>11</sup> It has also taken public positions in such controversial issues as the lower Manhattan Expressway, the location of higher educational institutions, and the Long Island Sound bridge crossing. In certain instances, it has spoken out forcefully in support of its proposals, recently pushing hard for official acceptance of the Gateway National Recreational Area.

Presently, the private planning body appears to serve as the most visible generator of new ideas for guiding the region's growth and development. In performing this function, it relies heavily on the data and analytical documents prepared by Tri-State and the official contacts of MRC. If Tri-State were to present its plans to the public for consideration, RPA might be more useful in acting as a "regional gadfly" than as a comprehensive planner. In Tri-State's absence (and with its assistance) RPA has modified its role to serve as the regional innovator.

## Major Functional Bodies

Some regional observers have suggested that general-purpose governments in the New York metropolitan region have lost control over the formulation of plans and the determination of priorities to single-purpose agencies which have the capacity to guide and effectuate long-range development. From this perspective, special-purpose agencies have evolved into planning and development agencies for the region, and general governments into the housekeeping units.<sup>12</sup> This observation seems to be particularly evident in the transportation arena where regional centers of activity are emerging. It is to these centers that we now turn our attention.

**Port of New York Authority.** The Port Authority is the oldest, largest, and richest of the single-purpose regional bodies. It was created 50 years ago by compact between New York and New Jersey to develop and operate terminal, transportation, and trade facilities within the Port of New York district—an area falling within a 25-mile radius of the Statue of Liberty—and to protect and promote the commerce of the port. Directing its effort primarily to the coordination and development of vehicular facilities, the Port Authority is now a multi-functional operation whose facilities presently include six interstate bridges and tunnels, four airports, two heliports, four motor vehicle terminals, six marine

terminal areas, a world trade center, and the PATH commuter rail system.

The structure of the Port Authority was designed to provide continuity in decision making and program implementation. It is governed by 12 commissioners, six from New York and six from New Jersey, appointed by the governors of their respective states for six-year overlapping terms without pay. Four of the six commissioners chosen from New York State are resident voters of New York City and four of the six appointed by the New Jersey governor are resident voters within the New Jersey portion of the port district. The commissioners appoint the executive director, who is formally charged with implementing board policy. Compact provisions and traditions have helped to ensure longer tenure for port officials than for their appointing officers. This security enhances their relative freedom in policy making and helps to shield authority officials from political pressures.

The enabling compact denies the authority the power to tax or to pledge the credit of either New York or New Jersey to meet its financial obligations. The authority is authorized to issue bonds for the construction or acquisition of facilities and to liquidate them through collection of user charges. It tries to limit itself therefore to profitable ventures which can be sustained through user charges, tolls and fees, and to avoid involvement in mass transit operations which are traditionally deficit-inducing. Because of its heavy dependence upon the private investment market, the views of bondholders figure prominently in its policy decisions.

The current financial position of the authority is very strong. The port collected a record \$279.9 million at its bridges, tunnels, airports, and terminals in 1971—a 9.6 percent increase over the previous year. Its total assets at the close of 1971 were \$3.2 billion, a 12.6 percent gain for the year and more than 250 percent higher than its assets for 1961. The authority had an operating surplus in 1971 of \$104.6 million, plus income of \$34 million in interest on its investment portfolio.<sup>13</sup>

Despite its efforts to steer clear of mass transit responsibilities, the Port Authority has occasionally been forced to use limited portions of its resources in aid of commuter transportation programs. In 1960, for example, New York and the Port Authority agreed that the State legislature would loan \$20 million to the port to help finance the purchase of new passenger coaches for use primarily by commuter railroads. The New York legislature also agreed to guarantee a bond issue of \$100 million in authority bonds to finance the purchase of railroad equipment. In 1962, New Jersey officials compelled the port to undertake rehabilitation and operation of the bankrupt Hudson and Manhattan Railroad (Now PATH) as the price of New Jersey's approval of the authority's World Trade Center. As part of this bargain, the port succeeded in securing passage of

bi-State legislation that would prohibit it from assuming any more unprofitable rail operations. Notwithstanding this provision, the port has recently agreed to work with New York and New Jersey in developing a \$650-million program of mass transportation within the region.

Public supervision of the Port Authority's operation is limited. The major mechanism of accountability is a veto by each governor of the resolutions adopted by the authority within ten days of the meeting at which the resolutions were passed. The two States also require the authority to file an annual report and they possess the right to audit the authority's books and to conduct a legislative investigation. The authority must also receive bi-state legislative approval of its development plans in order to issue bonds. Once this authorization is received, the port can plan, finance, and operate its projects without further controls. Because of the intermittent nature of the supervision, the port possesses wide discretion in budgetary determinations and operating procedures, more characteristic of a private corporation than a public body.

Current issues concerning the port deal largely with its unusual autonomy in operations and finance. Opponents are particularly critical of the construction of the World Trade Center, two 110-story office buildings in lower Manhattan, which are viewed as a questionable "civic improvement," inconsistent with the port's mandate to coordinate and rationalize transportation within the port district. Critics also fault the port's longstanding reluctance to assume additional responsibilities in mass transit projects and the covenant in the port's legislation which prevents the authority from using its revenues to fund deficit railroad operations beyond a limited amount.

Recent political developments indicate that the Port Authority may be required to redefine its responsibilities. Current straws in the wind include outspoken comments by both governors concerning the port's involvement in mass transit, new appointees to the port's board of directors, New York State legislative action designed to free the port's surplus funds for use in mass transit, and the recent resignation of the port's long-time executive director, who had been steadfast in his resistance to deficit-inducing activities. Furthermore, the practice of using revenues from profitable enterprises to support transit operations is gaining acceptance in the New York region. In 1969, the port's counterpart, the Triborough Bridge and Tunnel Authority, which was long regarded as inviolate, was taken over by the Metropolitan Transportation Authority, and its surpluses were used for the benefit of the subway rider.

**Metropolitan Transportation Authority.** MTA was created by New York State in 1967 with extensive responsibilities in rapid transit, surface transit, bridge, and rail commuter traffic. In addition to the Long Island Railroad, it serves as a "holding company" or "um-

rella" agency over most metropolitan area transit, including the Triborough Bridge and Tunnel Authority (which operates nine toll bridges and tunnels in New York City), the New York City Transit Authority (which operates New York City subways), and the Manhattan and Bronx Surface Transit Operating Agency (which operates buses). Since its creation, MTA has acquired the Staten Island Rapid Transit Operating Authority and two general aviation airports, and has assumed responsibility for commuter service of the New York State sector of the New Haven division and the Harlem and Hudson division of the Penn Central Railroad. In its entirety, MTA is a giant transportation conglomerate which controls "the world's biggest subway system (720 miles of track, 7,000 passenger cars, 477 stations), the largest U.S. passenger railroad (the Long Island), 4,420 buses, serves 8,000,000 daily riders, . . . (and) operates on an annual budget exceeding \$1 billion."<sup>14</sup>

MTA's governing board consists of a chairman and ten members appointed by the Governor for eight-year staggered terms. Only the chairman is salaried. The board of directors serves as the *ex officio* board of all agencies under its jurisdiction, and the MTA chairman is chief executive officer of these agencies as well. At least nine members must be residents of the transportation district and three of the members are nominated by the mayor of New York City. Unlike most of the regional transportation authorities which are emerging in different metropolitan areas throughout the Nation, local governments (aside from New York City) are not represented on its governing board.

MTA programs are financed in the main by users charges; State and Federal grants and special legislative appropriations constitute the major subsidies. Through 1971, MTA had received regular grants of more than \$553.8 million from the State legislature and one time start-up appropriations of more than \$61.8 million. Federal grants of over \$116.6 million had also been made available.<sup>15</sup> MTA receives relatively modest amounts from mortgage tax revenues collected from the counties comprising the transportation district and railroad station maintenance and operation costs assessed against the localities. Capital programs for New York City's subways and public bus lines receive assistance from the city's capital budget. MTA is also authorized to issue revenue bonds to support its operations and New York State guarantees to shore up its reserve fund in the event that user charges do not produce sufficient income to meet debt service.

The new and significant feature of MTA's financial arrangements is the balancing of the operating surpluses accumulated by the profit-making Triborough against the deficits of the New York City Authority (CTA) and MTA's commuter railroad operations. MTA is empowered to transfer surplus funds from one of its

constituent agencies to another and these can now be used for the payment of operating expenses of the recipients. MTA is also authorized to establish tolls and other charges to maintain the "combined operations" of the authority on a self-sustaining basis. Since the transit authority had been required to conduct its operations on a self-sustaining basis since 1953, this balancing means that subways no longer have to support their operating expenses solely by their fare structure.

Current criticisms of MTA deal largely with its exclusion of local communities from membership on its policy board, its high degree of autonomy over the setting of fares and tolls, and its less than regionwide jurisdiction. Local governments, both within and outside New York City, claim that they have limited capacity to influence or modify MTA's programs toward meeting the needs of their own residents.<sup>16</sup> And State legislators deplore the existence of another semi-autonomous public transportation body which is relatively free from budgetary review and legislative oversight.<sup>17</sup> Local and State viewpoints notwithstanding, MTA operates under closer public scrutiny than the self-sustaining Port Authority, its co-participant in the regional transportation field. Because of MTA's heavy dependence on public funds, its activities are reviewed by many different agencies at the Federal, State, and local levels. MTA also appears to work closely with its counterparts in the other two states, the Connecticut Transportation Authority and the New Jersey Department of Transportation, in dealing with common transportation problems.

**Urban Development Corporation.** UDC is a statewide public authority with strong powers to rebuild urban areas. It is included in this discussion of "regional" agencies because of its potential impact in stimulating housing development in the New York sector of the metropolitan area. UDC was created by the New York State legislature in 1968 to "acquire, construct, reconstruct, facilitate, or improve . . . industrial, manufacturing, commercial, educational and cultural facilities and housing accommodations for persons and families of low income . . . and carry out the clearance, replacing, reconstruction and rehabilitation of substandard and unsanitary areas . . ." In addition to the customary powers adhering to a public authority, the corporation is given formidable powers to waive local laws, ordinances, zoning codes, charters, and construction regulations, substituting compliance with the State's building construction code when, "in the discretion of the corporation . . . compliance is not feasible or practicable." The enabling legislation calls for the corporation to "work closely, consult and cooperate with local elected officials" but it can overrule municipal disapproval by a vote of two-thirds of its directors.

UDC's governing board consists of four *ex officio* State officials, the Commissioner of Commerce, Super-

intendent of Banks, Superintendent of Insurance, and the director of the Office of Planning Services; and five directors appointed by the Governor, who serve for overlapping terms of four years each. The president, Edward J. Logue, is appointed by the Governor and is the chief executive officer of the corporation.

UDC is authorized to borrow up to \$1.5 billion to finance its projects and has already sold a bond issue of \$250 million. It has also received substantial appropriations from the State (almost \$90 million) in the form of one time start up funds which must be repaid. It receives small amounts from municipalities for initial planning and development studies. Its projects are wholly or partially exempt from local real property taxes, except for assessments for local improvements.<sup>18</sup>

Through the use of tax exemptions on land, low interest rates and Federal subsidies, the corporation proposes to induce private industry to produce housing within the economic range of middle- and low-income families. UDC's developments customarily provide a cross section of age and income levels, or 70 percent of all housing on a particular site for middle-income families, 20 percent for low-income families and 10 percent for the elderly.

Despite its relatively short life, UDC's programs reflect a recognition of the interdependence of different communities in the metropolitan area. In addition to agreements with individual cities, it is developing housing programs for Suffolk, Orange, and Rockland Counties, and has signed a Memorandum of Understanding with Westchester County to initiate a countywide housing and development program.<sup>19</sup> It has established a particularly close working relationship with New York City, developing approximately 18 different projects in 1970. Because of its expertise as a packager and developer, and its ability to secure "236" subsidies, it is credited with stimulating one-third of the housing starts within New York City in 1971.

Since its creation, UDC has encountered strong resistance from local communities, who regard it as a threat to local integrity and municipal home rule. Several bills restricting its powers were passed by the State legislature in 1970 and 1971; all were vetoed by the Governor. In June 1972, UDC announced plans to build approximately 100 moderate- and low-priced units in each of nine towns in northern Westchester; most of the towns were zoned for single-family houses—with minimum lot sizes of up to four acres. This was the first time that UDC had publicly proposed using its power to override municipal zoning ordinances within the New York region. The opposition was so fierce that the corporation has voted to postpone its plans until the localities have had a chance to develop substitute proposals.

UDC's original intent embraced the creation of housing opportunities for the urban poor within sub-

urban areas. It is now pursuing a countywide approach, seeking to improve housing conditions within each county. Although there are well documented housing shortages in these areas, the corporation is encountering strong resistance from municipal officials and State legislators. It appears, therefore, that UDC's formal powers may be insufficient to counteract the formidable political obstacles which accompany any effort to alter the suburbs' exclusionary zoning policies.

**Hackensack Meadowlands Development Commission.** The Hackensack Meadowlands Development Commission was created by New Jersey legislative action in 1969 to sponsor and supervise development of a tract of about 18,000 acres of mostly vacant meadows, marshes, and salt water swamps, lying directly across the Hudson River from Manhattan. The commission was authorized to adopt and enforce a master plan for the physical development of the Hackensack Meadowlands and to promulgate and enforce codes and standards of land use, subdivision, and zoning regulations.

The commission consists of seven members, the commissioner of the New Jersey Department of Community Affairs, and six other members appointed by the Governor from Hudson and Bergen Counties. Its zoning and taxing powers transcend the municipal powers of the 14 municipalities included within its jurisdiction. A Hackensack Meadowlands Municipal Committee, consisting of the chief executive of each of the 14 municipalities, has review power over all improvement plans developed by the commission. If the Municipal Committee disapproves of a plan, the commission may override a municipal veto by a vote of five members

The commission is empowered to issue bonds and notes to finance large-scale private and public investment. In turn, the participating communities will share in the increased wealth of the developed land through a complicated tax-sharing plan. Each of the 14 communities will be guaranteed its present tax income with the promise that existing high property taxes will be drastically reduced by additional wealth generated by the Meadowlands' development.

In 1970 the commission issued a preliminary plan for urban development which encountered resistance from local groups. The mayors of the municipalities wanted more industrial development than the plan called for and the environmentalists wanted less. RPA also recommended major changes which would relate the development of the Meadowlands to the surrounding area, particularly the nearby older cities, and leave more land in a natural state. In November 1972 the commission issued its revised master plan, which increases open space to about 6,200 acres, "more open space facilities than . . . any similar place in any other U.S. urban area," calls for residential construction for about 125,000 people, and limits office building construction.<sup>20</sup>

**Interstate Sanitation Commission.** The ISC was

created by interstate compact among the three States in 1936 to provide for the abatement of water pollution in the region's tidal waters and to prevent pollution in the future. The commission is composed of five commissioners from each State (including, in each case, the State health commissioner) and has the power to set and enforce water quality standards within its geographic district. Despite early recognition of the problem by the three States, water pollution has become increasingly severe in the New York metropolitan region. Because of minimal and vague standards of treatment embodied in the initial compact, inadequate financial and political support over the years by the States, and a limited staff of technical and administrative personnel, the commission has been ineffective in enforcing and developing new standards of water treatment. In addition, the ISC has relied heavily on a program of "public education, persuasion and cooperation" throughout its existence and has been timid in enforcing compliance orders against recalcitrant municipalities and industrial polluters.<sup>21</sup> For all of these reasons, the commission appears to be playing a less significant role in recent years at the same time that Federal and State enforcement activities are gaining in importance.

The ISC entered the air pollution field in 1962 when New York and New Jersey authorized it to assume certain advisory responsibilities with respect to regional air quality. Connecticut became a participant in this aspect of the commission's program in 1969. In April 1970 the three Governors called on the commission to coordinate and plan air activities in the tri-state Air Quality Control Region, pursuant to the Federal Air Quality Control Act. In this capacity, the commission coordinates a regional air pollution warning system, maintains an answering service for citizen's complaints, and operates mobile monitoring units. Since the commission lacks enforcement powers in air pollution and has limited financial resources and personnel, its effectiveness as a regional air pollution control body is small.

## PERFORMANCE OF MAJOR REGIONAL FUNCTIONS

Many of the functions performed by governments in the tri-state area involve important regional or sub-regional considerations. In a few functional fields, limited progress has been made toward relating and coordinating the activities of the various governing bodies; in others, fragmentation of decision making and operations is prominent. Not all observers agree, however, about the advisability of organizing governmental functions on a tri-state regional basis. Some planners believe that, in the absence of public pressure for change or a strong showing of regional need, existing govern-

mental arrangements should be utilized to the maximum extent possible—and control retained at the lowest practicable unit of government.<sup>2 2</sup>

### Transportation: Limited Progress Toward Regionalism

Transportation is the most regionalized of the public functions. Although no single agency exercises region-wide authority over all transportation functions and modes, two powerful agencies, the Port Authority and the Metropolitan Transportation Authority, dominate public transportation activities in most of the New York and New Jersey sectors. By their size alone, each agency achieves some coordination of policy making within its own jurisdiction.

In addition, the Tri-State Regional Planning Commission serves as a useful coordinating mechanism in transportation planning. Federal officials, State commissioners of transportation, and the chairmen of the MTA and the Connecticut Transportation Authority meet regularly as Tri-State commissioners, and the commission provides a channel for an exchange of information among their staffs. The commission also reviews local and state applications for Federal transportation grants. In 1971 it was given responsibility by the Urban Mass Transit Administration for allocating mass transit planning funds within the region. Tri-State has also undertaken a number of special projects involving the coordinated efforts of several agencies. For example, it supervised the establishment of a special express lane for commuter buses along Interstate 495 in New Jersey, bringing together the Port Authority, the New Jersey Turnpike Authority, and several other agencies.

A further degree of coordination is achieved through *ad hoc* cooperation between agencies in response to particular problems. During the early 1960's, for example, an Interstate Staff Committee, composed of representatives of New York, Connecticut, Westchester County, and New York City joined forces with representatives of Rhode Island and Massachusetts to petition the Interstate Commerce Commission for a Federal loan guarantee for the New Haven Railroad. New York and New Jersey worked together, to a limited extent, in obligating the Port Authority to purchase, modernize, and operate the Hudson and Manhattan Railroad in 1962. New York and Connecticut jointly worked out several programs of short-term aid for the ailing New Haven Railroad during the mid-1960's. In 1969 the MTA and the CTA concluded an agreement under which they now share responsibility for continued operation of the New Haven's commuter services.<sup>2 3</sup>

Finally, coordination is achieved through a series of overlapping directorates held by key transportation decision makers. For example, at the time this paper was prepared the chairman of the MTA was serving also as

vice chairman of the Port Authority and as a commissioner of Tri-State. Similarly, the chairman of the New York City Planning Commission was serving as a member of the MTA board as well as a Tri-State commissioner.

### Environmental Management and Land-Use Regulation: Limited State Initiatives

In the fields of environmental management and land-use regulation, the States have promoted regionalization within their own sectors of the metropolitan area. Each of the States has created a new department of environmental protection (called the Department of Environmental Conservation in New York). In 1972 New York State passed a \$1.2 billion environmental bond issue which calls for expenditures for water and air pollution, solid waste treatment, and the purchase and development of sites of environmental concern. To date, related efforts of the three States have been small.

Solid waste disposal is probably the region's most critical environmental problem. Although communities are rapidly running out of landfill space, and cannot afford to upgrade old incinerators to meet new air quality standards, solid waste disposal is still an almost completely local activity. All three States, however, have taken some steps toward handling it on a sub-regional basis. New Jersey mandated the Hackensack Meadowlands Development Commission to find an alternative to the existing system of municipal landfills in the meadows area. The commission is now considering the construction of a huge incinerator—the world's largest—to eliminate the need for further filling. Connecticut provides special incentive grants to communities for development of regional solid waste disposal arrangements and has asked General Electric to develop a statewide management system for solid waste. New York's Environmental Facilities Corporation has taken over the operation of several municipal landfills in the New York region.

The Interstate Sanitation Commission has been concerned with the maintenance of water quality in the region since 1936, but water pollution still depends heavily on the treatment of sewage by local governments. Because of local inability to finance the needed improvements and a lack of substantial financial help from higher levels of government, the localities have made slow progress in upgrading their sewage treatment facilities. Within the past few years, there has been an increased trend toward sub-regional handling of sewage disposal at the county level in both the New York and New Jersey sectors of the region.

Under the Federal Clean Air Act of 1970, the States must adopt implementation plans for maintaining or achieving the national primary and secondary ambient air quality standards issued by the U.S. Environmental Protection Agency (EPA). The three States have not yet adopted uniform techniques, monitoring practices, and

reporting systems for the sampling and analysis of pollutants in the tri-state Air Quality Control Region.

The great drought of the early 1960's increased public awareness of the need to plan carefully to meet the region's future water supply needs. New Jersey has built several large reservoirs to serve its northeastern counties and both Connecticut and New Jersey have encouraged consolidation of small water supply systems. New York is, in a sense, fortunate to possess the large New York City system, which draws heavily on upstate watersheds beyond the region's northern border. It is possible that communities in Long Island and northern New Jersey, many of which now depend on small independent systems, will tap into the city system in the future.

Despite attempts by all three states to develop statewide, county (and, in Connecticut, regional) systems of land-use planning and regulation, these functions remain primarily local. Connecticut's regional planning agencies are voluntary bodies and lack enforcement powers. In recent years, both New York's Office of Planning Coordination and New Jersey's Department of Community Affairs have prepared comprehensive revisions of planning and zoning legislation which would make local decision on land use subject to review at higher levels. Neither State took affirmative action on the proposed reforms. Statewide planning in New York was significantly restructured during the State's 1971 budget crisis, when the Office of Planning Coordination was merged with several other agencies into the Office of Planning Services, and its budget was reduced by more than 50 percent.

While local governments retain firm control over land-use policies generally, all three States have enacted specialized legislation dealing with critical areas of environmental concern. A notable example of this is found in the power given to the environmental protection agencies to regulate development of the coastal wetlands.<sup>24</sup> It is possible that environmental land-use controls of this type will be used in the future as major instruments of State influence over land-use development in and around the metropolitan region.

### **Law Enforcement and Health Services: Limited Cooperation On a Substate Basis.**

Regional cooperation in law enforcement dates back to 1953 when New York and New Jersey created a bi-state Waterfront Commission Compact for the elimination of criminal and corrupt practices in the handling of waterfront cargo within the Port of New York. The States have also enacted an Interstate Compact on Juveniles (signed by New York and New Jersey in 1955 and by Connecticut in 1957) which established procedures for the supervision and return of juveniles, and an Interstate Agreement on Detainers (signed by New

York and Connecticut in 1957, New Jersey in 1958), which facilitated speedy disposition of indictments, informations, or complaints filed against prisoners of one State by officials of another.

Pursuant to provisions of the Omnibus Crime Control and Safe Streets Act of 1968, the three States created law enforcement planning agencies whose responsibilities include the encouragement of regional arrangements in planning and operations. However, law enforcement is considered to be predominantly a local function to be handled by local and State governments, and the prospects for extensive regionalization of services in the New York metropolitan area are limited. Presently, the States evaluate requests for law enforcement facilities grants under the A-95 review system and the Tri-State Regional Planning Commission reviews law enforcement grants for operating purposes only. The Metropolitan Regional Council provides information exchange services for local police officials and conducts a narcotics intelligence program.

The Federal government has also encouraged regional planning in health services and provides funds for areawide comprehensive health planning agencies. Nine such agencies have been established in the New York region, since most are still in an embryonic stage, it is difficult to evaluate them. As with law enforcement, health professionals view the tri-state region as too large for meaningful health services planning and consider county and substate regional planning bodies more appropriate units for this task.

### **Housing and Economic Opportunity: Evasion of Regional Responsibilities**

In recent years it has become clear that some of the most pressing social problems of the New York metropolitan region require regional responses. The regional housing problem provides a clear example. The need for low- and middle-income housing in the region is acute; almost one dwelling in six is substandard and more than 80 percent of the region's families cannot afford to buy a home at current prices.<sup>25</sup>

Suburban communities have been steadfast in their opposition to subsidized housing because they fear, with some justification, that new residents will consume more in increased local services than they will return in local tax revenues. Since basic services are financed primarily from local property taxes, each locality has a strong incentive to resist low- and middle-income residential development. As a result, moderately priced housing is scarce throughout the region. In the central cities, where public policy still supports low- and middle-income construction, land is used for housing which, for economic and environmental reasons, might be better used for other purposes.

The effects of local land-use and fiscal policies extend beyond the housing field. Economic growth in the

region, particularly industrial growth, is increasingly a suburban phenomenon. The region's low-income population is increasingly concentrated in the cities, far from the available job opportunities. Transportation is poor from the city centers to suburban job sites, and homes in the suburbs are generally unavailable. This mismatch of people and jobs perpetuates problems of poverty and racial segregation, and denies economic opportunity to a large number of the region's residents. Except for the creation of the Urban Development Corporation by New York State, none of the region's many governments has responded to this challenge.

## CONCLUSION

### Assessment of Governmental Responses

**Federal Thrust.** Over the past decade, the Federal government has been supporting regional approaches toward the development of metropolitan areas. In the New York region, Federal efforts in support of regional planning have led to the creation of a regional planning commission and the rebirth of a COG. Both of these agencies are deficient in complying with comprehensive planning requirements and guidelines: they have a narrow representative base; they are relatively unknown; they skirt sensitive issues; they fail to assume regional leadership roles.

Furthermore, the region's planning efforts appear to have limited influence on regional decision making. The major areawide development programs, ostensibly the end product of the planning efforts, are being performed largely by State-created functional agencies whose programs are frequently not reviewed by the official regional review body. Federal requirements for "cross acceptance" of regional plans have generated dialogue between the regional planning agency and the sub-regional bodies (i.e., the counties and planning districts) in formulating and upgrading their own plans. However, the review body's authority to review regional decisions is limited to only those projects which are to be Federally assisted, and this authority does not include the power to suspend projects even when they may not conform with the review body's plans. Thus, the A-95 review process has minimal impact upon the coordinated development of the region as a whole.

The Federal thrust is weakened by its failure to utilize regional entities for Federal programs other than metropolitan and transportation planning. Although a large number of Federal programs have regional implications, Federal agencies make use of a variety of specialized agencies with the States and localities to channel funds and implement policies. In overlooking

opportunities to reinforce regional mechanisms in the different functional fields, the Federal government in effect minimizes its regional impact.

More significantly, the Federal government is failing to provide regionally oriented remedies for New York's critical social and economic problems. Many of these problems are national in character and require Federal resources and solutions for their alleviation. Without a set of coherent urban policies and strategies to deal with sensitive regional issues, planners and policymakers in the New York metropolitan area lack a national frame of reference to guide their own efforts.

This oversight is aggravated by the tendency of the Federal government to treat all metropolitan areas alike: large or small, interstate or intrastate. New York's size and importance, its distinctive needs and attributes, and its tri-state character require special Federal efforts in promoting a regional approach. It is unlikely that a strong move toward regionalism will emerge without special attention from the Federal level of government.

**State Thrust.** New York, a strong urban-oriented State, has responded to the need for areawide services in metropolitan areas with the creation of public authorities, both statewide and regional in jurisdiction. The Housing Finance Agency, Metropolitan Transportation Authority, Urban Development Corporation, and Environmental Facilities Corporation are some of the recent authorities created by the State to deal with major metropolitan problems.

The deficiencies of the public authority approach to the handling of metropolitan service requirements have been well documented by urban observers and scholars. For present purposes, their most important disadvantages concern their relative immunity to political control, their diffuse responsibility, their independence from general-purpose governments, and their autonomy—which encourages functional and geographical fragmentation within the metropolitan area. According to John Bebout, a well-known urban scholar, New York's use of public authorities to implement regional plans has "encouraged the development of a rudimentary, regrettably unintegrated, *ad hoc* system of regional governance, for limited purposes."<sup>26</sup>

New Jersey and Connecticut, the other two States which comprise the region, assume fewer direct metropolitan responsibilities and play a less active role in regional matters. New Jersey has, of course, cooperated with New York in the creation and supervision of the Port Authority, and has created its own Hackensack Meadowlands Development Commission to oversee the development of a large underdeveloped area in northern New Jersey. Connecticut has formed the Connecticut Transportation Authority to negotiate with New York's Metropolitan Transportation Authority regarding the operation of the New Haven Railroad.

The region presently accommodates 66 percent of New York State's population, 75 percent of New Jersey's, and 52 percent of Connecticut's. Despite this mutuality of interests, none of the three States has incorporated a regional frame of reference within its thinking, programs, or policies. Like the Federal government, the States have not given special attention to the unique needs of the New York metropolitan region or treated it differently from other metropolitan areas within their own States. Aside from sharing common membership on the Interstate Sanitation Commission, the Tri-State Regional Planning Commission, and less important regional bodies, the States engage in common action only on an *ad hoc* basis, when crises occur. The three States will probably continue to create their own institutions for policy coordination unless they are compelled to act in unison by a higher level of government.

**Local Response.** The 21 counties, six planning regions, and 600-odd municipalities in the New York metropolitan region remain parochial in outlook. They seem unable to adjust to a political environment in which problems are no longer "local." In a limited sense, some of the counties provide a "regional" perspective for inter-municipal planning and relate well to the Tri-State Regional Planning Commission. But, overall, the localities cooperate only when they perceive strong advantages from acting in unison, and they frequently refrain from joint action even when seeking a common end. City-suburban hostilities are intense and aggravate the difficulties of alleviating pressing regional problems.

There is little sense of regional consciousness among local governments in the New York metropolitan region and MRC has been ineffectual in promoting a regional community of interests among its diverse body of members. New York City, the most important local government, was noteworthy in promoting and sustaining a regional cooperative effort in the late 1950's and early 1960's; it has played a less prominent role in regional matters since that time.

### Applicability to Other Metropolitan Areas

The issue of applicability can be approached from different vantage points. On the one hand, the New York region is so large and complex, and the socio-economic differences between central city and suburban areas are so sharp, that the problems seem unique and the constraints seem overwhelming. Hence John Keith, president of the Regional Plan Association, points out that regional planning in New York has more in common, in some respects, with that performed in Paris, London, or Tokyo than it has with planning in most

domestic metropolitan areas.<sup>27</sup> Regional planning and action programs by large counties in the New York area, equivalent in territory and population to whole metropolitan areas in many other parts of the nation, represent mere fragments of the total effort.

These features limit the applicability to the New York region of the more traditional mechanisms which are useful in smaller metropolitan areas like Portland, Nashville, Indianapolis, and Jacksonville. Metropolitan arrangements that are regarded as regional elsewhere are probably more appropriate for application at the sub-regional level in New York. If new institutional arrangements are desired, they may have to be devised for New York alone. Because of its size, diversity, and complexity, the New York region would provide a useful testing ground—and challenge—for new regional relationships, untried thus far in the American federal system.

On the other hand, it can be argued that New York's problems are essentially the same as those in other large domestic metropolitan areas and that they differ mainly in their size and visibility. From this perspective, public policies which would provide regionally oriented solutions to some of New York's socio-economic, political, and environmental problems would be equally useful elsewhere. Moreover, because of the enormity of New York's challenge, if solutions can be developed here, this would probably be a strong indication that they would be beneficial in other places as well.

### Future Directions

A review of current trends toward regionalism in the New York metropolitan region leads one to believe that *ad hoc* measures—rather than permanent arrangements—will continue to characterize the local and tri-state responses to this region's metropolitan problems. The local governments lack the requisite financial and legal resources to solve regional problems and are unwilling to act jointly in matters of common interest. The three States occupy a central role in the development of new regional approaches, but they too are unlikely to act in unison short of a crisis affecting a major regional service. The States may be required to undertake major changes in land-use policy and the financing of education services in the future, as a result of court action, but even in these areas they will probably continue to preserve statewide perspectives and fashion policy individually for their respective state sectors, except in the most critical functions where interstate special districts have gained a foothold. It may be, therefore, that new areawide interstate approaches to the future development of the New York metropolitan region, of a generalist nature, will emerge, as they have already begun to, largely as a response to strong Federal inducements for regional change.

<sup>1</sup>Letter from Charles D. Norton to Frederic Delano, November 24, 1921.

<sup>2</sup>Forbes B. Hayes, *Community Leadership: The Regional Plan Association of New York* (New York: Columbia University Press, 1965), chaps. I-III.

<sup>3</sup>Jameson W. Doig, *Metropolitan Transportation Politics and the New York Region* (New York: Columbia University Press, 1966), pp. 80-88 and 168-90.

<sup>4</sup>The jurisdictional situation in the field of water pollution planning is particularly confusing. For many years, HUD was the only Federal agency which required regional sewerage plans to be developed by Tri-State and the sub-regional planning bodies. (The latter must submit their completed sewerage plans to HUD via Tri-State for certification in order for their areas to be eligible for HUD sewer grants.) Now that the Federal Environmental Protection Agency has adopted planning requirements for water quality management, two types of plans are required: water quality plans for river basins—to be prepared by a State sewerage agency, and a metropolitan sewerage plan—to be prepared by an areawide planning agency, as well as the on-going certification process. The new requirements alter existing HUD guidelines, set new emphases in water quality, and cause considerable uncertainty with respect to technical aspects and jurisdictional considerations.

<sup>5</sup>By Laws of MRC, Inc. adopted March 3, 1967.

<sup>6</sup>Robert C. Wood, *1400 Governments: The Political Economy of the New York Metropolitan Region* (Cambridge: Harvard University Press, 1961), p. 118.

<sup>7</sup>The plan has been roundly criticized on this count by Beverly Spatt, former commissioner of the New York City Planning Commission, Paul Davidoff, and others. See NYC Planning Commission, *Plan for New York City: A Proposal*, "Critical Issues," p. 81.

<sup>8</sup>e.g., *Managing the National Environment: A Regional Plan for Water, Sewage, Air and Refuse* (1970), and *Outdoor Recreation in a Crowded Region: A Plan for Selecting and Acquiring Recreation Lands* (1969).

<sup>9</sup>See David E. Boyce, Norman D. Day, Chris McDonald, *Metropolitan Plan Making: An Analysis of Experience with the Preparation and Evaluation of Alternative Land-Use and Transportation Plans*, Monograph Series No. 4 (Philadelphia: Regional Science Research Institute, 1970), p. 403. Their analysis notes that the commission's *Regional Development Guide* was not a "dynamic force (even of persuasion) in guiding growth and upgrading the quality of life in the New York metropolitan region."

<sup>10</sup>For further discussions of this point, see Melvin B. Mogulof, *Governing Metropolitan Areas: A Critical Review of Councils of Governments and the Federal Role* (Washington: The Urban Institute, 1971), particularly chap. IV, "The A-95 Process at the Metropolitan Level."

<sup>11</sup>Regional Plan Association, "The Region's Airports: A Policy on Air Travel in the Region," *Regional Plan News*, July 1969, No. 89; "The Region's Agenda: The Real Airport Issues," Vol. I, No. 4, December 1970, and Vol. III, No. 4, May 1972.

<sup>12</sup>Robert G. Smith, *Public Authorities in Urban Areas: A Case Study of Special District Government* (Washington: National Association of Counties, 1969), p. 258.

<sup>13</sup>The Port Authority, *Annual Report*, 1971.

<sup>14</sup>Metropolitan Transportation Authority, *Annual Report*, 1971.

<sup>15</sup>NYS Office of the Comptroller, "Audit Report on Examination of Financial Statements MTA as at and for the Year Ended Dec. 31, 1971," Report No. NY-Auth-4-73, p. 3.

<sup>16</sup>For further discussion of the local reaction to MTA see Joseph McC. Leiper, Clarke Rees and Bernard Kabak, "Mobility in the City; Transportation Development Issues" in Lyle C. Fitch and Annmarie H. Walsh (eds.), *Agenda for a City: Issues Confronting New York* (Beverly Hills: Sage, 1970).

With respect to the composition of MTA's governing board, the MTA chairman explains, "It was recognized that the agency had a regional task to perform and local representation could mean local vetoes of regional necessities." William J. Ronan, "The Crisis in Representation," address to Colgate University Political Science Department, Hamilton, N.Y., Feb. 20, 1969, p. 3.

<sup>17</sup>New York State Joint Legislative Committee on Transportation, *Transportation—A Blueprint for Mobility*, Legislative Document No. 14, 1969, pp. 12-13.

<sup>18</sup>Much of the material in this section comes from UDC, *Annual Report*, 1970 and 1971, and NYS Office of the Comptroller, "Report on Survey of the Initial Financing and Operating Practices NYS Urban Development Corporation" Report No. NY-Auth-5-71.

<sup>19</sup>It should be noted that nine of the smaller, more rural towns in Westchester are resisting the UDC plan and testing UDC's ability to use its local override authority.

<sup>20</sup>*The New York Times*, Nov. 9, 1972.

<sup>21</sup>Harvey Lieber, "The Politics of Air and Water Pollution Control in the New York Metropolitan Area," (unpublished Ph.D. dissertation, Department of Political Science, Columbia University, 1968), p. 319. The assessment of the ISC's effectiveness in water pollution control is based largely upon chap. VI, "The Interstate Sanitation Commission: The Solution that Failed," pp. 284-373.

<sup>22</sup>e.g., Richard S. DeTurk, Deputy Executive Director, Tri-State Regional Planning Commission.

<sup>23</sup>Doig points out in *Metropolitan Transportation Politics*, chap. IX, "State Leadership and Partial Remedies," that this era of "State dominated leadership" was characterized by "a few key actors who devised solutions through relatively private investment and negotiation . . . sought to define the problem narrowly in order to minimize cost and the use of political resources . . . (and) tried to construct programs within a relatively self-contained State framework, not in terms of the regional needs of the interstate New York area" pp. 192-93.

<sup>24</sup>New Jersey has recently passed legislation controlling flood plains areas which authorizes the adoption of land-use regulations for flood hazard areas within the State.

<sup>25</sup>RPA, "Housing Opportunities: An Analysis and Presentation for the NYS Urban Development Corporation," June 5, 1969, and National Committee Against Discrimination in Housing, "Jobs and Housing: Final Summary Report on the Housing Component," March, 1972.

<sup>26</sup>John E. Bebout, *Regional Planning Issues*, Part I, Hearings before the Subcommittee on Urban Affairs of the Joint Economic Committee, 91st Congress, 2nd Session, 1970, p. 131.

<sup>27</sup>John P. Keith, *Regional Planning Issues*, Part 4, 92nd Congress, 1st Session, 1971, p. 715.



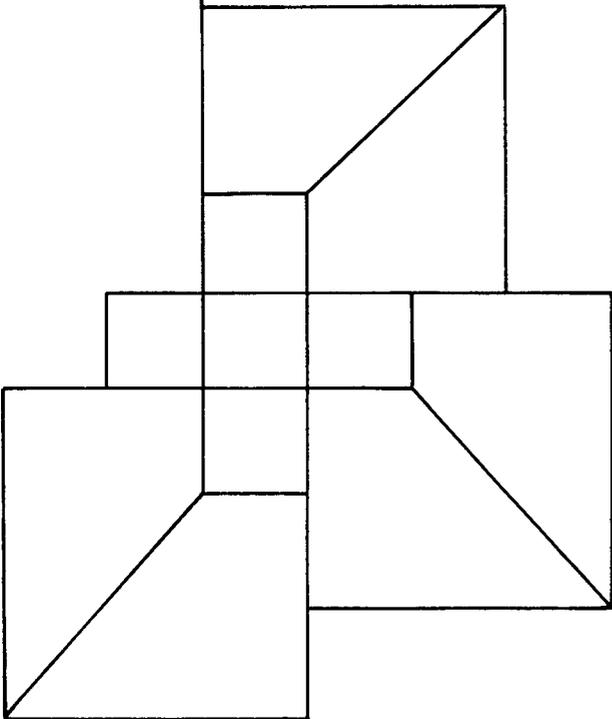
*Chapter VII*

**SUBSTATE  
DISTRICTING SYSTEMS  
IN TWELVE STATES**

*The Southwest Center for Urban Research  
Houston, Texas*

*In association with  
The Institute for Urban Studies  
University of Houston  
Houston, Texas*

*and  
The Lyndon Baines Johnson School of Public Affairs  
University of Texas  
Austin, Texas*



## Preface

Throughout the Nation public and private organizations are rising to meet the planning needs created by untrammelled growth. The States examined in this study exemplify many of the attributes such innovation must possess; equally, however, they demonstrate the difficulties which any experiment must encounter in seeking the most effective solutions.

As with any experimental process, moreover, objective evaluation is necessary. The Southwest Center for Urban Research, founded in 1969, has shown many

different agencies of government and the private sector in the Southwest its capability in precisely this area. With our undertaking of the following study of substate districting efforts in 12 States, we are most pleased to have included in our evaluative scope a field with so much promise for meeting further challenges to government.

Ralph W. Conant  
President

## Methodology and Acknowledgments

In the spring of 1972, officials from the U.S. Advisory Commission on Intergovernmental Relations approached the Southwest Center for Urban Research (SCUR)\* to determine SCUR's interest in undertaking a series of case studies of States which had recently established substate districts for planning and administrative purposes. SCUR was awarded a contract on June 26, 1972, for the preparation of full case studies on substate districting experiences in Georgia, Michigan, New York, Oregon, Texas, South Carolina, Virginia, and Wisconsin. Four additional States—Arkansas, Kentucky, Utah, and Washington—were to be studied in a less complete manner. Limited funds necessitated reliance upon SCUR staff members even though they were otherwise occupied on a regular basis. Because of considerations of time, they were supplemented by "free" personnel from other organizations, including the Institute for Urban Studies (IUS) at the University of Houston, and the Lyndon Baines Johnson School of Public Affairs at the University of Texas at Austin. Additional personnel included Dr. K. Thor Swanson of Washington State University and Dr. Rolf Haugen of the University of Vermont.

A week after the execution of the contract, the first field team visited the State of Arkansas. During the next three months, field teams or individuals visited the other States selected for the case studies. An average of ten man-days was spent in each of the 12 States, with the researchers interviewing more than 400 individuals. Interview subjects were drawn from the following categories: local, State, and Federal officials; regional planning staffs; civic, business, and political leaders; university personnel; the press; and other people who would contribute to understanding the substate district system in the 12 States. In addition, at least two knowledgeable people in each State were asked to review

and criticize the accuracy of the case study for their State. Nevertheless, these case studies are not intended to be the definitive work on substate districts in each of the 12 States.

Since time was limited, we sent a case study format to most of the people who would be interviewed. The individuals to be interviewed were identified by officials of the State planning offices and by State university personnel who were familiar with State and regional planning efforts. SCUR attempted to balance the case studies by visiting both urban and rural districts in each of the States. In all cases SCUR attempted to effect a balance between the more and less advanced of the regional planning bodies visited. Despite these attempts, an inevitable bias toward the more sophisticated of the regional planning organizations probably crept in.

With few exceptions, State planning officials were of great value in organizing balanced interviews with State regional officials. On the whole, all officials interviewed were candid and cooperative during the field interviews.

The criteria employed in selecting States for examination pertained to the following characteristics of the substate system: 1) it must be an established official district system and 2) it must include multi-functional regional bodies within the districts. In each instance, we attempted to focus upon the more mature of the extant systems. Moreover, we sought to assure both a balance between rural and urban States scrutinized and an appropriately broad geographic coverage.

These case studies could not have been completed successfully without the effort of many individuals in the 12 States, to all of whom SCUR's gratitude is openly accorded. Special appreciation must be given to Dr. Nicholas Thomas and R. Barry Lovelace of the LBJ School of Public Affairs at the University of Texas, who had responsibility for the Georgia study and who took

the lead (with the assistance of SCUR staff members) in Michigan and Texas. Dr. K. Thor Swanson, of Washington State University and during 1972-1973 a senior resident scholar with the ACIR in Washington, D.C., spent much of his vacation time on the Washington and Oregon case studies, and we appreciate his efforts. Special thanks also to Dr. Rolf Haugen of the University of Vermont, who participated in the Arkansas, Wisconsin, and New York case studies and in the debriefing sessions.

The bulk of the case studies were done by the SCUR and IUS staff: Glen Provost of IUS took part in the Arkansas, South Carolina, Virginia, Wisconsin, and New York case studies; Dr. Jonathan West of the SCUR-IUS staff conducted the Utah case study and participated in the Virginia and New York case studies; Tom Evans of the SCUR staff participated in the Kentucky and Michigan case studies; and Hawkins Menefee of the SCUR staff worked on the Arkansas, South Carolina, Wisconsin, and New York case studies. As project director, I was involved in the Arkansas, Kentucky, Wisconsin, Michigan, and New York case studies.

SCUR's special gratitude is accorded to Dr. John Bebout, senior IUS program director, who wrote the bulk of the recommendations contained in the summary and conclusions. Sincere appreciation must be given to

Dr. Ralph Conant, SCUR president and IUS director, who also provided much assistance during the three months of field work and who wrote substantial portions of the first chapter, and to Mike Medlock who provided much of the staff work for the comparative analysis in the first chapter.

Editorial and clerical assistance was provided by Lin Campbell, Babette Fraser Warren, Brenda Hilton, Vesta Hagler, Marianne Ruffner, Jean Smith, Collie Vastakis, and Judy Bielenberg. SCUR's gratitude goes also to those SCUR and IUS staff members who assumed the office functions of the field researchers during their visits to the 12 States.

We believe the following studies will enable the reader to understand better how the substate districts were functioning during the summer of 1972 and their prospects for the future. Perhaps the strengths and weaknesses we have identified will be of assistance to local, State, and Federal officials who wish to assure a strong substate districting system.

George W. Strong  
Assistant Director  
SCUR and IUS  
Houston, Texas

\*A non-profit research center sponsored by the University of Houston, Rice University, Baylor College of Medicine, University of Texas at Houston, and Texas Southern University.

# Arkansas

## BACKGROUND AND STRUCTURE

To understand the development and present status of substate districts in Arkansas it is necessary first to understand the State's economic situation. Because of its relative deprivation, government, business, and the general citizenry have been significantly preoccupied with economic development. This preoccupation has greatly affected the development of substate districts.

In 1965 the Arkansas Industrial Development Commission (AIDC), with Winthrop Rockefeller as chairman, published a feasibility study on regionalism in Arkansas. The study became known as the Ewald study after its author, William R. Ewald, Jr., a consultant, who recommended that the State be divided into 14 regions for purposes of economic development and community planning.

The 14-district delineation was determined after the following process of examination. First, he surveyed the existing, operating regions of utilities and State agencies, including the Employment Security Division of the State Department of Labor, the Welfare Department, the Highway Department, the Health Department, the State Police Department, the Department of Soil Conservation, and the State Library Commission. Utilities included in the survey were Southwestern Bell, Arkansas Power and Light, Arkansas-Louisiana Gas, Mid-South Gas, and Southwestern Gas and Electric. Ewald mapped towns and cities serving as regional centers for the State agency and utility operations so as to indicate the number of times a town served as an operations center. From this information and certain other considerations, Ewald determined that the most practical boundaries would be county lines. Although Ewald found no agreement among the various State agencies regarding the issue of regional boundaries, he did discover a consensus among them concerning which cities were best qualified as regional centers. The next step in the Ewald study was to examine communities which were potential regional centers. In determining suitability, the study relied primarily on the basic means of communication between people—telephones and automobiles—as a method of determining any existing sense of region. A somewhat complicated formula involving counts of long distance phone calls, automobile traffic, and what Ewald called “opportunities to communicate” (by automobile and telephone) determined what the regions should entail. Originally, 25 regional centers were identified. Ewald determined, however, that 25 regions would be excessive because some regions would contain fewer

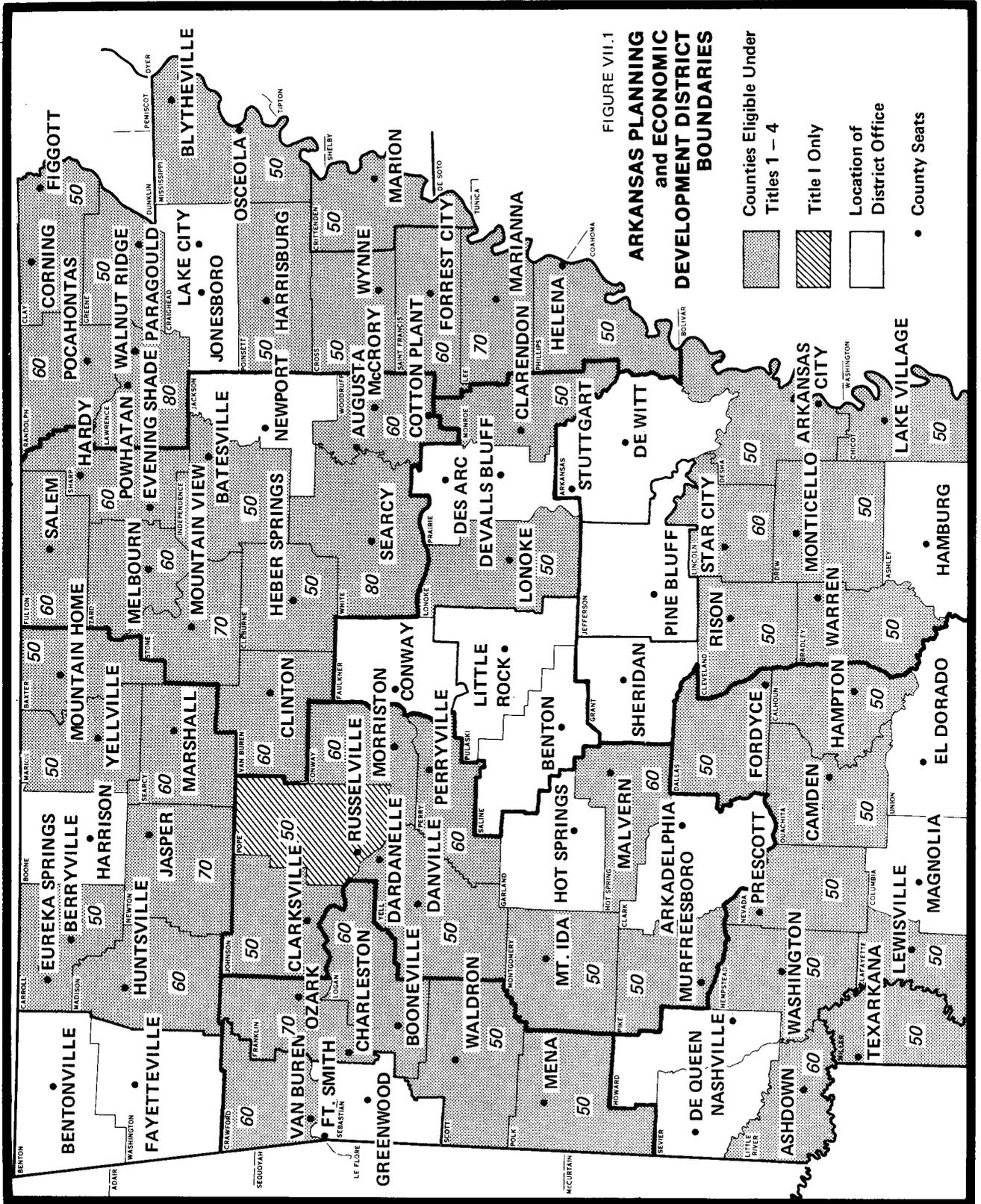
than 25,000 inhabitants and because it would be too difficult and expensive to work with and staff 25 separate regions. The result of the Ewald study was the creation of 14 separate regions.

The AIDC formally adopted the recommendations of Ewald's report. Chairman Winthrop Rockefeller used the regionalism adopted by the AIDC as a major issue in his successful gubernatorial campaign in 1966 when he sold the regionalism concept to the voters as a potential boon to economic development in Arkansas. Regional planning, cooperation, and development were viewed as means to entice both industry and Federal funds into the State.

It is not clear how much this particular campaign issue influenced the election; however, one of Governor Rockefeller's first official actions was to proclaim the division of Arkansas into the 14 districts. In March 1967, Rockefeller hired Dr. John Peterson, an economics professor at the University of Arkansas, to be the director of a newly established Economic Development Program in the Governor's Office. One of the office's primary tasks was the implementation of the Governor's announcement. In effect this meant persuading the Federal Economic Development Administration (EDA) to approve the 14 districts for EDA funding. EDA informed the Governor's staff that EDA would not be able to fund the 14 Economic Development Districts (EDD's) as defined because not all of the 14 met EDA criteria for designation as EDD's and because EDA funds were insufficient to allow staffing 14 EDD's. This rejection led Peterson and the EDA representatives to re-delineate the Ewald study's regional map; their result was an agreement between EDA and Governor Rockefeller's office on eight EDA-qualified districts.

Formal organization of the eight districts began in early 1967 and was not completed until mid-1968. The Economic Development Program staff took part in the organization of the districts, but EDA field personnel assumed the leading role. EDA staff entered each district, where they initiated meetings of the district's county judges in order to discuss the organization of the districts into EDA-approved Economic Development Districts. The county judges in turn were asked to invite appropriate local officials and citizens to the meetings. At these meetings the EDA representatives explained EDA requirements and assisted the groups in drafting articles of incorporation, by-laws, etc. It was this latter process which took approximately a year and a half.

In 1969, the Arkansas General Assembly, at the behest of Governor Rockefeller and the EDD directors,



passed Act 118, which gave statutory recognition to the EDD's and renamed them planning and development districts (PDD's).<sup>1</sup> Peterson was responsible for Rockefeller's support of the measure; he convinced the Governor that statutory recognition of the organizations would help to prevent subsequent administrations from tampering with the districts for purely political reasons. Act 118 also provided for State appropriations up to \$30,000 a year for each of the planning and development districts, contingent upon the matching of each State dollar with local monies.

Arkansas's Act 118 authorized the organization of PDD's for the following purposes: promoting economic development, assisting local governments and private organizations in obtaining governmental grants and loans; preparing comprehensive regional plans for economic development and improved governmental services; and coordinating private and public programs in multi-county districts.

The eight planning and development districts have become the dominant substate regional organizations in Arkansas in terms of generation of funds and political clout. However, there exists another important group of organizations which, in most instances, pre-date the PDD's and which are a significant factor in the regionalization picture in the state—the six regional planning commissions, three of which are wholly within the state, and three of which are interstate.

The creation of regional planning commissions (RPC's) was authorized by Act 26 of the Arkansas General Assembly in 1955, which permits political subdivisions to join together for essentially local planning purposes. Any combination of contiguous cities, counties, or cities and counties may form an RPC. Membership in an RPC is strictly voluntary, and organization and funding are determined by a set of by-laws approved by each RPC member. An RPC has no taxing authority and any member can withdraw at any time. Their general purpose is to make studies and plans to guide the development of the encompassed region. This guidance may involve assisting the cities and towns within the region in carrying out regional or local plans. All legislative power with respect to zoning and other regulations, however, remains with the member governments.

The original passage of Act 26 was at least in part the result of a situation in which Little Rock found itself in the early 1950's. The city received information that the U.S. Air Force was considering location of a major base in the Little Rock area if sufficient land and a major thoroughfare between the base and the city were provided. Civic leaders secured sufficient money and obtained the land for the site of the base, but the thoroughfare caused some serious jurisdictional difficulties. To build the highway, right of way would have to be obtained through property owned by two counties,

three cities, and the State. All of the governments involved recognized the value of the air base to the entire region and cooperated in securing the right of way. The success of this particular effort provided a good example of the benefits of regional planning and cooperation and prompted civic and political leaders to pursue formal statutory authorization for such planning, resulting in the enactment of Act 26.

In 1955 the Little Rock metropolitan area, which includes Pulaski and Saline Counties, was organized into an RPC known as the Metropolitan Area Planning Commission today "Metroplan." Since that time two other metropolitan planning commissions have been formed: the Southeast Arkansas Regional Planning Commission (Pine Bluff) and the Northwest Arkansas Regional Planning Commission (Fayetteville). There are three interstate regional planning commissions in Arkansas: Ark-Tex Council of Governments (Texarkana, headquarters in Texarkana, Texas); Mississippi-Arkansas-Tennessee; and Arkhoma (Fort Smith).

The RPC's opposed the creation of planning and development districts almost from their inception. A significant reason for this opposition was the feeling by RPC's that the newly created substate organizations were being directed to do what the RPC's were doing already. In spite of their relatively substantial metropolitan constituencies, the RPC's were unable to prevent the General Assembly from passing Act 118 in 1969. The Assembly maintained that the PDD's were necessary so that the rural, non-metropolitan areas of the State—those areas having historical shortages of necessary resources for the planning and promotion of economic development—would be able to acquire such resource needs with certainty. The RPC's, however, convinced the General Assembly to include a provision in Act 118 which has great bearing on the RPC's. Section 2, Paragraph C, of Act 118 reads as follows:

Nothing in this Act is intended to change or conflict with the status of regional and metropolitan planning commissions or councils of governments established under Act 26 of 1955, as amended. This Act does not change the designation of urban and metropolitan planning organizations presently recognized by the Arkansas Planning Commission for programs of the Department of Housing and Urban Development or any other department of the Federal government.

This significant provision caused some consternation in both kinds of agencies on the district level, as well as in the State Planning Department. As is often the case in the legislative process, the necessity for a last-minute compromise results in poorly drafted legislation. Such may or may not have been the situation in the case of Act 118, but Section 2, Paragraph C appears to have

been added almost as an afterthought, especially in light of the language of the purpose clause of Act 118, which makes the following statement:

The purpose of this Act is to encourage multi-county planning and development organizations which have been formed, or which may be formed in the future, as voluntary non-profit associations to promote economic development to assist local governments and private organizations in obtaining federal grants and loans, *to prepare comprehensive plans for economic development* and improve government services, to enlist private support for these activities, and to coordinate private and public programs in the multi-county districts. [Emphasis added]

These two provisions seem to be in almost direct conflict. One way to resolve it is to interpret the statute's meaning to be that in those regions containing metropolitan planning agencies organized under Act 26 the planning and development district has responsibility for planning only those areas *outside* the metropolitan areas. This is the interpretation which apparently has been accepted by State and Federal agencies in resolving jurisdictional disputes between the RPC's and the PDD's. Yet it reveals a glaring inconsistency in State policy regarding the two sets of substate organizations. The State provides funds to the PDD to carry out operations, yet does not provide funds to the RPC's at all, even in those cases where the RPC does the substantial portion of the planning in the district.

## ACTIVITIES

Since their establishment, the substate organizations in Arkansas (both the PDD's and the RPC's) have modified their general purposes substantially. For example, Metroplan, the RPC in the Little Rock area has broadened its concept from that of a joint planning commission concerned solely with making studies and plans for regional development to include that of an operating agency. This move from a strictly planning operation to a planning and operating agency was made possible by the enactment of Act 430 by the General Assembly in 1967. Act 430, known as the Interlocal Cooperation Act, permits public agencies to exercise jointly or cooperatively those powers, privileges, or authority which each can exercise separately.

Metroplan, successor to the Metropolitan Planning Commission, was reorganized during 1971 under Act 430 and the Not-for-Profit Acts of the State of Arkansas, 1963, No. 176. As a not-for-profit corporation, Metroplan has the capability of becoming an operating agency and performing most functions which

its constituent members may undertake legally. Even though Metroplan presently is involved primarily in regional planning, A-95 review and comment activities, and the provision of technical assistance to local governments, it recently purchased the bus transit franchise operating in the cities of Little Rock and North Little Rock from a private corporation. Metroplan was assisted in the purchase of the bus system by a Federal grant of \$2,215,000, which was matched by a local contribution of \$1,107,000. To oversee the operation of the transit system, Metroplan created the Metroplan Transit Advisory Board, composed of the county judge of Pulaski County, the mayors of Little Rock and North Little Rock, and the president of Metroplan. The advisory board has contracted with a private, profit-oriented organization for the actual operation of the system. Metroplan's executive director stated that it may enter other such activities, including acting as the regional purchasing agent for its members, operating an areawide solid waste disposal system, and managing a regional airport.

Judging from the available information, it appears that of the three RPC's, only Metroplan has involved itself to any substantial degree in implementation or operational activities. There are, however, a number of activities in which the RPC's are involved fairly uniformly. These include land-use planning, capital improvements planning, transportation planning, water quality and water resources planning, housing planning, implementation assistance, and planning and technical assistance to local governments. In effect, the Northwest Arkansas RPC serves as the planning department for a number of communities and the two counties in its area. Obviously, this arrangement makes coordination with the NWARPC's metropolitan planning efforts somewhat easier.

With the availability of non-metropolitan HUD funds, planning activities in areas other than economic development were added to the planning and development districts' functions. Thus, both RPC's and PDD's serve in planning capacities. Many PDD's work in varying degrees in the areas of health planning, outdoor recreation planning, transportation planning, manpower planning, and non-metropolitan land-use and housing planning. They, as do the regional planning commissions, also collect and disseminate data. The PDD's are project-oriented; their main concern is assisting their members to obtain Federal grants. The executive director of one PDD stated, "PDD's depend upon their ability to get grants for their local governments. Planning for planning's sake is not what local governments want." The PDD's do, however, receive HUD 701 funds for non-metropolitan planning; yet the emphasis remains on EDA-funded economic development.

The PDD's have all been designated as regional clearinghouses by the Governor, although this authority was delegated to the organizations at varying times. The

Office of Management and Budget designated the six RPC's as the metropolitan clearinghouses. This situation has caused considerable confusion in some of those regions in which both a PDD and an RPC are operating. In such cases, local officials are sometimes forced to get an A-95 review and comment from both an RPC and a PDD. The PDD's believe that they should be the only A-95 clearinghouses in their regions and that the RPC's should be stripped of that function; the RPC's consider this clearinghouse status as being vital to their survival. If local governments in the metropolitan areas were not required to have their projects reviewed by the RPC, they might conclude that membership in the RPC is simply not worthwhile. There would, of course, be exceptions, especially in an RPC which has become operational, as in the case of Metroplan.

The push by the PDD's for designation as the sole A-95 clearinghouse in their respective regions has been tempered somewhat by the present dual, and sometimes awkward, role of the PDD's in planning and economic development. Quite often the same staff which assisted or actually prepared an application for economic development funds for a regional project will be the staff to serve as the A-95 clearinghouse for review of that project. This would not be a significant problem if the PDD staff formulated regional plans and then assisted local governments in developing grant applications for projects to conform with those plans; however, this has not been the pattern in most cases. In fact, some RPC representatives argue that PDD's in many cases are making a mockery of planning by hustling projects for their members and then formulating plans to accommodate the projects.

One official of a city located within both an RPC and a PDD summed up the situation in a statement which seems to be descriptive of PDD's and RPC's throughout the State. He said that his city viewed the RPC as a planning tool and the PDD purely as a funnel for Federal funds. He believes that the viability and survival of RPC's in Arkansas will depend upon their ability to move from purely planning functions to an operational role. This would involve operational activities directed at metropolitan-wide needs such as transit systems, waste disposal systems, airports, etc. Further, he expressed his belief that unless the PDD's now serving the non-metropolitan areas were able to move from purely economic development activities into planning and implementation, they would last only as long as the Federal funds which they obtain hold out.

## RELATIONSHIPS AND COORDINATION

The State's unequal treatment of the RPC's has resulted in a demand by some RPC's that they be separated statutorily from the planning and development district in which they are located and established as

PDD's in their own right, thus qualifying them for State funding assistance. To RPC representatives, this is a reasonable demand. As might be expected, the PDD's are adamantly opposed to eliminating the RPC's from their regions. In all likelihood, such a split would mean the division of the currently skimpy State appropriations to PDD's among eleven rather than eight organizations (the present eight PDD's plus the three existing intrastate RPC's). Further, it would mean a considerable loss of prestige to the three PDD's which would be affected directly by the withdrawal: they probably would be relegated to being primarily small town/rural organizations.

For two basic reasons, EDA is opposed to splitting up the PDD's: 1) Even though EDA does not have to revise its EDD boundaries simply because the State does so, it has adopted a policy of conforming to State-designated regions whenever possible; 2) EDA experience has proven that it is difficult to work with PDD's which overlap more than one State region.

Currently, the issue of splitting up an existing PDD is particularly volatile in the Northwest Arkansas area. The Northwest Arkansas PDD (officially called Northwest Arkansas Economic Development District, Inc.) contains nine counties. Two of the counties—Benton and Washington, containing the Fayetteville metropolitan area—are part of the Northwest Arkansas Regional Planning Commission (NWARPC), an Act 26 agency. The two-county NWARPC had requested that it be designated as the ninth PDD in the State and be made responsible for all programs for the region except for EDA programs (this would differentiate the proposed PDD from existing ones). The NWARPC suggests that the present nine-county PDD continue to have responsibility for EDA programs in the entire nine-county region. This proposed arrangement would result in some rather substantial financial benefits for the member governments in the NWARPC. At the present time, because of the high concentration of population in the two counties, NWARPC members are providing the major share of the local contribution to NWARPC itself. Because of the availability of State funds, designation as a PDD would provide the two counties with an opportunity either to lessen their contribution to their own two-county organization while retaining the same level of activity, or to expand its activities significantly without additional local contribution. This arrangement would have the opposite effect on the remaining seven counties. Even though the EDA programs of the PDD would continue at the same level, it would probably be very difficult for the seven counties to engage in non-EDA programs, because those counties would be requested to provide all of the local funds for these programs.

The resolution of the conflict brewing in northwest Arkansas could have repercussions throughout the State. In addition to the NWARPC, other RPC's in Arkansas

appear to be ready to split off into PDD's of their own. On the other hand, a number of the existing PDD's would like to see the RPC's completely eliminated. Neither group appears content to exist with things as they are. The issue could conceivably be dropped into the lap of the General Assembly during its next session, which would almost certainly involve the new Governor and his newly-appointed director of state planning.

Because of the PDD's extensive involvement with EDA and Department of Agriculture programs, citizen participation in PDD activities has been facilitated and is effective in many cases. The success of the PDD citizen participation programs can be attributed primarily to the efforts of the Cooperative Extension Service (CES) of the University of Arkansas. In order to receive a designation as an Economic Development District and to qualify for EDA financial assistance, each of the eligible counties was required to manufacture an overall economic development plans (OEDP). EDA required that the OEDP's be developed by local citizens' groups. The extension service, with the assistance of county agents from the U.S. Department of Agriculture, helped each county to organize county development councils made up of local citizens, including public officials, businessmen, farmers, and others. Such groups were organized in the 49 counties declared eligible for EDA designation as Economic Development Districts. Subsequently, CES organized similar groups in the remaining counties of the State.

## State Planning

Act 118, which created the PDD's, gives the State Department of Planning (formerly the Arkansas Planning Commission) very little authority over the individual organizations created by the Act. The department can change PDD boundaries, but only if the change is approved by the governing boards of each of the PDD's affected. The department is required to pay State appropriations in equal shares to the PDD's which meet the basic conditions set out in Act 118, which include the following: 1) that the PDD be recognized officially as a qualified organization; 2) that the PDD have a budget with provisions for expenditures which are in accordance with the purposes of ACT 118; 3) that the PDD have non-Federal funds committed in an amount at least equal to the State funds; and 4) that the PDD submit itself to an audit by the department at the end of each fiscal year. The Act provides the State Department of Planning with no real authority over PDD's, as the cited conditions indicate.

The department has even less control over the regional planning commissions. Act 26, authorizing the creation of RPC's, does not refer to the State Department of Planning at all. As the Arkansas A-95 clearing-house, the department has A-95 review and comment

authority over both the PDD's and RPC's. To date, this authority has not been of particular importance to the department, except as an information source, because of the lack of State plans in most project areas. This paucity of State project plans provides little basis for judging the wisdom of many regional projects. Even though structurally the department has no authority over the RPC's, there is considerable benefit to both the RPC's and PDD's being on good terms with the state planning director, who is a member of the Governor's cabinet (since this office has been created, it has been held, at times, by a close confidant of the Governor). In the past the RPC's have complained quite vocally that the State has either ignored them or has treated them as stepbrothers of the PDD's. The regional planning commissions have been especially vocal in their allegations that preferential regard has been given to PDD's by the State Planning Department. The RPC representatives have expressed hope that this situation will change now that a new State planning director is in office. Although this official is almost powerless legally in his relationship to the PDD's and RPC's, he will almost certainly have an influence on the recommendations which the Governor will make to the General Assembly on the inter-relationships of RPC's and PDD's and the relationships of those districts with the State.

## The General Assembly

The PDD's have exercised more influence in the General Assembly than have the RPC's. Arkansas is a predominantly rural state with a rurally dominated legislature. Cities in Arkansas have problems; yet to the Assembly, if their actions reflect their beliefs, small towns and rural areas have more serious problems. This situation has a significant effect on the respective relationships of the PDD's and the RPC's with the Assembly. The primary concern of the RPC's is to plan for the orderly development and future of cities and metropolitan areas. The primary concern of the PDD's is economic development, especially through the EDA programs which are project-oriented and designed for small towns and rural areas. PDD's funnel millions of dollars of EDA money into Arkansas each year. Legislators boast about the amount of Federal money generated by the appropriation of State funds to the PDD's, and Congressmen boast to their constituents about how many Federal projects they are sending to their regions. The executive directors of the PDD's are the people who see that applications are written and projects gotten underway. Politicians are interested in seeing the PDD's operating under the best conditions possible; as a result, the legislators pay particular attention to the opinions and requests of the PDD executive directors.

Probably because of the nature of their functions, the

RPC's have not been so successful in their relationships with the legislators. This fact may influence the direction of RPC's in the future, so that they move more and more into operational functions where the significance of their kind of organization will be seen more readily.

## State Agencies

In his first year in office, Governor Dale Bumpers requested that all State agencies reporting to him make their regional boundaries consistent with the boundaries of the eight PDD's. Also, he has taken the position that State programs should be subject to A-95 review. However, he has since directed the State planning department to re-evaluate substate planning and service needs in view of the continued confusion at the local level.

A recent reorganization of State government in Arkansas placed most of the State agencies under 13 directors at the cabinet level, who report directly to the Governor. The Arkansas Commission on Crime and Law Enforcement, the Office of the Coordinator of Public Safety (highway safety program), the Arkansas Manpower Council, and the Arkansas OEO office remained in the Governor's Office.<sup>2</sup> The highway and the game and fish agencies are independent constitutionally.

The response to the Governor's request for consistent boundaries has been mixed both within and outside the cabinet departments. The human resource programs have been the most responsive, by and large. The Social Rehabilitation Service, the Regional Medical Program, the Health Department, and the State Manpower Council currently are moving in the direction of conformance to the PDD boundaries. The Crime Commission and the State Employment Service, on the other hand, have made very little progress toward conformance. The parks and tourism, game and fish, and highway agencies have not conformed to PDD boundaries yet.

In some cases the Governor's difficulty in getting State agencies to conform to PDD lines has been the result of the failure of Federal agencies which help to finance many of the State programs to realign their own regional lines to conform to those of the PDD's. On January 28, 1972, Governor Bumpers wrote a letter to the chairman of the Southwest Federal Regional Council in an attempt to bring this situation to his attention. Specifically, the Governor mentioned the Community Action Planning Areas of the Office of Economic Opportunity (OEO), the Law Enforcement Planning Regions of the Department of Justice, the Resource Conservation and Development Districts of the Department of Agriculture, the Metropolitan Comprehensive Transportation Planning Areas of the Department of Transportation (DOT), and the Air Quality Control Regions of the Environmental Protection Agency (EPA).

The letter stated that the State of Arkansas had fulfilled the Office of Management and Budget readiness criteria by creating, funding, and staffing eight planning districts charged with the responsibility for preparing comprehensive regional plans, and that the present administration "is committed to the regional planning concept which provides the basis for state planning activities."

The Governor requested that the five types of regions be brought into conformance with PDD boundaries, and he indicated that the realignment of the boundaries of the State Commission on Crime and Law Enforcement, the State Office of Economic Opportunity, the State Highway Department, and the Arkansas Department of Pollution Control and Ecology to conform to PDD boundaries would be facilitated greatly if their Federal counterparts did likewise. While recognizing that realignment would not be an easy task, he stated that his administration "is convinced that consistency in planning jurisdictions will result in greater efficiency, better coordination, and improved services at the local level."

The Governor has subsequently re-opened the question of the optimum size and number of "State service regions," which could serve as a basic framework for all planning and service activities, in combination if necessary.

The realignment of State OEO districts is a particularly difficult undertaking. There are 19 OEO districts in Arkansas, and they are administered through community action agencies (CAA's). The CAA's have been in existence since 1964 and are autonomous to a substantial degree. According to the State OEO office, the CAA's are about the only human resource agencies in Arkansas in the business of the actual planning and delivery of services; thus, they have become important to local governments, especially to individual counties. The CAA's, which encompass all but nine of the state's counties, currently are aligned so that nine counties are located in seven separate CAA's, each of which overlaps two PDD's. There has been virtually a complete lack of coordination between CAA's and PDD's, especially where boundaries overlap. A-95 clearinghouse jurisdictions are unclear in those cases in which a CAA with its headquarters in one PDD applies for a project to be implemented in a county which is located in a different PDD.

In order to improve program coordination immediately, Governor Bumpers requested that CAA and PDD directors invite each other to serve on their respective boards. The major problem in getting the CAA's to conform to PDD boundaries is the reluctance by individual counties to sever long established relationships with a CAA. Such a cut, in many cases, means the loss of some precious patronage privileges for county political leaders. To overcome this obstacle, there is a need for Federal assurance that counties affected by realignment would not lose funding or program benefits. Thus far no such assurance is forthcoming.

The nonconformance of the CAA's has also caused problems in the area of manpower planning. The Governor has appointed a State Manpower Council, which receives funds from the Department of Labor and is responsible for developing a State manpower plan and with assisting the efforts of Area Manpower Planning Boards (AMPB) which have been organized in each of the PDD's. In the Little Rock area Metroplan is in charge of manpower planning rather than the Central Arkansas PDD. In each case the jurisdiction of the AMPB conforms to the PDD boundaries. The Department of Labor provides funds to the State Manpower Council to provide the AMPB's with technical assistance, yet does not provide funds directly to the AMPB's for manpower planning. The PDD's have cooperated with the AMPB's in manpower planning, and have had to rely upon funds from the Emergency Employment Act for Planning staff. Even this funding has been modest, providing for up to one professional and one clerical position for each PDD.

At the time the Governor's Office was apprised of the availability of EEA funds for manpower planning, a fight erupted over which agency should receive the funds, the CAA's, the State Employment Security Agency, and the PDD's all wanted them. Upon a recommendation from the State Manpower Council, the Governor agreed that the PDD's were the most logical recipients for the EEA funds.

There has been little human resource planning in Arkansas; the State OEO leaped into this void. For example, three CAA's received a grant from the Federal OEO to engage in comprehensive human resource planning, including manpower planning, in a 14-county region which transects three PDD's. In addition, the Department of Labor designated three CAA's as secretariats under the old Comprehensive Area Manpower Planning program. (Since that time, this program has been abolished by DOL in favor of the new AMPB programs.) OEO has continued to provide funds to the three CAA's for manpower planning purposes, resulting in some PDD's having both the CAA's and the AMPB's engaged in manpower planning for the same area.

The Arkansas Commission on Crime and Law Enforcement is the designated State agency for Law Enforcement Assistance Administration (LEAA) purposes. The commission has created one metropolitan and four regional Criminal Justice Planning Councils (CJPC) which blanket the State. Each of the regional CJPC's includes two PDD's. The metropolitan CJPC includes the Little Rock-North Little Rock SMSA. Governor Bumpers, in his letter to the chairman of the Federal Regional Council, complained that the existing boundary arrangements contributed to a tendency for both the PDD's and the CJPC's to operate independently of each other. He cited as an example the fact that the CJPC's frequently overlooked the regional clearinghouse review function of the PDD's, and that the Commission

on Crime and Law Enforcement seldom enforced the regional review requirement. The Governor suggested that nine CJPC's be established to be coterminous with the eight PDD's and the Metroplan RPC, and that the CJPC's invite the directors of the PDD's and Metroplan to serve as members of the respective CJPC's.

Apparently, at least part of the Governor's request was met. According to the executive director of the Commission on Crime and Law Enforcement, the executive directors of the eight PDD's and the six RPC's have become non-voting members of the five CJPC's. The commission's executive director stated that part of the reason that there are only five CJPC's is a fund shortage. He stated that, even if funds were available, he would prefer to contract with the PDD's and RPC's to do criminal justice planning rather than to create additional CJPC's. He also described what is an apparently new procedure for handling applications requiring regional review work in the following manner: Applications from local governments for LEAA funds first go to the appropriate CJPC; if an application requires an A-95 review the CJPC's forward a copy to the appropriate clearinghouse for review and comment; after receipt of the comments from the clearinghouse the application is sent by the CJPC to the State commission. The CJPC's executive director said that there now appears to be fairly good coordination with the PDD's.

As part of the State government reorganization, the Arkansas Comprehensive Health Planning Council, which is the designated 314(a) agency, was placed in the State Planning Department. Each of the eight PDD's has been designated as the 314(b) agency for its region. Comprehensive Health Planning councils have been established in almost every PDD; and most PDD's have health planners on their staffs. The State CHP Council has the responsibility for the preparation of a State comprehensive health plan; yet because of the small size of its own staff, the State CHP Council has had to depend on the State Health Department and the Department of Social and Rehabilitation Services to a great degree for the preparation of state plans. Until recently, the State council had little authority or influence on the health planning activities of the PDD's. This situation was in part the result of a policy of the regional HEW office to deal directly with the district 314(b) agencies.<sup>3</sup> Because of the intense desire of the PDD's to obtain grants for health-related projects for their member governments (often to the detriment of serious comprehensive health planning), the State CHP Council has been able to obtain little planning assistance from its 314(b) agencies in PDD's.

An application for a health grant is reviewed first by the CHP council for the district in which the project is requested. Then it is passed on to the PDD board for review, which, in turn, forwards it to the State CHP Council in the State Planning Department. Because of

Table VII.1

**Proposed Budget  
White River Planning & Development District, Inc.  
(FY 1973)**

Local	\$ 76,000
EDA	45,000
HEW (CHP)	64,000
HUD (701)	38,000
ORC (Industrial Development)	12,000
Alcohol (I & D)	50,000
Drug (I & D)	9,000
Emergency Health	32,000
Health Education	25,000
Office on Aging	60,000
Minority Business	24,000
Mental Health (NCAMHC)	9,000
Rural Health	3,000
EEA	26,000
OEO (Special Plan)	10,000
Health Foundation	25,000
FMHA (W & S Plan)	10,000
Crime Commission (LEAA)	6,000
<b>TOTAL</b>	<b>\$448,600</b>

the absence of a State comprehensive health plan as such and because of significant political pressure from PDD's, there have been no negative reviews of health project applications by the State CHP Council.

Partly as a result of the situation described, there has been little real health planning in Arkansas at either the regional or State levels. The executive director of the State CHP Council said he believes that unless there was strong action from the PDD's in health planning in Arkansas, OEO would try to take over health planning under its human resources planning effort.

The Cooperative Extension Service (CES) has aligned its operations to conform substantially to the PDD boundaries. In each county, CES has an area resource development agent assigned to each of the eight PDD's. The area resource development agent coordinates the activities of the county agents and home economists in the region, provides staff and technical assistance to the county development councils, and serves as an *ex officio* member of the PDD board. According to a CES representative, many of the PDD's have indicated their willingness to expand their existing boards to include the chairman of the county development council for each county in the region. The county development councils have provided an excellent citizen participation network for the PDD's.

**FINANCES**

The PDD's each receive \$30,000 from the State each year provided the PDD can match that sum with an equal, non-Federal sum. This means that each PDD begins with a base of \$60,000 per year. That sum is then used by the PDD's to match Federal money, usually from HUD or EDA. Depending upon the particular situation in each PDD and the type of program being funded, the Federal matching requirement can vary from a 50-50 matching ratio to a 25 percent non-Federal, 75 percent Federal ratio. Therefore, the base of \$60,000 can be multiplied to as much as \$240,000 per year. In addition, if a PDD can convince its supporters that they should contribute more than the required \$30,000 matching sum, then the availability of Federal matching funds becomes even more significant. The PDD's also receive funds through direct grants and contracts from State and Federal agencies and from local governments. (See Table VII.1 for the proposed 1973 budget of the White River PDD.)

The RPC's receive no State funds. Their funding comes primarily from local contributions and HUD comprehensive planning assistance (701) funds. Even though the RPC's never actually have asked the General Assembly for funds, the lack of financial assistance from the State has been a sore point. This abrasive situation was one factor in the RPC's opposition to State-financed PDD's. The RPC's also receive grants and contracts from Federal and State agencies and from their member

governments. However, the lack of State appropriations hampers the RPC's financially by often prohibiting them from participating in programs requiring local matching funds. (See Table VII.2 for a summary of the 1969-1972 budgets for the Northwest Arkansas RPC.<sup>4</sup>)

**EVALUATION AND CONCLUSION**

The PDD's and the RPC's have not had the best of relationships. Disagreements have arisen and probably will continue to arise between the two groups over A-95 jurisdiction, regional planning authority, realignment, and other issues. It is difficult to generalize about the planning and development district versus the regional planning commission. For example, the executive director of the Western Arkansas PDD is also the executive director of the Arkhoma RPC, which assumes that the relationship between these two organizations is excellent. In the Little Rock area, a purportedly good relationship exists between the Metroplan RPC and the Central Arkansas PDD, even though each organization believes that it has A-95 review authority over Saline County (a part of the Little Rock SMSA), which has chosen not to join the Metroplan RPC. In stark contrast to either of those situations is the northwest Arkansas area where the Northwest Arkansas RPC and the Northwest Arkansas PDD are locked in a bitter fight over realignment. Perhaps the only accurate generaliza-

Table VII.2

**Summary of Fund Sources  
Northwest Arkansas Regional Planning Commission**

<b>1969</b>	
Local	\$ 44,454
HUD	33,014
<b>Total</b>	<b>\$ 77,468</b>
<b>1970</b>	
Local	46,700
HUD	32,750
FWQA Contract	12,860
Act 118	6,000
EDD Contract	1,000
EPA Contract	10,739
	<u>\$110,049</u>
Other	4,566
<b>Total</b>	<b>\$114,615</b>
<b>1971</b>	
Local	\$ 51,037
HUD	22,716
EPA Contracts	52,717
Act 118	6,000
EDD Contract	1,000
HUD	11,615
	<u>\$145,085</u>
Other	20,900
<b>Total</b>	<b>\$165,985</b>
<b>1972</b>	
Local	\$ 46,024
HUD	31,711
EPA (WQMS)	29,136
U of Ark. (In-Kind to WQMS)	21,897
	<u>\$128,768</u>
Other	23,878
<b>Total</b>	<b>\$152,646</b>

tion applicable to the relationships of RPC's and PDD's is that they are affected in almost every case by personalities of individuals directly or indirectly involved in the organizations and by the political climate in the region.

Both the PDD's and the RPC's appear to be doing a creditable job. That fact is going to make it difficult for

any effort to eliminate one in favor of the other. One possible solution to the problem of the RPC-PDD relationship might lie in an amendment to Act 118 which would permit the RPC's to reorganize as strictly metropolitan planning commissions. This, of course, would have an effect on the ability of an affected PDD to attract funds which were apportioned on a population basis. The Act might also be amended to permit the appropriation of State funds to assist the RPC's in competing with PDD's in rural areas of towns outside the metropolitan area. There did appear to be strong feeling, however, that the RPC's were best qualified to plan within the metropolitan area. We also got the impression from PDD representatives that even though they were generally less than enthusiastic about the existence of RPC's they felt there might be room for compromise. Legislation similar to that suggested above was proposed in Wisconsin addressed to a somewhat similar problem. The Wisconsin approach might prove helpful in Arkansas.

Regionalization of State services is slowly progressing. The reorganization of most of State government in Arkansas into a cabinet system under the direction of the governor should facilitate the process. Governor Bumpers has displayed a significant amount of support for regionalization and because of the reorganization is in a position to exert substantial influence in this regard. As has been the case in a number of the States we visited, those programs in which the State has merely acted as intervenor between the Federal government and local communities have caused problems for those attempting to move to regionalization of State programs. In Arkansas, OEO and LEAA are good examples. This problem seems to be an ironically frustrating one. Most of these programs are coordinated for the State through the Governor's Office. And in most states the Governor's Office is the agency responsible for regionalization. The source of the problem seems to lie in the fact that in spite of the support in governor offices and the Office of Management and Budget, the Federal agencies involved in many of these programs are simply not responding to regionalization.

Another important factor affecting regionalization in Arkansas is the fact that there has been no official division of the State into multi-purpose districts. Though the State is blanketed by PDD's, there has been no official designation of the PDD's as the official multi-purpose district organizations. Currently, the State Planning Department is reassessing this situation in order to be able to advise the Governor as to whether the eight regions over which the PDD's have jurisdiction should be the official substate districts or whether some other delineation might be more appropriate. For example, a suggestion that the State be divided into more than eight regions in order to accommodate the RPC's is being considered by the Planning Department.

## Footnotes

<sup>1</sup>This was inspired by the passage of amendments to HUD 701 legislation in 1968 authorizing "Non-Metropolitan" regional planning by economic development districts.

<sup>2</sup>It is probable that some or all of these agencies, which operate almost wholly from Federal funds, will also be transferred by Executive Order to the Department of Planning.

<sup>3</sup>The regional office of HEW gave special attention to Arkansas because it was the first State in the nation to be blanketed by CHP organizations.

<sup>4</sup>Note that the 1970 and 1971 NWARPC budgets contain \$6,000 items from Act 118. These were not State Act 118 grants to the RPC. They were instead funds granted to the Northwest Arkansas PDD which were in turn transferred by the PDD to the RPC because the PDD did not have enough local funds to match the full State grant, but the RPC did. That situation has not occurred since and it is not likely that it will.

# Georgia

## BACKGROUND AND STRUCTURE

In 1944, private and public leaders in Georgia began to focus on the potential of public planning and development to support a post-war economic recovery and future statewide economic growth. Most efforts to stimulate planning and development were aimed at the local government level.

There is a consensus among leaders in the private and public sectors that the Georgia Better Home Town Program initiated by the Georgia Power Company is the benchmark of planning and development for the State. This program was initiated in September 1944 to encourage local communities to prepare themselves for a progressive post-war recovery through self-help "paint-up, clean-up, and fix up" campaigns. It terminated in December 1954 with an impressive performance record. Over 400 communities had participated. Numerous public works, public facilities, schools, hospitals, clinics, churches, hotels, and motels were constructed, improved, or expanded. Fifty-two industrial development corporations and eight highway associations were formed. Perhaps of greatest importance the program was its do-it-yourself approach to community development and growth, which helped leaders to recognize the value of planning and zoning.

In 1955 a task force comprised of representatives from the Georgia Municipal Association, the Association of County Commissioners of Georgia (ACCG), Georgia Institute of Technology, and the University of Georgia was assembled to examine planning and zoning. This group concluded that a general law was required which would grant municipalities and counties permissive authority to engage, either separately or jointly, in planning and zoning. As a result of that decision, the Comprehensive General Planning Enabling Act was enacted in 1957, and a State Planning Division was established by the State Department of Commerce (now the Georgia Department of Industry and Trade). The State Planning Division's primary functions were to serve as the statewide focal point for local participation in Federal planning assistance programs and to provide technical assistance to local planning agencies.

The planning commissions existing when the new Act was passed had been authorized by constitutional amendments, legislation, or a limited planning statute (1946). Soon after the Planning Enabling Act of 1957 was passed, local leaders, the Department of Industry and Trade, other State agencies, business, and industry began to utilize it. By January 1965, over 180 local

planning agencies were organized and functioning throughout the State.

Georgia's first multi-county, non-metropolitan planning and development organization was formed in 1959. This action initiated the first complete multi-county substate planning and development district system in the Nation, although it was not until passage of Georgia Act 1066 in 1970 that every county belonged to a district. Each Georgia governor since S. Ernest Vandiver (1959-1963) has given active support to the concept of a substate district system.

The State Planning Division sponsored and conducted various studies designed to determine what kind of logical multi-county groupings might be used in delineating official, general-purpose, substate planning and development districts. In 1961 the division issued a report, *Determining Logical Regional Boundaries for Area-Wide Planning and Development in Georgia*, which recommended some factors which local power structures might consider when determining which counties to include in an Area Planning and Development Commission (APDC). The report was designed to serve as a preliminary guide for the preparation of a more comprehensive guide to district delineation. The factors suggested for consideration in the report included topography, water resources, soil conditions, transportation corridors, service areas and patterns, newspaper circulation, employment patterns, communication networks, urban economic (market) centers, and political boundaries. Five general rules of thumb concerning these factors were given as follows:

1. The spheres of influence of natural and cultural environmental factors should be taken into account.
2. Each substate district should lie within Georgia. (The need for interstate cooperative arrangements was recognized in certain instances, but no provision was made for multi-state APDC's).
3. The county should be the basic unit or building block and every county should be in only one substate district.
4. State senatorial districts should remain intact, as nearly as possible, with substate districts being defined to include one or more State senatorial districts.
5. The optimum size for a substate district should range between five and fifteen

counties, with a maximum distance of 100 highway miles between the farthest points in a district.<sup>1</sup>

Eighteen districts were established by local power structures under these guidelines.<sup>2</sup> Although the districts were recognized by the Governor, they were given no legal status.

A 1966 study conducted by the State Planning Division convinced Governor Carl E. Sanders (1963-1967) that a substate district system would be essential to a successful comprehensive statewide planning and development process. Governor Sanders recommended that the next General Assembly and the governor-elect give priority to the establishment of a Bureau of State Planning and Programming to be in the Executive Department. A legislative study committee drafted and submitted the suggested legislation, Act 123 (Georgia Laws, 1967) which the General Assembly passed by unanimous vote. Gov. Lester Maddox (1967-1971) signed the Act in 1967.

Act 123 recognized the Governor as the *ex officio* Director of State Planning and provided for a State Planning Office to be appointed by and to serve at the pleasure of the Governor. The Governor was required to "have in continuous process and revision a long-range Comprehensive Statewide Development Policies Plan . . ." This plan was to involve inputs from State departments and agencies, APDC's, local governments, and the Federal government. The plan was to be prepared by the newly created State Planning and Programming Bureau; its purpose was to "stress statewide goals, objectives, and opportunities." The General Assembly would review the plan at the beginning of each biennial legislative session.

Governor Maddox established an Area Planning and Development Advisory Committee by executive order in 1967 to make the State Planning Bureau aware of APDC opinions concerning area and multi-county planning and development. Composed of one APDC board member per district, this committee still provides the only formal mechanism for communication and coordination between the APDC's as a group and the State government.

The State Planning and Programming Bureau attempted to strengthen the APDC's by shifting all local planning assistance responsibilities from the State to them. Assistance in the preparation of local plans at the State level was discontinued.

The State Planning and Programming Bureau was reorganized and expanded in 1970 by Act 1066, which created a Bureau of State Planning and Community Affairs. The Act vested the new bureau with all the authority given to the former bureau by Act 123, and it clarified some responsibilities and added others.

Act 1066 created an 11-member State Planning and Community Affairs Policy Board comprised of six *ex*

*officio* members and five appointed members. The Governor was designated as its chairman. Other *ex officio* members included the State planning officer, an official of the Georgia Municipal Association, an official of the county commissioners association, and the chairmen of the House and Senate Appropriations Committees. The Act required the Governor to appoint three at-large members, and the Lieutenant Governor and the Speaker of the House to appoint one member each.

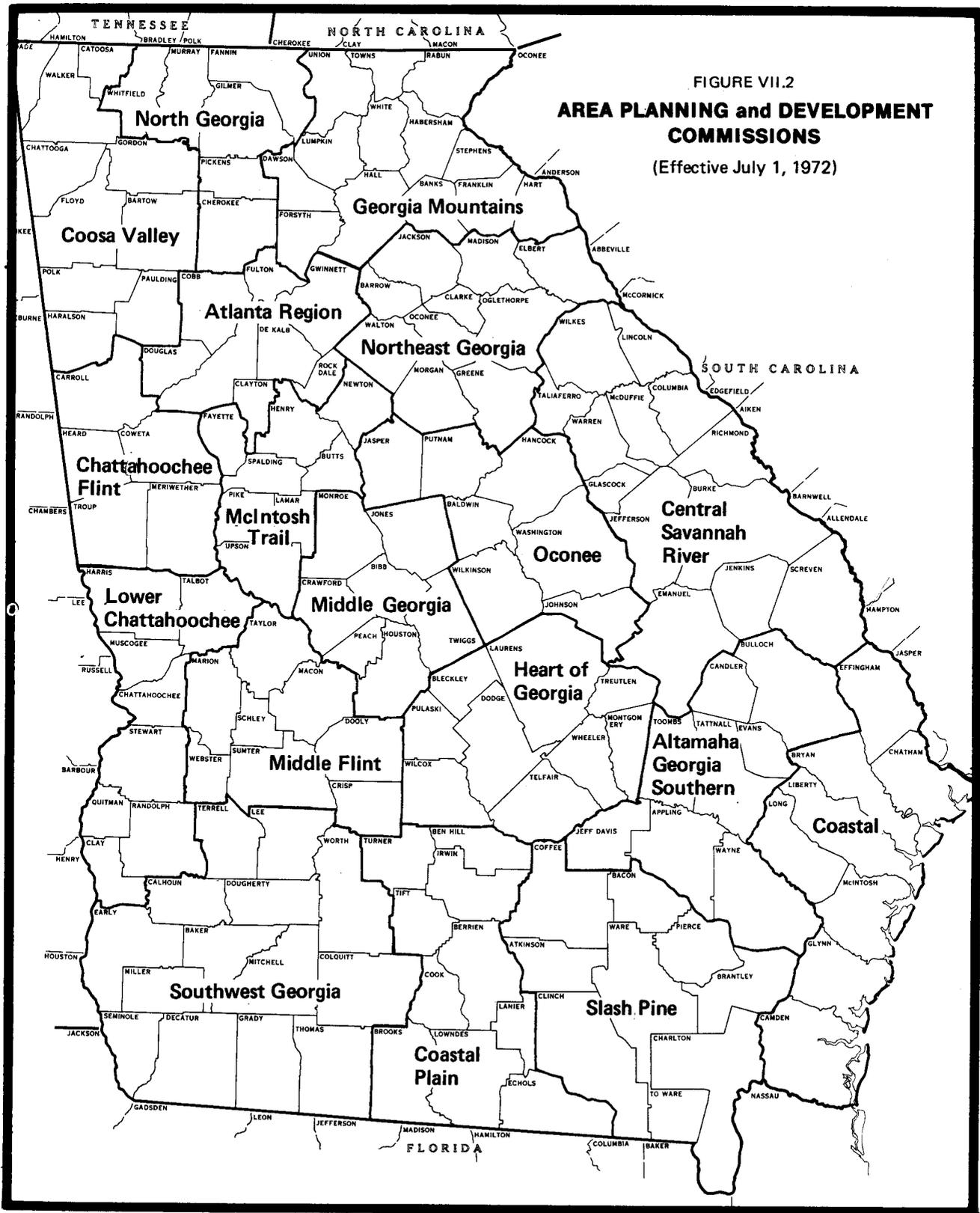
Further, Act 1066 mandated the policy board to establish APDC boundaries, in consultation with the APDC Advisory Committee, by the summer of 1971. The Act enumerated the responsibilities of APDC's, including review and comment on virtually every type of application for loans or grants, and recognized them as the keystone in the comprehensive statewide planning and development process. The new bureau was designated as the State clearinghouse for Federal programs and for review and comment, as outlined under OMB Circular A-95.

In mid-1971 the Georgia State Planning and Community Affairs Policy Board formally established substate district boundaries for each APDC in the State. The boundaries became effective on July 1 of that year; by law every Georgia county was now in a planning district. The legal action of the Policy Board concerning the APDC boundaries resulted in Resolution Number 2, as required by Act 1066. Gov. Jimmy Carter (1971-present), in his capacity as chairman of the board, endorsed Resolution Number 2. The resolution dissolved one district, assigning its counties to other districts, thus giving Georgia 18 substate districts, including the Atlanta Regional Commission (ARC), rather than 19. Shortly after the passage of Resolution 2, a local interest bill which called for the redesignation of the former 19th district and APDC was introduced in the General Assembly; Governor Carter vetoed the bill.

The Resolution establishing district boundaries includes the following statement:

That the Area Planning and Development Commission boundaries established by this resolution, or combinations or subdivisions thereof, be utilized insofar as possible as the State Regional Districts for delivery of services from and coordination with all State and Federal agencies and State and Federal programs administered or coordinated on a state regional basis. (Act 1066, Resolution 2, Georgia Laws, 1971).

Seventeen of the 18 APDC's were established through the adoption of local ordinances and resolutions, as provided for under the amended General Planning Enabling Act. This 1957 statute as amended in 1960 gives local general-purpose governments virtually total flexibility in the actual organization of APDC's. The



18th district, the Atlanta Regional Commission (ARC), was not granted the same formula for flexibility in organization as the other districts. ARC was created in a separate legislative act, Act 5 (Georgia Laws, 1971), by the Georgia General Assembly.

Act 5 mandates the creation of a metropolitan planning and development commission in each Standard Metropolitan Statistical Area in Georgia having a population greater than one million.<sup>3</sup> Currently, the Atlanta metropolitan area is the only SMSA in Georgia having a population in excess of one million. Act 5 is a general statute and therefore can be amended both to cover other APDC's which might develop and to give the Atlanta Regional Commission more authority. In fact, as a result of its provisions, ARC is the strongest regional council in Georgia and one of the most powerful in the United States.

The 1971 General Assembly mandated the Governor to direct and to implement the reorganization of the Executive Branch. In November 1971, the Governor recommended the consolidation of the existing 300 or so separate agencies, departments, boards, commissions, authorities, and other entities of the Executive Branch into 19 agencies. Those 19 agencies and the Governor's Office, according to the recommendation, would comprise the reorganized Executive Branch. Governor Carter specifically recommended the creation of an Office of Planning and Budget, to be directly responsible to the Governor, which would provide him with policy-making assistance in determining plans for meeting Georgia's needs and would establish a budget to implement those plans.

A Department of Community Development was proposed, and accepted by the legislature, but required voter approval and, accordingly, was scheduled for the November 1972 ballot. This department, based upon the Department of Industry and Trade, was to deal with total community development. Also, a Regional Planning Division was proposed to be that division of the Executive Branch which would supervise the preparation of area and local plans for comprehensive community development and to coordinate them with plans (prepared by the Office of Budget and Planning) which involved statewide development. Further, the Regional Planning Division, as proposed, would provide APDC's with technical and specialized assistance in both the development and implementation of comprehensive plans; these services would be extended to localities, counties, and regions, also. Governor Carter's recommendations were written into the Executive Reorganization Act, which was passed in April, 1972.

The State Planning and Community Affairs Policy Board met twice under the chairmanship of Governor Maddox. Governor Carter used the board once to establish APDC boundaries. After the latter meeting the board was abolished on the rationale that an administrative board should not stand between the

Governor and the planning-budgeting functions of the State government. Currently there is no formal mechanism linking the General Assembly with planning-budgeting workings of the Executive Branch. Governor Carter and his staff, including the director of the Office of Planning and Budget, now serve as the liaisons between the Georgia General Assembly and the planning-budgeting working of the Executive Branch.

The APDC Advisory Committee has been retained and is now attached to the Department of Industry and Trade. The transfer of local and regional (including APDC) planning responsibilities to the department met with stiff opposition from persons who believed that the department's economic missions would overshadow or co-opt planning. Opponents were concerned over the separation of local and regional planning from statewide planning. Advocates of the consolidation argue that local and regional planning will not be weakened and that these planning inputs to statewide planning can be assured by gubernatorial direction, the planning process, and clearinghouse review and comment activities.

Most individuals in the Georgia power structures who have been part of the evolution of Georgia's wall-to-wall, substate planning and development district system believe that the success of the system can be attributed to its grass-roots character. The delineation of each district and the establishment of each APDC, including ARC, have involved local power structures. Local leaders of all sorts have had the opportunity to express their findings on substate districting from the beginning of the movement to such a system. Even though there are differences of opinion among the various local power structures, there is also an obvious and strong sense of local identification with the districts and the APDC's.

It is significant that Georgia's district system resulted from a recognition of the positive potential of a multi-county approach to development in all areas. This recognition originated at both the local and State levels some three decades ago—well before Federal incentives and requirements for States to initiate substate districts started similar districting efforts in other States. APDC memberships are characteristic of this local motive: There are no State officials as members nor are members appointed by the Governor or State legislature.

Georgia's commitment to the general purpose of substate planning and development is growing stronger. Governor Carter has encouraged every State department, agency, and instrumentality to adopt the 18 districts for administrative and service delivery purposes.

Some APDC officials and other persons familiar with the political workings of Georgia believe that the policy board's delineation of substate district boundaries marked a turning point in State/local relations. Act 1066 gives the State government the authority and responsibility to establish or to alter substate district boundaries. There is evidence that some local elected officials resent

the shift away from "local self-determination" which Act 1066 has brought about. On the whole, however, officials of both APDC's and local governments seem satisfied with the State's newly designated and authoritative role in determining substate district boundaries and with the way those districts are working.

## ACTIVITIES

Since the 11 APDC's established under the General Planning Enabling Act of 1959 are subject to Act 1066 (1970), they must adhere to requirements for organization, structure, and program content. APDC's are authorized to adopt by-laws; elect officers; hire staff; cooperate with, contract with, or accept funds from Federal, state or local, public or private agencies; expend funds; and engage in almost any type of cooperative undertaking or program. APDC's do not possess police powers and cannot levy taxes. They are voluntary-membership advisory bodies that cannot bind participating member governments to a plan, program, or any action recommendation.

Act 1066 requires each APDC to provide through by-law provision for the selection of commission representatives. However, there must be a minimum of one representative from each county and a representative of at least one municipality within each county on the commission (formerly a typical pattern of representation from commission to commission). A large number of APDC's have instituted general deliberative bodies composed of two members from each county, one who represents county government and the other municipal government. Those APDC's designated as Economic Development Districts (EDD's) strive to have general deliberative bodies with representatives drawn from the private sector, including minority groups, as well as representatives from general purpose governments. A few APDC's use a form of proportional representation.

Many APDC's make extensive use of advisory committees in order to satisfy Federal requirements. For example, the Department of Commerce, through the Economic Development Administration, requires that representatives from business, industry, labor, and minority groups participate in the affairs of an APDC. This pattern of representation is required if an APDC is to be designated as an economic development advisory district. Economic development advisory councils have been used freely as a means of satisfying this requirement.

Locally elected officials and APDC executive directors express the opinion that the primary mission of an APDC is to provide services to member governments. The vast majority of local officials and executive directors consider APDC's as extensions of local government which can help to stimulate economic growth and development in their particular districts.

Every APDC engages in regional and functional

planning, but the extent to which functional planning is carried out varies widely. Most districts engage in local, or sub-district planning, for member or nonmember governments.

APDC work programs traditionally have given high priority to overall economic development for their districts, which includes the preparation of an overall economic development plan; to manpower development projects; and to local planning assistance designed to aid local governments in obtaining Federal grants for public works and facilities. APDC work programs remain sensitive to Federal funding availability and to other targets of opportunity. Some persons who are active in APDC affairs suggest that a direct correlation exists between APDC work programs and Federal funding priorities. A State official noted that, in his opinion, "Available Federal support has led APDC's in designing their work programs and has also led State government in using APDC's for Federal program purposes and to meet Federal planning requirements."

Under Act 1066, each APDC must carry out the following major activities on a continuous basis:

1. Review and comment upon all applications by units of local government within the district to state, federal, quasi-government, or private agencies for loans or project grants.
2. Prepare an area biennial development program and update the program annually. The program must include analyses of area development and an evaluation of prior-year programs, objectives of current and recommended programs or projects, six-year schedules of capital improvements within the district and other major program expenditures and activities based on a priority rating system, and recommendations for realizing economies and improving efficiency. Each APDC must conduct at least one annual public hearing on its proposed programs or major projects.
3. Prepare a district development forecast that extends beyond the area biennial development program and includes land use, housing, transportation, commerce, industry, recreation, forestry, agriculture, tourism, human resources development, and urbanization patterns.

None of the APDC's has met the requirements for the area biennial development plan. This important building block for the State development plan process has not yet been created.

State departments and agencies rely heavily upon APDC's in matters concerning Federal planning requirements. Most APDC's are preparing portions of the

various statewide plans and programs associated with Federal planning requirements for grants-in-aid to local governments. Yet it is significant that law enforcement and criminal justice planning offers the only example of *uniform* APDC participation in the planning associated with any State-administered program.

A draft 1972 position paper being circulated by a task force of the Georgia Regional Executive Directors Association (GREDA) recommends that the program structure for APDC's be comprised of the following six categories:

1. Local Services
2. Areawide (i.e., Regional) Planning
3. Program Administration
4. Coordination of State Services
5. Joint APDC Planning
6. Role in State Planning

The Central Savannah River APDC provides a good point of reference; it carried out projects in the first three of the specified categories during the 1971-72 fiscal year.

### Local Services

In the Central Savannah River District local services are designed to give direct assistance to member and nonmember governments as well as to quasi-public and private sector organizations. The preparation of local planning elements, economic base studies, community facilities planning, capital improvement programming, and technical assistance related to State and Federal grants offer examples. This APDC has prepared highway classification plans for each county in the district. Other examples of local services provided by the Central Savannah River APDC are as follows:

- Preparation of grant applications for local governments.
- Representation of local governments before State and Federal departments and agencies.
- Implementation of the Intergovernmental Personnel Act through the development of a Regional Personnel Consultant Program designed to provide technical assistance to smaller local governments.
- Sponsorship of training programs, including a Public Service Careers Program which resulted in some 100 low-income group persons being employed by local medical institutions.
- Preparation of those local planning elements required to obtain Federal grants for water and sewer facilities, solid waste facilities, and local Emergency Employment Act projects.

### Areawide Planning

In the Central Savannah River District, areawide planning includes such functions as transportation, housing, manpower development, law enforcement and criminal justice, social services planning, outdoor recreation, and open space.

The APDC is participating with State agencies in the development and updating of the district portion of the State Outdoor Recreation Plan and the State Airport Inventory and Master Plan. The APDC has completed a solid waste management plan and has assisted the Georgia Power Company in the preparation of an environmental impact evaluation for a license application submitted to the Atomic Energy Commission for the operation and construction of a nuclear facility in the district.

### Program Administration

APDC is involved in the administration of State or Federal-State planning and action programs, including solid waste management, building inspection, centralized computer services, and housing.

The Central Savannah River APDC is assisting the Georgia Department of Labor in the administration of Emergency Employment Act funds. Further, in conjunction with the Georgia Department of Revenue, the APDC is carrying out a pilot project to demonstrate land-use classification, and to increase the effectiveness of property valuation and taxation.

### Coordination of State Services

This refers to the use of APDC's to improve and facilitate the delivery of certain State services to individuals and to organizations. The Central Savannah River APDC is attempting to improve State-district-local coordination with regard to manpower services, senior citizen programs, child care development, library facilities, and law enforcement training.

### Joint APDC Planning

This program is in effect on a pilot basis in several parts of Georgia. Three APDC's are working together on a comprehensive health planning program and six others are working jointly on a highway corridor study. Regional pollution abatement, tollroad corridor studies, and river basin planning offer additional possibilities for joint APDC undertakings.

### Role in State Planning

APDC's have been and are expected to remain the foundation as the State continues to move toward a statewide planning and development process. Each

APDC is required by law to prepare an area biennial development program; as stated earlier, however, these programs are not being prepared.

APDC's find themselves in a strong intergovernmental position as the domestic thrust of the current National administration and Congress continues to emphasize general and special revenue sharing; community development bloc grants; and new approaches to rural community development, land use, and environmental protection. The role of State government is expected to increase substantially as Federal legislation is enacted. Intergovernmental funding and program relationships also are expected to become increasingly complex as more emphasis is placed upon regional considerations.

Existing enabling legislation does not authorize APDC's to carry out governmental functions. There is latitude, however, for APDC's to initiate and to engage in holding company sorts of arrangements. An APDC can initiate the establishment of an operating entity whose purpose is to carry out programs and to provide services on a substate district or sub-district basis. Interlocking directorates, budget processes, program requirements, and other techniques could be employed to tie the operating entity to its parent APDC.

There is no typical pattern with regard to the staffing of APDC's. A number of them have had only one executive director since their establishment. The executive directors reflect many different backgrounds in terms of education and experience.

There has been a steady trend since the late 1960's for APDC's to expand their professional staffs in both size and breadth of program expertise. Many new Federal programs and changes in Federal priorities have stimulated the development of what some people call "pockets of expertise" in law enforcement, health services, housing, transportation planning, manpower development, and economic development. Professional staff members with such specialities have been recruited to satisfy Federal requirements or suggestions. There is a direct relationship between Federal funding availability, requirements, or suggestions and the level and type of APDC staffing. The level and type of staffing also reflects the non-metropolitan or metropolitan character of the district served.

### Atlanta Regional Commission

The Atlanta Regional Commission (ARC) differs from the other districts. ARC encompasses the States largest city, which is the State Capitol. The Atlanta region's 1970 population was 1,390,000. The metropolitan area encompasses five counties and 45 municipalities. Atlanta's population is over 55 percent black; by contrast, the five-county population is approximately 77 percent white. ARC is unique in that a legislative act, Act 5, specifies its creation, organization, membership,

functions, and financial base. Further, ARC is a unique governmental entity akin to both a council of governments and a metropolitan government.

State Representatives Howard Atherton and Gerald Horton, key figures in the House Caucus on Urban Legislation, were the principal architects of Act 5. Its passage culminated a five-year effort on their part. The Urban Caucus is dedicated to protecting urban/suburban interests in Georgia's rurally dominated General Assembly. Established in 1969, its membership is made up of State legislators from the 18 counties which contain 60 percent of the State's total population. Atherton and Horton are its only officers, acting as chairman and secretary.

Representative Atherton served as chairman of the Metropolitan Atlanta Council of Local Governments (MACLOG). He was instrumental in having MACLOG's by-laws changed to include State legislators on the general deliberative body, primarily because of his concern that MACLOG and the Atlanta Regional Metropolitan Planning Commission (ARMPC) were not engaged in the dynamics of problem-solving and decision-making.<sup>4</sup> Horton was appointed to MACLOG as a State representative. As a member of the Georgia Assembly, Atherton took on the task of restructuring MACLOG, ARMPC, and other regional planning agencies to make them an umbrella agency which could house these and other regional planning bodies.

The 12 locally elected officials who serve on ARC (six by virtue of office and six by peer-group election) held their first official meeting July 6, 1971, and elected 11 citizens to serve on ARC. One citizen was selected to represent each of the 11 districts drawn by State legislators within ARC's service area. The largest district contained a 1970 population of 128,339, while the smallest had a population of 123,827. District lines reflect a number of political compromises and cross-city and county boundaries. Three of the citizens elected were black; there was one black on the commission previous to this addition. The fact that only four out of the 23 ARC members (17 percent) were black sparked criticism from minority leaders who said that blacks should make up 22 percent of the commission since they constitute about 22 percent of the five-county population.

The issue of minority representation delayed the General Assembly's creation of the district into an umbrella agency. The executive director of the Atlanta Urban League attacked the umbrella proposal, calling it "an invidious and crippling form of sophisticated plantationism." Atlanta's black vice mayor opposed the measure and charged that the umbrella agency would be in a position to affect the city adversely through its review and comment authority. He urged proportional representation for blacks as a condition for passage of the bill. Black State Representatives Julian Bond and Ben Brown supported the umbrella bill, because it

provided a logical way to reduce planning fragmentation and to expand future options for city residents.

Most black leaders in Atlanta still believe that their interests are under-represented on ARC. One official stated his concern that the politics of prior association are operative in ARC. He pointed to the fact that the "ARC's executive director served on the organization committee and he appointed a fellow committee member, along with a University of Georgia official who had worked closely with the Committee, as department heads." A black leader from the private sector expressed disappointment over the fact that no black has been appointed to a strong and visible position with ARC. This person believes that the ARC has a great deal of potential, if it does not become "a haven for suburban racists." All ARC staff and officials admit to a sensitivity to the question of black representation on the general deliberative body and staff, and each indicated that he would like to see more minority representation, if the local officials serving on ARC were in accord. Concern over representation is great, both from black leaders and from Atlanta city officials. As one city official indicated, "Atlanta could be out-manuevered, if not out-voted, on ARC, because there are not enough city aldermen on ARC." A case in point is that the Atlanta airport could be taken over by ARC or by a regional holding company which the ARC might initiate.

The ARC organization committee recommended a two-stage approach to consolidating the planning agencies in the area. Based on these recommendations, ARC absorbed ARMP and MACLOG shortly after an executive director took office in October 1971. The Metropolitan Atlanta Council for Health (MAC Health) and the Atlanta Area Transportation Study Policy Committee (AATS) were absorbed by ARC effective January 1, 1972.

ARC is the official review and comment agency for the five-county metropolitan area. In addition, Douglas and Rockdale Counties came under ARC's review and comment purview, effective July 1, 1972. This places the agency in a strong position in terms of intergovernmental relations. As one ARC staff member noted, "ARC will be the center point for intergovernmental relations, since we have A-95 authority and the skill to handle complete Federal grants programs."

ARC enjoys a close working relationship with the State of Georgia. The Highway Department has agreed to recognize ARC's transportation planning to satisfy State and Federal requirements. A three-way agreement between the Highway Department, the Metropolitan Atlanta Rapid Transit Authority (MARTA), and ARC strengthens ARC's policy leadership role. This joint work agreement marks the first instance in which all transportation in the Atlanta area has been pulled together under one program. An ARC staff member expects the commission to concentrate on setting a regional transportation policy. This was ARC's first

major attempt to demonstrate its capacity to serve as the focal point for intergovernmental coordination, and policy formulation has proved successful.

ARC voluntarily assumed a leadership role in the settlement of a long-standing intergovernmental controversy over land use in the Chattahoochee River corridor. Numerous environmental groups, local governments, Federal programs, and State agencies were involved. The general deliberative body instructed the staff to prepare a comprehensive land-use plan and Regional Development Guide for the corridor. They were completed on schedule and approved by ARC's policy board in July 1972. A State legislator believes that the General Assembly now must consider giving ARC a strong financial role with regard to parks in the corridor. He says that a successful regional park program would give ARC an instant winner image.

ARC is in a favorable financial position. Under Act 5, member governments are required to provide a revenue base according to a formula. ARC has the ability to generate between \$450,000 and \$500,000 annually from local member governments. Regional appropriations from the five member counties and the City of Atlanta amount to \$440,400 in support of the FY 1972 budget. The future addition of Douglas and Rockdale Counties would increase this amount by some \$25,000. One ARC staff member noted, "It is difficult to keep a handle on the budget since Federal agencies want to give us more program money than we have applied for." A private sector leader observed, "ARC is being deluged with program funds. Everyone is responding to the new image and wants to get in on the ground floor." This person referred to the Department of Transportation's announcement in June 1972 that ARC would receive over \$1.3 million in 1973 for urban mass transportation planning.

ARC enjoys strong support from the private sector throughout the metropolitan area. Following an unsuccessful 1970 attempt to create an umbrella agency, Representative Atherton and other advocates called upon private leaders for support. A group comprised of Atlanta's power-structure leadership was assembled to help promote the umbrella concept. State legislators from the metropolitan area spoke to civic and business groups on behalf of the legislation. Black professionals were enlisted in support of the approach. These efforts contributed to the passage of Act 5.

One of the unique aspects of ARC is its broad legislative mandate relative to the types of functions and services that it can carry out. ARC is moving rapidly to recast the functions and programs inherited from the absorbed planning agencies into its own image. Further, the commission is demonstrating a willingness and a capacity to assume major State and Federal program planning responsibilities.

Priorities are not easy to isolate at this time. It has been estimated that a full year of operation is needed

before priorities can be set realistically. Some of the major responsibilities carried over from agencies absorbed into the metropolitan planning commission are as follows:

- reappraisal and updating of the Regional Development Plan;
- development of a comprehensive health plan;
- regional solid waste management plan;
- rapid transit impact studies;
- Atlanta high-crime-rate impact studies;
- updating the Metropolitan Airport System Study;
- carrying out a law enforcement and criminal justice planning program;
- administering a review and comment process.

ARC appears to be moving slowly with respect to social services planning. An ARC staff member predicted, "Our role will be largely one of liaison services." Yet another staff member believes that ARC will take on more social programs, such as the manpower planning program, in an active capacity.

There is speculation that ARC will be able to do a better job with comprehensive health planning and programming than was accomplished by its predecessor, MAC Health. ARC is thought to have more clout with county commissioners, and it is anticipated that policy decisions can be reached through ARC. Further, ARC is organized to relate health to other social-service programs better than were MACLOG and MAC Health.

The commission is active in law enforcement and criminal justice planning. One ARC staff member states that ARC will play a strong role as a catalyst in this area. This individual said, "MACLOG stimulated the establishment of METROPOL to train police officers. When the State Police Academy was established, METROPOL gradually phased into the Academy. I see ARC continuing this approach."<sup>5</sup>

## RELATIONSHIPS AND COORDINATION

Governor Carter believes that Georgia is moving toward a policy of regionalism. He sees regionalism as being broader than the substate district system. He noted that his strategy is to encourage continuously State departments and agencies to use the APDC's, and at the same time to encourage local officials to seek out a stronger role for APDC's. Governor Carter indicated that he is willing to help obtain more authority for APDC's as soon as local officials demonstrate support. The Governor mentioned solid waste, special educational programs and facilities, regional law enforcement facilities, and transportation as logical State program interests which should be considered within the context of APDC boundaries. He predicted that some APDC's will be given

increased authority to mount or to stimulate regional operating programs, and that special districts and authorities also will be created in response to local political desires.

Georgia's current policy on regionalism appears to be both positive and pragmatic. The APDC system continues to focus attention on regionalism, and ARC is expected to have a major impact on State policies.

Georgia Act 1066, which mandated the APDC's and their boundaries, also provided for a standing committee in State Planning and Community Affairs in the Georgia House of Representatives. The committee has provided legislative continuity to the regionalization thrust. Through its subcommittees visits to the APDC's, the committee reviews their programs and seeks to strengthen their role as a coordinator of local government efforts and interests. Representative Horton, one of the authors of Act 1066 and the ARC Act, is vice chairman of the committee's subcommittee on Local Government Finance and Regional Organizations.

The Georgia Department of Industry and Trade has been the perennial pacemaker at the State level in making use of APDC's for planning and program purposes. The department's Industry Division, especially the Community Development Section, maintains close relationships with APDC's and encourages their participation in State and Federal-State programs whenever possible. The Community Data Section of the Research Division prepares community economic development profiles on over 400 communities in cooperation with APDC's and with local Chambers of Commerce, the Tourist Division works closely with APDC's in attempts to promote district tourist programs, expand facilities, and extend average lengths of stay of tourists in the State.

The Department of Industry and Trade and the Office of Planning and Budget intend to continue the practice of sponsoring training sessions, institutes, and workshops for APDC officials and staff. APDC's have been used to mount community development, research, and technical assistance programs for HUD Title VIII and IX purposes.

Governor Carter is urging State departments and agencies to consider placing staff members in APDC's to carry out State programs and projects. The possibility of APDC staff serving as auxiliary staff to State departments and agencies also is being considered. There is evidence that as the professional quality of staff in the APDC's continues to increase, certain State departments and agencies will recognize their program work in lieu of State program work. For example, the State Highway Department recently agreed to recognize the professional work being done by ARC's transportation staff as meeting State requirements. As a result the department is willing to allow ARC's staff to serve as a substitute, in effect, for State staff in this area.

Several APDC's are participating in State efforts with regard to the Federal Intergovernmental Personnel Act. Several APDC's have expressed a desire to take advantage of the personnel mobility feature of that Act to obtain Federal and State professional staff members with particular expertise on a temporary duty assignment basis.

Governor Carter believes that it was wiser for him to recommend the use of APDC boundaries to State agencies than to try to improve the use of APDC's through an executive order. He noted that State agencies must be encouraged steadily to use APDC's so that the value of cooperation will become engrained into a new process. The Governor is process-oriented and apparently hopes to put a series of processes in motion before he leaves office in January 1975. The use of APDC boundaries for the purpose of uniformity in property tax assessment is being considered. Governor Carter specifically cited this as an example of how APDC's can be used for a State purpose. He said that APDC's could provide a central source of tax records, computer backup, and technical expertise to Georgia as a whole.

Georgia's substate district system has been utilized whenever feasible in conjunction with Federal programs calling for multi-jurisdictional planning and administration. The wave of Federal legislation and administrative policies, beginning in the mid-1960's, which require the establishment of multi-county or multi-jurisdictional planning agencies found many States unprepared to respond. Georgia's substate district system was well underway, and the APDC's, which were staffed and functioning, became instruments which were able to take advantage of new Federal programs immediately. Legislation will be proposed during this session of the Georgia legislature to mandate APDC's as the agency for any Federally assisted areawide planning.

The first Federal program to be administered within the district boundaries in Georgia was the Economic Opportunity Program. Early in 1965, at the request of Governor Sanders, the Office of Economic Opportunity designated APDC's as regional community action agencies (CAA's) for administrative and program purposes. Some of the first OEO grants awarded went to APDC's to help to finance programs in their member counties. As a result of difficulties with Federal OEO guidelines, APDC's have relinquished the OEO programs to the appropriate community action agency.

APDC's established human relations advisory committees in the mid-1960's as a means of obtaining CAA designations from OEO. Later OEO ruled that this type of arrangement was inadequate and that minority group representatives should be allowed to have a direct voice on APDC general deliberative bodies. Several APDC's made adjustments through by-law revision, others severed their relationships with OEO, and, in a few cases, OEO decertified APDC's as eligible grant applicants. OEO subsequently recognized new multi-county CAA's orga-

nized on a different territorial basis than APDC's. The State of Georgia and affected APDC's protested to the President, Congress, and OEO.

The Appalachia Regional Development Act of 1965 authorized the establishment of multi-county development areas, termed Local Development Districts (LDD's). The Federal-State Appalachian Regional Commission recognized the APDC's in the Appalachian portion of Georgia as LDD's. This action created a temporary dilemma. Georgia's 35 Appalachia counties were within the service areas of five separate APDC's. All counties in two of the APDC's were designated as Appalachia counties. The other three APDC's contained only six Appalachia counties among them. In most states the practice was to delineate LDD boundaries to include only counties defined by the Appalachia Regional Commission as being eligible for Appalachia funds, i.e., Appalachian counties. If this practice had been adopted in Georgia, the LDD boundaries would have had to slice across APDC service areas. To avoid this, it was decided that all five APDC's containing Appalachia counties would be designated as LDD's; each designated APDC received Federal funds for project planning shortly after that decision.

The Public Works and Economic Development Act of 1965 authorized the establishment of multi-county Economic Development Districts (EDD's) and specified criteria which county groupings had to satisfy in order to be designated as an EDD. Governor Sanders requested the Economic Development Administration to designate 12 APDC's as EDD's. EDA has provided backbone financial assistance to these APDC's through grants for economic development planning and demonstration projects.

The Farmers Home Administration agreed to utilize APDC's to prepare areawide water and sewer plans, even though multi-county planning was not required by Federal statute in this case. Recognizing the disadvantages of dealing individually with several hundred small communities, FHA officials authorized APDC's to submit grant applications covering all eligible communities within an APDC service area. The first FHA grant awarded in Georgia to help small communities prepare comprehensive water and sewer plans went to an APDC. This practice continues, and most APDC's provide an expanded range of technical assistance to small communities and rural counties.

The State of Georgia relied upon the APDC's to serve as the basic substate apparatus with regard to the 1968 Omnibus Crime Control and Safe Streets Act and other Federal legislation requiring the development of a statewide planning system or process and the preparation of local plans or programs on a multi-county or multi-jurisdictional basis.

The APDC system is particularly well suited to accommodate the review and comment requirements stemming from Section 204 of the Demonstration Cities

and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968. Act 1066 requires each APDC to "... review and comment upon applications by units of local government within the area to state, federal, quasi-governmental, or private agencies for loans for project grants..." This broad extension of the review and comment process by the State legislature greatly strengthened the role of APDC's in intergovernmental relations.

APDC's continue to work closely with the private sector throughout Georgia. Representatives drawn from business, industry, and labor serve on the general deliberative body of each APDC. In addition, APDC's directly involve leaders from the private sector in their affairs through advisory committees. Leaders of the private sector interviewed in conjunction with this study endorse the APDC's enthusiastically. Only a few of the public and private sector officials interviewed suggested that APDC's should increase their services (e.g., data and technical assistance) to the private sector.

One opinion expressed by some State legislators and former State officials is that many APDC's are awed by the private sector. This aspect causes concern because it appears to some officials that APDC's have been manipulated by private corporations for their own gains in terms of planning, citizen education, and lobbying. Most present State officials say that APDC's should encourage private sector activity in matters of economic development, housing, and employment opportunity.

## FINANCE

APDC's receive financial support from participating municipalities and counties through contributions based primarily upon an established assessment rate per capita population. The annual rate per capita is worked out by each APDC in accordance with its by-laws or other policy guidelines. The general range is from ten to twenty-five cents in the more populated areas and from twenty-five cents upward in the less populated areas. Table I indicates that, as of November 1970, local contributions ranged from \$66,861 for the Southwest APDC to \$16,091 for the McIntosh Trail APDC. Table VII.3 does not include ARC, whose 1972 budget includes \$440,400 derived from "Regional Appropriations" (i.e., local government contributions). The formula for regional contributions is county-based, with the exception of the City of Atlanta. Atlanta's share of the 1972 regional appropriations amounted to \$91,568; DeKalb County's was \$121,298, with the other four member counties contributing the balance (about half the total appropriation).

A grant-in-aid planning assistance program was included in the 1961-1962 budget request submitted by the Department of Industry and Trade (then the Department of Commerce). The Georgia legislature subsequently approved a grant-in-aid program to be

administered on a matching basis. By 1966 the annual grant-in-aid appropriation was just under \$500,000. The State's policy was to match local support to an APDC up to \$40,000 annually. The criteria an APDC must meet to qualify for an annual grant stem from a 1965 policy, which required APDC's to show evidence that they adhered to the following guidelines:

- 1) Were organized under the General Planning Enabling Act of 1957, as amended (special provision was made in the case of the Atlanta area);
- 2) included at least five counties within their planning jurisdiction;
- 3) were a functioning body carrying out a long-range program with office facilities and at least a qualified full-time director approved by the department;
- 4) had obtained local funds in an amount of not less than \$15,000 per year to pay the director and support activities;
- 5) would expend State funds only for comprehensive planning, research studies, and other studies approved by the department;
- 6) would furnish the department with an annual report, indicating how State funds were expended and the results realized.<sup>6</sup>

The State policy guidelines have been modified periodically, allowing greater flexibility to those APDC's least able to raise local funds and to increase the maximum level of State support. The State ceiling was set at \$50,000 for FY 1970-1971 and currently is set at \$65,000. Table VII.4 indicates that as of November 1970 eleven APDC's were receiving the maximum \$50,000, and one APDC was slightly under \$50,000. The Atlanta Regional Metropolitan Planning Commission was receiving State assistance in excess of this amount through special arrangements.<sup>7</sup> The remaining six APDC's were receiving between \$32,500 and \$41,000.

Like local governments, the State may provide APDC's with special-purpose cash or with in-kind services. ARC's 1972 budget, for example, included \$15,000 in State funds earmarked for the Chattahoochee River Study. Many APDC's have received contributions of in-kind services for Federal grant matching purposes from various State agencies and through the university system.

APDC's rely upon a wide variety of Federal assistance programs for annual financial support. During their formative period the APDC's relied principally upon the Appalachian Regional Commission, OEO, the Departments of Housing and Urban Development, and Commerce (Economic Development Administration, and Agriculture (Farmers Home Administration) for Federal

Table VII.3

**Georgia Annual  
Grants-in-Aid to  
Area Planning and Development Commissions  
1970-1973\***

Fiscal Year	Total Dollar Amount
1970	\$ 844,934.13
1971	890,819.17
1972	1,173,898.85
1973	1,170,000.00
<b>Grand Total</b>	<b>\$4,079,552.15</b>

\*Figures furnished by Department of Industry and Trade, July, 1972.

financial assistance. While these departments and agencies still contribute heavily to APDC's, the Federal planning assistance programs that emerged in the late 1960's have altered the Federal funding mix. ARC's 1972 budget, for example, reveals that the Department of Health, Education and Welfare will contribute \$180,074 for comprehensive health planning through the State Department of Human Resources and \$104,724 for family planning.

State and local officials interviewed had few comments regarding the possible impact that Federal general and special revenue sharing and Federal bloc grants will have on APDC's. Several officials did say that the State must exert leadership in order to ensure that APDC's are not undercut by general revenue sharing to municipalities and counties. These same officials also believe that APDC's should and will be the keystone for special revenue sharing and bloc grants for community development.

Table VII.4

**Source of Financial Support  
For Area Planning and Development Commissions  
State of Georgia  
(As of November, 1970\*)**

APDC	Fiscal or Calendar Year	Total Budget	H.U.D. (701)	State Grant	Local	Other**
Altamaha	CY69	\$ 65,321	\$ 19,945	\$ 33,188	\$ 18,188	\$ 14,000
Central Savannah River	FY70	217,700	40,530	50,000	40,744	86,426
Chattahoochee-Flint	CY69	141,613	—	50,000	37,359	54,254
Coastal	FY70	189,913	—	36,000	20,913	133,000
Coastal Plain	CY69	168,037	7,615	49,566	44,856	66,000
Coosa Valley	CY70	219,387	—	50,000	66,567	102,820
Georgia Mountains	FY70	282,900	34,000	50,000	42,000	156,900
Georgia Southern	FY70	105,199	—	50,000	35,449	19,750
Heart of Georgia	FY70	354,002	21,718	41,000	26,000	265,284
Lower Chattahoochee	FY70	138,143	—	50,000	45,404	42,739
McIntosh Trail	CY69	63,589	—	35,498	16,091	12,000
Middle Flint	CY70	133,435	42,585	32,529	17,471	40,850
Middle Georgia	FY70	221,708	42,027	50,000	61,776	67,905
North Georgia	FY70	159,890	—	50,000	44,000	65,890
Northeast Georgia	CY69	243,520	23,340	50,000	45,000	125,180
Oconee	FY70	132,087	—	38,544	23,544	69,999
Slash Pine	FY70	209,350	60,680	50,000	43,500	55,170
Southwest	FY70	217,949	38,088	50,000	66,861	63,000
<b>Total</b>		<b>\$3,283,743</b>	<b>\$330,528</b>	<b>\$816,325</b>	<b>\$695,723</b>	<b>\$1,441,167</b>
<b>Percent</b>		<b>100</b>	<b>10</b>	<b>25</b>	<b>21</b>	<b>44</b>

\*Excluding Atlanta Region

\*\*Federal, State, and Local

Source: Georgia Department of Industry and Trade, July, 1972.

ARC's FY 1972 budget, as amended, totals \$2,784,512. In addition to the \$440,400 in regional appropriations, ARC received \$80,000 in State funds. The balance will be derived from member and non-member governments for technical assistance or matching purposes and from six Federal sources. As of July 6, 1972, the total amount of Federal funds anticipated was \$2,103,181.

## EVALUATION AND CONCLUSIONS

There is considerable evidence that Governor Carter, State department heads, and members of the Urban Caucus view regionalism as a process that involves State financing, legislative action, and political leadership. The APDC system is seen as an essential sub-process, but not as an end in itself. For instance, more State financial aid to the regional bodies and local governments is desired by some local leaders. Others believe that there should be more leadership in improving education and social services. The APDC's provide a structure to build upon, "but they are weak as hell," according to one legislator. Most APDC's have weak policy leadership and inadequate professional staffs, in the opinion of that same individual.

The use of the State capital-improvements program to promote urban-regional balance and to channel growth and development must be considered when assessing a State's commitment to regionalism. Georgia has a capital improvements program, and the Governor serves as chairman of a board responsible for assigning priorities to the construction of buildings and facilities. Presently, the program is not being used in conjunction with a State policy on community growth and development.

There is no discernible legislative policy with regard to regionalism. However, the institutionalization of the subject in a standing committee of the Georgia House, and the involvement of legislators deeply committed to regionalism as leaders of the committee, suggest that there may be an unarticulated policy. With only a few exceptions (e.g., Act 5), the concept of "regional interest" as opposed to "local interest" legislation has not taken hold.

The reorganized Department of Industry and Trade is shaking down. There is no clear indication how well local and regional planning will be coordinated with the Office of Planning and Budget. Relationships between the department and APDC's appear to be good, yet have not been tested. Department officials indicated that they had felt strong commitment to strengthen APDC's and to serve as their advocate agency within State government. The ability of the department to serve as the focal point for State-APDC relationships has not yet been demonstrated.

The State does not evaluate the performance of APDC's systematically, although some Department of

Industry and Trade officials maintain that performance evaluation should be given high priority and that uniform criteria should be developed. To date, most State evaluation focuses on individual programs or projects. Performance often is equated with the preparation of plans or programs to enable local governments to obtain Federal and State financial assistance. Also, performance is judged in terms of the extent to which APDC's contribute to a statewide plan or program required to satisfy Federal planning requirements directly linked with financial assistance.

Locally elected officials and leaders of the private sector tend to evaluate APDC's in terms of the amount of State and Federal grant assistance generated. No APDC currently utilizes a true program budget; most evaluation focuses on outputs of end products, not impacts of end results. One unresolved question is whether APDC's should be evaluated in terms of end results since they are voluntary agencies and cannot bind local governments.

Most officials say that greater attention should be devoted to program evaluation. If this were true, each APDC should be required to state its program objectives in terms which lend themselves to quantitative measurement. Legislation currently being considered by Congress would require recipients of community planning and management assistance and community development bloc grants to engage in self-evaluation based upon specific objectives.

One prevailing opinion is that APDC's have reached a plateau in their development where they will remain until decisions are made regarding the type of extended legislation authority they require.

Many minority group officials and private leaders accuse the APDC's of underperforming in terms of stimulating open occupancy, job opportunities, and the provision of more adequate housing units to low-income families. These same officials and leaders also say that the APDC's offer at least one option for influencing the system.

There is expressed concern at both the State and local levels that Federal general and special revenue sharing, along with bloc grants, may undercut APDC's. Most officials, including Governor Carter and several legislators, say that the Federal government needs to establish a single focal point for comprehensive community planning and development within the Executive Office orbit, and that the Federal government should enunciate a specific National policy in support of regionalism and substate planning and development.

Major issues that are expected to confront Georgia's APDC's revolve around minority representation on policy bodies, the one-man, one-vote principle, the extent to which school districts and other entities which cross political boundaries should be included within the APDC framework, and the extent to which APDC's

should be empowered to carry out operational programs or deliver services.

It is extremely difficult to assess the performance of APDC's at this time. Work programs are descriptive and vague. Few specific objectives stated in quantitative terms can be found. Review and comment successes are difficult to document, and most references to successes are passed along through verbal communication. Each

APDC executive director interviewed could cite at least one major success in qualitative and/or quantitative terms.

One thing is certain, given the trends and patterns at the Federal level, the future of APDC's will be determined largely by the State of Georgia and efforts of local officials to strengthen their intergovernmental positions.

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#### Footnotes

<sup>1</sup>State Planning Division, *Determining Logical Regional Boundaries for Area-Wide Planning and Development in Georgia* (Atlanta, 1961).

<sup>2</sup>The 19th district is the Atlanta Regional Commission, which was established separately.

<sup>3</sup>The population count is to be taken from the most recent decennial census of the U.S. Bureau of the Census.

<sup>4</sup>The Atlanta Regional Metropolitan Planning Commission was created by State statute in 1960; it was based upon the Atlanta Metropolitan Planning Commission of 1947.

<sup>5</sup>METROPOL refers to a metropolitan-wide police network.

<sup>6</sup>The reader is referred to Georgia State Guidelines.

<sup>7</sup>ARMPC had its own enabling legislation which allowed for this excess.

# Kentucky

## BACKGROUND AND STRUCTURE

The first approach in Kentucky to area planning and community development came from the Federal Area Redevelopment Administration Act passed in the late 1950's. This Act provided for the establishment of area councils in counties within the participating States. At approximately the same time the Act was passed, several Kentucky counties agreed to form multi-county organizations in order to work more effectively towards a solution to multi-county problems. The Kentucky Area Development Office, established in 1963, opened the way for formation of a union of development efforts among the local, State, and Federal governments. The Area Development Office served as a clearinghouse and an information center for State and Federal agencies and for citizens groups on the local level. The district concept was given an important boost by the Appalachia Regional Development Act and the Public Works and Economic Development Act of 1965. These Acts made the State of Kentucky responsible for recognizing local development districts (LDD's) and for approving their plans and programs. The LDD's evolved into the 15 area development districts (ADD's) which exist today.

On March 30, 1967, Governor Edward T. Breathitt established 15 area development districts in Kentucky. The Governor's Executive Order stated that the districts were needed because many State and Federal agencies utilized multi-county districts in the planning and execution of public programs, yet the boundaries varied from agency to agency. The Executive Order stated that the resultant overlapping and conflict both confused local leaders and citizens and diluted the effective coordination of and participation in public programs. Further, it stated that the President of the United States had directed Federal agencies to adhere to coordinated boundaries established by the States.

The establishment of the ADD's was seen as a way of expanding opportunities for certain districts to participate more fully in the Appalachia Regional Commission (ARC) and in economic development under the Public Works Act of 1965, because of Federal requirements that participating States have LDD's and/or EDD's. The 1967 Executive Order instructed all State agencies to recognize and to adopt the boundaries established in the order and to take immediate steps to plan their programs in adherence with these boundaries. The Executive Order also stated that field operations of Kentucky's State agencies would be reviewed so that maximum harmony with the district boundaries might be achieved.

There is little indication that 15 ADD's were established specifically for the planning and/or administration of State programs, even though Federal programs would benefit from the district plan.

In 1969, Governor Louie B. Nunn reaffirmed the establishment of the 15 ADD's through another Executive Order. He designated a new agency, the Kentucky Program Development Office (KPDO), to serve as the State's central reception agency for grant aid information under Section 201 of the Intergovernmental Cooperation Act, as administrative center for the ADD's, and as the State planning office. Governor Nunn's Executive Order also named KPDO as the State A-95 clearinghouse.

A subsequent Executive Order from Governor Ford in May 1972 strengthened the concept of area development districts as well as added several new councils to assist in the coordination of State programs.

In 1970 a bill was introduced which would have given the 15 ADD's legislative recognition. It was supported by the State administration and the district organizations; opposition came from community action agencies, the State Department of Education and, to some extent, from the councils of governments which serve the metropolitan areas in Kentucky. The opposition was based on the following issues: 1) Substate districts would not represent the concerns of the poor properly; 2) the authority of the State Department of Education would be menaced; and (3) the established metropolitan area planning agencies would be threatened, because the two kinds of agencies would have to share their A-95 authority and HUD 701 allocations. The bill was not passed.

House Bill 423, passed in 1972, is the legislative authority for the ADD's. This law states that the composition of ADD boards of directors would be spelled out in administrative regulations issued by the KPDO administrator. Further, the law provides for the allocation of State funds to each district by the KPDO administrator; these funds are intended to help the districts meet their specified responsibilities as well as to match Federal and local funds.

The 1972 Act included the following provision:

Nothing, nor shall anything in this act authorize the Kentucky Program Development Office, or an Area Development District to perform or discharge any powers, duties, or functions now repositied or which may hereinafter be repositied by law in the

the Kentucky Department of Education, local school districts, or other educational institutions.

During the period from 1970 to 1972 much work had been done involving the State Planning Office and poverty agencies (CAP's), and the CAP's original opposition to substate districting had faded away. Metropolitan area planning organizations (COG's) still had objections.

The 15 districts had been defined through a careful study by local State officials of geographic, social, and economic characteristics. The predominant criterion employed appears to have been the natural trade area concept; existing boundaries of planning or service agencies were taken into account. Other criteria were retail sales areas (as measured by consumer buying habits), communication networks of the public media, education and vocational centers, labor market areas, transportation networks, population characteristics, industrialization patterns, agricultural patterns, and resource development patterns. Community of interest was also considered important. There is some evidence that local officials were consulted in the development of the district boundaries, but no public hearings were held.

Maurice Galloway, former mayor of Henderson, Kentucky, testified before the Public Works Committee of the U.S. Senate in April 1972:

[S]ix years ago Kentucky was divided into fifteen Area Development Districts, the Governor went to each of the districts and asked the people if their county was placed in the right district. In one case the county was switched to another district. . . . Before the districts were organized only the large cities were able to hire staff to plan for overall growth and development.

From 1967 to 1970, the Kentucky Program Development Office was responsible for the administration of the ADD's by Executive Order. In 1970, House Bill 176 gave KPDO statutory authority. It also provided that the KPDO administrator would be the Special Assistant to the Governor for Program Development and serve as secretary to the State Planning Committee. The KPDO administrator was charged with responsibility for maintaining liaison with appropriate State and Federal agencies with respect to the following programs: Economic Development Act, Appalachia Regional Development Act, Housing and Urban Development Act, Demonstration Cities and Metropolitan Development Act, Land and Water Resources Development Act, and Comprehensive Health Planning Act. KPDO was charged with responsibility to designate development areas and organizations and to approve area development programs for State and Federal purposes. The exception to this

power would be if such approval were provided for in the Kentucky statutes in a contrary disposition. The Act did provide for the final determination certification of proposals to Federal agencies to be at the "discretion of the unit submitting the proposal."

The establishment of KPDO involved elimination of some organizations and the transfer of others. The Area Development Office of the Office of the Governor was eliminated. The Office of Urban Affairs was transferred from the Office of the Governor; the Division of Community Planning and Development, from the Department of Commerce; and the Kentucky Outdoor Recreation Program, from the Department of Finance. The defeated 1970 bill which would have officially recognized the ADD's, was a companion piece to the House Bill recognizing KPDO.

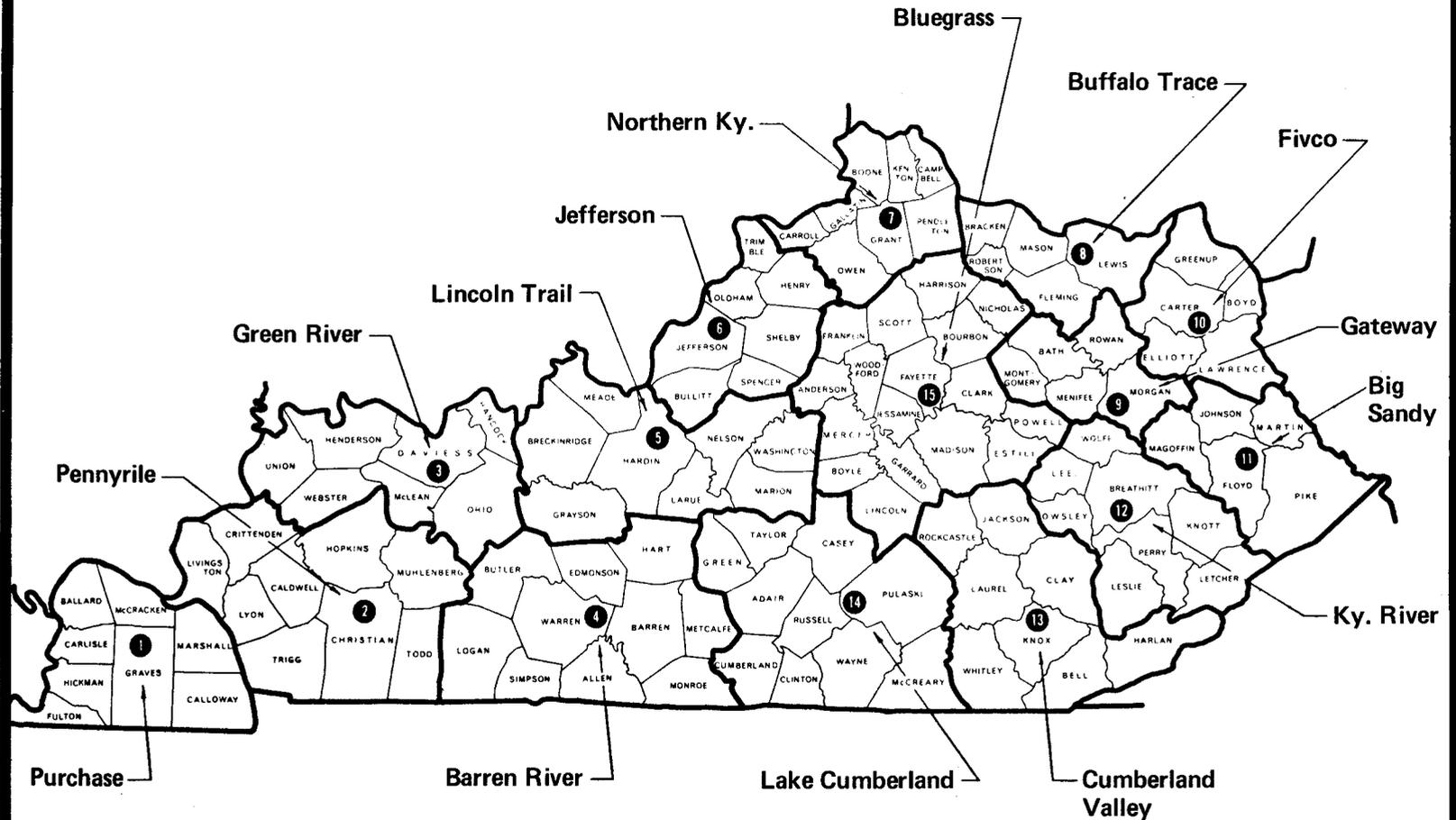
Although KPDO currently is issuing specific instructions on board representation, one of its publications suggests the following membership for ADD boards: "The executive board of each ADD must represent, and answer to the interests of the counties which comprise the district, therefore the county judge of each county, and one mayor from each county must be members of the ADD Board of Directors. In addition to these publicly elected officials, each Board must have a number of lay members to provide representation of all the special interest groups and individuals in the district." The program development office recommended that a minimum of two of the lay members be representative of low-income and minority groups, and that they be elected through the community action process in the regions.

KPDO takes its mission seriously. One of the unique features of the Kentucky plan, which may explain the power of KPDO, is its proposal that each of the 15 ADD's be evaluated. Moreover, KPDO has developed a system for measuring their performance. Its objectives are to establish a method for *scoring* the performance of the ADD's and to provide the means by which the ADD's can assess their own performances. The main purposes of this evaluation is to develop a method for allotting funds which will be based upon the methods established for scoring ADD Performance, and to develop a system for obtaining and maintaining a pool of current ADD information. The KPDO will use the following measuring devices for evaluating ADD performance: 1) plans and programs; 2) the extent to which the boards of directors meet KPDO criteria and their attendance rate; 3) the existence of an active committee structure; and 4) the amount of local financial support given.

There was some opinion that the original purpose of the ADD's was economic development; yet they never were solely economic development districts. The ADD's are now moving in the direction of comprehensive planning, but they have not relinquished their grant-seeking role. Since their inception, ADD purposes have

FIGURE VII.3

### OFFICIAL BOUNDARIES OF THE KENTUCKY AREA DEVELOPMENT DISTRICTS



been modified to provide a framework for more multi-purpose planning and coordination. In encouraging multi-purpose comprehensive area planning and development districts Kentucky is moving rapidly towards adopting an umbrella concept.

## ACTIVITIES

All 15 districts are operational; the last one was established early in 1972. Each ADD is organized as a "public agency" under Kentucky law and does not have legislative or taxing authority. According to an official Kentucky publication, the ADD's serve as the official regional planning and development agency to which Kentucky communities, including cities and counties, can better communicate and act with one another, the state, and the national government. All have been designated as A-95 regional clearinghouses.

For the most part, the ADD's are performing multi-purpose functions which include planning, grantsmanship, and developmental activities. With the exception of assuming Emergency Employment Act functions and establishing separate service organizations, the districts have not undertaken any direct Federal or State administrative or operational responsibilities.

The ADD staffs are small, usually under ten professional employees. The bulk of the funding is from Federal programs, primarily Appalachia Regional Commission, 701, and EDA. While some planning activities are going on, primarily in the areas of economic development and sewer and water programs, their most important function is to acquire Federal funds for local governments.

In general the ADD directors see their duty as that of providing technical assistance to local governments within their regions. Such technical assistance includes local and regional planning functions (701-FHA), emergency employment, recreational development, coordination of programs for the elderly, health planning, crime council functions, and economic development.

One ADD director stated that he was proud that he was able to get back four Federal dollars for every local dollar invested. "Planning should be part of the developmental process," one ADD director said, adding "that planning for planning's sake will not work because no one [i.e., local government officials] wants it." According to this district director, planning must be tied in with money coming back to the district; this is the general consensus of opinion among the ADD directors.

One ADD director was proud that he had had a hand in getting a 314(b) organization started and then was able to spin off a non-profit corporation which does comprehensive health planning for his area. Another director was letting a 314(b) agency "die away" so that he would be able to reorganize it and acquire comprehensive health planning monies and activities for his area.

Two ADD directors saw their functions as solving local problems for local governments and hand-holding with locally elected officials; this role enables the local governments to get Federal funds more easily. One ADD director stated, "My district will avoid operational functions, although we have operated the public service career program and briefly, a family planning program." This individual's district has recently established a separate comprehensive family service organization to operate such programs as family planning, nutritional programs, child development, etc.

Another ADD is organizing a corporation which, while having the same board of directors as the ADD, would undertake operational programs as a non-profit corporation. The corporation would participate in family planning, housing functions, and other district-wide programs such as operating regional jail facilities. This district presently has five professionals: an executive director, a community planner, a community development specialist, a crime planning coordinator, and a human resource planner.

Perhaps the most indicative statement describing the ADD's activities came from one district director who said, "What's the use of planning if there's no money to implement?" If money exists for implementation, Kentucky's ADD's will undertake willingly to plan, write proposals, or whatever; but, again, planning for planning's sake is not what the districts were created to do.

## RELATIONSHIPS AND COORDINATION

Coordination between the ADD's and State agencies varies according to the regions involved. One ADD director said that KPDO designates the district organizations and develops the districts' relationships with other State agencies. The reason for that statement was expressed by a KPDO official, who stated his belief that the ADD's main functions are to coordinate and to bring together State planning and development activities which occur in multi-county areas. To assure this kind of coordination, Kentucky has devised a system of advisory commissions and councils which work directly at the State level and have local counterparts with the 15 ADD boards in the categories of health, education, transportation, community services, physical resources, and human resources.

Each state coordinating commission is supposed to provide a formal structure for interagency communication at the highest decision-making level. Coordinating councils in each of the functional areas assist the commissions in review and advisory capacities. These coordinating councils are composed of lay individuals representing both users and providers of services in the area. The members of the State councils are appointed by the Governor to serve staggered terms.

The ADD advisory committees (sometimes called councils) are organized groups of interested citizens and

elected officials from each district. They are expected to identify district needs and to recommend actions which deal with these needs. Not all of these committees are organized, however. The Human Resources Commission is functioning at the State level, and committees of that commission are active at the local level. The Health Commission is functioning at the State level, and 314(b) committees are active in some form at the local level. The Educational Commission has never become operational, due to problems with the former Superintendent of Education. The Transportation Committee exists only in some ADD areas, as do the Physical and Environment Resource Committee and the Community Services Committee (which includes law enforcement).

The current Superintendent of Education is convinced that the ADD's are not a threat to his power base; therefore he is undertaking departmental reorganization in order to add a regional component to his department through the use of the ADD district lines. He envisions the future establishment of an Education Committee in each district, with its chairman serving on the ADD Board of Directors, while the ADD chairman serves as an Educational Committee member. Also, the Welfare Department is trying to work out a way to use the 15 districts as its base of operations. According to the KPDO administrator, Kentucky is looking very closely at a "service center" concept in which all State agencies will be able to coordinate their activities within a district.

### State Agency Involvement

With the exception of KPDO, there is little indication that agencies at the State Capitol level use the ADD districts for other than planning purposes. However, with such a strong State planning organization (KPDO) and its ties with the ADD districts, it can be anticipated that the ADD's will become more involved in planning at the State level for those areas within the jurisdiction of Kentucky Program Development Office. KPDO not only contains the Division of State Planning, but also the Division of Economic Opportunity, the Division of Planning and Programming, the Comprehensive Health Planning Commission, and the Human Resources Coordination Commission.

The office has a staff relationship with the State Planning Committee, a group of nine commissioners of State agencies. Its members are the KPDO administrator, the State Commissioners of Finance, Parks, Highways, Public Information, Commerce, Revenue, Natural Resources, and the Superintendent of Education. This committee has the responsibility of allocating the expenditure of the State planning fund, a special appropriation of \$3.2 million designed to support research and planning studies in Kentucky.

The Comprehensive Health Planning Commission is a group of four State commissioners who are involved in

health facilities and services. They are the KPDO administrator, and the Commissioners of Finance, Health, and Mental Health.

The Human Resource Coordinating Commission includes the Commissioners of Finance, Health, Mental Health, Child Welfare, Economic Security, and Corrections; the Superintendent of Education; and the executive directors of the Commission on Aging and the Law Enforcement and Crime Commission.

These relationships place KPDO in a position in which it can secure coordination at the State level and influence the State's functional agencies to use the ADD districts for State planning activities. Since many of the ADD committees at the district level coincide with the planning and coordinating commissions at the State level, this coincidence could provide a direct means of planning coordination and implementation. This coordination will be further strengthened as State agencies reorganize their field activities to correspond with the 15 ADD districts. Currently signs of coordination between ADD districts and State agencies and regional offices are lacking.

### Conforming State Agencies

State agencies which have regional operations are beginning to use the ADD districts for service delivery. Most Kentucky agencies do not have regional offices and therefore use the districts for planning purposes only.

The Kentucky State Highway Department has 12 districts, which do not conform to ADD boundaries. However, the department is using the boundaries for long-range planning. The Department of Commerce also is starting to use the ADD's for planning and reporting purposes. The State Mental Health Areas have the same boundaries as the ADD's; the State Health Department, however, does not have regions, because individual counties perform its services. The State Police Department's districts do not conform to the ADD's. The Departments of Natural Resources and Commerce do not have regional offices. The Child Welfare Department is using the districts through the Human Relations Councils at the district level.

The relationship of Federally funded, areawide bodies with the ADD's varies, with some Federal programs being an integral part of ADD's, while others are separate yet linked by the coordinating mechanism of local councils.

### OEO

The Kentucky State OEO was aware that the ADD's were being developed in the mid-1960's; therefore, it used the draft plan for the districts as a pattern for establishing CAP agencies, to assure that there would be some coordination between the CAP's and the ADD's. Subsequently, ADD district lines were changed, but the

CAP boundaries had been announced already and so do not conform to ADD boundaries. There are presently 23 CAP agencies in Kentucky, one of which overlaps three ADD's. Northeast Kentucky has three CAP's which overlap five ADD's. The Bluegrass Area Development District is comprised of 17 counties which includes three CAP agencies. When CAP's overlap several ADD boundaries, they generally work with only one ADD. Presently there are plans to change the CAP boundaries so that they will be coterminous with ADD boundaries. However, Federal law is causing some problems with realization of the plan, because it allows the counties the right to draw the CAP districts in which they will lie.

The State OEO is trying to get CAP agencies to make three-year plans but, according to the State OEO director, the CAP directors see "planning as just a way to get funded." Who actually has authority over the CAP agencies in Kentucky is in question. The State OEO director says, "When push comes to shove, the Federal regional office of OEO would have more authority than the Governor's Office." OEO also has a problem with A-95; some CAP agencies ignore the ADD's when they are applying for Federal funds, and some ADD's ignore the CAP agencies during the review process, apparently depending upon the agency and the personnel involved.

The CAP's were active in defeating the 1970 ADD bill, because they wanted each ADD board to have one-third poverty representation. According to the State OEO director, minority representatives believe that ADD staffs are not responsive to their needs and that the only way to make them responsive is more minority representation on the boards of directors. The State OEO director believes that the ADD's should have elected boards because he sees them as a level of government. There are 36 counties without operative CAP's; in most instances these counties are part of an urban-rural power fight.

If the CAP agencies should be realigned to fit ADD boundaries, no funding problem should result.

### The Crime Commission.

There are 16 Crime Council Districts in Kentucky, 14 with full-time staffs and two with part-time staffs. Six are affiliated directly with the ADD's.

The basic differences between the Crime Council Districts and the ADD's are the following districting boundaries drawn by the Crime Council: 1) Jefferson County (Louisville) is a separate district; 2) Kent and Campbell Counties are a separate district; 3) three ADD's in the northeast are combined to make one crime council district; and 4) Fayette County is a separate district.

The director of the Kentucky Crime Commission stated that the district crime council staffs are university personnel in some cases. In other instances, if the councils are not affiliated with an ADD, they are

separate non-profit corporations. To assure some coordination where crime councils are not affiliated with ADD's, the mayors of the larger cities and the county judges can make appointments to crime councils; in most cases these individuals have appointed themselves.

In the summer of 1972 the three Northeast ADD's which composed one crime council district (due to the area's small population) were having a difficult time meeting the needs of the State Crime Commission because each ADD had a part-time crime planner, making coordination a problem.

There appears to be little anti-crime planning done at the regional level. Most of the regional planners' time is taken up by technical assistance and the preparation of grant applications. The director of the Crime Commission said, "We hope that a change to contract administration and monitoring of projects will pay bigger dividends. A-95 has created unreal paper work and at this point I can't see any better advice on applications than we would have received from the regional councils or the State Commission . . ."

The Kentucky Crime Commission has emphasized people programs and not equipment. According to reports from other State officials, the commission operates somewhat independently of the Governor's Office, although its director reports to the Governor, who appoints the 52-member State commission.

### Comprehensive Health Planning

It was in the health field that the first coordinating commission and council structure was established in Kentucky. Prompted by the Federal Comprehensive Health Planning and Health Services Act, Kentucky was the first State in the Nation to have statewide health planning coverage. The Comprehensive Health Planning Commission and the State Comprehensive Health Planning Council were established jointly in late 1968. Subsequently, CPH councils have been established in each of Kentucky's 15 ADD's.

The need for such aid was great; a 1968 study showed that 16 official Kentucky agencies provided more than 50 health-related services at a cost of approximately \$150 million. That approach involved at least 16 different plans directed towards different goals, to which were added the plans, goals, and purposes of each hospital board in the State, every manpower group with a health plan, every individual with a hospital insurance policy, every unit of government, each group of health professionals, every voluntary health organization, etc. As part of its efforts to fulfill the responsibilities assigned to it at the State level, the 27-member Comprehensive Health Planning Council, which replaced those 16 agencies, has created task forces for special studies in the areas of facilities, environmental health, manpower, regional planning development, and finance.

The CHP staff renders research and support services to health-planning organizations.

The KPDO director is acting as the director of the State 314(a) agency. The State must ratify the need for 314(b) organizations; and the local health councils are, in many cases, arms of the ADD's. Four ADD's have received application funds for health planners (these are the four ADD's in the northeastern part of the State). Two other ADD's have joined together to create the Southeast Kentucky Health Demonstration Corporation, which has a demonstration grant, funded largely through Appalachia Regional Commission monies. The KPDO director reported that this latter health program "almost overshadows the ADD districts in these two areas." He reported that three non-Appalachian counties have 314(b) organizations in operation which use CPH money, and that six ADD's are moving in the direction of health planning. All CHP boundaries are identical to those of the ADD's.

### Human Resource Planning

An Executive Order issued in September 1969 established both the Human Resources Coordinating Commission and the Human Resources Coordinating Council. The commission began operating immediately; the 21-member council was appointed under Governor Nunn, but has not been continued by Governor Ford. Regional Human Resource Planning Councils are now operative in each of the 15 ADD's. Funds for this function come from the Social Security Administration.

The human resource planner in each ADD is responsible to the ADD director and to the Human Resources Council in his region. Each county is expected to have three representatives, one of whom is a locally elected official or a provider of social services, one who is either a consumer of human resource services or a local leader, and one who is a poor person or an advocate for a group of poor people, such as a CAP official. The council chairman must be on the ADD Board of Directors.

Human resources planning is divided by age groups: early childhood development from 0-6, late childhood development from 6-12, youth from 12-20, adult from 21-65, and aging 65 and over. The human resource planner in each ADD agency provides a liaison with the CAP agency and with the county and local governments. Also, he coordinates the various committees as a community impact specialist; his primary job appears to be that of grant coordinator.

Kentucky is participating in a new program call Occupational Training In Service (OTIS), which is replacing the CAMP's program. Manpower is part of the human resources planning. Most of the ADD agencies also have Emergency Employment Act staff members whose main job is to coordinate that program with local and county officials. The regional human resource planners are paid for by three-quarter Federal planning

funds and one-quarter State planning funds through the KPDO budget.

During 1973 Kentucky human resource planners will emphasize manpower planning, early childhood development, and comprehensive social services transportation plans.

### Appalachia Regional Commission

Eastern Kentucky falls within the Appalachia Regional Commission (ARC). Eight ADD's are part of ARC; they receive approximately \$600,000 of operational funds a year from it. These are funds appropriated for program operation, manpower, and administration. In Kentucky, ARC money is going into three priority areas: health, education, and highways. In the health field, the State is emphasizing health facilities primarily. There are also many interstate projects, involving such services and facilities as airports, hospitals, and park projects. The Kentucky alternate State representative to ARC reported that the ADD's are now in an evolutionary stage in their relationship with ARC. According to this official, the ADD's do not have the technical capability to do long range planning for ARC projects. The Kentucky Program Development Office is encouraging the eight ADD's which are part of ARC to do more planning. As one KPDO official put it, "We want to put planning for ARC on their shoulders, since we cannot make these decisions from Frankfort (the state capitol)." He also reported that the Gateway ADD is using its funds to build a new town and a tourist and recreational development, and has formed several non-profit corporations.

In summary, eight ADD's are part of the Appalachia Regional Commission. Seven have been designated as EDD's. One district has metro 701 functions and 14 have been designated as non-metro 701 planning districts for sewer and water. Nine districts are involved in OTIS. All 15 have human resource planners funded by Title VIA and Title XVI of the Social Services Amendments. Six districts are directly involved in 314(b) comprehensive health planning, and six ADD's are involved directly in LEAA crime planning.

In practice, the effects of these State and Federal programs on one ADD have been mixed.

The executive director of one district which includes an urban area reported that he receives *non-metro* 701 money because the City-County Planning Commission has been designated as the metro 701 agency for his area. His district is an A-95 clearinghouse, and it receives some funds from the Appalachia Regional Commission and the Economic Development Administration; it also has human resource functions. The 314(b) district in the ADD in question was the first one organized in Kentucky and is not a part of the ADD, although it is headquartered in the same building. The relationship between this ADD and the Regional Crime Council is -

strained. The ADD executive director reported that the Crime Council's executive director refused to talk to him on the phone; he believed that the Crime Council is concerned about being absorbed by the ADD. This district has three planners on its staff; one does fiscal planning, one does grantsmanship, and one is an urban and regional planner. There is also a human resources planner on the ADD staff; and the State has an employee who has an office in the ADD's building, although he is to concentrate on Emergency Employment Act functions.

## ADD's vs COG's

Kentucky has six metropolitan planning (204) agencies, and there is some conflict between these agencies and the ADD's. The most severe conflict is occurring in Jefferson County, which contains the City of Louisville. The 204 agency in this area is the Falls of the Ohio Council of Governments. There were overlapping area-wide planning jurisdictions between the Jefferson Area Development District and the council of Governments, which led to a conflict over which should receive 701 funding. On June 14, 1972, Clifford W. Graves, acting deputy assistant HUD secretary for community planning and management, wrote to Edward H. Baxter, regional administrator of the HUD Atlanta Regional Office, concerning this problem. The letter reads as follows:

This is in response to the request of the Louisville Area Office that I summarized in writing HUD's policy concerning the above subject as it relates to the Falls of the Ohio Council of Governments and the new Jefferson Area Development District.

The Department has a firm and long-standing policy that it will recognize, and fund through the 701 program, only one areawide planning organization for any geographic area. This policy goes back to approximately 1960, and is clearly stated as follows in the current HUD Handbook for the 701 program: "HUD will assist only one planning agency per metropolitan or non-metropolitan (areawide) planning jurisdiction." (Handbook I, *Comprehensive Planning Assistance Requirements and Guidelines for a Grant*, CPM 6041.1A, March, 1972, Section 2-12, Par. a.) Also in Section 2-11, it states, "... (non-metropolitan) districts may not include any portion of an SMSA." These policies were published in the Federal Register April 1, 1972, and, therefore, have the force of law. In addition, the Planning Requirements Circular for the HUD Water and Sewer, Open Space and similar

programs subject to planning requirements contain similar provisions.

In accordance with these policies, we cannot recognize the Jefferson Area Development District as the areawide planning organization for the Louisville Metropolitan Area, and we must continue to recognize the Falls of the Ohio Council of Governments for that purpose. Moreover, as the Louisville metropolitan area grows, the areawide planning jurisdiction of the Falls of the Ohio COG will have to be expanded and its membership opened to the units of general local government included in the expanded area.

As long as this overlap exists in the jurisdiction of the two agencies, we will have to limit our recognition of the Jefferson Area Development District to *that part of its area of jurisdiction which lies outside the areawide planning jurisdiction of the Falls of the Ohio COG as that jurisdiction is defined now or in the future*. This is the policy we have followed in other areas where states have overlaid area development districts on established metropolitan or non-metropolitan areawide planning jurisdictions and it has not been possible to transfer HUD's recognition to the new area development district. In accordance with this policy, we would continue to channel 701 Comprehensive Planning Assistance funds through the Falls of the Ohio COG for regional planning within its jurisdictional area, and funds channeled through the State of Kentucky to provide assistance for district planning to the Jefferson Area Development District would be restricted to that position of its area of jurisdiction which lies outside the jurisdiction of the Falls of the Ohio COG for its area of jurisdiction as defined now or in the future, and ADD to that position of its jurisdiction which lies outside the area of jurisdiction of the Falls of the Ohio COG

This same policy, of course, would apply to the Indiana portion of the Louisville SMSA, where there is a similar jurisdictional overlap between the Falls of the Ohio COG and the Indiana Area Development District. No. 14.

Before this letter was written, the Kentucky Program Development Office, commissioned a study of the Jefferson Area Development District, specifically to consider the Falls of the Ohio COG, Indiana region 14, and their relationships to the Jefferson ADD. The problem examined by the consultants was that "if you have a metropolitan COG and an area development

district for many of the same counties in northern Kentucky and also an Indiana Planning and Development Region, what organizational possibilities exist that will maximize the elimination of any duplication of effort on the part of either the ADD or the COG and at the same time maximize the services provided the community by both these organizations, water, sewer, open spaces, etc." The consultants reviewed the boundaries of the ADD district and the COG, A-95 implications, including 204 functions, HUD requirements for metropolitan area planning jurisdictions and non-metropolitan area planning jurisdictions, as well as a detailed questionnaire which had been sent to local elected officials involved.

The study concluded that there did not appear to be a real difference in the function of the metropolitan (COG) and the non-metropolitan organizations (Jefferson ADD) in the Louisville region; only the intensity of the problems caused some differences. Three alternatives came out of the study: 1) the merger of the Jefferson Area Development District, the Falls of the Ohio COG, and Indiana's Region 14 into a unified 14-county area; 2) the formation of a separate metropolitan and non-metropolitan organization and staff; and 3) the formation of a completely new district which would have a new non-metro ADD with nine counties which would conform to the organizational guidelines and other aspects of Kentucky ADD's, and expanded Falls of the Ohio COG, a formal recognition through ADD boundary changes that three other counties are part of the Cincinnati SMSA, and a five-county non-metropolitan region in Indiana. After considering these three alternatives, the consultants recommended the first proposal, which would merge the three present organizations and their staffs into the larger 14-county setup. No decision had been made concerning this problem as of summer, 1972.

Other 204 groups include the OKI in northern Kentucky, the City of Lexington and Fayette County, the Green River ADD, a COG in Evansville, and the Kyova COG in Huntington, W. Va. The relationships between certain of the COG's and the ADD districts are strained. One ADD director explained that the COG's "fear us and they probably have every right to do so"; he pointed out that this was true because the ADD's in fact do represent regions and are not confined only to a metropolitan area.

The ADD districts have a close overall relationship with local governments. In some areas of Kentucky the ADD director seems to go beyond providing only the technical and planning assistance required of him, and in fact does make decisions for county judges and local elected officials. Such cases occur generally in the rural areas. In the metropolitan areas, the county judges and mayors of the large cities are in full control of the ADD's. The county judge of one urban county stated that he did not need an ADD in his county, but he did

need some type of organization to help the county get Federal funds; and his county and the rural counties surrounding will benefit from the ADD. As a result of the ADD's effort, he said the county recently received \$80,000 in Federal funds for manpower planning. The judge stated, "This alone would be worth contributing to the ADD for the next ten years."

The ADD's have a good relationship with most Federal agencies. For instance, EDA has three field workers in Kentucky who deal routinely with the ADD directors. Relationships with the regional office of the various Federal agencies vary according to the personalities involved. (The former KPDO administrator is now the HEW regional director, and relations are good.) The ADD directors are not hesitant to communicate with Federal regional offices or to go to Washington, D.C., if they need something.

The district directors categorize the ADD's (as a result of the recent legislation) as a public entity and an arm of KPDO. The administrator of the KPDO denied that his office was a "big daddy" of the ADD's. He stated that the districts should "look at themselves as a conglomerate of local government, not an arm of the State government." One county judge stated that the local people who staff ADD's know the problems and needs of the citizens; he hoped that the KPDO would not try to extend its power over the ADD's. Regardless of the denial by the KPDO administrator, it is quite apparent that, with the power given KPDO by recent legislation (to distribute State money and to determine the representation criteria), the ADD's in fact will become a close partner if not an arm of the State Planning Office.

#### A-95.

Officials in Kentucky consider A-95 power to be helpful in their efforts to coordinate Federal programs, yet they recognize that an effective A-95 review process is a long way off. A KPDO document states that regional and State plans frequently are not available to the reviewer, and this raises a serious question about the appropriateness of the required review judgment that "the proposed project is as of this date not in conflict with the state plans, goals or objectives."

At an A-95 seminar attended by ADD and State officials, it was agreed that the formulation of State and regional plans based on clear policy goals and objectives is essential for the development of a truly viable project review system. Several ADD representatives at the seminar stated that it was difficult for them to gain access to completed State plans, and they complained about the lack of opportunity to participate in plan preparation or review. Specific reference was made to the difficulty in getting such plans from the State Highway Department. All ADD representatives indicated concern over A-95 review costs in terms of scarce staff

time and material. As a result, the representatives endorsed the Councils of State Governments' recommendations "that OMB and other federal agencies should explore all means possible for providing funding for clearinghouse reviews, particularly at the regional and metropolitan levels." One ADD director stated that it cost his district about \$2,000 or \$3,000 a year for A-95 reviews and "takes an awful lot of staff time."

At the State clearinghouse level, liaison officers for A-95 purposes have been appointed in each State department and have told KPDO what type of applications they wish to review. The KPDO administrator said A-95 was working, but admitted that it is not working like it is supposed to do. He reported that the State is following A-95 to the letter, though not necessarily the spirit, of the law.

There is general agreement in Kentucky on the desirability of extending A-95 review functions to include all Federal programs, as well as State programs. State officials believe that this decision would give the ADD's maximum control over development within their respective regions. This would depend upon the strong commitment from the Governor to the A-95 reviews specifically, and in general to the concept of regionalism.

A-95 does give the ADD's a legitimacy in their regions, and it serves as a useful coordinative tool between local governments, areawide bodies, and State agencies at the district level. Further, A-95 enhances the power of KPDO at the State level.

Several ADD directors expressed concern over revenue sharing. One ADD director reported that local governments in his district could not qualify for revenue sharing funds because they do not have approved budgetary and cost accounting systems. (In fact, some have not made budgets for several years.) He also said he was fearful that grants to local governments would be spent without any reference to the district plan. This concern is shared by a number of ADD directors in Kentucky and by regional planning and development directors in other States. If local governments belong to regional organizations primarily for the purpose of getting Federal funds, and if the revenue sharing regulations do not require that these funds be spent in accordance with a regional plan or with approval from a regional body, then a prime incentive to belong to these districts no longer exists.

The ADD districts in Kentucky have a very close working relationship with the State legislature. They also

Table VII.5

**Proposed Funding  
Kentucky Area Development Districts  
FY 1972-1973**

	Total	ARC	HUD	EDA	FHA	State		Local		Other Funding Sources
						Cash	T/A	Cash	In-Kind	
Purchase	64,350	—	—	42,900	—	—	8,450	13,000	—	—
Pennyrile	69,110	—	—	40,755	—	5,300	2,100	20,955	—	—
Green River	186,000	—	90,000	49,500	—	20,000	—	15,000	11,500	—
Barren River	60,000	—	—	45,000	—	—	—	15,000	—	30,000 <sup>5</sup>
Lincoln Trail	68,600	—	—	45,600	—	10,000	—	12,000	1,000	—
Jefferson	20,000	—	—	—	—	20,000	—	—	—	—
Northern Kentucky	91,240	—	50,000	—	13,500	20,000	—	2,740	—	5,000 <sup>4</sup>
Buffalo Trace	103,000	42,000	—	15,000	—	(2)	20,000	5,200	1,200	19,600 <sup>1</sup>
Gateway	135,400	100,600	—	—	—	10,000	10,000	(3)	14,800	—
Fivco	100,986	74,500	—	—	—	—	17,500	4,608	4,378	—
Big Sandy	98,120	72,366	—	—	—	—	10,000	4,954	10,800	—
Kentucky River	134,935	91,365	—	—	—	10,000	7,000	7,450	10,650	8,470
Cumberland Valley	110,800	82,000	—	—	—	—	14,000	8,800	6,000	—
Lake Cumberland	99,350	74,150	—	—	—	—	14,000	3,200	8,000	—
Blue Grass	180,000	50,042	30,000	15,000	—	20,000	—	35,000	20,000	9,958
<b>Totals</b>	<b>1,521,891</b>	<b>587,023</b>	<b>170,000</b>	<b>253,755</b>	<b>13,500</b>	<b>115,300</b>	<b>103,050</b>	<b>147,907</b>	<b>88,328</b>	<b>43,028</b>

(1) Combination of HRCC, Health & Aging

(2) Will probably need to match some state planning cash with ARC Health funds or additional HRDD funds for Health

(3) 10,000 Local Cash raised last year

(4) Water Sewer Plan

(5) Title IV SRS

Table VII.6

**Funds by Source**  
**Kentucky Area Development Districts**

**Fy 71-72**

District	Fiscal Year Ending	Total Budget	Funds		In-Kind Spindletop	Grantee Other
			Cash Federal	Cash Grantee		
1. Purchase	12-31-71	\$ 61,000	\$ 42,900	\$ 13,000	\$ 5,100	—
2. Pennyrile	5-31-72	61,710	40,755	20,955	—	—
3. Green River	3-31-72	66,000	49,500	8,500	2,000	6,000
4. Barren River	12-31-71	64,200	43,777	14,423	6,000	—
5. Lincoln Trail	8-31-71	89,701	45,600	38,101	6,000	—
6. Jefferson	—	—	—	—	—	—
7. Northern Kentucky	—	—	—	—	—	—
8. Buffalo Trace	6-30-72	104,600	78,000	4,850	18,000	3,750
9. Gateway	6-30-72	184,150	132,050	10,000	12,600	29,500
10. Fivco	12-31-71	87,108	65,000	4,608	17,500	—
11. Big Sandy	12-31-71	84,257	63,067	4,670	6,720	9,800
12. Kentucky River	6-30-72	141,650	104,350	8,400	19,000	9,900
13. Cumberland Valley	6-30-72	106,666	80,000	8,466	13,000	5,200
14. Lake Cumberland	6-30-72	86,300	64,600	3,700	13,000	5,000
15. Bluegrass *	6-30-72	107,000	78,000	9,000	20,000	—
<b>Totals</b>		<b>\$1,244,342</b>	<b>\$887,599</b>	<b>\$148,673</b>	<b>\$138,920</b>	<b>\$69,150</b>

\*\*Proposed

work quite closely with their U.S. congressmen. "We call upon our congressmen three or four times a year on very important problems," as one director expressed it. The ADD directors have an effective organization of district directors and seem to have a feeling of *esprit de corps*.

There is little indication that the ADD districts have been asked to play a role in the preparation or implementation of comprehensive and functional State plans by other state agencies, besides those under the KPDO. No comments about the State budget have been solicited from the directors, nor have they been asked to administer any major State programs. Many district directors were involved in administering the Emergency Employment Act funds and in operating county case studies (a study of one or two welfare cases in each county by all applicable agencies) for the State Human Relations Council.

The ADD's relationship with the news media in Kentucky is varied. The editor of the *Lexington Herald* reported that he uses some articles on the ADD district in his area, and he covers its board meetings occasionally, depending on whether he has been notified of the meeting, he considers the meeting to be newsworthy, and it is in Lexington. Generally, the Blue Grass ADD meetings rotate among the 19 counties; that means only a few will be in Lexington. One rural ADD sends out

news releases which usually are printed, and the local newspaper occasionally covers its meetings.

There is limited minority representation on the various district boards and advisory councils. A black who is the special assistant to the Mayor of Lexington reported that the concept of substate districting was new to him, and that he did not believe that many blacks are aware of ADD's. He attributed this to the fact that blacks had not been "negatively affected by ADD's" and, therefore, were not concerned about them. This lack of knowledge is probably shared by a vast majority of white citizens. Most officials doubt if more than one out of ten citizens would be aware at all of the substate districting system, or would know about the activities of any ADD.

## FINANCE

The financial information on the following page was provided by KPDO. In Table VII.5 the 701 non-metro money is not shown; this money went into a kitty at KPDO and was apportioned out for water and sewer studies. It is also interesting to note that KPDO is not planning to give each ADD an equal proportion of the \$300,000 State appropriation.

Spindletop Research (SR) is shown in Table VII.6.

According to John Leslie of Spindletop, most if not all of the outside studies for ADD's are performed by SR. Each ADD had a \$20,000 account at SR, given to the research agency by the legislature for research and planning support for the ADD's. SR wants to use the money for planning, while the ADD's would like to have it for hiring new staff members. Several ADD directors made somewhat disparaging remarks about SR concerning its role in their programs, saying that SR was pushing its services on the ADD's in order to justify a continuing appropriation from the legislature.

## EVALUATION AND CONCLUSIONS

It is apparent that the strong role played by KPDO, the State law which recognizes the ADD's as public entities, and the A-95 process have facilitated inter-level communications and coordination in Kentucky. State officials are proud of their substate district system, although they recognize that many improvements must be made before it can become a viable and functional system.

There have been problems associated with the operation of substate districts, which have been addressed in this report. They include interjurisdictional problems, the Jefferson County ADD and the Falls of the Ohio COG, for instance. Interagency problems have occurred between the ADD's and the Kentucky Crime Council and between KPDO and the former Superintendent of Education. Some questions on representation of the poor have been raised by the CAP's. All districts face fiscal problems since much of their support is based upon Federal grants. Another problem has been the emphasis on comprehensive planning from KPDO versus grantsmanship (a function at which many ADD districts have had to excel to get local support). There have also been some structural problems; do most ADD agencies spin-off non-profit corporations to operate programs

which they have developed? Or do they operate programs? Most State officials are proud of the substate district system. KPDO officials felt as though they were the proud father of a baby who was learning to walk and when he stumbled they were there to catch him.

While ADD directors were circumspect in claiming above normal influence over local elected officials, it was clear that, at least in the rural districts, they do have a special relationship with and therefore influence such officials. The establishment of interrelated non-profit corporations to operate programs on a district level is a case in point. As local officials see the advantages of having regional jail facilities or of combining police forces (as had been proposed in northwest Kentucky), they will be less reluctant to pass their authority, either vertically or laterally. When this happens, the system of local government will change.

Lessons can be learned from Kentucky. It has a strong State planning organization and 15 operational districts which are doing multi-purpose planning and providing technical assistance to local governments. Kentucky differs from most States because there are few variations in boundary lines for areawide planning bodies and because the State has developed a planning structure (not all of it implemented as yet) down to the districts. This structure could lead to well-coordinated, functional, or comprehensive plans at the State and regional levels.

The future role of the districts depends on their ability to keep local governments satisfied by bringing in the Federal dollar, while at the same time becoming more sophisticated planning units. The ADD's must work out a relationship with Kentucky's State agencies, so that they are *indispensable* in State operating plans. It is doubtful that the substate districts in Kentucky ever will become regional governments; nevertheless, they will have a strong voice in the establishing regional organizations to carry out governmental functions.

# Michigan

## BACKGROUND, PURPOSE, AND STRUCTURE

Beginning in 1945, private and public leaders in the southeast Michigan (Detroit) metropolitan area began to focus on the potential of multi-county comprehensive planning and development. These leaders felt that industrial plant location, housing patterns, land use, and public works associated with post-war economic recovery should be guided by planning carried out on a multi-county or regional basis.

Growing support for multi-county planning and economic development resulted in the enactment of the Regional Planning Commission Act (Act 281, Public Acts of 1945). The Detroit Metropolitan Area Regional Planning Commission (RPC) was established in 1947 to serve three counties and four townships in a fourth county. The fourth county formally joined RPC in 1955, but withdrew in 1961.

A 1952 water crisis in the Detroit metropolitan area focused attention on local government interdependency. A Detroit councilman, serving as the chairman of the Wayne County Board of Supervisors, provided leadership for the establishment of a multi-county entity. Five counties joined together to form a voluntary association of county governments. A sixth county joined later and the Supervisors Inter-County Committee (SICC) obtained legal status under Act 217, Public Acts of 1957. This statute enabled SICC to receive funds from member counties, Federal agencies, and other public and private sources.

The Michigan legislature enacted Act 110, Public Acts of 1960, to enable State and local governments to participate in the Federal local planning assistance program administered by the Housing and Home Finance Agency under the Housing Act of 1954. The State Department of Administration was designated to administer Federal funds for local planning assistance.

The State Department of Economic Development was designated as the official agency to receive Federal financial assistance for comprehensive statewide planning in 1962. Gov. George W. Romney (1963-1968) took the position in 1963 that all Federally assisted comprehensive planning programs that the State was participating in should be directly related to economic development. A new Department of Economic Expansion was created by Act 116, Public Acts of 1963, and was designated to administer Federal financial assistance for local and comprehensive statewide planning.

The term "regional" is loosely defined by Act 281. Most of the planning entities established in accordance

with the Act consist of single counties, city-county combinations, and various combinations of city-county-township-village governments. In 1956, the second comprehensive general purpose multi-county planning agency was established under Act 281—the tri-county Regional Planning Commission, consisting of three counties in the Lansing metropolitan area.

Federal requirements and incentives required the State to focus attention on multi-county planning and development between 1962 and 1967. The Public Works and Economic Development Act of 1965, for example, offered incentives to State government and local elected officials to form multi-county Economic Development Districts (EDD's). The Act and administrative guidelines specified criteria which county groupings had to satisfy to be designated as an EDD by the Economic Development Administration.

The State Department of Economic Expansion became a component of the State Department of Commerce as the result of Executive Branch reorganization in 1965. The Office of Economic Expansion retained the responsibility for local and statewide planning. Moreover, starting in 1965, the office undertook a technical assistance program to encourage the establishment of multi-county Economic Development District agencies.

Existing State planning statutes did not satisfy the Federal organizational and membership guidelines for EDD's. Rather than try to amend existing statutes, new legislation was introduced. The first EDD agency was formally established in 1967 under Act 46, Public Acts of 1966.

Recognizing the growing importance of statewide and multi-county planning, Governor Romney took action in late 1966 to establish an Office of Planning Coordination (OPC) in the Executive Office of the Governor. OPC developed the criteria for substate districting and served as the focal point to obtain passage of new urban and regional legislation during 1967-68. The Community Planning Division of the Office of Economic Expansion continued to administer the Federally assisted local planning program and to provide technical assistance to encourage the formation of multi-county EDD's.

State planning and development regions (SPDR's) were delineated by determining the regional center (i.e., the central city) and analyzing the extent of the center's influence. Influence was measured by commuting patterns, traffic flows, newspaper circulation, State economic areas, and a gravity model. Consideration was also given to unique geographical characteristics, cultural

areas, existing planning and development agencies, patterns of areawide cooperation, and local government traditions. The use of county lines was dictated by practical and political considerations.

The technical reports outlining these regions were sent to every major planning agency in the State for review and comment, as well as to general purpose local governments. Comments were also solicited from each State department, agency, and instrumentality. Although the OPC held no public hearings, meetings were called throughout the State to provide public and private sector leaders and professional planners an opportunity to offer their comments.

There was no widespread opposition to the substate districts as proposed by the OPC. Local elected officials and professional staff in two separate parts of the State, however, did object to the district boundaries affecting their jurisdictions or agencies. After weighing all evidence presented, the Governor upheld the OPC recommendations.

Governor Romney, acting as chief state planning officer, issued Executive Directive 1968-1 on February 12, 1968, establishing 14 official SPDR's. This action came in response to Bureau of the Budget Circular A-80 and other Federal initiatives aimed at encouraging multi-county planning and intergovernmental coordination. The directive's stated objective was "... to better coordinate State programs with one another and with Federal, regional, and private sector programs." The head of each State department, agency, and instrumentality was requested to recognize and adopt the SPDR's for use in conjunction with program planning, program implementation, and statistical reporting.

The 1968-1969 executive budget contained, for the first time, a request in support of the State planning program carried out by OPC. Legislative approval of this request enabled the OPC to establish a program stability not possible when totally dependent upon Federal funds. A specific objective identified in the budget was for OPC to "provide a framework for regional, metropolitan, local, and other planning. . . ."

Governor William Milliken, who had succeeded Governor Romney after he resigned to become Secretary of Housing and Urban Development was elected to a four-year term in November, 1970. The Governor issued Executive Directive 1970-4 on Dec. 30, 1970, reaffirming the SPDR approach and consolidating two Upper Peninsula regions into a single region. Thus, Michigan is now sub-districted into 13 SPDR's.

Shortly after taking office in January 1971, Governor Milliken reorganized the Executive Office. Most program development, planning, and budgeting functions, processes, and activities were folded into a new Bureau of Programs and Budget. OPC was continued with an even greater emphasis on policy planning, issues analysis, special policy studies, inter-agency liaison, and inter-governmental liaison—including State-RPDA relations.

Following a year of shakedown, OPC was redesignated as the State Planning Division.

An Office of Community Planning was established as a separate entity within the Department of Commerce in 1969 to administer the community (local) planning program. This office continued to provide technical assistance to EDD's and encouraged their establishment throughout the State. The office was instrumental in obtaining additional Federal funds in support of non-metropolitan multi-county planning and developments

Governor Milliken transferred the Office of Community Planning to the Bureau of Programs and Budget by Executive Order 1972-1, effective March 15, 1972. The office was folded into the State Planning Division. Thus, for the first time, the central State planning programs with direct impact upon RPDA's are being carried out in a coordinated manner.

Today Michigan possesses a well delineated set of "wall-to-wall" substate districts and a number of separate multi-county planning agencies responsible for single or special purpose functions. A statewide system of general purpose comprehensive regional planning and development agencies (RPDA's) to place an "umbrella" over each SPDR does not exist.

A 1970 study completed by OPC revealed that there were 98 multi-county planning agencies in the State. Of these, 18 were engaged in comprehensive or multi-functional planning and development activities. These 18 agencies consist of 11 regional planning commissions (RPC's), five economic development commissions (EDC's), and two councils of governments (COG's). Most multi-county agencies were established to deal with a particular problem (e.g., the Huron-Clinton Metropolitan Authority for parks and the Southeast Michigan Transportation Authority) or in direct response to Federal initiatives (e.g., community action agencies and law enforcement and criminal justice planning agencies).

As of 1970, ten multi-county general purpose RPDA's existed, serving 61 of Michigan's 83 counties. These agencies consisted of two COGs, five EDC's, and three RPC's. Since the State has not required the use of an umbrella RPDA to serve each SPDR, a number of functional agencies have been established to meet Federal requirements and qualify local governments for Federal grants-in-aid.

Eighteen multi-county community action agencies had been established by 1970 under the Michigan Corporations Act (Act 327, Public Acts of 1931). Each of the nine multi-county comprehensive health planning agencies were set up as separate entities under Act 327. Only five of the 11 multi-county law enforcement and criminal justice planning agencies were established as separate entities with a direct linkage to an RPDA. The Law Enforcement Task Force functioning within SPDR No. 7, for example, was linked with the East Central Michigan Economic Development Commission.

Several RPDA's are organized under both Act 281 and Act 46 to allow them to satisfy a variety of Federal statutory and administrative regulations. Thus, Michigan EDC's have been able to qualify for funds from the Department of Commerce, HUD, and other Federal sources. The Central Upper Peninsula Planning and Development District (CUPPADD) and the Central Upper Peninsula Regional Planning Commission (CUPRPC) are one and the same; they have an overlapping policy body and are served by the same staff.

The use of SPDR boundaries for organizational, planning, and program purposes has not followed a consistent pattern. While all multi-county community action agencies are within an SPDR, their service areas normally spill over into one or more adjacent SPDR's. Only one agency has boundaries coterminous with an SPDR. As of 1970, the boundaries of eight of the nine comprehensive health planning agencies were coterminous with SPDR's. The ninth agency, the Upper Peninsula Comprehensive Health Planning Association, was divided into four zones. Two zones were consistent with SPDR's.

Other examples of multi-county agencies that cross SPDR lines include community college districts, mental health agencies, park and recreation agencies, transportation agencies, legal service bureaus, resource conservation and development districts, watershed councils, and law enforcement and criminal justice planning agencies.

Not all RPDA's use boundaries that conform with SPDR's either. The Michiana Area Council of Governments, established under Michigan's Urban Cooperation Act (Act 7, Public Acts of 1967) and Indiana's Interlocal Cooperation Act of 1957, serves two Michigan and three Indiana counties. The service area includes only two of the three Michigan counties in SPDR No. 4. For a long period, the Southeast Michigan Council of Governments (SEMCOG) service area included six of the seven counties in SPDR No. 9. SEMCOG now services all seven counties. Three townships in Monroe County, which is served by SEMCOG, participate in the Toledo (Ohio) Metropolitan Area Council of Governments to qualify for Federal planning and "hardware" funds.

The Kent-Ottawa Regional Planning Commission, established under Act 281, offers another example of boundary fragmentation. The RPC serves all of Kent County and a portion of Ottawa. Most of Ottawa is serviced by the three-county West Michigan Shoreline Regional Planning Commission. Both of these RPC's are within SPDR No. 8. A single RPDA does not exist to service the entire 12-county SPDR. This situation highlights a problem encountered by many States. The logical delineation of substate districts may result in an area so large that it does not lend itself as a service area for a single umbrella agency.

There appears to be considerable tokenism by State agencies concerning SPDR's. While the SPDR's are often

used for data, statistical, and reporting purposes, there is little evidence to suggest that the 1968 and 1970 executive directives have had a significant impact on service delivery systems and program implementation. Officials of the Department of Social Services, for example, were able to present factual evidence in support of their eight multi-county and one single-county regions. One of the department's service regions is coterminous with the boundaries of two SPDR's. Two department regions, including a single-county one, are coterminous with one SPDR. Four of the department's regions divide SPDR's.

State regional delineations for health, highway, manpower, civil rights, vocational rehabilitation, employment security, and other major functions all divide SPDR's.

Governor Milliken has encouraged State departments, agencies, and instrumentalities to use SPDR's for administrative and program purposes. Strides continue to be made in terms of planning and program analysis. The Department of Public Health, for example, publishes County Health Statistical Profiles by SPDR. This data is heavily relied upon by regional and local planning agencies.

Governor Milliken views the SPDR's as key elements in a State comprehensive planning and development process in which State, regional, and local levels participate. Michigan's approach to substate districting and the establishment of RPDA's must be considered in terms of the State's approach to regionalism to be understood. Michigan possesses a strong State government with regard to executive branch organization, a streamlined constitution, legal authorities, fiscal capacity, and "local benefits" made available to local governments and citizens. While the State has frequently responded to problems and opportunities in regional terms, there has been a preference to rely upon functional State departments working with their local counterparts. There has also been a preference to establish new regional (i.e., multi-county) agencies along functional lines as opposed to adopting a firm State position in favor of a single-purpose RPDA.

Between 1962 and 1972 the State government has dealt successfully with such key issues as fiscal reform, the creation of a State housing finance authority, a State assisted Southeast Michigan Transportation Authority (SEMATA), welfare finance reform, a State clean water bonding program, State general revenue sharing with local governments, education finance reform, and State general fund matching in conjunction with Federal Omnibus Crime Control Act action grants. Each of these State initiatives has had a regional impact.

Regional considerations are evident in all of Governor Milliken's major policy decisions and programs since 1969. Moreover, the State's commitment to multi-county planning and development is growing stronger. The Governor is encouraging State government to "think

regional." The SPDR's and RPDA's are viewed as ways to facilitate the horizontal coordination of individual State agency planning and programs. They are also viewed as ways to facilitate vertical coordination of local, State, and Federal activities.

The pattern of "regional fragmentation" identified in a 1970 OPC study was a major target of Governor Milliken's Special Commission on Local Government. In its final report of March 1972, the commission recommended that the Governor:

... designate an 'umbrella agency' in each State Planning and Development Region to administer the A-95 review process within that region. In those areas where such a regional body does not exist, the Governor shall encourage the local governments to move toward the creation of a regional body.

This recommendation is under consideration and appropriate implementing legislation may be introduced as part of the Governor's 1973 legislative program. Even if legislation is not introduced, the Governor is moving in this direction through administrative regulations associated with the State Regional Planning Grant Program established in 1972. A high priority of the State Planning Division's 1972-73 work program is to encourage the establishment of RPDA's to serve every SPDR.

## ACTIVITIES

State statutes allow local elected officials almost total flexibility in organizing an RPDA. RPDA's are authorized to adopt by-laws, elect officers, hire staff, cooperate with or accept funds from Federal, State, and local public or private agencies, expend funds, and engage in almost any type of cooperative undertaking. RPDA's do not possess police powers and cannot levy taxes. They are voluntary membership advisory bodies that cannot bind member local governments to plans, programs, or action recommendations.

RPDA's are organized in accordance with by-laws and provisions contained in the local ordinances and resolutions governing their establishment. Member local governments can withdraw at any time or be expelled for nonpayment of annual dues in accordance with by-law provisions.

### Representation

There is no typical pattern of representation. No RPDA uses the one-man, one-vote approach. Act 281 is permissive and provides that "each regional planning commission shall elect its own chairman and establish its own rules of procedure and may create and fill such

offices as it may determine necessary." Act 7 is equally permissive in this regard.

Act 46 is more restrictive and provides that "economic development commissions . . . shall consist of not less than three nor more than 11 members with such powers and duties as are herein prescribed. Membership of a regional commission shall be apportioned according to the population of the respective counties." The Act further provides, "The commission shall be deemed to be an agency of the county or region. Provision is made for single county economic development commissions. The board or boards of supervisors may make such rules and regulations in respect to the commission as it deems advisable."

Most RPDA's use two policy bodies. Local elected and appointed officials are selected by member governments to serve on the general deliberative body. A smaller executive body is usually relied upon to provide policy guidance.

RPDA's organized under Acts 281 and 46 have been able to structure their policy bodies to satisfy all Federal regulations pertaining to representation. Most RPDA's also make extensive use of citizen participation mechanisms and advisory committees to satisfy Federal requirements. The Economic Development Administration requires that representatives drawn from business, industry, labor, and minority groups participate in the affairs of an RPDA as a condition for designation as an Economic Development District. Advisory councils have been freely used to satisfy this requirement.

The nine-member Tri-County RPC is comprised of two elected county board members and one non-elected resident from each of the three counties. The by-laws of the Northwest RPDA, serving the Traverse City area, require that two-thirds of the 14-member general deliberative body be local elected officials. Sixteen of the 30 representatives serving on CUPPADD's general deliberative body are local elected officials.

SEMCOG differs from other RPDA's in many ways. SEMCOG's seven-county service area encompasses well over 200 local general purpose governments; the total population is approximately 4.7 million. Detroit's population is almost 50 percent black while the population of the seven counties is over 85 percent white.

The issue of minority representation has come up several times in recent years. It has been difficult for minority groups, especially blacks, to gain representation in proportion to their populations. SEMCOG requires that all voting members on the general deliberative and executive bodies be local elected officials. Minority interests are, however, well represented on all advisory committees. All of the black officials and leaders interviewed expressed concern over representation. They would like to see greater black representation on the policy bodies and in key staff positions.

Most black public officials interviewed, including the chairmen of the Charter Commission, view SEMCOG

with caution and a healthy skepticism. All of these officials support SEMCOG and feel that a regional approach is necessary if Detroit's problems are to be solved or ameliorated. Yet they appreciate the fact that regional approaches could be used "to contain," "disenfranchise," and "strangle" the central city.

SEMCOG's by-laws assure each member government one vote on the 104-member general assembly. Detroit and the three most populous counties are guaranteed additional voting seats. SEMCOG has been able to achieve membership balance through this representation arrangement and use of a bloc voting system. The by-laws also provide for the election of up to seven citizens who reside in the region to serve on the assembly. The executive committee is to give preference to citizens whose accomplishments indicate that they are "regional statesmen." Regional statesmen serve as at-large representatives for one-year terms.

Assembly representatives are organized into four blocs: cities and villages, school districts and community colleges, counties, and townships. Representatives in any bloc can call for bloc voting on any substantive matter. Bloc voting is required to override executive committee actions, amend the by-laws, and amend the intergovernmental membership agreement.

The 39 executive committee members are selected from the voting members of the assembly. Membership is based essentially upon county population and divided among the four blocks. Oakland county, for example, is entitled to six members. Two represent county government, two represent cities and villages, one represents townships, and one represents school districts and community colleges.

## Programs

The broad State statutes applicable to RPDA's provide no specific work program guidance. Every RPDA engages in comprehensive regional planning and in certain types of functional planning. Many RPDA's carry out planning for, or on behalf of, local member governments. The extent to which functional planning is carried out varied widely.

There appears to be a major trend on the part of local elected officials to demand more "local government" services from the RPDA's. Many RPDA's are finding it difficult to balance priorities stemming from Federal agencies, State agencies, local elected officials, and their professional staffs. A majority of local elected officials in non-metropolitan areas appear to view RPDA's as extensions of local government that can help stimulate Federal grants for local public works, public facilities, and economic development projects. This creates some pressure as RPDA's try to respond to local, State, and Federal demands.

The State Planning Division is working on a model comprehensive planning process that can be used by

RPDA's. With the exception of SEMCOG, RPDA work programs tend to emphasize economic development. The work programs are extremely sensitive to Federal funding availability, Federal priorities, and targets of opportunity.

Several State agencies (e.g., the Highway and Natural Resources Departments) rely upon RPDA's to meet Federal requirements. Some RPDA's are preparing portions of the various statewide plans and programs that trigger Federal and State grants to local governments. However, there is no uniform pattern of RPDA participation in the planning associated with State-administered Federal programs. State agency officials interviewed did not reflect a strong commitment to use RPDA's for administrative or service delivery purposes.

SEMCOG's program areas include education, manpower development, health, housing, public safety, and data systems. The Tri-County RPC emphasizes local planning assistance, including the preparation of zoning ordinances and subdivision regulations and the finalization of a regional comprehensive development plan. CUPPADD's work program stresses recreation, water and sewer, solid waste, industrial development, manpower, and housing. The Northwest RPDA emphasizes economic development and physical planning.

Several RPDA's have formed non-profit development corporations to obtain legal and fiscal flexibility for plan implementation. Interlocking or overlapping policy bodies link parent RPDA's with these corporations.

There is no uniform review and comment pattern regarding local applications to State and Federal agencies. In April 1967, the U.S. Bureau of the Budget (now the Office of Management and Budget) designated nine Michigan metropolitan review agencies. Governor Romney took issue and pointed out to the HUD Secretary that only two of the designated agencies could be considered "areawide" using the State's substate districting criteria. In December 1968, he informed OMB that only two existing multi-county planning agencies would satisfy review and comment requirements set forth in the Intergovernmental Cooperation Act of 1968, and this situation has remained unchanged.

Only two RPDA's are carrying out A-95 review and comment activities for an entire SPDR. Several RPDA's, including CUPPADD, conduct A-95 activities informally. Local elected officials and RPDA staff feel that the review and comment process is of vital importance to the future of RPDA's. One local elected official noted, "A-95 and other Federal review requirements give us a reason to support our regional planning body. Review and comment has helped hold the agency together."

SEMCOG serves as an A-95 review and comment agency. To date, SEMCOG has demonstrated a willingness to challenge local projects that would fragment service delivery systems outside of a regional framework. Some SEMCOG officials feel that this approach has helped strengthen the agency as the focal point for

intergovernmental coordination and policy formulation. Others feel it has weakened SEMCOG by generating new fears on the part of local elected officials. A private leader warned, "SEMCOG will prove to be vulnerable if the Federal government fails to support its positions on basic issues. There is no solid criteria for review and comment activities. This is a real weakness and could hurt SEMCOG. If we have a court test or some other form of adjudication, there must be hard criteria to back up a contention."

## Staffing

There is no typical RPDA staffing pattern. The executive directors vary widely in experience and education. There is a direct relationship between Federal funding availability, priorities, requirements or suggestions and the level and type of staffing. This has created difficulties for several RPDA's, including SEMCOG, since it has not always been easy to realign staff to keep pace with major shifts in Federal priorities.

RPDA's are expanding their professional staffs as fast as resources permit. The Michigan Association of Regional Agencies (MARA) is encouraging professional staff training and development. The State does not have a specific policy on staffing. Every RPDA is expected, however, to have an experienced professional planner who can satisfy HUD's "planner-in-charge" requirement. Michigan has a planner's registration statute and the State Planning Division encourages RPDA's to have at least one State-registered professional planner. The division is considering sponsorship of training seminars, institutes, and workshops for RPDA officials and staff.

SEMCOG's staff reflects expertise in such functional areas as housing, transportation, education, public safety, manpower, health, and economic development. The staff composition of RPDA's in non-metropolitan areas tends to reflect physical planning, engineering, and economic development backgrounds.

The Governor is not presently encouraging State agencies to place State staff in RPDA's. Some consideration is being given to use of the personnel mobility feature of the Federal Intergovernmental Personnel Act as a means to upgrade RPDA staffs on a temporary basis.

RPDA's are experiencing pressure from Federal agencies and certain State agencies (e.g., the State Civil Rights Commission) to balance their policy bodies and staffs with regard to ethnic minority composition. One RPDA has had a sex discrimination charge filed on it by an unsuccessful woman applicant.

As in other States, the Michigan RPDA's must confront the fact that certain heavily Federal-funded program areas (e.g., comprehensive health and criminal justice planning) can support higher compensation levels. One local official noted, "There has been a great incentive to establish separate agencies since new high paid positions can be created also. Many executive

directors and staff of functional planning agencies can be paid as high or higher than SEMCOG's top staff." This situation appears to be statewide in scope.

A number of local and State officials commented on the fact that many Federal programs encourage functional linkages between State-RPDA-local staff in terms of compensation and professional requirements. This has led to certain staff and salary imbalances also.

## RELATIONSHIPS AND COORDINATION

Governor Milliken, first through the Office of Planning Coordination (OPC), and currently through the State Planning Division of the Bureau of Programs and Budget, has continued to emphasize the need for a statewide comprehensive planning and development process. SPDR's and RPDA's are viewed as an integral and necessary part of this process. A key aide to the Governor stated:

The State planning program has been used as a policy cutting edge by the Governor to staff out and then formulate basic new policies and programs dealing with environmental protection, education, welfare, land use, and transportation. Planning has been seen as an involvement process requiring the participation of numerous state and local officials. Officials and staff of regional agencies such as SEMCOG have been part of the process.

The State Planning Division is currently grappling with the development of "A Management System for Coordinating Public Policy." A February 1972 staff white paper focused on the need for a system

... whereby local governmental policies, desires, and needs could be voiced through a regional organization to the State and Federal levels of government. In this way local units could *act* to influence State and Federal legislation and policies instead of *reacting* after they became fact.

The paper cited the 13 SPDR's as a major link within a "planning system mode." It was suggested that the SPDR's could lead to a

... reduction of the vast number of local units [the State] would be required to deal with directly [since] each regional agency would develop a hierarchy or accumulation of local governments.

The model system proposed is intended to provide a continuing means for the input of local decisions at regional, State, and Federal levels. The paper suggested that "regional and State policies introduced through the local hierarchy yield local decisions which in essence

amount to implementation. These decisions may take the form of new or revised local legislation or projects." The system is also to encourage citizen participation in the programs of regional agencies. The paper notes that if the "system (model) operates as envisioned, it should generate political support for State and Federal programs and policies or legislation."

The proposed system has been carefully tailored to mesh with Michigan's Program Budget Evaluation System (PBES). PBES, one of Governor Milliken's highest priorities, will be fully operational beginning with the 1973-74 executive program budget's submission to the legislature. All State programs and activities are now included under eight umbrella program areas (e.g., economic development and income maintenance). PBES is triggered by program policy guidelines (PPG's) issued by the Governor. The PPG's for fiscal 1973-74 provide broad parameters to State agencies in preparing materials necessary to formulate department program plans (DPP's). Each DPP is highly quantitative and includes detailed program, financial, and manpower statements which express impact (end result) indicators, output (end product) measures, need/demand estimators, and operating/investment costs. From these plans, the initial Michigan Program Plan (MPP) will be assembled. Thereafter, it will be periodically updated through PBES.

PBES can have a significant effect on planning at the regional and local levels. If RPDA's are responsive to the Governor's PPG's and offer substantive recommendations on State plans, policies, and activities, they should be able to exert considerable influence upon the Governor's and the legislature's decision making. This will mean, however, that the RPDA's will have to install more sophisticated planning and evaluation systems characterized by quantitative analysis.

A July 1972 State Planning Division staff paper outlines the following role for the division in conjunction with PBES:

Crucial linkages to be maintained and developed are 1) *horizontal*—i.e., across functional areas or individual agencies; 2) *vertical*—i.e., to and from the State planning and development regional organizations and the interests which they represent; and 3) *chronological*—i.e., looking ahead further than others customarily do and serving as an early warning system on impacts, problems, and opportunities.

The planning capability of the major State operating agencies is uneven. Emphasis has traditionally been upon program or project planning rather than policy planning. Repeated efforts by the Executive Office to strengthen the planning capability of major State agencies have met with limited success. Federal planning grants and requirements for specific functions (e.g., highways) have

strengthened functional planning while hampering the development of a uniform approach. Federal grants and requirements have often frustrated efforts to achieve inter-agency and inter-functional coordination.

Most of Michigan's operating agencies have strong professional staffs due to a constitutionally mandated central civil service system. They also enjoy strong functional relationships with local and special purpose multi-jurisdictional counterpart agencies (e.g., State Highway Department to county road commissions) due to Michigan's tradition of providing substantial grants, services, transfer payments, and regulations—"local benefits"—to local governments. All local benefits are administered by State agencies. Heavy reliance is also placed on the use of trust funds and other techniques for dedicating revenue and controlling expenditures.

Most of the planning carried out by line agencies is in response to Federal requirements linked with Federal hardware grants. Strong functional constituency chains run vertically from the Federal level down to the local level. These chains include substantive Congressional and State legislative committees. Thus, "functional turf" is carefully guarded. Key State agency heads have been responsive to comprehensive planning mostly due to Federal requirements and forceful persuasion by the Governor. Vacillating Federal requirements and the crisis atmosphere of his office have made it difficult for the Governor to deal with agency planning matters with a high degree of continuity.

Most State line agencies use their own substate districts or regions. State agencies have not made significant use of the SPDR's for policy, planning, programming, and administrative purposes. Nor do they have a policy to guide their relationships with general-purpose RPDA's. Some agencies do rely upon RPDA's to help satisfy Federal planning requirements. However, the general preference is to rely upon functional agencies of local general purpose government or special purpose multi-jurisdictional entities. Only a few State agencies have demonstrated a willingness to experiment with RPDA's, and most of these efforts have been limited to the Southeast Michigan Council of Governments.

Michigan, like many states, has experienced the proliferation of "comprehensive" functional or special purpose planning entities directly attached to the Executive Office of the Governor. Many Federal statutes and requirements make it difficult, often impossible, for Governors to assign planning responsibilities to line agencies. Consequently, Governor Romney started a pattern which persists today.

A strong advocate of pluralism and politically pragmatic, the Governor refused to centralize all Executive Office planning in one agency. The Governor also felt that the proper role of the general purpose comprehensive State planning program was to develop a framework within which functional or special purpose planning would be carried out. Thus, separate comprehensive

functional planning entities were established within the Executive Office. The Bureau of Planning and Program Development (BPPD) was used in a "holding company" fashion. The Governor attempted to ensure coordination by appointing executive assistants, who headed the BPPD and the BOB, to the policy guidance councils or committees required by the Federal government.

The State policy guidance councils encouraged the establishment of new functional or special purpose regional planning agencies in such areas as health and criminal justice. The Governor would not agree to designate SEMCOG as the official comprehensive health planning agency for Southeast Michigan nor to require a direct linkage between SEMCOG and any new planning agency. Subsequently, a separate agency was established outside of SEMCOG's framework. New functional agencies were also established in other SPDR's, even where a general-purpose RPDA (e.g., the Tri-County RPC) existed. In many instances, the new functional agencies were established prior to or concurrent with the establishment of general-purpose RPDA's.

Functional fragmentation persists at the State level. An Office of Manpower Planning and a Comprehensive State Health Planning Office are lodged within the Bureau of Programs and Budget, along with the State Planning Division, the Budget Analysis and Preparation Division, the Research, Statistical Analysis, and Special Studies Division, and several special purpose entities. Separate offices or entities are contained within the executive office outside of the bureau. Their responsibilities include drug abuse and alcoholism, law enforcement and criminal justice, model cities, and voluntary action. Governor Milliken relies heavily upon the lieutenant governor, who chairs the Manpower Planning Commission and the Commission on Law Enforcement and Criminal Justice, and the State budget director to ensure coordination.

Functional fragmentation has made it difficult for the general purpose RPDA's to evolve into stronger coordinating vehicles. Michigan, unlike other States, has not used Federally required review and comment activities to help strengthen RPDA's. The Governor's Special Commission on Urban Problems dealt with this in 1968 when it recommended that the State encourage the establishment of a general purpose comprehensive RPDA to serve each SPDR. The commission recommended that RPDA responsibilities should include:

- Preparation of a regional comprehensive development plan.

- Review and comment on the development plans and projects of State agencies within the region.

- Review and coordination of regionally significant plans and projects of local government agencies in the region.

It was also recommended that the State require local governments to submit applications for all Federal grants to a State agency or, where appropriate, "... to a regional agency designated by the State for review, comment, and approval." This approach was echoed by the OPC in a 1970 study. In March 1972 Governor Milliken's Special Commission on Local Government also recommended the strengthening of RPDA's through A-95 review powers:

Most RPDA's want the Governor to designate them as the official umbrella agency for A-95 and other review and comment activities. This seems to be the direction in which the Governor is moving. There is also evidence to suggest that the review and comment process at the State level will soon be overhauled and strengthened. Presently, the State Planning Division is the State clearinghouse. The appropriate metropolitan clearinghouse or regional A-95 agency (e.g., SEMCOG and Tri-County RPD) are routinely invited to send a representative to conferences scheduled as the result of State review. Information and data is routinely exchanged, but a formal system does not exist.

It is difficult to assess the effectiveness of the State clearinghouse. A 1971 report indicates that applications have been modified as the result of post-review conferences. Criteria used for review purposes are weak and the professional judgment of line agency personnel is frequently relied upon.

The Research, Statistical Analysis, and Special Studies Division of the Bureau of Programs and Budget is the State information reception agency for 240 forms (Circular A-98) notifying the State of a Federal grant to the State or a local government. Communication between this division and the State Planning Division is informal and sporadic.

SEMCOG has experienced difficulties in conjunction with its A-95 responsibilities. It has come under attack from several mayors and other elected officials of suburban governments because of strong negative or "hold-for-negotiation" comments relative to public work and facility projects. Macomb County, the third largest and fastest growing county in SEMCOG's service area, has refused to pay its annual membership contributions due partially to disagreements over Federal project reviews. Key county officials have charged that HUD and other Federal agencies are acting in an arbitrary and capricious manner by "requiring" county membership in a voluntary regional agency as a prerequisite for the release of funds to the county and units within the county. The county board of commissioners has threatened a lawsuit against HUD, OMB, and other Federal agencies. Presently, Macomb County's participation in SEMCOG is limited to representatives serving on technical advisory committees.

The Southeast Michigan Comprehensive Health Planning Council views itself as the logical A-95 review and comment agency for health and health-related projects.

This has led to some minor disputes and, as one local official stated, "political skirmishes" during the last two years.

The Detroit-Wayne County Criminal Justice System Coordinating Council and two similar entities serving Macomb and Oakland Counties also contend that they are the focal point for review and comment on projects within their functional areas. SEMCOG has a law enforcement and criminal justice policy group and a limited staff capability to engage in comprehensive planning. However, the RPDA has not been able to mount a major program because of organizational fragmentation and dispersal of planning funds within the region by the State Office of Criminal Justice Programs. Yet SEMCOG has had a positive impact through the A-95 process. One local official stated, "SEMCOG has done well to prevent all of the local attention from being focused on hardware and communication equipment. Without SEMCOG's participation and the review and comment vehicle, we would have seen more attention devoted to law and hardware than to new systems and reform of institutional arrangements."

Michigan has experimented with one "holding company" arrangement involving SEMCOG. The Southeast Michigan Transportation Authority (SEMTA), created in 1967 by State statute, has the same service area as SEMCOG. The statute links the two regional agencies in several ways.

SEMCOG must review and comment on SEMTA's Federal aid applications, annual budget, work program, capital plan and projects, and audits. SEMCOG has authority to appoint six members of SEMTA's policy body; the other three members are appointed directly by the Governor. Finally, SEMCOG has the responsibility of coordinating SEMTA's plans, operating programs (e.g., bus service), and projects (e.g., park and ride facilities) on a regional basis.

SEMCOG and SEMTA enjoy good working relations. SEMCOG is strongly supportive of Governor Milliken's legislative proposal to give SEMTA a guaranteed fiscal base through use of the State taxing and distribution power. Many supporters of regionalism view this proposal as a political test for SEMCOG and the future of regional agencies.

RPDA's throughout the State continue to look to SEMCOG and Southeast Michigan for policy leadership for State-RPDA relations and for clues as to how these relations may evolve. SEMCOG's executive director and key local elected officials on the policy body have been able to establish solid communication lines with the Governor and his key political advisors. Moreover, the RPDA has been able to establish a limited, but critical, number of innovative program relationships with State agencies concerning housing, manpower development, and transportation.

Despite SEMCOG's progress in working with the State, there is still concern as to the future. One State

official noted, "SEMCOG's annual budget shows limited commitment by State government. Take away the Highway Department's support due to Federal requirements, and you have something like \$200,000 coming from the State. Examine that, and you have almost nothing when you take away criminal justice funding." Another state official commented, "The new regional grant program will help, but it is not a substitute for program involvement and program dollars. These dollars are what will link SEMCOG with State departments and agencies over time."

While all RPDA's seek to involve the private sector in their affairs through policy body membership and advisory committees, SEMCOG has been the pacesetter for institutionalized arrangements. It works closely with the (Detroit) Metropolitan Fund, Inc., and New Detroit Inc. The Metropolitan Fund is a non-profit research corporation that actively encourages regional solutions to problems. New Detroit was established following the civil disorders of 1967 to offer new opportunities to minority citizens. Both entities are heavily financed by the private sector and their policy bodies are comprised of private and public sector leaders.

Several black public officials and private leaders interviewed were concerned that SEMCOG and the major private sector umbrella organizations might work against the interest of minorities. One official noted, "We are just coming into power. We will have a city to govern. While we must go regional to solve problems and obtain resources, we must also be careful not to be co-opted." A private leader commented, "Regional agencies must be looked at carefully. They can work against minority interests in subtle ways. Since minorities do not command many elected offices, it is important that we participate in SEMCOG through private sector avenues or as citizens appointed to policy bodies and advisory committees."

A 1972 regional citizenship research project sponsored by the Metropolitan Fund provided the impetus for an effort to create a process capable of developing a true regional political constituency. A formal regional citizenship mechanism is being established and a membership drive is to be mounted in early 1973. The first order of business will be to prepare a regional action agenda. It is then hoped that the entity will be able to influence action through a systematic "regional advocacy" program. These activities tie into a year-long study initiated by the Metropolitan Fund of possible alternatives for regional governance in Southeast Michigan, scheduled for completion in Spring 1973.

In summary, there is no distinct trend with regard to how regional relationships and coordination patterns will evolve during the coming years. It does appear, however, that there will be some movement in the direction of stronger direct State action and experimentation with RPDA's as more than mere planning and coordinating vehicles.

## FINANCES

RPDA's receive financial support from member counties and other local governments. Annual contributions are based primarily upon an established assessment rate per capita population. Rates vary widely and are set in accordance with by-laws or policy guidelines.

There is no current source of statewide data on RPDA finances. SEMCOG expects to receive \$372,441 from member governments in support of the 1972-73 budget. Wayne County (Detroit) and member local governments within the county have been assessed \$199,546; of this amount, the county's share is \$100,000. Oakland County has been assessed \$68,500 out of a county total of \$81,576. As noted earlier, the third largest county in SEMCOG, Macomb, has refused to pay its assessment. A move to transfer the county's \$40,000 annual contribution to a legal defense fund was defeated by a 10-9 vote at the July 31, 1972 board of commissioners meeting. The fund was to be used to bring a law suit against HUD, other Federal agencies, and SEMCOG for "denying funds to Macomb under A-95 review and comment procedures without due process."

The Tri-County RPDA expects to receive \$135,000 from member governments in support of the 1972 budget. Ingram County had been assessed 63 percent of this amount. The Northwest RPDA expects \$31,000 from member governments in 1972 while CUPPADD expects \$9,000 from the six member counties for the 1973 budget.

RPDA's rely upon a wide variety of Federal programs for annual financial support. The Department of Housing and Urban Development, through the Community Planning and Management Assistance Program, and the Department of Commerce, through the Economic Development Administration (EDA), provide annual sustaining grants.

HUD continues to make financial assistance available directly to RPDA's serving metropolitan areas. In 1968, HUD began to make funds available to RPDA's serving non-metropolitan areas through State agencies administering HUD's local planning assistance program. This action helped to stimulate Michigan's involvement with RPDA's through the Community (Local) Planning Program. It also helped to justify the establishment of a separate Office of Community Planning in 1969.

HUD's entry into non-metropolitan planning on a multi-county basis stimulated many emerging Michigan economic development commissions to organize under Act 281 so that they could qualify for assistance from both HUD and EDA. Several commissions established prior to 1968 have established a "legal shadow agency" under Act 281 with an interlocking or overlapping policy body, a coordinated work program, and shared staff. The existence of two separate legal entities to serve non-metropolitan SPDR's has fostered confusion.

Grants from HUD and EDA are the most flexible available to support institution building, including staff, and tailored work programs. SEMCOG is heavily dependent upon HUD for annual support, as is the Tri-County RPDA. Most of the other RPDA's are now about equally dependent upon EDA and HUD. The Department of Agriculture, through the Farmers Home Administration, has been another major source of funding for RPDA's in non-metropolitan areas.

RPDA's are eligible to receive Federal funds from any Federal agency or "flow through" funds administered by State agencies. RPDA's can receive State funds directly from all State agencies. There is usually a mixture of State-Federal funds involved since Michigan adds general fund support to most Federal programs. SEMCOG, for example, expects to receive \$150,000 from the State Office of Criminal Justice, \$390,000 from the Department of State Highways, \$45,000 from the Department of Public Health, and \$7,500 from the Department of Natural Resources in support of its 1972-73 budget.

Most RPDA's have not been designated by the Governor to serve as the umbrella for the State-Federal single-purpose programs. The Southeast Michigan Comprehensive Health Planning Council and the Detroit-Wayne County Criminal Justice System Coordinating Council are outside SEMCOG's framework. These agencies receive funds directly from Federal and State-Federal agencies. They compete, in a real sense, for funds that SEMCOG would receive if it were the single umbrella RPDA for SPDR No. 1. Due to the State's reliance upon single-purpose multi-county or multi-jurisdictional planning agencies, the general-purpose comprehensive RPDA's do not enjoy a broad base of direct or "flow through" Federal funding.

CUPPADD represents an excellent example of how the multiplier effect works relative to Federal funding. A 1972 budget summary reveals that CUPPADD has obtained \$439,000 in Federal planning funds to match \$34,000 in member government contributions since 1969. CUPPADD's planning has led to over \$26 million in new public works and facilities projects. Of this amount, \$12 million was from Federal funding, \$5 million was State funding, and \$9 million was local cash and contributed in-kind services. The summary notes, "For every \$100 of local cash contributed . . . approximately \$50,000 in Federal and State money was returned to the six-county CUPPADD area, which resulted in approximately \$80,000 invested in new facilities."

Most local elected officials and RPDA staff interviewed expressed concern over annual shifts in Federal funding amounts and drastic changes in work program priorities. HUD's emphasis on housing and minority concerns in 1969 was cited as an example. This change required many RPDA's to rework their programs and led to some staff imbalances in terms of expertise required. Several RPDA executive directors pointed out that it has

become increasingly difficult to estimate the amount of Federal funds that will be available each year. SEMCOG's funding from HUD, for example, has varied between \$50,000 and \$100,000 during the last three years.

Federal special project or demonstration grants have led to budgetary, program, and staffing imbalances. There has been a tendency for RPDA's to expand and overcommit to obtain Federal funds. Quite often Federal continuation funding is not available and RPDA's must either absorb costs or cut back. Either approach normally draws criticism from local elected officials and vested interests.

There is considerable concern on the part of some local elected officials and RPDA staff that Federal general and special revenue sharing and bloc grants will undercut the RPDA's. Several State and local officials feel that the State's new thrust to provide cash support for RPDA's may collapse or be weakened if Federal revenue sharing and bloc grant programs fail to offer incentives for multi-county planning and development. There is no consensus among State officials as to how, if at all, State policies should be shaped so that revenue sharing and bloc grants might be used to strengthen RPDA's.

RPDA's have complete latitude to receive cash or contributed in-kind services from member and non-member local governments. RPDA's can also receive cash or services from special districts, authorities, non-profit corporations, private foundations, and private organizations and groups. SEMCOG's 1972-73 revenue estimate offers an example. SEMCOG expects to receive \$50,000 from the Ford Foundation, \$30,000 from the Greater Detroit Chamber of Commerce, and \$100,000 from private contributions. The private contributions from business and industry are in response to an appeal by SEMCOG to help balance the budget. Erratic Federal funding, shifts in Federal program priorities, and SEMCOG's response to program needs following civil disorders led to budgetary imbalances between 1968-71.

SEMCOG also expects to receive \$23,000 from SEMTA, \$25,000 from the Southeastern Michigan Comprehensive Health Planning Council, and \$4,000 from the Huron Clinton Metropolitan (Park) Authority for planning services. In addition, SEMCOG expects to derive \$25,000 from investments, maps, census service, sales of materials, and reimbursable technical assistance.

Michigan first considered a State grant program in support of regional planning and development in 1966. Governor Romney included \$150,000 in the 1967-68 Executive Budget to "... initiate a program of grants to support multi-county planning bodies for the purpose of devising areawide development programs which will complement local and State programs." The legislature turned down this request; a companion bill to establish a State Planning Assistance Fund failed to clear the committee system following extensive hearings. Only

five RPDA's were in existence at the time and many legislators feared SEMCOG would derive the most benefit.

At Governor Milliken's request and after much grass roots lobbying, the legislature appropriated \$750,000 in 1972 for Grants to Regional Planning and Development Organizations in FY 1973. The legislature has instructed that RPDA's shall forfeit State grant funds "... for failure to approve a Federal or State grant to a local unit of government on the basis that the local unit ... is not a member of said regional or planning organization." The act specifies that prior to the release of grant funds:

... there shall be submitted to the House and Senate Appropriations Committees a list of the contemplated payments, the amounts, the purposes of the payments, and to whom. If action on the payments is not made within 30 days by the two legislative appropriations committees in the form of a joint letter signed by the chairman ... indicating disapproval of a payment of payments, the payments ... may be approved.

Ranking members of the House and Senate interviewed explained that the appropriations act restrictions were necessary to counter fears expressed by members. Many members did not want to be associated with any effort that could be construed to foster "super or metro government." Others, of both parties, were reluctant to give the Governor a flexible grant program that could be used to build new constituency relationships or for other political purposes.

The grant program will be administered by the State Planning Division of the Bureau of Programs and Budget. The division has developed preliminary guidelines which link grant eligibility to an annual State certification of a "single, multi-county intergovernmental umbrella organization" within each SPDR. The guidelines were presented to the Michigan Association of Regional Agencies in August 1972 for comment. The current version refers to the grant program as "a State incentive program for local governments."

Each RPDA must satisfy State requirements for certification. The RPDA must be:

- 1) established under the Regional Planning Commission Act, Act 281, as amended;
- 2) multi-county and consist of three or more contiguous counties in the SPDR;
- 3) servicing at least 50 percent of the total SPDR population through member counties;
- 4) using a general deliberative policy body that consists of local elected officials from general-purpose governments;
- 5) open to all general-purpose governments

with each member county represented by at least one member of the board of county commissioners;

- 6) staffed by a full-time director and qualified staff to carry out the annual work program, including Federal aid coordination;
- 7) receiving annual financial support from member governments;
- 8) carrying out a continuous comprehensive general purpose planning and development program.

Certification is to be made on or before July 1 each year, based on a compliance statement filed by each RPDA. Provision has been made for interim recognition until June 30, 1973, to permit RPDA's to obtain grants and come up to State standards. This provision applies to existing agencies and to efforts to establish an agency.

Eligible agencies will be able to receive between \$25,000 and \$100,000 annually. It is proposed that the program be administered initially on a matching (50-50) basis, with RPDA's expected to match State funds with cash derived from membership contributions. Provision has been made for unorganized regions. A threshold incentive grant of \$25,000 or five cents per capita, whichever is greater, will be reserved for each unorganized region. Documented evidence of local efforts to establish an RPDA must be submitted by January 1, 1973, in order to assure funding. Reserved funds for unorganized regions will revert to the State general fund after April 1.

Each approved RPDA must execute a contract with the Executive Office to satisfy legislative intent. Local matching funds must be collected prior to the release of State funds. The appropriations act specifies that "all grants shall be subject to an audit by the legislative auditor general or by an independent public accounting firm appointed by him."

The responses of RPDA's to the guidelines favor a bloc grant approach with less State administrative involvement. Most agencies want to know precisely how much they can expect to receive in FY 1973. The \$750,000 appropriation is not adequate if all of the ten existing multi-county agencies meet the matching requirements for maximum \$100,000 grants.

Many SEMCOG officials believe that their agency should receive more than \$100,000. SEMCOG's staff feels that the State should provide at least \$250,000 annually. CUPPADD is anticipating a State grant of \$48,000, provided that the six member counties increase their local cash contributions from \$9,000 to \$24,000 in 1973. The State grant and local contributions could be used to attract \$216,000 in federal funds. Some local elected officials have expressed concern because local governments will have to spend more of their general fund revenues on the RPDA.

State officials anticipate some difficulties in making equitable allocations of grant funds in FY 1973. It is

estimated that the grant program will have to be increased to the \$1.5 million to \$2 million level to provide minimum State support for a statewide system of RPDA's. Consideration is already being given to a phased matching arrangement so that RPDA's can receive heavy financing for three years and minimum sustaining financing thereafter.

The State grant program marked a significant turning point in State RPDA relationships. While the RPDA's will enjoy more financial security and be less vulnerable to shifts in Federal funding patterns and program priorities, they confront several new concerns. The grant program may lead to more restrictive State regulations and arguments by local elected officials that annual contributions from member governments should not be increased or that they should be reduced.

## EVALUATION AND CONCLUSIONS

Governor Milliken and many key State officials, including legislators, view regionalism as a process involving State financing, other incentives, and controls. A statewide system of RPDA's is seen as an embryonic sub-process, not an end in itself.

Most legislators interviewed felt that problems should be approached with regional considerations in mind. Yet there is a strong feeling against giving RPDA's the capability of directly implementing plans and programs. There is little support for regional general purpose agencies possessing policy powers, including taxing authority.

The Michigan preference remains for direct local or State government action and, when essential, reliance on special purpose authorities or districts. Efforts to obtain strong county home rule charters, city-county consolidations, and other approaches to strengthen broadly based general-purpose government while reducing governmental fragmentation have not been successful. Progress has been limited mainly to the consolidation of specific functions (e.g., city-county health departments).

Legislators from the Detroit metropolitan area voiced two clear lines of thought. One group, representing suburban and urbanizing districts, favor regional problem solving so long as it does not lead to some form of "metro" government. The other group, from central city districts, oppose regional problem solving through an RPDA. Most legislators in both groups favor greater regional problem solving through State action.

Governor Milliken does not feel that RPDA's should be granted implementation authority through State legislative action. Whether he will alter this position in coming years is uncertain. The Governor has taken a major step to strengthen the Southeast Michigan Transportation Authority (SEMTA) by calling for legislation that would guarantee SEMTA an annual share of the State motor vehicle fuel tax. The Governor listed this legislation as one of his three highest priorities in 1971.

The new transportation fund, if established, would enable SEMTA to operate a regional bus system and would make funds for transit development available to other urban areas. This effort may yield a successful "holding company" model since SEMTA is directly linked with SEMCOG, the RPDA, through policy body appointments, budgetary review, program review and coordination, and Federal review and comment requirements.

The State Planning Division is working on a "State Policies Plan" with a time horizon set five to seven years into the future. A July 1972 staff paper indicates that the plan will include supply, demand, and control aspects. RPDA's are expected to make contributions to the plan and to be involved in implementation.

"Involvement" seems to best describe Michigan's approach to strengthening the implementation capability of RPDA's. Several major examples merit attention. The State budget director, a key gubernatorial political advisor, maintains personal liaison with the executive directors and policy body members of RPDA's individually and through the Michigan Association of Regional Agencies (MARA). The budget director sees the RPDA role as influencing political decisions not making them.

As noted earlier, PBES can provide RPDA's with a direct avenue to influence State resource allocation decisions, service delivery systems, and legislative proposals. The manner in which RPDA's will become involved is still shaking down. Most RPDA executive directors identify the budget director as their focal point for basic State-RPDA policy matters. The State Planning Division and the functional planning agencies within the Executive Office (e.g., comprehensive health planning) are identified as focal points for operational policy matters and technical assistance. Moreover, the executive directors place great emphasis on strong constituent relations with the major Executive Branch offices.

Governor Milliken's 1971 Economic Report, State of the State Message, Executive Budget, legislative package, and several special legislative messages contained numerous recommendations for solving problems within a regional context. Regional considerations are given high priority in a program to use State bonding authority in such areas as housing, recreation, clean water programs, tourist facilities, and economic development. For ex-

ample, the six-county Central Upper Peninsula Planning and Development District (CUPPADD) completed a regional recreational plan in 1971. The plan has enabled member governments to qualify for additional Federal grants and to participate effectively in the State's \$100-million recreation bond program. The State Department of Natural Resources welcomed the regional approach and accepted the plan in place of separate county, city, and township plans.

Michigan's approach to regionalism is positive and politically pragmatic. The state has no one policy, but a set of policies that are generally compatible. RPDA's are playing a major role as these policies are refined and new ones formulated. The Governor views RPDA's as being on an upswing course and is committed to strengthening them through greater involvement with the State.

Many executive directors and policy body members of RPDA's feel that increased State involvement offers the most viable alternative for RPDA's to strengthen significantly their capability to influence policies and achieve plan implementation. While other directors and members agree with this premise, they also express concern over possible State "cooptation" that might prevent RPDA's from obtaining direct implementing authority.

Local political jealousies, central city-suburban confrontations, a dynamic two-party system marked by strong extreme far right and far left factions, and a State government capable and willing to expand its role down to the local level may combine to hinder the emergence of "regional constituencies" in support of strong RPDA's. Yet Governor Milliken's positive commitment to regionalism should allow RPDA's to become more important as decision influencers over the next two years. The Governor does not come up for re-election until November, 1973. This provides ample time to establish new State-RPDA involvement patterns, strengthen existing ones, and experiment with new State agency use of the SPDR's.

The legislature is also expressing new interest in RPDA's and the use of SPDR's for State purposes. There is evidence that this interest may be reflected in substantive legislation, the annual executive budget, and the five-year capital outlay requests. Current trends and patterns suggest that RPDA's may soon be helping to *make*, rather than *shape*, state policies and programs.

# New York

## BACKGROUND AND STRUCTURE

New York State has been aware of the need for statewide planning since the Commission of Housing and Regional Planning's pioneer report to Governor Alfred E. Smith in 1926. A similar report to the Governor, prepared by the New York Division of State Planning in 1935, contained precise recommendations for a variety of actions, including the creation of eight planning districts with the State. Twenty-nine years later a related proposal was offered by *Change/Challenge/Response* (CCR), a report issued by the State Office for Regional Development. This 1964 report recommended official designation of 10 State development regions, subject to modification as conditions altered. These regions were to encompass areas with common interests, allowing for the exigencies of topography and the location of central cities.

During the intervening three decades State planning efforts continued principally in only two areas: industrial development and assistance to local governments for planning and zoning. Such statewide planning focused generally upon short-range goals, encompassing only a few budgetary years at a time. According to a State official, this procedure was followed because there was little interest in developing a statewide plan that was not directly related to specific needs or objectives.

In 1968 a new State planning office, the Office of Planning Coordination (OPC), issued a map which, because of the Appalachian Regional Commission's influence on some counties and for other economic and political reasons, altered the regional boundaries called for in 1964.

### Creation of the Substate Districts

The response of State agencies to this map, sent them by the OPC in 1969, was less than enthusiastic and the impetus toward districting languished until 1971. In February of that year Governor Nelson Rockefeller issued Executive Order 44, which established 11 State comprehensive planning and development districts (PDD's). A portion of the Executive Order states as follows:

In the last decade New York State has commenced a coordinated effort to develop the State on a balanced regional basis. As part of this effort comprehensive planning and development regions were developed for

the State based upon areawide groupings of counties reflecting their physical, economic and human resources relationships. The design of these regions, which were delineated after studying and consultation with the various state departments and agencies and local governments is such as will promote the efficient and effective accomplishment of federal, state and local development programs. There now exists a comprehensive planning agency serving each of these planning and development regions. Moreover, the federal government in its effort to improve intergovernmental coordination has been recently required the use insofar as possible, of coterminous boundaries for planning the various federally assisted development programs within the State. Accordingly, the eleven comprehensive planning development regions as now constituted and represented on the annex map and as such regions may from time to time be modified by the Governor are hereby declared to be the official Comprehensive Planning and Development Regions of New York State.

While the Executive Order required State departments to align all planning activities with the new regional framework, it also required departments to determine and to report upon the extent to which field services and operations could be conducted according to regional delineations. The State agencies were directed to indicate by July 1971 in a written report to the OPC measures taken to comply with the order. In addition, the OPC director was authorized to approve the use of alternate regional boundaries for planning purposes of State agencies, wherever, in his judgment, it was justified.

This brief background does not explain why it took New York so many years to designate substate regions. Two attitudes accounted for the delay: 1) the conviction of county officials that they must organize into their own regional entities to comply with Federal grant requirements; and 2) the desire of local officials to supplant the *Change/Challenge/Response* report's concept of State planning. This local opposition took an interesting turn and is worthy of further attention.

According to a State planning official, the first year of the Rockefeller administration brought with it a renewed effort to evaluate the effectiveness of State

government. The initial task was to determine whether the organization of a miniature State capital system would facilitate State administration. The Office of Regional Development (ORD), established in 1961 with the charge of devising a plan, proceeded to produce the aforementioned *Change/Challenge/Response* report which outlined a concept of State districts, organized for State purposes and staffed by State personnel. These districts, to be guided by a policy body appointed by the Governor, were to constitute the effective regions for all State planning and administrative purposes.

Among many favorable and unfavorable responses, the CCR report elicited concern from local governmental officials, especially those involved with industrial development, who viewed the plan as an encroachment by the State upon local prerogatives.

### Regional Planning Boards

In 1963 a group of counties surrounding Syracuse formed the first regional planning board (RPB) as a response to Federal grant requirements and to the threat of planning directed by the State. They were able to take this action under a 1957 state law which allows counties to do together what each can do by itself. The law authorized counties to form planning boards to consist of representatives of all member counties as well as of participating municipalities to be selected as the board decided. It designated the *ex officio* inclusion on the board of the county engineer or superintendent of highways and a representative of the controller's office or of the financial commissioner of each county participating. The board was empowered also to designate the chief engineer of any special county improvement commission as an *ex officio* member of the RPB. The number of additional members, unspecified by law, is usually between five and ten. As the RPB approach gained popularity, the impetus toward forming regions for State planning and administrative purposes was lost.

The Office of Regional Development, which had no desire to block these locally initiated regional planning boards, proceeded to integrate the RPB's into the State planning effort. To this end ORD developed two guidelines: 1) that no individual county could be split between regions, and 2) that the Federally designated standard metropolitan statistical areas (SMSA's) must remain intact. An effort was made to include in one region counties likely to become part of an SMSA in the future. Following issuance of the *Change/Challenge/Response* report a number of counties requested that they be shifted into separate districts. The two counties in the Appalachian Regional Commission area were transferred from the Erie-Niagara region recommended in 1964 into the newly extended 1968 Southern Tier-West region. Also, the six-county composition of the 1964 Adirondack-Mohawk region became the four-

county Mohawk Valley region in 1968, while the Mid-Hudson West and Mid-Hudson East areas were combined into one Mid-Hudson sector. During this process, no public hearings were held.

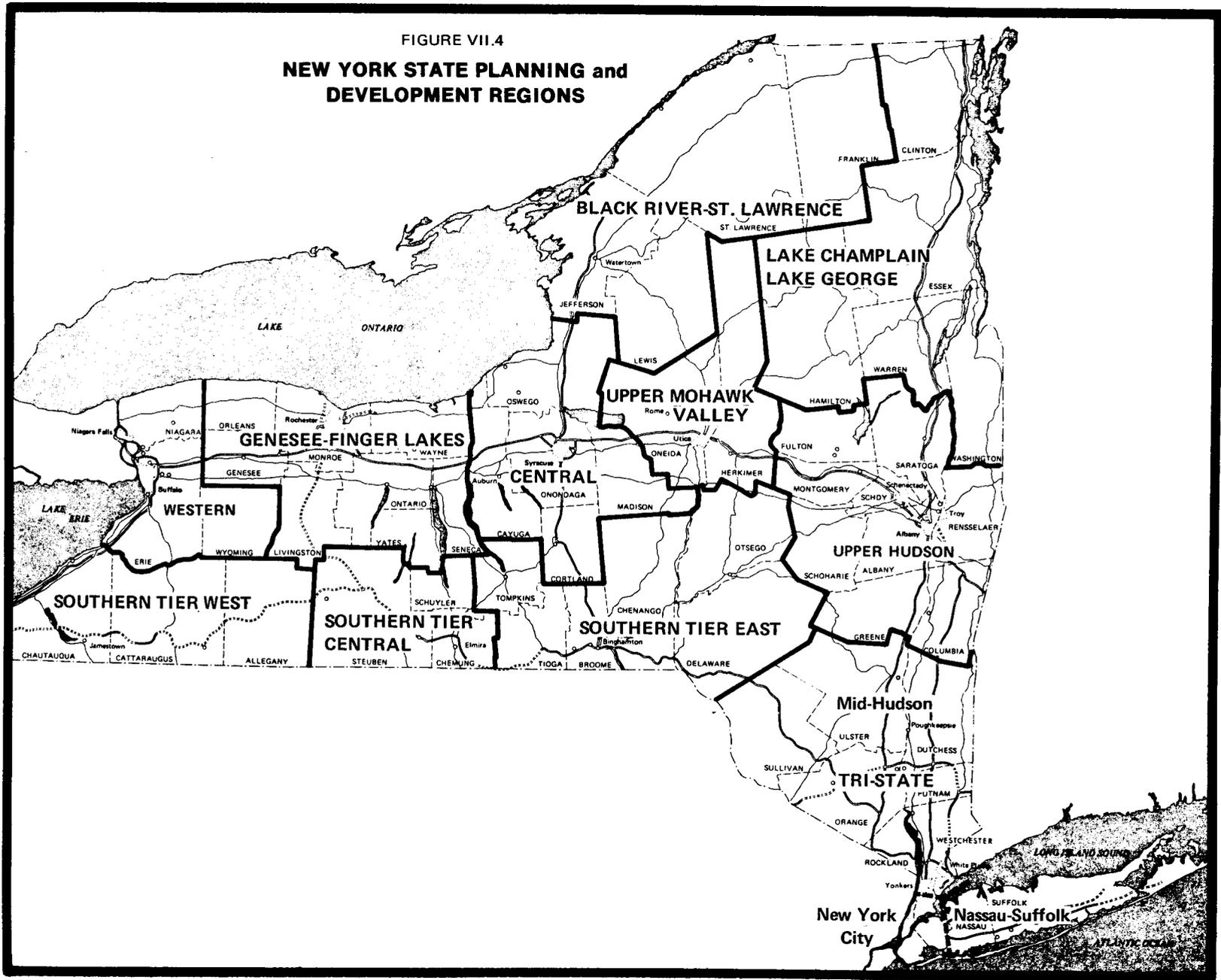
### Office of Planning Services

The change in ORD's mission resulted in a decision to combine ORD with the Bureau of Planning of the State Department of Commerce to form the Office of Planning Coordination (OPC). When first structured the OPC consisted of three branches: State planning, regional planning, and comprehensive planning. According to a State planning official, from its inception the regional planning section operated in a largely autonomous fashion. Only recently has the State taken a position concerning regional planning in order to get more control over this activity. For instance, the State has prepared an overall program design for HUD 701 funds that provides a structured regional input for the program and has taken a position concerning uniform population projections.

Working with the Division of Budget, the Office of Planning Coordination evolved a State planning programming framework with ten functional areas of State concern: housing, health, education, human resources, economic development, transportation, public safety, recreation and culture, environmental resources, and governmental functions. State agency functions were examined according to this framework and a new planning effort was initiated along the lines of those functions. New State departments were created: Transportation functions, lodged previously in other departments, were consolidated into the Department of Transportation; a Health Planning Commission was formed to meet planning needs for physical and mental health in New York; a Social Development Planning Commission was formed; and, in 1970, the Department of Environmental Conservation was established to combine the management of natural resources with environmental health action.

The OPC encouraged and supported formation of the multi-county regional planning boards which now serve most of the counties of the State and 97 percent of its population. In 1970 the Office of Planning Coordination issued a paper entitled "Planning for Development in New York State," a report on the status of attempts to meet the continuing need for expansion of New York's planning program. According to this report, New York State has five comprehensive functional planning agencies: the Board of Regents for Education; the Department of Transportation and the Department of Environmental Conservation, each having effective responsibility for an entire functional area, and the Health Planning and Social Development Planning Commissions, which were established to coordinate the planning of many individual agencies. There are also two sub-functional

FIGURE VII.4  
**NEW YORK STATE PLANNING and  
 DEVELOPMENT REGIONS**



agencies—the Crime Control Planning Board and the Office of Parks and Recreation.

Because of State budgetary restrictions and problems with the legislature the OPC was replaced in 1971 with the Office of Planning Services (OPS), which possessed a smaller staff capacity. This action was followed by extensive reorganization of statewide planning activities in the Executive Department. On April 1, 1971, the following bodies were transferred to the OPS: the Health Planning Commission, Social Development Planning Commission, the Manpower Resources Commission, the Hudson River Valley Commission, and the St. Lawrence-Eastern Ontario Commissions. In addition, an executive order abolished the Office for Community Affairs and transferred its functions concerning the Model Cities program to OPS. OPS was also directed to provide staff services to the Crime Control Planning Board. Effective December 22, 1971, however, the Manpower Resources Commission's staff and support functions were transferred to the Department of Labor. And subsequently, on September 1, 1972, the OPS Division of Criminal Justice, which provided staff and support services for the Crime Control Planning Board, was transferred to a newly created Division of Criminal Justice Services.

The present Office of Planning Services is responsible for encouraging and facilitating cooperation and collaboration among all agencies and levels of government and between the government and the private sector for the protection and development of human, natural, and man-made resources. The office is authorized also to undertake planning and development activities and to provide technical assistance to municipalities. As the Governor may direct, it is to assist in the review of planning development activities in the State agencies, to carry out planning activities for such State functions, to operate State clearinghouses, and to undertake study surveys. Its director is appointed by the Governor with Senate confirmation.

## Delineation

According to a report published by the State University of New York (SUNY) entitled "Regionalism in the State University," counties were to be grouped into the 11 comprehensive planning and development regions in such a way as to:

Preserve homogeneity, that is, the collaborative context of the natural landscape, cultural environment, demographic and economic factors; to observe nodality which is the orientation of a region's present and proposed urban centers where most people will live and work; to respect the realisms of existing county boundaries and to strengthen the planning capabilities in the counties;

and to be sensitive to social identification which means that each county was consulted in the choice of the region with which it wish to be identified.

An OPC report on New York State's planning and development regions issued in August 1970 states that planners are familiar with the necessity of compromise, and that:

Those close to decision makers usually take a pragmatic stance, tempering the ideal with a dose of political reality. Compromises are in order in establishing regions for comprehensive planning and development. By no stretch of the imagination could regions be contrived to suffice completely both for the planning and administrative functions of state agencies and for comprehensive planning as well. It might be said the regions must be adequate for some functions all the time and for all functions some of the time.

The State government advised that the planning boards must first relate local plans to each other in order to relate local planning to State functional planning. The Act authorizing regional planning boards empowers them to perform planning functions including but not limited to surveys, land use studies, urban renewal plans, and technical services. The Act states further that the boards

... shall study needs and conditions of metropolitan, regional, and county and community planning in such county or counties or the area covered by the constituent municipalities. They may also prepare and adopt in whole and in part a comprehensive master plan for the development of the entire area of the county or counties or municipalities participating which master plan shall include the highways, parks, and parkways and sites for public buildings and works including sub-surface facilities in the acquisition, etc. . . .

The boards, whose members are local officials and other citizens named by the county governments, coordinate the planning of units within their boundaries and also work to coordinate local and regional plans with State plans. An effort is being made to coordinate functional planning at the State level with planning within the function of the planning boards—in regional functional planning bodies and in the localities, as well as among State agencies. Local governments—town, village, city, and county—are normally the best units for planning in each region. These units frequently work with other agencies, public and private, to identify and solve local

problems. The State tries to provide guidance, technical help, and financial aid to the regions, with the local agencies determining local needs. Regional planning boards coordinate the use of resources, land, water, and public facilities for common objectives.

## ACTIVITIES

The 11 regional planning boards do not cover all of the counties contained in the State's comprehensive planning and development regions. For instance, one RPB covers only four of the nine counties in the official corresponding PDR. As indicated previously, these boards are creatures of counties, generally concentrating on economic development and physical planning efforts for their regions.

The legal composition of the boards varies greatly. In some cases, a joint resolution of the counties involved, occasioned the formulation of a regional planning board. In other cases the board consists of a loose federation. A State planning official pointed out that when the State contracts with a regional planning board, so that the board may receive State and Federal planning assistance funds, the contract in some cases is simply signed by the chairman of the RPB. In other cases a contract must be entered into with each of the sponsoring counties of the regional planning board. For instance, if there are four counties in the RPB it might be necessary that each county have a separate contract with the State to carry out State and Federally supported planning activity under the RPB structure.

There is little indication that the regional planning boards are undertaking any direct Federal or State administrative or operational responsibilities. A planning official stated, "Planning boards do not implement; they do regional planning; they have A-95 responsibilities and they also act as a forum."

A New York report states that "the justification for thinking and acting regionally is best explained by separating major aspects of regionalization for: 1) comprehensive planning; 2) state agency administration; 3) the administration and coordination of federal programs; and 4) single purpose planning." This report offers the following description of what regional planning might entail:

At a level between the state and the locality, regional planning offers a comprehensive surpassing the locality and a focus sharper than the state's. Furthermore, successful regional planning should expand the horizons of local government and detail the scope of state responsibility, while also facilitating the wise investment of private capital. It seems desirable that regional planning be concerned with 1) essential assumptions for the future, upon which all

plans are based; 2) a general development strategy for the region, with particular concern for spatial arrangement; 3) the coordination of many single-purpose programs; and 4) evaluation of how well these programs, or combinations of programs, contribute to the social, economic and physical improvement of the region.

Generally, the RPB directors in New York believe that their agencies successfully provide land use and related planning services for their regions and for local units of governments, and they take pride in their A-95 review authority.

The RPB in the Rochester area has an operating budget of \$1.2 million, 25 percent of which is derived from local sources (member government support), 50 percent from various kinds of HUD funds, and 25 percent from the State and other grants-in-aid. The financial support of member governments in the district is based on a population formula. At the time it was examined this district was concentrating on planning studies in transportation, utilities, housing, parks, recreation, open space, and environmental management. The RPB director reported that county planning boards rely heavily on his organization for research and economic statistics, as well as land use and management information. Moreover, this board is involved in various crime control studies centering on juvenile delinquency, drugs, the police, and the courts. It also conducts educational planning through a technical vocational board in the region. As was often the case, the Rochester area regional planning board is not involved directly with the comprehensive health planning agency, yet several of its board members overlap. In addition, the RPB plans for the regional transportation authority.

The director of this RPB described a varying relationship between his board and State agencies. While usually the State Department of Transportation and the Department of Environmental Conservation may be depended upon to send their proposed projects to the RPB for review, the relationship of the RPB to the Department of Education and the Department of Health is only in the beginning stage.

A town supervisor in this region offered the opinion that "many needs no longer can be met at the local level, and by the same token much decision making cannot be made at the local level, especially in response to issues like environmental problems." The supervisor said that small towns require expertise in industrial planning in order to attract industry, and asked, "How does a government like mine, which has no research people, get along? We need research and RPB is an excellent place to get it." This official pointed out, in addition, that the RPB "can do things we can't do because they are not subject to citizen pressure."

A former city manager in the Rochester region noted

that while a city planning commission and a county planning commission co-exist with a regional planning board, the RPB is moving rapidly into a prominent planning position in the region. In his opinion, the executive director of the RPB, for whom he indicated admiration, has been "a prime contributor in creating a climate or an atmosphere which would allow metropolitan government to take place in that area."

A Chamber of Commerce official in the region voices the Chamber's 100 percent support for the RPB. He explained that for five years the chamber had tried unsuccessfully to create a region-wide economic development process. The chamber's executive director said that the RPB has succeeded where the Chamber failed because it developed a sensible regional plan and it possessed the power to approve local plans (A-95). The chamber is campaigning for a two-tiered government in the county. Its executive director hoped that ultimately the RPB will have the planning responsibility for the proposed two-tiered government and for coordinating the lower-tier planning units. In one example of mutual interest, the Chamber gives financial support to a metropolitan police consolidation study which is staffed and supported by the RPB.

The executive director of a regional authority in the same RPB area expressed his belief that the RPB is "the best operation going in the region." He reported that when the regional transportation authority was formed, the RPB was designated as the official planning arm of the authority.

The vice president of an industrial concern reported that the RPB is receptive to requests for information from the private sector. He reported also that the most outstanding characteristic of the board is its ability to work with a diversity of political issues, interests, and personalities and to arrive at some sort of concrete solution. An example of this ability is the planned development of a new town to be located south of the region's largest city. The new town developer in this predominantly rural county praised the RPB and criticized the county planning body of the metropolitan area. He stated that the RPB has done studies which are of assistance to the development of his new town. A county planning director in a sparsely populated county in the same RPB said that because his county planning department has a very small planning staff, he relies heavily on the RPB for technical assistance.

The deputy director of a multi-state regional planning board reported that his organization is concerned primarily with local planning. While its initial concern has been transportation planning, this multi-state RPB deals as well with open space and water and sewer planning. It avoids many non-physical planning fields, such as law enforcement and health planning. Although it is an A-95 regional clearinghouse, because of its multi-state orientation the A-95 process is accomplished in two stages. Applications first are reviewed by county planning

boards and subsequently by the RPB. This planning board indicates no desire to become an umbrella agency and is, in fact, helping to implement other planning organizations in the metropolitan region. The multi-state RPB apparently has a good relationship with most of the operational State agencies involved in planning efforts, perhaps because the RPB is considered neutral by many agencies in the region.

The RPB's executive director is sanguine about the regional movement in his area, evidenced in his comment, "You can't get a local, elected official to become a regional citizen." Yet he seems to feel that his RPB's role as a conduit for Federal funds is a useful one. The director says that his RPB plays a useful role for Federal agencies which are required to appropriate all of their funds by the end of the fiscal year. This board has plans to spend such Federal money on an expedited basis; therefore many Federal agencies are happy with it.

The executive director of the Buffalo area RPB reported that since its inception his RPB has been concerned with regional planning and development in two counties. However, the State, in Executive Order 44, has assigned a third county to the district with resultant problems. He explained that it would be "fine" if the third county wants to join the RPB, but the RPB will not pressure it to join. His reluctance derives from operational complications implicit in assigning an additional county to a district for which maps, plans, etc., have been complete for some time. The board's director stated also that "after a number of years [of operation] it does not become advantageous to tack on another county because this causes questions concerning voting rights and problems over the budget, etc." He reported that the cost to the board to amend all its plans in order for the board to take over the planning work for this one county will be great. Another RPB has invited the county to join it and, according to one source, the offer was very attractive. The county in question, although assigned to the region, has a county planning board with no staff and therefore conducts little planning. As one county belongs to no RPB, local views on A-95 applications are obtained by the State clearinghouse, which refers projects to designated local officials.

It has been said that New York State is unique because of its history of outstandingly competent State employees at the State Capitol who plan for the entire state. For example, the State Office of Parks and Recreation has planned for outdoor recreation in the western region of New York without regard to regional plans which have been completed and approved locally for parks and open space. The deputy director of the RPB in that area reports, "As far as many of them [state agencies] are concerned, we're still natives out here wearing loin cloths." The RPB's director described his relationship with the regional director of the State Department of Transportation (DOT) as good after significant improvement during the last four years. "For

the first time," he said, "we have all the agencies that are involved with transportation planning under one group." This action was stimulated by the Urban Mass Transportation Administration's insistence upon the funding of this regional planning group for an urban mass transportation planning project. Now the Environmental Protection Agency is insisting upon using regional planning bodies for regional planning in New York.

According to this RPD director, because the State puts up one-sixth of HUD 701 funds through the State match, this RPB submits its application for HUD funds through the State. Nevertheless, last year the State planning office was unable to support a study for which the RPB applied for funds. As an alternative the board decided to go directly to HUD for funding of the study. The RPB's executive director related that his board, composed of local elected officials, recognized that the only control relative to this implementation of regional plans which the board has over organizations such as the State DOT or State Parks Department is A-95. He reported that his board uses that authority.

This western region RPB has 21 board members, one of whom represents the largest city government in the region. The executive director admitted that the mayor of this city probably believes that he is under-represented on the board. There are 10 representatives from one county and 11 from the other in the region, and it takes at least two votes from each county for an issue to pass. The town units of government are represented by the chairman or the president of the County Association of Towns. The County Village Officers Association is represented also.

The board derives its money from the State, the Federal government, and local governments in its district. The RPB is now doing transportation planning for a specific project which is being funded by five of the local units of government, including the largest city in the region.

While the RPB is not undertaking operational functions, it is setting up separate organizations. The director elaborated:

... We saw the need for a housing council. Over 100 agencies were involved in housing and there was no unifying or coordinating mechanism so we spun off a housing council. We now have a non-profit corporation established under New York State law funded through the 701 mechanism but the local share is being put up by developers, banks, realtors, etc. It was set up first to provide an information dissemination service to all people interested in housing. One of the members of the housing council is a housing development corporation that builds low and moderate income housing. So, we are getting a staff that understand the federal

bureaucracy, the forms and programs that are available and sending back data to anyone that wants it on the availability of housing programs and funding, the need for housing, etc. We also have a library on housing. This council will work through the regional board. We have set up something over here that isn't costing the governments [local] any money. Secondly, it was set up to coordinate housing activities in the region.

In addition, this RPB has completed a land use plan which qualified the region and its local governments for water and sewer funds. The other types of planning done by the district include studies regarding storm drainage, solid waste management, international environmental conditions, housing, transportation, and land use.

The RPB Board of Directors has decided to limit its concern to physical planning, avoiding human resource or social planning. At one time the RPB was the regional crime control planning agency. According to regional officials, however, little crime control planning actually took place under the program, with most of its work devoted to grantsmanship and purchasing of equipment. Subsequently, because of "a major shift at the State level," the crime control planning function has been divorced from the district. Since the shift in planning agencies, the regional planning board has not reviewed any applications for LEAA funds.

The 314(b) comprehensive health planning agency in the area is separate from the RPB; nevertheless, the board has reviewed several operating grants for health planning.

A-95 provides this board with a means of forcing coordination from the State agencies. The RPB's executive director indicates that the A-95 has been an effective tool which has taken a considerable amount of time and effort. He reported that A-95 has given his RPB a voice over such strong State agencies as the New York State Urban Development Corporation (UDC), in cases involving the UDC's proposal to use Federal funds in its projects in the region. Under A-95, for example, the RPB would attempt to insure that proposed health facilities have adequate street parking and good transportation routes, but it would not consider whether a need exist for another hospital or specialized type of equipment in a health facility. The board would leave this decision to the 314(b) CHP agency. In 1971 this regional planning board participated in 64 reviews under A-95. Of this total 63 were applications for Federal aid and one was for the disposal of surplus Federal property.

There is minority group representation on this RPB's Board of Directors. It maintains a good relationship with the State assemblymen and senators, facilitated by the fact that one of the assemblymen is a former board member. The Board of Directors calls upon U.S.

Congressmen and Senators, but relies upon the local elected officials for most contacts of this sort. When he was asked how the RPB fits into the governmental system in New York, the RPB director replied as follows:

... You must realize that there is a great deal of a centralization of power in Albany that doesn't exist in other states and it exists on all levels. There is a local manpower planning board appointed by the Governor. We sit on that board, as well as on several other local agencies. We have metro-type authorities with limited functions and therefore you spread things around. We have a transportation authority that handles all means of transportation except highways; we have a county water authority, a city sewer authority, a state power authority, a state parks commissions and thruway authority. Authorities have separate bonding power which parlay into millions. The Transportation Authority, other state authorities and the local Board of the State Parks Commission are all appointed by the governor which again increases the power of state government in regional affairs. Every bit of cooperation which we have achieved was fought for.

## RELATIONSHIPS AND COORDINATION

Outside of the coordination required by the A-95 procedure between the State of New York and its regional planning bodies, and with the exception of transportation in urban areas, there is little indication of joint planning or coordination between State agencies and regional planning boards. As one State planning official stated, "Going way back for a hundred years there were State forestry districts, water districts, fish and game districts, parks districts, transportation districts, and now we are adding air pollution districts and all the rest of it." Given this history, it is difficult for State agencies to share their planning efforts with RPB's. Most State agencies have agreed to use the substate

districts for planning purposes; some are beginning to use the districts for administrative purposes and more are expected to follow this pattern. The Office of Planning Services has taken a stand on uniform districts and wants State agencies to use them. A State official reported that the ultimate objective of this stand is not necessarily to make each State agency conform strictly with the districts, but to stimulate the agencies to be able to redirect their planning efforts, so that when they issue plans, the plans will be based on similar planning regions.

## Suny

The State agency which comes closest to conforming to the districts for planning and administration is the State University of New York (SUNY). One of the past chancellors of the SUNY system made an effort to create a regional system of universities in New York. The system consisted of a hub university surrounded by satellite universities. This effort was chilled by inter-university politics. With 72 campuses currently in the SUNY system, several campus presidents have begun to recognize that some of their problems could be handled more efficiently on an inter-university basis.

After the issuance of Executive Order 44, the present chancellor of SUNY created a Committee of Presidents to study regionalism among the universities in New York. However, New York's 11 districts did not prove efficacious to the system's ends in as much as SUNY campuses were not evenly distributed throughout the 11 districts. The university study did determine, however, that combinations of some of the State's 11 districts would work well for the university system. The chancellor's Committee of Presidents recommended four regions, each containing what is called a university set and whose boundaries are coterminous with two or more of the PDD's. This proposal was adopted. In each of the four university regions, SUNY has set up a Council of Presidents. These four regions are called University Region Coordinating Areas, each of which contains at least one agricultural technical school, two four-year colleges, and one university center. Presently SUNY dispatches staff people at the request of the coordinating areas to serve the chairman of the Council of Presidents. This year, however, the universities have requested that the New York legislature provide each of the Councils of Presidents with money with which they will be able to hire staff. Relationships between the four coordinating areas and the RPBs are still in an embryonic stage.

## Transportation

Following its study of regionalism in New York, the State Department of Transportation issued a report in the summer of 1972, recommending, among other things, that the department rearrange its districts to

conform more closely to those of the planning and development districts. The report is currently under review in DOT and its recommendations have not yet been affirmed by this department. The Department of Transportation presently has ten regions, the boundaries of which do not coincide with the boundaries set forth in Executive Order 44. The report recommends that the number of districts remain at ten, with boundary lines altered to be in full accord with those established by Executive Order 44. In order to achieve this recommendation, DOT must transfer 18 counties to different regional offices of the department. This realignment would affect both design and construction forces in all regions. The highway maintenance forces in most regions would not only be reassigned on a county-transfer basis, but also, depending upon the staffing approach used, might be reassigned on a re-evaluated workload basis. The work groups of other regional program areas would also be realigned in proportionate amounts.

### Environmental Conservation

The Department of Environmental Conservation functions according to nine districts, which do not conform completely to the comprehensive planning and development districts. Its regions include five counties, each of which, according to the Executive Order, belong in other PDD regions. The department's regional directors in the nine districts are responsible for all of the department's activities, including environmental quality, environmental management, land and forest, fish, wildlife, marine and coastal, air, water, solid waste, noise, etc. The planning director for the department said, "When we come up with comprehensive plans we will use the regional planning boards in reviewing our plans."

### Parks and Recreation

The Office of Parks and Recreation has divided the State into seven regions which do not yet conform to the State planning and development regions. This is because the system of State park regions, established in the 1920's, was operated independently until recently. The State Office of Parks and Recreation is conducting a statewide comprehensive outdoor park and recreation plan without regional planning board review or comment. Furthermore, the department includes regional park commissions which are largely autonomous.

### State Education Department

Substantial progress has been made by the State Education Department to develop an effective regional system. Department officials have been working closely with staff from the State planning agency to this end.

## OPS

The Office of Planning Service's four regional offices do conform to the planning and development districts. Their mission is to relate State planning to regional planning and to the State planning offices.

The regional planning boards maintain close relationships with local governments throughout New York. Although local governments are quite strong in a State where home rule is sacred, the regional planning boards seem to be able to get along well with local governments as long as they do not encroach upon the governments' prerogatives.

It should be emphasized that in comparison with other States, New York has a history of employing capable people at the State administrative level and of paying them well. As one regional official said, "If you work for a State agency at a district level you don't dare push for any of the RPB's to assist the State in planning if you ever hope to get promoted and move up the ladder in that agency." The most desirable location for a State employee is where power resides, i.e., in Albany. "It has been that way for many years and it is probably not going to diminish any."

The executive director of one State municipal organization is aware of the RPB's and believes them to be useful in helping local governments to get Federal funds. He is not well informed, however, about the specifics of the substate districts. His association has not taken a position on RPB's because the subject never has come up. Moreover, he indicated that if he needs something from the State he will go directly to the Governor because he considers the RPB's and substate districts to be inconsequential.

The executive director of a State county association considers the RPB's valuable, but qualified his support for the regional movement by saying that "implementation should be left with the constituent members of the RPB's." According to him, the counties were not involved with the delineation of the districts and while they support the concept they do not believe that "all-purpose districts are very realistic."

"Although the executive director of a statewide city organization believes that substate districts could be useful, he does not favor regional activities . . . if they are aimed at preserving the present system where towns are choking off the cities and preventing them from growing and solving their own problems."

One official of the State budget office has formed an unusual conception of the substate districts. He stated his view that the Federal government uses the regional organizations to circumvent State government, calling this "a case of divide and conquer." The Federal government, he continues, through the use of regional organizations, "is chopping States up into little bitty pieces." According to him, moreover, regional input has

had no effect upon the budgetary process in New York State.

Despite incorporation of its results into the executive budget, the process of a gubernatorial fact-finding trip throughout the State to ascertain the priorities assigned by local governments and citizens to various projects has not been institutionalized.

It is doubtful that there will be any kind of significant RPB input into the formation of the State budget for New York in the near future.

## A-95

A-95 at the regional level is very important to the regional planning boards. It gives them the clout to enforce coordination among State and Federal agencies; and while it does not give them veto power, it does assure that they are advised of activities in their regions. There were no complaints about the costs associated with the A-95 process.

One State official stated that while New York has a State development plan, it does not use its plan as the primary basis to make comments under A-95. He offered his opinion that A-95 would be more effective at the State level if regarded as a policy tool rather than a planning tool. Nevertheless, A-95 seems to serve an effective role as an early warning mechanism, and it allows regional planning boards and State agencies such as the State Public Service Commission to learn early about such things as applications for new towns.

In the opinion of one State official, it would be difficult for the State to make comprehensive and detailed land-use plans for each municipality. With effective regional planning boards, however, such plans can and should be made at the regional or local level. Moreover, the State can establish a land-use planning policy which can then be implemented by close working relations with State, regional, and local authorities. One State official stated, "You can't sit down and dissect someone's proposed project into pieces to see if it fits in with the State plan while people are without jobs."

## OEO

The Economic Opportunity Division of the New York State Office for Local Government has three district offices and five sub-district area offices assigned as follows: in the Albany area, one district office and two area offices; in the Utica region, two area offices and one district office; and, in the New York City region, one district office and one area office. The OEO districts conform to groups of the 11 PDD's; each of the Economic Opportunity Division districts is a combination of two or more.

Currently the State OEO office is attempting to persuade the Federal OEO regional office to rearrange its training clusters in New York so that they will fit the 11

planning districts. At one time OEO had funds available to hire consultants for the purpose of training local OEO personnel. Subsequently OEO decided to eliminate the consultants and to use CAP personnel to do this training. However, OEO did not have enough money to provide training funds for every CAP agency and therefore grouped the CAP areas into training clusters. The organization of these clusters is similar though not identical to the State's official districts. The State director reported that OEO CAP agencies are oriented inward to local projects and do not possess sufficient staff or money to consider regional problems. While the State OEO director is aware of the 11 comprehensive planning development districts, he admits to the paucity of communication between CAP area offices and the RPB's.

## New York Crime Control Planning Board

The New York State Division of Criminal Justice Services does not administer its program in strict conformity to the State PDD's. Instead of using the State comprehensive planning and development regions in those areas which do not conform, the LEAA's districts are based upon population and the degree of urbanization or suburbanization in a given area. The commission utilizes two regions more than does the State as designated in Executive Order 44, as a result of splitting Nassau and Suffolk Counties in the commission's districting.

The Division of Criminal Justice Services allows counties of one million or more population to conduct their own law enforcement planning. In some regions, the division has asked the regional planning boards to appoint technical advisory committees composed of members with experience in the criminal justice field. Some exceptions, however, exist: For example, in Hudson Valley there is no regional planning board, yet there is a technical advisory committee which makes many decisions in the area of law enforcement. In all but four cases, such districts include both technical advisory committees and regional planning boards. In three of these areas, law enforcement boards have been established; New York City has established a criminal justice coordinating council. Where there are technical advisory committees and regional planning boards, the regions typically obtain an LEAA grant for staff support of their criminal justice programs. If a board committee wishes to develop an LEAA grant application, it goes through the appropriate regional planning board to the Division of Criminal Justice Services.

An examination of New York over the last decade gives insight to inter-agency relationships. In late 1964 Governor Rockefeller in his annual message to the legislature alluded to the need for an improved criminal correctional system. By 1965 a committee had been formed to study this question. The committee con-

cluded that both long-range and short-range efforts were needed to improve the correctional system and, in late 1966, it was determined that one agency was needed to coordinate statewide efforts. The resulting Crime Control Council formed in 1967 was composed of senior executives in charge of criminal corrections throughout the State. In 1968, the U.S. Congress passed the Safe Streets Act; in response the Crime Control Council became the State planning body and undertook administration of the Safe Streets Act. In late 1968, LEAA published guidelines on the desired composition of the State planning boards, which the previously established Crime Control Council encountered difficulty in meeting. As a result, a Crime Control Planning Board was created in place of the former Crime Control Council.

In 1971, New York faced a budget crunch. As an effort toward consolidation, eight State planning agencies were incorporated into the Office of Planning Services, which was assigned the responsibility for providing staff services to the Crime Control Planning Board. In September 1972 the Crime Control Planning operation was consolidated by law into a new, independent agency headed by a commissioner.

According to the commissioner of the Division of Criminal Justice Services, substate districts in New York are primarily an "administrative convenience." Recent Federal criminal justice legislation has amended the original act and shifted the focus from regional planning in crime control to planning for urban areas with high crime rates. While LEAA continues to distribute some grants on a regional basis, the bulk of funds are allocated to the most populous high-crime counties and cities.

The State commissioner reported that the A-95 process causes some of the regional planning boards to believe erroneously that they have veto power. In his opinion any negative comments made at the regional level will be considered and resolved, in most cases, at the State level. He admits that while the regional boundaries as established by Executive Order 44 are artificially imposed, they seem to make administrative sense.

One problem resulting from regionalism that faces the State's criminal justice agency is the tendency for regional planning boards to locate their offices in the major cities and to devote their attention to city crime problems. It is understandable that the regional staffs would want to try to solve crime problems where the problems are the greatest. However, the cities have large LEAA-funded staffs to work on such problems and, since the RPB staffs cannot justify spending a great portion of their time on the extremely limited crime problems in rural areas, they duplicate LEAA staff functions.

The commissioner of the Division of Criminal Justice Services believes that the establishment of regional planning boards has caused increased intergovernmental cooperation. For example, some regional bodies have

moved to the establishment of joint criminal record systems, joint purchasing procedures, and joint communication systems.

## Comprehensive Health Planning

With the exception of the regional planning board located in Oneida and Herkimer Counties, all of the 314(b) agencies in New York are separate from the regional planning boards. There are seven 314(b) agencies funded for operational planning in the State; one additional agency has an organizational grant. Their boundaries differ from those of the State PDD's. In the west, two regional planning bodies have been grouped into one 314(b) agency as a result of a public hearing. Genesee County has been included in this health planning region, although it belongs in a third region according to the State's designation. The City of New York has its own CHP agency, as do Westchester and Rockland Counties. There are other cases in which counties are part of one 314(b) agency yet belong to another PDD. Otsego and Delaware Counties are not currently included in any CHP district. The associate administrator of the State CHP agency confirms the existence of a working relationship between the CHP districts and the regional planning boards, using the examples that some RPB members are on the comprehensive health planning boards and that the 314(b) agencies are required to go through the RPB's for A-95 purposes.

## Appalachian Regional Commission (ARC)

The Office of Planning Service oversees New York's participation in the Appalachian program. Since its inception, ARC has contributed approximately \$117 million in Appalachian grants to projects throughout New York. These grants have generated a total investment of other Federal, State, and local funds amounting to \$325 million. Under the guidelines of the Appalachian Act, the major part of funds allocated to New York State was set aside for a highway which would open up the area of growth potential to the main markets in the Northeast and Midwest sections of the United States.

In 1965-1966, 35 percent of the Appalachian investment dollars not spent on the highway project was spent on sewer and water programs, and 23 percent was spent on education. In 1969-70 no ARC money was spent on sewer and water programs, and 75 percent of the non-highway Appalachian investment dollars was spent on education. In 1970 other ARC dollars were spent on conservation, health, and housing.

## FINANCE

The Office of Planning Services reported that it did

not have detailed information on how the RPB's are funded. A State planning official stated:

The regional planning boards derive their funds from HUD, the State, and other sources. Most of them receive State and Federal funds, but others don't. We are responsible only for the 701 portion of regional programs and therefore we have no way of knowing what the total budget of the RPB's might be. Not all of them issue fiscal reports.

Most of the RPB's receive HUD 701 funds, with the State acting as the single recipient for 701 money allocated to New York. However, as is the case in other States, this authority does not apply to cities having populations of over 50,000; they receive their monies directly from HUD. Also, some HUD grants are made directly to RPB's without State participation. From the early years of the 701 program, New York has put up one-half of the non-Federal share of the monies for matching purposes. This situation has been enough of an incentive for most of the counties (which also receive 701 money) and RPB's to go through the State in order to get these funds. (Nassau and Suffolk counties deal directly with HUD). The State is concerned that the amount of Federal money allocated for 701 planning purposes might increase appreciably, and that therefore the amount which the State could contribute might be insufficient to continue its participation at the present rate. Some counties, according to State planning officials, have concluded that the amount that the State contributes is not worth the trouble they must suffer to get it. The only sizable State money which the regional planning boards receive is the 701 match, although other State planning funds are available to the boards and have been used to some extent for crime, health planning, etc. One attempt at passing a bill which would have provided the regions with continued State funding failed because a few counties opposed it.

Three of the RPB's—the Southern Tier West, the Southern Tier Central, and the Southern Tier East Regional Planning Boards—receive Appalachian Regional Commission monies. One county, Cortland, in the Central New York Region is part of an Appalachian local development district.

With the exception of the Upper Mohawk Planning and Development Region, none of the regional planning boards has direct 314(b) comprehensive health planning activity.

Most RPB's are directly involved in law enforcement planning. The State criminal justice agency has also allowed counties of one million or more population to receive Federal crime control planning money.

## EVALUATION AND CONCLUSIONS

A group of "knowledgeable experts" on New York State affairs, who were not employed by the State government, discussed New York's substate district system at a private meeting in New York City. The experts found it difficult to place any credence in the Governor's backing of the substate districts he created or in the planning being conducted by the regional planning boards. One individual who had served for many years in the State government and is a former aide to the Governor, termed regionalism "a joke." In his opinion, important State decisions will continue to be made in Albany by the Governor and his staff, the legislators, and a few other politicians. He expressed his belief that while the regional plans will be helpful, they will probably not cast the deciding vote on what actually is accomplished in State planning.

The New York RPB's appear to be competent planning organizations on the basis of site visits and interviews, in comparison to similar organizations visited during this 12-state study.

Perhaps because New York is the second largest State in population, there is enough planning to be done at all levels of government. One State official remarked:

The use of regional boundaries ranges all the way from being some form of government to narrow administrative delineation. Regional planning operations fall somewhere in between and it is difficult to denote the effectiveness, or lack thereof, of such regional planning operations in the vast and complex system of governmental activities, at all levels, in New York State.

There appears to be little doubt that some State agencies will continue to carry out functional and comprehensive planning from Albany with little input from the regional planning boards. By the same token, regional organizations will continue to plan because they are fulfilling a need at the local and regional levels, including the important task of qualifying local governments for Federal aid.

It is doubtful, however, whether many State agencies will use the districts for purposes other than planning given the history of strong centralized decision making among State agencies. New York is unique, also, in its many regional and statewide public authorities. These authorities, sometimes called corporations, possess substantial planning and funding power and their relationships with the RPB's vary. In some regions there is joint planning between them, while in others the only evident coordination is that needed to satisfy the A-95 process. If increased planning coordination between RPB's and State agencies is to occur, it must be impelled by the Governor. The long history of substate districting efforts

in New York offers little encouragement that this thrust will come in the near future.

One governmental analyst summed up the New York substate districting experience as follows:

I have a feeling [our meeting] was somewhat negative because of our tendency to emphasize the fact that New York is atypical. There are ways in which New York has a great deal to learn from other States, but I am not sure how much the New York experience can be instructive to other places.

Indeed, New York is "atypical," but its experience offers certain negative instructions which may be useful. For example, one may expect difficulty in establishing a functioning substate district system for planning and administration if the following conditions prevail: 1) The State has a history of strong centralized control at the statehouse level; 2) the State has little authority over the establishment and use of regional planning organizations for State purposes; and 3) the sources of political power in the State believe that the establishment of such a substate district system will have little to do with the final operation and administration of State or local governments.

# Oregon

## BACKGROUND AND STRUCTURE

In July 1968, Governor Tom McCall issued an Executive Order establishing a substate districting system in Oregon. Its purpose was to bring order to the confusion of districts and regions then being used by State agencies. A standard set of districts, it was reasoned, would enable State agencies to collect data and to plan and deliver services more effectively on a statewide basis. The fact that 23 State agencies used 51 different sets of districts and regions for their individual purposes was used repeatedly to justify the change to a standard set of districts.

The 12 districts initially delineated in the Governor's Executive Order were increased later to 14. Chapter 190 of the Oregon Revised Statutes already authorized the organization of voluntary governmental organizations, or councils of governments, composed of locally elected officials. As councils of government came into being, they were variously called "district council of governments," "association of governments," "regional planning council," or "intergovernmental council." Designed to improve the integration of State and local planning and program execution, the new COG's also possessed the capability to monitor Federal requirements for regional planning, and for review and comment.

No changes or modifications have been made in the districting system since the 14 districts were established. The development of district councils continues to proceed at a slow pace because of their voluntary nature and because of the need for local participation.

From the standpoint of the State agencies, the shift to 14 standard districts seems to have engendered little opposition. Among the general public, there is a greater acceptance of the district council plan today than when it was first presented in 1968.

Governor McCall, Ed Westerdahl, executive assistant to the Governor, and the Local Government Relations Division of the executive department, headed by Robert Logan, gave strong and continuing support for the districting system and the organization of COG's from the beginning. The success achieved to date results basically from the ideas, persuasiveness, and pressures exerted by these officials. Governor McCall's reputation as a non-partisan, reform governor may have been helpful in generating support.

The League of Oregon Cities has wavered between approval and disapproval of the district council concepts. In 1972, its board of directors expressed opposition to the idea. The Association of Oregon Counties has

given "lip service" support to regionalism, yet consistently has been reluctant to lend support to the development of districts and district councils. A small number of local officials have taken leadership roles opposing districting.

In geographic terms, the greatest opposition to district and COG development has been centered in sparsely populated, rural, eastern Oregon. This opposition has been explained in part as a frontier reluctance to accept greater and more complicated government in Salem, and in part by the range of local differences necessarily encompassed within large, sparsely populated districts. On the western side of the State, some opposition has been expressed by several local and county officials.

The 1968 executive order allowed State agencies to apply for exemptions from the use of the specific district boundaries in certain cases. Some State agencies used this loophole to their advantage; many did not attempt to comply with the order. On February 3, 1970, an Executive Order was issued which superseded the 1968 order and which required State agencies to use the 14 official districts exclusively. If an agency had no field representative in a district, it could service that district from its field office in a nearby district. This, however, would not waive the requirement that official reports be prepared on an individual district basis.

In developing criteria for district boundaries, the Governor's Office tried to identify districts which best represented the natural social and economic groupings of the counties. According to the Local Government Relations Division, the criteria were based generally on attempts to accomplish the following goals:

- 1) To maintain existing county and COG boundaries;
- 2) To reflect current local government and multi-county programs, plans, and local preferences;
- 3) To reflect population distribution;
- 4) To minimize conflict with existing Federal, State, and local program plans; and
- 5) To recognize the influences and planning regions of neighboring States.

Governor McCall regarded the first three criteria as the most influential in shaping district boundaries.

The Local Government Relations Division (LGRD) of the Governor's office undertook a large-scale effort to sell the districting idea throughout the State. The administrator of the division estimated that 500 presentations were made to groups in all sections of the State. A slide show was developed as an education tool.

Most of the early presentations were made to State agency personnel; audiences subsequently included civic groups, local officials, local chapters of the League of Women Voters, and other groups which invited LGRD to their meetings. Official public hearings on the district boundaries were not held.

Letters were sent to cities, counties, and Oregon's State legislators soliciting suggestions and criticism. It was because of these letters that 14 districts were defined instead of the original 12. No special attempt was made to win official support for the plan from the various associations of local governments or from the State legislature. This decision has been criticized as endangering the success of the statewide plan.

Oregon's 14 substate districts were intended to provide a common set of district boundaries for State agencies. In at least one district, sub-districts were established because local governments did not at first combine to form a single district council. Some piggy-backing of existing areawide organizations was done in the Willamette Valley where the bulk of the State's population resides. The boundaries of only one district exactly matched those of an existing body; those of District 5 were coterminous with those of the single-county Lane COG, which had been in existence since 1945 under a variety of names. Two other pre-existing sets of organizational boundaries were altered. The Mid-Willamette COG, established in 1967, added Yamhill County to form District 3. To create District 2, Columbia County was added and Clark County, Wash. was withdrawn from the Columbia Region Association of Governments.

It was the policy of Governor McCall and his Local Government Relations Division to integrate all planning within a district, "whether it be law enforcement, health, manpower, economic development, transportation, river basin planning, etc." The degree to which all these planning efforts have been absorbed into district COG's varies from district to district.

Neither of the two Executive Orders concerning the division of Oregon into districts provided specifically for district councils. Yet before the second order was promulgated, Governor McCall and the LGRD began to encourage formation of district COG's where they had not existed. This activity was stimulated by an appropriation of \$81,250 made by the 1969 State legislature to "district planning and coordination." In a memo to local officials, dated October 4, 1969, Governor McCall wrote:

During the next biennium, we plan to extend the State program, making possible a system of local government participation in State decision making.

Reflection of local priorities and needs in State policies is imperative if we are to find the right solutions for local problems. But

your State government cannot deal effectively with each individual local government jurisdiction and still provide efficient utilization of resources. A voluntary organization such as a district council can provide the forum through which local involvement with the state decision making process becomes practicable.

In an undated memo (probably late 1971) to State agencies, Governor McCall recounted:

During our early experience with State agency use of administrative districts, it became obvious that there was a critical need for new approaches in the design of a "delivery system" in our public processes—one which would utilize talents and resources of our existing . . . jurisdictions, yet one which would allow a systematic management approach to gearing our resources, knowledge and strength to our real and complex problems. The State thus sought a mechanism to provide local government the opportunity to participate as a partner in the development of State goals and programs. As there were some 24 cities, 36 counties, about 350 school districts, and in excess of 1,200 special purpose districts—over 1800 local governments—in Oregon, there obviously was a need to develop a mechanism so that all could participate in the process.

Thus was born the District Planning or Council of Governments concept, designed to develop a partnership approach for Federal, State, and local coordination for cooperation and planning. The Council of Governments concept provided for the development of a voluntary association of local governments within a geographic area (district), thus improving opportunities for integrating Federal, State, and local planning programs while giving local governments an unparalleled degree of influence upon State and Federal policy and program formulation.

With the memo of October 4, two documents were prepared for use by local officials within the districts. One described the district council of governments program, its rationale, financing, activities, and relationships. In addition, it offered local governments the opportunity to participate as partners in the determination of State goals through their district councils. The second document was intended to be a guide for organizing a district program. The *Guide for Organizing*

a District Council (October, 1969) stipulated that two-thirds of the council members be "elected officials representing units of general purpose local government (mayors, councilmen, county commissioners) which together represent at least three-fourths of the aggregate population of the district. The other voting members could represent school districts, port districts or citizen groups." One council, the Mid-Willamette Valley COG, is presently composed completely of elected officials. The guide recommends that for purposes of limiting the size of the council, each member agency choose only one representative to serve.

Formation of district COG's is authorized by Oregon Revised Statutes:

190.010 Authority of local governments to make intergovernmental agreement. A unit of local government may enter into a written agreement with any other unit or units of local government for the performance of any or all functions and activities that a party to the agreement, its officers or agencies, have authority to perform. The agreement may provide for the performance of a function or activity.

- (1) By a consolidated department;
- (2) By jointly providing for administrative officers;
- (3) By means of facilities or equipment jointly constructed, owned, leased or operated.

## ACTIVITIES

In December, 1972, all but one of the 14 districts have operational COG's. They present a widely varying range of competence in planning and coordination.

The most highly developed are the three COG's which were in existence at the time the districts were established: Lane Council of Governments, Mid-Willamette Valley Council of Governments, and Columbia Region Association of Governments (CRAG). These older COG's are the most fully staffed and have had the most experience in comprehensive planning; they undertake at least some land-use planning; and each has relationships with at least some of the functional comprehensive planning programs going on in the districts. According to the LGRD administrator, most of the districts have reached the first or second stages required for HUD certification, yet few have reached the third stage.

One district is admittedly only a "paper organization," although most of the district councils have progressed to the point of having staff support. Twelve of the district councils have hired professional staff, and one district council is served by a county planning director.

The planning agency of the Mid-Willamette Valley

COG performs all of the planning staff work for the city of Salem, the county of Marion, and for seven smaller cities within the district. This COG was well established before the districting system was established.

As the areawide planning agencies for the districts, the councils have been designated as the regional clearinghouses for OMB Circular A-95 purposes. Recently, the State expanded the councils' review function to include State agency requests for project funds within districts. All applications for Federal program grants are cleared by the Executive Department of the Governor.

The A-95 process generally is thought to be a useful means of obtaining information and criticism from local jurisdictions. However, significant review occurs in only a few districts because the majority of districts lack any sort of comprehensive regional plan. In some cases those responsible for review of applications have been accused of logrolling—"If you'll pass my application, I'll pass yours." Often this criticism stems from the fact that very few projects are turned down in the review process. (It is said that out of all the A-95 reviews made by the Columbia Region Association of Governments only one has been rejected.) Personnel in the State clearinghouses say that judgments about the A-95 review process should not be based on the number of plans approved or disapproved; rather, it should be noted that the process has served as a means of exchanging information and of making minor modifications in plans, which has increased the efficiency and effectiveness of programs.

It should also be noted that use of the A-95 process by Oregon's COG's has had a subtle secondary effect. It has served as a catalyst for bringing together the member governments for a function with which they could readily identify, that is, to consider and pass upon an activity proposed within their jurisdiction. The Local Government Relations Division and the State clearinghouse are confident that this exercise has strengthened the COG's and underlined the need for comprehensive plans in order to evaluate proposed programs or activities effectively.

Despite substantial agreement that the A-95 process is useful, some councils see it as an unnecessarily time-consuming and burdensome enterprise.

Virtually no operational functions are performed by district councils. Few council planners provide technical planning assistance for local governments within their areas. However, the efficient distribution of Emergency Employment Funds has been cited as one evidence of the use of district councils for operational purposes.

## RELATIONSHIPS AND COORDINATION

Those State agencies using multi-jurisdictional districts on a statewide basis are well on their way toward achieving a system of improved coordination and planning. Generally, Federal agencies have used opera-

tional COG's for implementation where specific Federal program requirements can be met. Because they are voluntary organizations having no real powers except for the review and comment function, the district councils are still considered to be extensions of local government.

The relationship between the districts and the councils within them is outlined in Governor McCall's letter of November 13, 1970, to local officials.

The administrative districts are for the use of *State agencies* in their collection of data, planning and delivery of services.

On the other hand, the Council of Governments concept provides for the development of a voluntary association of local governments within a geographic area to provide a forum in which cooperation, coordination and planning can occur. This program enables local governments to deal more effectively with today's massive and complicated interrelated problems. Moreover, it gives them the opportunity to have an unparalleled degree of influence upon state and federal policy and program formulation.

When a Council of Governments operates within the boundaries of an administrative district there are improved opportunities for integrating State and local planning and programs. The net result of this is better and more effective government services for all Oregonians. The fact that two concepts can operate together through the same geographic framework, doesn't erase the fact that they are separate programs both in terms of underlying causes and functions.

Participation in district councils by State, metropolitan, and local special districts is encouraged but not required. The *Guide for Organizing a District Council* suggests that membership should be open to all counties and cities and other single-purpose, special districts such as port districts, school districts, and public utility districts within the district boundaries. For example, the Mid-Willamette Valley COG, established before State districting was directed, includes a school district, a fire district, and three soil and water conservation districts.

Up to one-third of a council's voting membership may come from special districts or citizen groups. Since each individual COG largely determines how its council is to be formed, the representation pattern varies from COG to COG. In some cases, each special district has a vote; in others a group of special districts is entitled to select a single person to represent them in the COG.

The voluntary nature of the COG's creates problems of coordination and communication. For instance, in the Portland area the Metropolitan Service District has few

official ties with the Columbia Region Association of Governments.

Two newborn multiple-district planning entities should be noted because of their relations to comprehensive planning. The Willamette Valley Environmental Protection and Development Planning Council was organized in 1971 to study the long-range future of the Willamette Valley. This area contains about 15 percent of the land, over 50 percent of the arable land, and 71 percent of the population of Oregon.<sup>1</sup> The council is sponsored jointly by the four Willamette Valley councils and the State. Eight of the 19 council members are drawn from the four valley COG's, two are drawn from the State legislature, four from the State executive branch, and five from the private sector. Although this council has the responsibility for policy matters, it is assisted by an *ad hoc* staff made up of the directors of the four valley COG's, coordinators from the State natural resources and transportation program areas, and staff from LGRD. This body is attempting to analyze current trends and to project future alternatives for the valley.

Two scenarios have been prepared. One is based upon the assumption that current trends and policies will be continued and that development decisions will be made largely at the expense of the environment. The other scenario is based upon the assumption that development decisions will be made largely in favor of environmental concerns. Through valley-wide foresight forums, the scenarios are now being presented and citizens are voicing views on which course seems best.<sup>2</sup>

Another planning enterprise involving cooperation of a number of districts is the Oregon Coastal Conservation and Development Commission, encompassing the five COG's representing the Oregon coastal area. The commission was established by the 1971 legislature, and is commissioned "to study the natural resources of the coastal zone, recommend their highest and best use, and submit by 1975 a comprehensive plan for the preservation and development of those resources."<sup>3</sup>

The Local Government Relations Division today handles most of the functions normally associated with a planning agency. This division has been the source of the ideas, promotion, and continuing pressure for organizing State plans for the development of districts and COG's. The LGRD was directed to aid Councils of Governments in

- 1) Forming district councils and developing a work program;
- 2) Coordinating the flow of general information concerning State program plans to the district, and providing an opportunity to review such plans during development;
- 3) Identifying Federal and State sources of aid for planning and implementation of plans, and in the preparation of grant applications;
- 4) Obtaining basic statistical data, trend fore-

casts and data analysis pertaining to program planning for the district;

- 5) Obtaining technical advice on district planning issues, as requested; and
- 6) Providing State recognition of the district council as the official local agency with district-wide responsibility for intergovernmental and multi-program planning and policy coordination.

This list was published in the *State of Oregon District Planning Program*. That 1969 publication outlined certain relationships between the State government and the district councils. For instance, the State is expected to look to the district council as the coordinator of Federal bloc grant programs applicable to the individual district. Further, the publication stated that the councils would report on progress and would evaluate the inter-governmental coordination programs as well as serve as a central library of all studies, plans, and reports pertaining to social, economic, and physical development of the districts. The theories set forth in the *State of Oregon District Planning Program* have not been carried out in every case.

Communication and cooperation between field units of State agencies and district councils have been encouraged by an administrative order requiring each State agency to appoint one of its officials in the district to act as liaison with the COG. State agencies have criticized the resulting relationships for different reasons, such as the lack of COG activity, the lack of notice given to agency liaison personnel of COG meetings, the disinterested attitude of COG's concerning natural resource management, the difficulty of determining what matters should be presented to COG's, and the assertion that COG boundaries do not meet the needs of certain State agencies.

Enabling legislation provided the means for the creation of COG's. Otherwise, legislative activity with regard to COG's has been rather limited. Legislative encouragement to form district councils came initially in the form of an \$81,000 grant in the 1969-71 biennium. Currently each operating district council receives \$5,000 annually for reasonable expenses incurred in identifying district problems and priorities, planning, and inter-governmental coordination in the following program areas: economic development and consumer services, education, human resources, natural resources, public safety, and transportation. These allocations are matched by the district councils on a 50-50 basis.

### Federal Involvement

Federal functional programs are numerous. Relationships between them and district council activities vary greatly in form and intensity. At one extreme all operating district councils are the official planning

agencies for law enforcement planning. At the other extreme, links are few and weak between the district councils and older agencies such as the State OEO.

Even within most Federal functional regional planning programs, relationships with district COG's vary widely. Three models illustrate the kinds of relationships existing between comprehensive health planning organizations and district councils in Oregon:

1. **Lane Council of Governments.** The CHP group is a 22-man subcommittee of the COG, and it is totally a part of the COG. Therefore, CHP funds are channeled through the COG to the CHP planning group.
2. **Columbia Region Association of Governments.** No official ties exist between the Portland area COG and the region's CHP agency. CHP committee members and staff are selected without consultation with CRAG. Offices of CRAG and the CHP agency are not located together, and only minimal consultation between the groups occurs.
3. **Mid-Willamette Valley COG.** This district represents a middle position. The CHP association is an incorporated, non-profit organization in which the membership elects its own board. The CHP staff has its office at the COG. Recommendations of the CHP organization are reviewed by the COG.

A planner for the Mid-Willamette district CHP organization supports close cooperation with the COG to facilitate coordination. He maintains that it is difficult to plan wisely in health planning without knowing what is going on in law enforcement, social services, and manpower planning; that "it may be possible to be more influential as an affiliate of COG than to go it alone"; and that certain overhead services such as budgeting can be administered by the COG.

CHP groups exist in all 14 districts, although only five of them are Federally funded. Some health professionals are wary of linking their services with COG's for fear that their recommendations, based on technical expertise, will be watered down.

In the manpower planning area, an Executive Order of December 1971 stipulates that the District Ancillary Manpower Planning Boards are to be advisory to COG's and the Governor's Manpower Planning Council. In the language of the Oregon CAMPS Operation Guide dated January, 1972:

As Councils of Governments are formed in each of the districts, the Ancillary Manpower Planning Boards will become program committees responsible for manpower

within the COG structure. Incorporation into the COG's will provide boards with greater identity; increasing their status, responsibility and authority.

The City of Portland has its own Mayor's Manpower Planning Council with its own secretariat. The State manpower office provides funds for manpower activities (by subcontracting) to two COG's which have their own manpower planning staffs; four staff members from the State office work with district organizations; and two State manpower offices are stationed in the field to serve seven districts.

State and district manpower people express concern over the numbers of Federal agencies involved in the manpower training area. HEW currently is funding a study in Oregon and Seattle, Wash., looking to its own possible participation in the CAMPS program.

There has been little decentralized administration of Federal and State programs through the district councils. In an exceptional case noted above, district councils in Oregon were directed to allocate Federal Emergency Employment Funds to local governments within their jurisdictions. Funds were distributed expeditiously—within a one-week period. The State Department of Transportation will establish transportation planning councils in each district, which could lead to some decentralization of administration in that department, also.

The closest relationships with district COG's have developed in the areas of manpower planning, law enforcement, and health. In most districts, planning recommendations on these subjects go to the district councils before going to the appropriate State agency. Economic development districts have been established in five districts. CRAG, the Portland area COG, has undertaken extensive transportation studies. However, poverty programs have been separated almost completely from district COG activity, since the State Office of Economic Opportunity patterns were crystallized before the district system was developed.

Relations between the district COG's and the State associations of counties and cities are improving. Headquarters for the three state associations of cities, counties and school districts are housed in a new Local Governments Center building close to the capitol in Salem. Officials believe that the new proximity of the center and a new willingness to discuss mutual problems will lead to greater cooperation than has been the case in the past.

An association of COG directors has been established recently. This association is considering including State legislators in its membership. An unanswered question concerns the relationships of individual legislators to districts, since State administrative districts are not coterminous with legislative districts.

According to the LGRD, citizen input to the COG's

has been encouraged. For the most part the news media has been supportive of COG's. Relationships between chambers of commerce and COG's vary, but are considered to be generally favorable.

## FINANCES

Funding for district councils comes from Federal, State, and local sources. William M. Brown, LGRD supervisor of district planning, estimates that the budgets range from \$10,000 to \$700,000. Councils are not required to file their budgets with LGRD. State sources provide only a small amount for district councils, and this is provided only on a matching-grant basis. As noted above, the State grant is \$5,000 to each operating council. Local funds already appropriated for planning can be counted for the match, whereas Federal funds cannot. State funds are a supplement to local funds. The council is given wide discretion in their use.

For most district councils, local revenues comprise a small part of the total budget. For example, the Columbia Region Association of Governments will receive an estimated one-third of this year's funds from local sources. Most COG operating funds originate in Federal functional grants. Federal funds for COG's come from HUD, the Economic Development Administration, the Environmental Protection Agency, the Department of Transportation, and others.

## EVALUATION AND CONCLUSIONS

Oregon district councils are in various stages of development. At one end of the range is a non-operating paper-organization. At the other end are two highly-developed COG's, the Lane COG and the Mid-Willamette Valley COG, which were going concerns long before the district boundaries were designated in 1968. They are well on their way to becoming umbrella agencies, responsible for coordinating planning activities in law enforcement, health, manpower, transportation, and land use. Coordinated local participation in the planning process is already substantial.

Since most of the COG's are in their infancy, being less than three years old, they are struggling to become organized and staffed effectively and to develop working relationships with other groups. Most of the districts are certified by HUD to some extent as approval agencies for its grants, and they have been certified by the Governor as A-95 clearinghouses.

An important part of Oregon's success in its districting efforts can be attributed to Governor McCall's continued interest and support. They have not been without cost: the Governor thinks his position cost him eight counties in his 1970 re-election. In October 1969, 15 months after the initial Executive Order, he sent a letter to local government officials. This letter reviewed the reasons for establishing the districts and the favor-

able reactions to the concept by State agencies, legislators, private citizens, and local government officials. The letter also urged the formation of district councils to increase coordination and cooperation between State agencies and local governments.

The favorable reaction noted in the letter was not unanimous. Many local officials took positions opposing the plan because they did not understand the purposes of the councils and because there was still an element of mistrust of State government. In November 1969, the Governor addressed himself to the misunderstanding and mistrust that had grown up after the district council idea was introduced. He pointed out that the district councils were important, yet voluntary; and he urged local officials to commit themselves either for or against the plan.

While the constituent local governments were drawn into COG's reluctantly (and there continue to be holdouts), the benefits of communication and coordination—and grants—are slowly being recognized by local officials. Governor McCall's statement that "grousing and bitching are beginning to die out" is supported by other reports that local officials generally are adjusting and adapting to the innovation. The district system is marginally affecting local planning activities. The further development of COG's may allow them to assume some planning responsibilities traditionally handled by counties and cities, but *major* changes in the organization, financing, and powers of district councils would be necessary.

Some problems have arisen in the operation of the districts and councils. Interjurisdictional problems are minor, for the most part. Some special problems of planning coordination arise in CRAG because of the number of metropolitan special districts and the frequent direct relationships between Portland and the Federal government. It is further complicated because part of the metropolitan area and part of the COG lie on the north side of the Columbia River in the State of Washington.

In early stages of development, interjurisdictional mistrust within individual district councils was apparent. In the Mid-Willamette Valley COG, outlying counties traditionally have feared being overwhelmed by the City of Salem and Marion County. In eastern and southern Oregon, a fear that COG's would take over county activities caused opposition to the plan.

William Brown of LGRD points to a major problem of the COG's—hiring and keeping qualified staff members and acquiring sufficient funds to pay them. For example, District 12, which is the East Central Oregon Association of Counties, has only one staff member—the director. District 13 has none.

During the latter part of 1971, Governor McCall sent a letter to all State agencies, in which he reviewed the status of the district system and the district councils,

and requested an evaluation of agency operations within the 14 districts.

There has been substantial compliance by State agencies with the Governor's order to use the designated administrative district boundaries. Agency relationships with district COG's vary greatly, but the frequency of contact between them apparently is increasing.

Some statewide progress has been made in securing acceptance of districting and COG's, although perhaps the Governor should have launched an earlier effort to promote the concept among associations of local governments and the legislature. District councils need to develop independence from the Local Government Relations Division, according to its administrator. They should be beginning to develop their own policies.

Apparently, most Federal officials who have dealt with Oregon's district plan react favorably. Vice President Spiro T. Agnew wrote to Governor McCall, saying, "Oregon's system of substate districts is highly developed and provides a uniform basis for coordination of local planning, and alignment of Federally initiated substate programs, and planning and administration of state programs." The degree to which HUD has certified Oregon's district COG's and the extent to which it has provided funds is one index of the favorable Federal view of COG's efforts.

A few Federal agencies seem to believe that the population within certain Oregon districts is insufficient for those districts to be viable planning units. In order to qualify for Federal funding for the mental health centers program, the catchment area must have a population of over 75,000 and less than 200,000. Apparently, Federal law enforcement planning officials originally considered the established substate districts in eastern Oregon too sparsely populated for their purposes; they encouraged larger districts for law enforcement planning.

A search continues for the most effective methods of tying Federal functional planning programs into COG operations. Certain functional district planning groups are completely independent of COG's; others are financed, appointed, and report through COG's. Health professionals are sometimes wary of establishing close ties with COG's; health staff directors occasionally express fears that they will lose power through affiliation; the State-level functional planning counterpart may believe that the COG is not experienced enough to be trusted. The dispersed location of comprehensive planning groups at the State level has been criticized as a problem.

Inter-level communication and coordination among jurisdictions has been facilitated in the following ways:

- 1) Through A-95 reviews of Federal and State projects;
- 2) Through COG meetings where representatives of member local jurisdictions meet

regularly to deal with common planning problems;

- 3) Through the liaison program of State agency representatives located within district COG's;
- 4) Through the referral of recommendations of functional planning groups to the district COG's before recommendations are forwarded to the Governor or his functional planning group at the State level; and
- 5) Through the regional coastal and Willamette Valley planning groups.

It must be emphasized the COG's are at various stages of development in inter-level communication and coordination. Variables which may help to explain this include: 1) the geographical size and population of the districts, 2) attitudes of political leaders, 3) age and experience of the COG's, and 4) the size and quality of COG staffs.

As far as can be determined, State agency leaders have adapted their operations to observe district boundaries reasonably well. The extensive Local Government Relations Division program devised to inform State agencies of the new district system helps to explain the support agencies have given to the system.

Two recommendations surfaced regularly in interviews. The first was the need to change the COG's from voluntary organizations to operational bodies with more solid legal authority. Strengthening legislation may be introduced at the next session of the legislature. However, some of the COG's authority might be diminished if the legislature decides to establish a State agency to draw State land/use plans outside of the COG structure. One observer suggested that the time is not yet ripe for legislative action on the COG's. He estimated that four years is likely to elapse before legislative support for legally strengthened councils could be established. The second recommendation concerned finances. Supporters consider that it is necessary for district councils to have

independent financing—whether through State-shared revenues, a few mills of the property tax, or an income tax—if they are to be viable instruments of district government.

At this point it is difficult to measure the actual costs and benefits of the Oregon district system to local governments, State agencies, and other interests. With the relative youth of the councils in most districts, and the attendant problems of any new voluntary organization, the costs probably outweigh the benefits at the local level. At the State level there has been a certain degree of efficiency attained by the elimination of overlap and duplication of efforts. Perhaps what is happening in Oregon is that the districting system is bringing to the surface the complexity of public decisions, which predates it, and is exposing the impact of public decisions made by one jurisdiction on other jurisdictions and groups within the community before they are made final.

Oregon, like Washington State, has certain atypical features which affect the districting system. Unusual variations of geography and population density help to explain the unevenness in development of the district COG's. The absence of substantial numbers of minorities (other than seasonal Chicano migratory workers in the Willamette Valley) has reduced the potential political complexity of district development.

The chief lessons to be learned from the districting experience in Oregon are the need for an energetic and aggressive group to be in the State's chief executive's office with a well developed plan and the ability and energy to acquaint the various constituencies of the plan's importance; and secondly, a popular Governor who will support the program and is willing to absorb the political heat generated by local forces fearing the loss of status and power.

Solid preplanning, good public relations work, and high-level support have been instrumental in Oregon's progress in establishing districts and councils within them.

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## Footnotes

<sup>1</sup>Letter from Robert Logan, Administrator of LGRD, to Charles W. Harris, chief of Government and General Research

Division, Library of Congress, Washington, D.C., dated June 28, 1972.

<sup>2</sup>LGRD Memorandum dated February 24, 1972, subject "Project 'Foresight'."

<sup>3</sup>Letter from Robert Logan, Administrator of LGRD to Charles Harris.

# South Carolina

## BACKGROUND AND STRUCTURE

South Carolina has a growing and viable set of ten substate districts. Although each is at a different stage in its developmental process, the districts are becoming valuable and influential partners in the governmental process of South Carolina. Their relatively unimpeded growth since 1969 has resulted from a number of factors.

South Carolina is characterized by a relatively weak system of local government caused primarily by three elements: 1) a historical lack of home rule for cities and counties; 2) the State's preponderance of small towns; and 3) the pre-eminent, though fading, position of the local State legislative delegation in local governmental affairs.

The dominant position of the local legislative delegation springs from a set of political and statutory arrangements which are tied to the traditional fiscal and statutory authority of the legislature over local government. Until "one-man, one-vote" applications were put into effect in South Carolina, each county elected a State senator. This senator was the head of the local legislative delegation. At each legislative session the lawmakers would pass a separate appropriations bill (known as the "county supply bill") for each county. The bill's content was determined by the local legislative delegation, with the respective senators playing the predominant roles in shaping the legislation.

Reapportionment has altered the one-senator-per-county situation, and half of the South Carolina counties currently have power over their own budgetary processes. Even so, the South Carolina legislature maintains tight control over the statutory authority of local governments. Though in recent years local government has become more independent from the local legislative delegation, the delegation still plays a major role in the functioning of local government. One local government official commented, "Anything we want to do we have to ask the legislature to let us do it," another said, "Really, the local legislative delegation is local government." The relatively strong position of the local legislative delegation *vis-a-vis* local government has obviated many of the more painful experiences which other States have had in similar attempts to initiate cooperation among local officials.

The lack of significant local or county government in South Carolina has had other consequences. Practically none possessed planning capability of any sort. There-

fore substate districts in the form of regional planning commissions filled a void in planning and technical expertise at the local level. The creation of substate planning regions, then, not only meant hope for attracting more Federal funds to the localities, but also for providing local governments with many badly needed public administration services.

Like other Southern states which until recently have based their economies heavily upon agriculture, South Carolina has several economically deprived counties. When substate districts were formed, South Carolina already had established three Economic Development Districts (EDD's) under the auspices of the Economic Development Administration of the U.S. Department of Commerce. Such districts must include at least two economically depressed counties as a qualification of program eligibility.

Substate districts seemed to be a handy device for qualifying localities for badly needed Federal funds. The necessity for areawide plans and arrangements as qualifications for Federal funds, combined with prospects for continued Federal funding of local projects, were the strongest and most immediate selling points of a district system for South Carolina. Further, the State had enjoyed what was termed as "a good experience with the Appalachia program." The experience of those counties in the Appalachia program provided South Carolina with information about what a substate district might be like and what benefits might be reaped from such a program.

If the primary motivation behind the desires of local officials and legislative delegations for moving toward substate districts was the hope of receiving more Federal dollars, the dominant force behind the creation of the districts was Governor Robert McNair. He undertook the creation of planning districts as a personal project and pushed hard until they became a reality.

That drive was based on several factors. The Governor's term came in the middle 1960's when large amounts of Federal money under President Johnson's "great society" programs were beginning to become available to States, counties, and cities. The Governor observed that the structure of the Federal government and of the South Carolina State government "did not fit" and that there was no logical, planned way for such Federal monies to come to the State. A strong advocate of planning, he realized further than any increase in the proportions of Federal dollars coming into the State would have to be in accordance with plans involving people in the localities where the money would be spent. This realization, plus the commitment to planning,

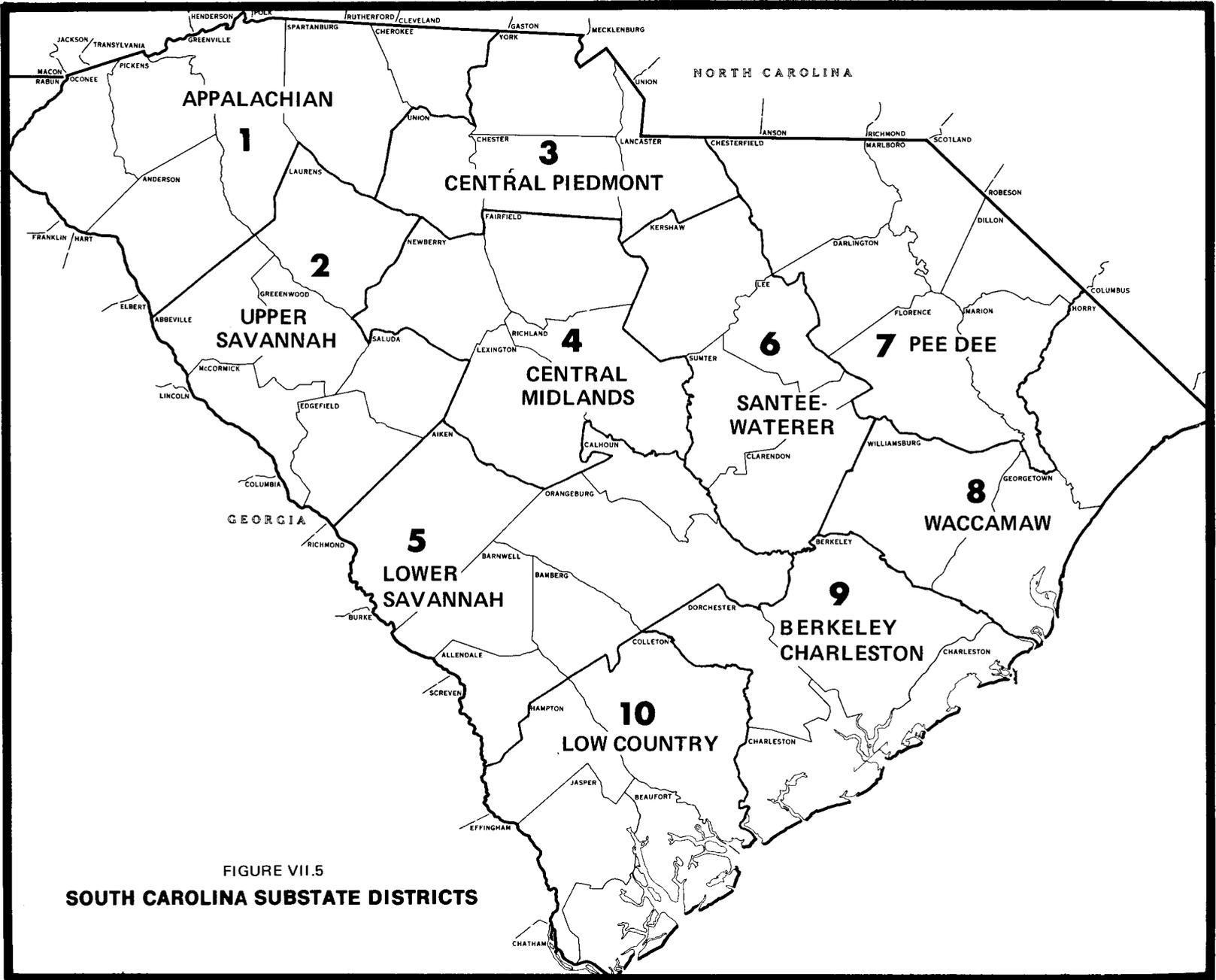


FIGURE VII.5  
SOUTH CAROLINA SUBSTATE DISTRICTS

became the Governor's primary motivation in his decision to divide South Carolina into regions for planning purposes. Governor McNair also saw in governmentally designed regionalism, with the additional funds and technical expertise it offered, a means of helping many of South Carolina's small communities, some of which faced possible extinction except in a regional context.

For the Governor, substate districting was a total government concept. He intended that State agencies and Federal programs comply with the district lines once they were established. He gained support from local officials for this plan by showing them how they, as local officials, would be influential in local planning efforts for their areas. The conditions which contributed so greatly to the efficacy of substate districting in South Carolina—Federal funds, economic depression, weak local government—existed before Governor McNair's decision to create the governmental subdivisions. Only one key ingredient was lacking—strong political leadership. Governor McNair provided that strength.

The current official geographic pattern of substate districts was established by Executive Order on March 23, 1969. Prior to that order, over half of the State's counties had been involved in some sort of multi-purpose, multi-county organization. The three Economic Development Districts subsequently became official substate districts under the executive order. One district was operating as a local development district under the auspices of the Appalachian Regional Commission. Four counties were participating in two different joint metropolitan regional programs; another four counties had been recommended for recognition as South Carolina's fourth EDD. Also, there had been legislative recognition of areawide planning bodies prior to 1968. The legislature had passed enabling legislation in 1967, which authorized cities and counties to create regional planning organizations.

By the time the Governor and his staff began to develop an official pattern for substate districts, only 18 of South Carolina's 46 counties were devoid of some kind of experience with regional or areawide planning bodies. Therefore, it was necessary to create only four new organizations in order to activate the plan set forth in the Executive Order.

The order that set the final district boundaries was primarily the result of an extensive study undertaken by the State Planning and Grants Division of the Governor's Office (the study was completed in early 1969).<sup>1</sup> Governor McNair's early realization that State and Federal government "did not fit" had led him to create the Planning and Grants Division within his office so that it could serve as a clearinghouse for Federal grants coming into South Carolina. The move to create the local planning districts was the next step toward completing the planning picture for South Carolina.

During the early part of 1969, numerous and lengthy discussions were held with the various legislative delega-

tions to gain legislative approval for the plan. There was a limited amount of public discussion throughout the State by civic clubs and other local groups. The Governor intended to amass as great a consensus as possible regarding the district divisions as they were to be drawn, and he indicated that after they were set they would not change. He intended, further, for State and Federal programs to be funneled through these districts.

Opposition came primarily from semi-autonomous State agencies which resisted the plan on the basis that the creation of substate districts might alter administrative arrangements. The Health Department and the Mental Health Department, among others, had been operating for some time under their own district configurations. State agency opposition, however, was neither strong nor serious enough to thwart the plan. Apparently State agency representatives did not envision the regional bodies' becoming policy-oriented, at least not to a degree that would affect their own traditional operations in any material sense. This general lack of understanding about the precise nature and role of the substate districts was prevalent among many staff and local officials.

The work of defining the districts, selling them, and moving toward their implementation fell to the Governor's Office. Governor McNair, however, had gained support from legislative delegations and local officials across South Carolina who saw the districts as a device which would win Federal money for their locales, and also as a means by which to play a role in planning activities for their areas.

Substate districts faced certain constitutional problems in South Carolina. Counties were prohibited constitutionally from spending tax funds in cooperative ventures for the purposes of planning. Were this prohibition enforced, it would eliminate the possibility of successful development of the districts by depriving them of financial bases. Further, elected public officials could not be appointed to the boards of regional planning commissions because of constitutional provisions prohibiting dual office holding by public officials. It was clear that the State governments would have to act to make it possible for counties to participate in regional councils.

A constitutional amendment was passed by the State legislature for submission to the voters of South Carolina. It permitted the expenditure of local government funds for support of regional bodies. The amendment was approved in the November 3, 1970, general election and ratified by the General Assembly in 1971.

The amendment defines the nature and role of regional bodies in South Carolina. In general, the grant of authority to the districts is broad: "The General Assembly may authorize . . . member governments to create, participate in and provide financial support for organizations to study and make recommendations on matters affecting the public health, safety, general

welfare, education, recreation, pollution control, utilities, planning, development, and other such matters as the common interest of the participating governments may dictate." The amendment makes the regional bodies the creatures of local government; it also spells out the following role for those bodies in relation to all levels of government activities operating within any region: "The studies and recommendations by such organizations shall be made on behalf of and directed to the participating governments and other governmental instrumentalities which operate programs within the jurisdiction of the participating governments."

The legislature opened the door for regional bodies to become operating entities if only in a limited sense, as the following quotation indicates: "The legislature may authorize participating governments to provide financial support for facilities and services required to implement recommendations of such organizations which are accepted and approved by the governing bodies of the participating political subdivisions."

The legislature stopped short of granting the districts taxing authority: "Such organizations shall not have the power to levy taxes." The practical effect of this prohibition would be to require a pooling of tax dollars by member governments who already had the power to levy taxes for any regional operational activity. The amendment repealed the constitutional provisions preventing dual office holding as they might apply to elected officials who are members of regional planning bodies. The new constitutional amendment officially designated those bodies as "regional councils of governments."

In 1971, the South Carolina legislature amended the 1967 enabling legislation to reflect the district pattern set forth in the Governor's Executive Order, and put it into language which conformed to the 1970 constitutional amendment. The resulting legislation delineated the regions by county groupings. Further, it required that a majority of the members of the regional councils of government be elected officials from the governing bodies of participating cities and counties.

There appears to be only one remaining legal problem for South Carolina COG's. The language of the constitutional amendment gave them the permission to participate in interstate arrangements, i.e., an interstate COG, yet the 1971 legislation made no explicit mention of such interstate arrangements.

## ACTIVITIES

Today there exist ten operational substate districts in the form of councils of governments in South Carolina. They vary considerably in their relative degrees of sophistication and in their range of activities. Generally, they appear to be well accepted by local officials, legislative delegations, the business community, and, increasingly, by other arms of the State government.

The organization of the districts required changes in membership in a number of districts where regional bodies had been operating and the creation of four completely new bodies in areas where no regionwide activity requiring local citizen participation had existed. The Executive Order and the enabling legislation did not spell out any specific administrative structure for the district boards, except for the specification that a majority of the boards' members must be locally elected officials of the member governments. Each district is free to structure its own board and to provide for its own staffing and program arrangements.

Thus, each district devised its own formula for determining the representation of member governments and local citizenry. Eight districts make some specific provision for the inclusion of legislative delegation members on their boards as advisory or voting members. In five districts the legislative delegations are responsible for appointing some local officials to serve on the COG boards. Six districts provide specifically for minority representation.

The final pattern upon which the Governor and the legislature settled appears to have met with mixed reaction, although not with strong opposition. Occasionally, there are requests that a part of the prescribed pattern for the districts be changed, usually in reaction to a short-run opportunity that exists for an isolated pair of counties, or as a result of a minor dispute. As in many States, there appear to be some legitimate problems with using the districts as they are delineated for all State operations. Some of the problems stem from geographical considerations which do not follow neatly along district or county lines.

Consistent with Governor McNair's original intentions, the COG's are becoming regional umbrella agencies for the great majority of planning being done within their jurisdictions. In many cases the COG's perform the great bulk of local as well as regional planning. The most striking case is that involving the City of Columbia. When the Central Midlands Regional Council (of which Columbia is a member) was formed, Columbia abolished its own planning department and turned its functions over to the COG. The former head of the Columbia City Planning Department became the director of the newly formed regional council. The COG performs much the same function for the City of Charleston which likewise chose not to retain a planning department. The City of Greenville, in the Appalachia region, is the only major urban center to have a city planning department of its own. The city's planning staff and the COG staff work quite closely, however, even to the point of dividing up certain planning functions.

All of South Carolina COG's are the official regional A-95 clearinghouses and all receive HUD 701 funds. The substate districts are the official LEAA and highway safety planning districts for South Carolina; a public safety planner on each COG staff is funded with LEAA

and highway safety funds. Eight of the ten COGs are officially designated as economic development districts and receive EDA planning funds. Another one is a provisional EDD waiting for final approval. One of the regions is a participant in the Appalachia Regional Commission and thus eligible for Title 202 funds.

The South Carolina COGs receive funding from a variety of sources. The amount of HUD 701 funds received by all the districts differs. The State contributes modestly toward their support. In 1971 the total State appropriation for all the districts was \$50,000; in 1972 it was increased to \$180,000.

An impressive amount of State activity is beginning to be carried on through the districts in accordance with district lines. The district pattern seems to be working well, is well accepted by member counties, and is probably the right pattern for South Carolina.

## RELATIONSHIPS AND COORDINATION

Although the Governor's Office is largely responsible for the districts, the precise relationship between the districts and the State government is presently unclear. Currently a task force from the State Planning Office is studying the problem.

The uncertainty about the State-district relationship stems in part from the nature of the districts as primarily creatures of local government. Legislation places the burden for creating COG's on local government and specifically describes the regional bodies as servants of local governments. More importantly, the role of the legislative delegation gives the districts an additional local focus.

The attitude of State planning officials about State agency conformance to district lines has been pragmatic. One official commented, "We're not going to try to make an agency have ten substate offices just so they can conform to the sub-district plan." Some State agencies have particular financial arrangements with counties which make strict adherence to the district plan difficult. In some cases, the districts simply do not make functional sense regarding agency operations.

There has not been a highly concerted effort on the part of planning officers or the Governor's Office to "whip the State agencies into line" on conformance. Rather, the approach seems to be that agencies are encouraged to use the districts and work with the COG's on all possible operations where such cooperation appears logical and workable. There is some divergence of opinion about the State agencies' performance with regard to the substate districts. Some people associated with the COG's see the State agencies as the biggest violators of the substate district concept and would like more uniform conformance on the governmental level.

Use of the regions by State agencies varies from department to department. In some areas there has been

substantial cooperation. The South Carolina Pollution Control Authority uses the substate delineations as its air quality control regions and has worked quite closely with the COG planning staffs. Some COG planning staffs have completed regional sewage treatment plans for the pollution control authority; and the PCA and the COG's are working together presently on HUD 701 water and sewer plans. PCA officials say that the COG's have helped to ease certain political problems by arranging conferences for the PCA among various local officials to iron out disputes. Each district is used extensively by the State Department of Archives and History; some are receiving State grants to help plan department activities. The State Department of Health is currently aligning its total operations with the ten-district plan. Further, the State Board of Health is appointing district health directors in all ten districts. Their job will be to oversee the delivery of health services in each region.

Many State officials believe that the State agencies will make increasing use of the districts. One official commented that many State agencies are just now beginning to discover substate districts and that they are beginning to see them as a means to involve local people effectively in agency operations in a way that has not been possible up to this time.

One COG official summed up the different relationships between the COG's and the State agencies by saying that, whereas the Governor has extensive authority in making Federal programs comply with substate district lines, he has little such power with respect to State agencies. This official went on to say that the Federal government proceeds as if States like South Carolina had strong Governors with power and authority to direct the activities of their State agencies, even though this is not always the case.

The most notable success in gaining hegemony over regional planning activities has come through the various Federal programs operating throughout the State. The more sophisticated, developed, and well financed COG's are heavily involved in planning for all federal programs except the OEO community action agencies and manpower.

The State OEO director is strongly in favor of the State OEO program's realigning its program in accordance with the official substate districts. He has submitted a plan to the regional OEO office which would effect such a realignment; for two years he has been waiting for its approval.

At present there are 21 CAP areas in South Carolina, seven of which do not fit present COG boundaries. The CAP director is a strong supporter of the substate district plan and sees a natural coalition between the substate planning bodies and the CAP agencies. He suggests that if the two programs were aligned, the COG's could plan and the CAP's could implement those plans and be freed of their present planning responsibilities. The relationships between local CAP directors and

COG directors apparently runs from good to poor, depending on whether the realignment plan would abolish the particular CAP in deference to the official substate district configuration. There is a year-end deadline for the realignment of the CAP districts; it appears that the number of CAP's will be reduced only to about 14 or 15, because of resistance at regional OEO

and the political problems involved in the job losses resulting from such consolidation.

Manpower planning in South Carolina is handled through a 40-member State Manpower Planning Council designated by the Governor. The council has eight Area Manpower Planning Boards and two Mayor's Area Planning Councils. These ten manpower planning groups

Table VII.7

South Carolina Regional Councils of Government

District	Total or Projected Budget	Total Authorized Staff Officials	Policy Body Memberships					Advisory Committees
			Municipal Governing Body Officials	County Governing Body Officials	Members at Large	Other	Total	
S. C. Appalachian Council of Governments	\$578,847	35	9	6	15	9	39	6
Upper Savannah Development District	\$345,000	16	8	8	6	6	28	8
Catawba Regional Planning Commission	\$200,000	16	0	0	5	0	5	3
Central Midlands Regional Planning Council	\$441,245	28	9	7	10	0	26	10
Lower Savannah Regional Planning and Development Commission	\$270,000	21	11	12	12	13	48	3
Wantee-Wateree Regional Planning Council	\$247,682	18	7	6	5	6	24	2
Pee Dee Development and Planning Commission	\$195,000	16	4	9	5	6	24	4
Waccamaw Regional Planning Council	\$857,000	22	5	4	8	0	17	5
Berkeley-Charleston Regional Planning	\$600,000	35	28	16	6	0	50	5
Low Country Regional Planning Council	\$143,369	10	7	9	4	4	24	3

coincide with the district boundaries. In all ten districts, the COG chairman sits on the manpower board, and a representative from the manpower council sits on the COG board. There is current discussion concerning attempts to secure funds which would provide the COG's with manpower planners who would help staff the Area Manpower Planning Boards.

Eight regions are involved in rural water and sewer planning through the Farmers Home Administration.

In South Carolina the A-95 review process is a joint operation between the State Planning Office and the planning districts. The quality of the A-95 process at the district level depends upon the size and the degree of sophistication of the district staff. In South Carolina the A-95 process includes solicitation of comments from the legislative delegation in whose jurisdiction projects might be implemented. The State has developed a relatively sophisticated administrative process for use in the A-95 review, utilizing a computerized information system which keeps continuous records of all applications and the A-95 comments. This procedure allows the various governmental entities to keep pace with developments in other regions; on some occasions it has led to changes in plans for applications where the process revealed conflicting projects. As in other States the A-95 process suffers from lack of comprehensive plans at the State and regional levels in many areas, frequently leaving no basis on which to judge the merit of individual projects.

At present, the A-95 process serves as a valuable information and monitoring tool in the planning and development process. It has played a key role in the growth of the COG's. The promise that the creation of regional units will bring in more Federal funds for each locality is embodied in the A-95 process at the regional level.

## FINANCES

South Carolina COG's spend a good deal of time playing the grantsmanship game for their local member communities. Several people interviewed commented that the proven ability of the COG's to produce funds for local government has played a key role in their acceptance by local communities. This grantsmanship activity is especially important in South Carolina because of the large number of communities that have no way of availing themselves of the kind of planning and

development expertise necessary to qualify for Federal grants.

The COG budgets appear in the table which follows. Funds are not appropriated directly to the districts, but rather to the State Planning Office, which has the responsibility of distribution. Also, the districts gain support from their member local governments and from the various Federal programs which come through the Governor's Office and the planning districts; the sum of these funds varies from COG to COG.

## EVALUATION AND CONCLUSIONS

It is clear that the COG's in South Carolina have established themselves as functioning governmental entities providing a real and valuable service to local governments. Where cooperation has taken place State agency officials have been impressed with the results of their work with the COGs. Federal employees and officials are supportive. One Federal field representative went so far as to say that he "wouldn't set foot inside one of the regions without first consulting with the COG." Several people commented that members of local legislative delegations consult on a frequent basis with the COG staffs about problems within their jurisdictions.

Almost universally, the people interviewed for this study opposed the GOG's becoming implementing agencies. Individuals who had access to Governor McNair at the time the districts were created said that the Governor never saw the districts as implementors, but only as planners. There are predictions that implementation authority will come, almost by default, to some of the COGs simply because there is no governmental body in the State which is capable of undertaking certain kinds of regional functions.

The COGs are local instrumentalities and their precise relationship to the State has not been clearly defined. There is some indication that the present administration would like the State to have more control over COG operations, and there has been discussion about making COG personnel State employees. These questions have yet to be resolved. The only COG that has experienced serious difficulty to date is one in which the relations between the region and its legislative delegation were allowed to deteriorate.

COG's are a new kind of governmental entity for South Carolina, and they have gained rapid acceptance by providing needed services to local governments.

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## Footnotes

<sup>1</sup>The study done by the Planning and Grants Division analyzed several factors—political, economic, social, historical, demographic, and geographic. In the end, it was decided that existing districts involved in some sort of regional activity

(EDD's, MPC's, ARC) would not be disturbed. Probable explanations for this action are varied. The study admittedly gave heavy weight to existing patterns of regional cooperation. Moreover, because previously existing districts had been established, it was a reasonable assumption that many of the factors considered in the study had at least informally been taken into consideration as the various districts were formed.

# Texas

## BACKGROUND AND STRUCTURE

In direct response to new Federal planning requirements and funding incentives, Texas officials began to focus during the mid-1960's on the need for a State planning vehicle and a policy regarding multi-county planning and development. Unlike many States, Texas did not at that time possess a background of multi-jurisdictional or multi-county planning and development. Until 1965, what planning there was at the local level in Texas was undertaken almost exclusively by municipal governments.<sup>1</sup> Moreover, until that time such municipally based planning was extremely restricted in jurisdiction. Both the Greater Dallas League of Municipalities Regional Planning and Study Committee and the Greater Fort Worth Council of Governments, founded during the early 1960's, were limited in terms of purpose, organization, and funding. The first effective comprehensive general-purpose multi-county planning and development agency was not established until 1966.

Initiative for substate district planning and development in Texas came from Gov. John Connally's (1963-1968) staff during 1965. Governor Connally had chaired the National Governors' Conference Committee on State Planning during 1963, an experience which sparked his interest in developing a State planning capability to help coordinate and guide the various State agencies. He also expressed interest in the development of local agencies that could plan, coordinate, and implement projects, with emphasis placed upon water projects and other types of physical public works and facilities. Former State officials associated with Governor Connally, however, indicated in interviews for this study that the Governor never conceptualized a statewide planning and development process or a system of substate planning and development agencies.

The rationale for the positive attitude of the Governor's staff toward voluntary councils of governments (hereafter referred to as regional councils) must be examined in light of the organization of State government. The degree to which the success of substate districts depends on the Governor's legal authority to initiate programs is documented elsewhere in this study.<sup>2</sup> In Texas, however, the budgetary initiative and executive power which seem so important to creating a viable substate system does not reside in the Governor, whose position is, according to a report of the Texas Assembly on the State and the Urban Crisis, "one of the weakest in the country." Moreover, effective initiation on the part of the State legislature is severely hampered

by the 1876 State constitution coupled with a particularly unwieldy process of budget formulation.

While the Governor does submit a legislative package to each session of the biennial legislature, it represents primarily his personal goals and priorities. Actual preparation of the budget is undertaken by the Legislative Budget Board, comprised of the Speaker of the House, the Lieutenant Governor (as President of the Senate), the chairmen of the Senate Finance and the House Appropriations Committees, the chairmen of the House and Senate taxing committees, and other members appointed from each chamber. This board conducts hearings in which State department and agency heads testify in behalf of their own policies and recommendations. The resulting budget submitted to the legislature reflects individual agency requests as modified by the board. In addition, agency heads are responsible first to the appointed commission in their area of responsibility, rather than to the Governor. The majority of these commissions, in turn, appear to be responsible to no one. Although their members are appointed by the Governor, they must be confirmed by the State Senate, and the Governor has no power of recall. The resultant lack of horizontal governmental coordination greatly complicates the process of vertical intergovernmental coordination.

However, most municipalities in Texas operate under home rule charters. The adoption of such a charter provides municipalities with broad powers regarding organization, land-use control, extraterritorial powers over adjacent unincorporated areas, and program development and administration. By contrast, the inability of Texas counties to control development, assume new program responsibilities, or provide necessary services has resulted in the creation of numerous special districts in unincorporated areas. This proliferation of governmental entities at the local level has also greatly complicated the achievement of intergovernmental cooperation and coordination.

The Public Works and Economic Development Act of 1965 focused State attention on non-metropolitan multi-county planning and development agencies. Governor Connally's staff recognized that State action was required to assure a uniform approach to such agencies for both Federal and State purposes. These staff associates also saw the establishment of comprehensive general-purpose multi-county planning and development agencies as a means to provide a focal point for coordinating policies, programs, and plans of State agencies and local governmental entities. It was for this

reason that the Governor's staff decided to favor the council of governments form of regional organization. Several key staff associates saw the establishment of a wall-to-wall system of regional councils as an opportunity 1) to strengthen the Governor's ability to coordinate State programs and projects, especially those involving water; 2) to improve State-local governmental relations; and 3) to strengthen the capacity of local governments to engage in planning and program development. One former state official noted, "The regional council approach offered a viable alternative to open up State government and strengthen State-local relations. The Federal requirements and dollar incentives provided a reason to act."

The Governor's staff convinced local elected officials, city managers, and professional staff of the need for State legislation to deal with regional agencies and the establishment of a State planning capacity. Considerable leadership came from the Dallas-Ft. Worth area which, like other metropolitan areas, was experiencing strong pressure from Federal agencies to carry out planning and development activities on a multi-county, metropolitan-wide basis. Public sector leaders responded favorably to appeals for support from local elected officials and city managers, allowing the formation of a loose coalition in support of legislation to create a State planning agency and to permit local general-purpose governments to establish councils of governments in a uniform manner. Subsequently, hearings were held by the 59th legislature. In May 1965 the legislature responded by passing HB 319, which authorized the establishment of regional planning commissions.

Until the mid-1960's Texas' involvement in planning was limited to functional, departmental (e.g. highway) planning and the administration of a local planning assistance program funded by HUD. Little, if any, horizontal (between State agencies) or vertical (Federal-State-local) planning was undertaken at the State level. This lack was noted in 1965 in a series of reports issued by the Texas Research League dealing with the organization and operations of the State's water agencies. The league recommended the establishment of an inter-agency planning council staffed out of the Governor's Office.

The 59th legislature failed to respond to a proposed State planning statute that would have strengthened the Governor's ability to coordinate State agencies. Vested interests, including water agencies, opposed this effort. A compromise was struck and the legislature adopted a concurrent resolution lacking the force of law.

Senate Concurrent Resolution 68 created the Planning Agency Council of Texas (PACT) as the "official coordinating planning agency" for the State. PACT was chaired by the Governor; initial membership was comprised of eight State agency heads. Provision was made for adding members and 15 agencies were participating by mid-1967. A report issued by the Governor's Office in

early 1966 noted that PACT was to serve in following capacities:

- 1) A new tool for the Governor to use to foster cooperation and coordination among independent State agencies.
- 2) A screening device for the review and analysis of Federal grants to both State and local agencies.
- 3) An agency to prepare a long-range State physical resources development plan into which could be fitted the individual plans of State resource management agencies and those of local and regional units.
- 4) An instrument for long-range capital budgeting to permit the investment of State funds so as to maximize economic development.
- 5) An agency for the coordination of "people plans" such as welfare and health services, vocational education, services to rural citizens, and prevention of delinquency.

Staffed from the Governor's Office, PACT was to review and unify programs involving the use of Federal, State, and local funds. PACT was intended to function on the horizontal plane—planning and coordination among State agencies—and on the vertical plane—coordination of State plans and activities with those of local governments, areawide bodies, special districts, and Federal agencies.

PACT functioned sporadically throughout 1966. The 60th legislature passed a bill (HB 276) designating the Governor as the chief state planning officer and providing the legal basis for the establishment of the Division of Planning Coordination (DPC). The statute also authorized the establishment of several functional interagency planning councils based upon the concept of PACT.

The Governor's staff prepared an overall program design for State planning in 1967. In 1971 amendments to the regional planning statute, Article 1011m, Vernon's Annotated Civil Statutes, required:

The geographic boundaries of Commissions established under this Act . . . (to) be consistent with State Planning Regions or Subregions as delineated by the Governor and subject to review and modification at the end of each State biennium.

The Governor's staff served as the *ad hoc* State planning agency throughout 1967 and 1968. High priority was devoted to the delineation of substate districts and the staff worked closely with local elected officials, city managers, private sector leaders, and Federal officials to establish new councils of governments and to combine existing economic development

districts with regional councils. By 1967 the role of the regional council has moved beyond its initial concept as an agency to coordinate water development plans for the State; a more formalized structure was indicated.

The North Central Texas Council of Governments (NCTCOG), created in January 1966, was the first regional council organized in the State. Although Dallas and Ft. Worth, the two dominant cities in the region, competed for economic dominance, elements of regional cooperation had begun to emerge several years prior to the formation of NCTCOG. They resulted from joint development of a new major airport to serve both metropolitan areas and from financial participation in the development of a regional highway plan.

By the end of 1966 ten regional councils had been formed, increasing to 20 by 1968; the 24th council was formed in March 1971. As of December 31, 1972, the 24 regional councils encompassed 26 of the State's 254 counties and represented more than 97 percent of its population. Every county is included in a regional council area regardless of whether it participates, and most regional councils undertake some planning for their entire region irrespective of county membership.

Support for regional council formation from local government associations has been mixed. The Texas Municipal League encouraged their formation. Local municipal officials perceived the need for regional councils in order to meet Federal requirements for certain grant-in-aid programs.

The reaction of county officials has been less favorable. As mentioned, Texas counties are constitutionally and statutorily weak. Their involvement with Federal grant programs is limited; thus, the threat of their loss was not that significant. Additionally, counties in Texas are not especially well organized. The immediate past president of the Texas Association of Counties was opposed to regional councils, but the organization itself has not taken a position.

Private sector support of regional councils has been passive for the most part. Its leaders have generally supported the establishment and development of regional councils in response to initiatives by city managers and local elected officials.

*Planning Regions for the State of Texas*, a report issued by the Governor's Office in late 1968 stated that the delineation of the 21 State Planning Regions (SPR's) would be based on the following assumptions:

- Each region must have a commonality of public and private interests, resources, problems, and opportunities, and must be potentially capable of benefiting from coordinative regional efforts.
- Each region must be a useful area for application of State and local public policy decision-making processes directed at the regional level.

- Each region must represent an identifiable and feasible unit for planning and for program development on both State and multi-jurisdictional bases.

Five criteria for identifying regions were also established:

- Each region must have as its focal point a major urban center.
- Wherever feasible, urban centers must include the central cities of Texas SMSA's.
- Urban centers which are not part of a designated SMSA must meet minimum size, location, and service requirements.
- The county will represent the basic unit within each designated region.
- Every county shall be included within a designated regional area.

Following release of this report, the Governor delineated State Planning Regions (SPR's) in an official memorandum on December 16, 1968.

The establishment of the 21 SPR's resulted from consultation with State and local officials. No public hearings were held.

Permission was given to allow two regional councils to operate in each of three of the State Planning Regions. For instance, the Texoma Regional Planning Commission was allowed to be organized even though the North Central Texas COG was in the same region. Similar provisions were allowed in the Alamo and Central Texas State Planning Regions. In each case, the regional councils serve a separate, distinct geography.

The Division of Planning Coordination—the State planning office—emerged during the administration of Gov. Preston Smith (1969-1972) as a significant staff function of the Executive Office. The concept of PACT was retained through the creation of functional inter-agency planning councils staffed by the division. Four interagency councils were created by the Governor through Executive Order: Transportation, Natural Resources and the Environment, Health, and Human Resources. The Human Resources Council, created in 1972 primarily to coordinate the State's manpower planning programs, has since been merged with the old Interagency Health Council to include health planning coordination and the coordination of other State planning efforts in human resources.

DPC also operates as the State review and comments clearinghouse; undertakes special projects assigned by the Governor; administers State regional planning assistance grants; and provides technical assistance to regional councils.

Governor Connally's 1968 memorandum unsuccessfully urged Federal and State agencies to conform to the common set of districts. Examples of non-conforming districts are those affecting soil and water conservation,

economic development, and a number of administrative districts established by State agencies. DPC is moving slowly to encourage State and Federal conformance with the official substate regions.

## ACTIVITIES

Regional councils are organized under Article 1011m V.A.C.S. as amended. The enabling legislation authorizes counties, cities, and special purpose agencies to organize; to establish executive and advisory committees; to hire staff; to cooperate for regional planning; and to receive and expend funds from participating governmental units, the State or Federal governments, or any other source.

In 1969, the legislation was amended to recognize regional councils as political subdivisions of the State, rather than "quasi-State agencies," and to provide them with authority to purchase and sell real property and to perform services under contract which local governments could have contracted out to private organizations.

Member governments are not bound by regional plans prepared by the council nor is membership mandated. Local governments cooperate voluntarily and may adopt regional plans at their own discretion. Regional councils are specifically prohibited from levying any tax whatsoever.

The enabling legislation requires that at least two-thirds of the regional governing body be composed of elected officials from general purpose governments. The governing body may be either the general assembly, or the executive committee. In practice, the average membership of public officials approaches 78 percent. Additionally, elected officials from school and special purpose districts also serve on many regional councils. Requirements are extremely flexible for the remaining one-third of the governing body's membership.

The general membership body of most regional councils contains one representative from each member government plus citizen members appointed at large. Some larger cities and counties have more than one member, and in some instances smaller communities are represented by a delegate representing groupings of governments.

Because the general membership bodies tend to be large, regional councils rely upon an executive committee for short-range policy direction. Executive committees are provided for in the by-laws establishing the regional councils. In addition, most regional councils utilize, permanent or *ad hoc* advisory committees to obtain technical advice, provide citizen involvement, or satisfy Federal requirements. Most regional councils have aggressively pursued Federal grants as they have become available.

Six regional councils have been designated Economic Development Districts (EDD's) and have received funds for economic development planning and programming as provided by the Public Works and Economic Develop-

ment Act of 1965. EDD's include the Brazos Valley Development Council, the Middle Rio Grande Development Council, the Deep East Texas Council of Governments and Economic Development District, the Texoma Regional Planning Commission, the Lower Rio Grande Valley Development Council, and the South Texas Development Council.

Three EDD's, whose boundaries encompass two or more regional councils, have been established independently of regional councils. The non-conforming districts were set up in areas where regional councils had not been established or where existing regional councils did not meet the criteria for district designation. There is some indication that the Economic Development Administration is considering disbanding single-purpose EDD's and transferring their designation and functions to existing regional councils meeting EDD criteria.

Three Texas regional councils are classified as non-metropolitan because no SMSA falls within their jurisdiction. In 1971 the Governor's Office and HUD agreed to the administration of HUD programs directly to the non-metropolitan regional councils rather than through the Governor's Office as had been done in the past.

Regional councils have undertaken planning activities in a variety of functional areas, including housing, economic development, health, recreation, and human resources, especially manpower and early childhood development. In addition, they provide valuable technical assistance and other services to member governments.

Every regional council currently participates in 701 comprehensive planning and management activities authorized under the Housing Act of 1965. This was the first Federal program with which the regional councils became involved.

In the area of comprehensive health planning, five regional councils have been directly funded for planning purposes by the Department of Health, Education and Welfare. Eighteen of the remaining 19 regional councils have received health planning grants from the CHP office in the Governor's Office. These funds, granted them by HEW, must be used primarily to staff comprehensive health planning positions and to prepare applications for regional health planning. State health planning officials have placed priority on the establishment of CHP capabilities at the regional level as an initial step in the development of a State health planning system.

Every regional council also receives funds for criminal justice planning. The Law Enforcement Assistance Administration (LEAA) makes grants to the Texas Criminal Justice Council in the Governor's Office, which in turn administers the regional council program.

On a pilot basis, three regional councils have received HEW funds to develop regional plans for the elderly through the Governor's Committee on Aging.

In the area of human resources, most regional councils are involved in manpower planning programs.

Three have been designated regional manpower planning agencies. The Capitol Area Planning Council (CAPCO), the Alamo Area Council of Governments (AACOG), the North Central Texas Council of Governments (NCTCOG), the Coastal Bend Council of Governments (CBCOG), the Lower Rio Grande Valley Development Council (LRGVDC), and the Houston-Galveston Area Council of Governments (H-GAC) are operating planning and public administration programs for minority students. In addition, most regional councils are operating programs to place disadvantaged individuals in local government jobs. Funds for the program are derived from the Department of Labor through the Emergency Employment Act.

Both NCTCOG and H-GAC, reflecting the needs of their areas, are involved in functional transportation planning. The former is developing a mass transit plan for the entire region. Both are involved in the development of a regional air transportation and air space plan for their respective areas.

In the area of environmental planning, most regional councils have completed or are developing regional water and sewer plans. Moreover, several regional councils have prepared regional open space and outdoor recreation plans. Most regional councils are also involved with land-use planning.

Spurred by the expectation of Federal funds, the Office of Early Childhood Development in the Texas Department of Community Affairs is in the process of selecting four regional councils to undertake pilot programs for developing coordinated childhood delivery systems. Several regional councils have become sponsoring agencies for regional youth service programs. In addition, planning regarding alcoholism has been undertaken on a pilot basis by several designated councils funded originally under the Emergency Employment Act.

Regional councils are heavily involved in the provision of services to member governments. These services include serving as an information base for local government, providing information and advice to member governments on new management trends, and providing technical assistance in the preparation of Federal and State grant applications.

There is no particular pattern with regard to regional council staffing. Executive directors come from a variety of professions, though primarily from city management. Sixteen of the 24 executive directors are members of the Texas City Management Association.

Staffing patterns tend to reflect the amount and type of Federal funds regional councils are able to acquire. Functional Federal grants have resulted in regional councils staffing program specialists in areas such as criminal justice, comprehensive health planning, economic development, and manpower development. Most regional councils also employ a professional planner in order to qualify for HUD 701 planning funds.

Although it encourages a generalist background in public administration, the State does not have any specific policy with regard to staff qualifications.

Staff salaries and fringe benefits vary widely among regional councils. The salaries of the executive director and the professional staff tend to reflect the size of the annual budget and the population of the region served. Salaries tend to be higher in the larger metropolitan complexes. One observer has noted that county participation on regional council boards tends to keep salaries low. Texas counties have numerous low-paid elected officials and the tendency has been to keep regional council staff salaries competitive with county salaries.

One unusual, though logical, area of involvement for regional councils was the "Goals for Texas" process initiated by Governor Smith shortly after he took office in 1969. The process of formulating goals was divided into two phases. Phase One pertained to State agencies and organizations. Phase Two, carried out between the fall of 1969 and spring of 1970, focused on the development of regional goals. The regional goals phase emphasized citizen involvement through citizen task forces appointed to develop goals statements in ten functional areas. Each regional council appointed task forces representative of its population. The regional goals developed by the task forces were compiled into a State report that was used by the Executive Office as well as departments and agencies in the preparation of new State programs. The "Goals for Texas" have never been adopted formally by the legislature.

All 24 regional councils have been designated regional clearinghouses for review and comment on local applications for Federal grants-in-aid. This review power was broadened in 1971 by amendments to the State enabling legislation. The amendments state, in part:

... In each State Planning Region or Sub-region in which a Commission has been organized, the governing body of each governmental unit within the region or sub-region, whether or not such unit is a member of the Commission, shall submit to the Commission for review and comment any application for loans or grants-in-aid from agencies of the Federal government (for a project for which the Federal government at the time is requiring the review and comment of an areawide planning agency) or agencies of the State of Texas before such application is filed with the Federal or State government. For Federally-aided projects for which an areawide review is required by Federal law regulation, the Commission shall review such application from the standpoint of consistency with regional plans and such other considerations as may be specified in Federal or State regulations and shall enter

its comments upon the application, returning same to the originating governmental unit.

... With respect to other Federally-aided projects and to State-aided projects, the Commission shall advise the governmental units as to whether or not the proposed project for which funds are requested has region-wide significance. . . If it does have region-wide significance, the Commission shall determine whether or not it is in conflict with the regional plan or policies. In making such determination, it may also consider whether the proposed project is properly coordinated with other existing or proposed projects within the region. The Commission shall thereupon record upon the application its views and comments and transmit the application to the originating governmental unit, with a copy to the Federal or State agency concerned.

These amendments substantially extend the review and comment authority of the regional councils beyond the initial Federal review authority, which was limited primarily to construction grants.

The regional councils take pride in their A-95 review procedures. As shown in Table VII.8, the cumulative total reviewed since designation by the Governor's Office and OMB is 4,360 projects, with a total value of \$4,205,898,381.

## RELATIONSHIPS AND COORDINATION

The reliance of State departments and agencies on regional councils for planning to meet Federal requirements varies. While the Texas Criminal Justice Council relies on the regional councils to prepare regional law enforcement plans as a prerequisite for obtaining Federal aid, the Highway Department tends to utilize its own staff in preparing Federally required regional transportation plans. The Department of Community Affairs operates its planning assistance program directly with eligible communities, consulting only slightly with regional councils on the selection of communities. Regional councils had little involvement with the Park and Wildlife Commission's preparation of the State Comprehensive Outdoor Recreation Plan. While some State planning officials refer to the "Goals for Texas" programs as an example of regional involvement, there is little evidence that the goals were used for State budget purposes, principally due to the legislature's strong power over the budget process.

The involvement of regional councils with the private sector also varies. They have appointed private sector leaders to their governing bodies and advisory councils.

Economic Development Districts, particularly, are involved with the private sector. Many EDD's assist local

businesses in obtaining loans from the Economic Development Administration. Moreover, EDD's work closely with local economic and industrial development groups in developing industrial parks and creating an environment for economic development. Much of this involvement stems from EDD development of an overall economic development program.

Not all private sector involvement, however, is initiated by regional councils. In one example, former Mayor Erick Jonsson of Dallas initiated a Goals for Dallas Program in late 1965. The statement of broad community goals were generated at a series of neighborhood meetings held throughout Dallas. After the goals had been developed, Mayor Jonsson initiated a process for establishing proposals for achieving them. As a "Goals for Dallas" report noted:

Twelve Task Forces of Dallas citizens were formed under the leadership of a Coordinating Committee . . . The Task Force numbered 300 people, all volunteers and each representing a part of Dallas—businessmen and laborers, young people and older ones, home makers and public servants. These volunteers joined in a mutual effort to . . . identify the organizations public and private which should take part; to estimate the cost of the Goals when possible and to establish timetables for their attainment.

The North Central Texas COG was identified several times in the report as the primary agency responsible for undertaking planning programs and activities that affected Dallas and the North Central Texas region. The report stated:

NCTCOG with the encouragement and support of its cooperating governments should continue as a primary source of regional planning. . . . On a continuing basis . . . NCTCOG and its member governments should publicize planning activities and maintain a public exhibit of this information. NCTCOG's Regional Planning Commission . . . should begin to prepare a development plan for the ten-county area and NCTCOG and member governments should adopt for continuous coordination and advisory coordination and advisory service to local planners . . . defining the general line between regional and local responsibilities. . . . NCTCOG should launch a continuing series of conferences on regional problems and plans. . . .

The task force recommended that NCTCOG undertake specific programs, including developing a regional

Table VII.8

Project Reviews  
(From June 1, 1971 to May 31, 1972)

Regional Council	Water & Sewer		Highways		Public Facilities		Planning		Other		1971-1972 Totals		Grand Totals*	
	Proj. Rev.	Value	Proj. Rev.	Value	Proj. Rev.	Value	Proj. Rev.	Value	Proj. Rev.	Value	Proj. Rev.	Value	Total Proj.	Rev. Value
AACOG	21	\$ 19,954,535	12	\$ 17,284,800	23	\$ 10,649,676	13	\$ 15,111,959	135	\$ 85,432,406	204	\$ 148,433,376	302	\$ 215,969,561
Ark-Tex	16	4,657,750	9	9,182,100	13	15,098,106	9	205,095	33	18,275,331	80	47,418,382	171	82,358,193
BVDC	8	3,350,810	8	1,691,100	7	4,383,185	10	2,557,837	20	13,739,455	53	25,722,387	130	59,886,362
CAPCO	20	17,125,509	5	14,976,300	15	33,978,311	1	29,000	73	77,990,745	114	144,099,865	151	199,642,110
CTCOG	21	8,110,663	8	16,860,600	9	7,534,362	17	960,986	18	6,590,861	73	40,068,412	166	89,850,201
CBCOG	14	9,688,201	12	21,483,700	14	8,220,700	48	25,931,599	20	2,089,200	108	67,413,400	198	134,031,167
CVCOG	2	535,892	10	11,636,250	4	5,238,853	1	27,500	9	4,833,772	26	22,272,267	97	93,596,918
DETDC	26	4,912,195	19	4,317,100	4	141,070	3	369,829	24	3,523,680	76	13,336,554	219	110,689,608
ETCOG	3	1,879,100	14	6,036,000	15	3,995,600	30	6,102,200	10	2,831,500	72	20,844,400	254	104,268,820
GCCOG	4	700,000	10	4,355,568	3	10,763	4	389,408	10	403,106	31	5,858,845	86	54,986,946
HOTCOG	19	5,753,430	12	3,189,368	14	1,422,630	1	150,000	43	35,871,107	89	46,386,535	194	240,883,868
H-GAC	35	44,199,050	23	144,507,409	44	43,359,854	3	16,681,713	271	117,258,688	376	366,006,714	614	657,105,213
LRGVDC	19	16,225,000	3	458,300	3	3,323,690	3	1,882,550	27	16,294,061	55	38,183,601	206	138,309,644
MRGDC	9	2,692,811	11	4,220,900	12	2,628,024	12	466,592	8	3,217,666	52	13,225,993	73	23,040,293
NCTCOG	63	103,698,960	21	123,046,177	42	31,297,754	4	13,305,599	293	55,685,919	423	327,034,409	689	1,534,518,574
Nortex	5	6,690,602	15	11,191,500	4	722,820	0	0	16	2,603,573	40	21,208,495	117	46,537,183
PBRPC	0	0	4	1,487,100	1	39,200	1	31,333	18	1,454,817	24	3,012,450	24	3,012,450
PRPC	9	1,540,600	10	N/R	5	647,112	6	226,964	37	13,825,686	67	16,240,362	100	21,910,565
SETRPC	9	7,643,401	5	1,475,900	6	7,804,768	26	4,879,818	2	2,436,000	48	24,239,887	82	34,655,937
SPAG	1	427,555	4	3,036,000	3	1,280,000	4	258,962	6	522,038	18	5,524,555	79	62,712,301
STDC	1	1,074,000	4	10,646,500	10	992,637	13	13,148,503	3	1,526,363	31	27,388,003	58	48,132,364
Texoma	7	902,630	8	5,274,900	2	32,366	5	489,639	3	N/R	25	6,699,525	61	17,217,329
WCTCOG	17	4,773,432	5	1,148,100	13	2,861,658	4	804,421	12	1,742,305	51	11,329,916	107	29,107,384
WTCOG	2	4,776,000	8	3,536,000	11	9,356,500	8	338,525	69	10,115,483	98	28,122,508	182	153,334,257
<b>Totals</b>	<b>331</b>	<b>\$271,312,126</b>	<b>240</b>	<b>\$421,041,672</b>	<b>277</b>	<b>\$195,019,639</b>	<b>226</b>	<b>\$104,350,022</b>	<b>1,160</b>	<b>\$478,263,762</b>	<b>2,234</b>	<b>\$1,470,070,841</b>	<b>4,360</b>	<b>\$4,205,898,381</b>

304

\* Cumulative total since designation by Office of the Governor and U.S. Office of Management and Budget as areawide project review agency.

• Not Reported

Source: 1972 Directory of Regional Councils  
Division of Planning Coordination

open-space plan, preparing a regional flood emergency plan; reviewing and refining standards for discharge of municipal and industrial waste into public waters, completing the study design for a regional sewage treatment plan for the upper Trinity River basin, and seeking legislation proposing constitutional amendments for the voters to decide on creating a regional transit authority.

NCTCOG is also involved with the North Texas Commission. The commission was formed early in 1972 to promote the economic growth of the eight counties comprising the Fort Worth and Dallas SMSA's. The larger Chambers of Commerce in the region cooperated in creating the commission. There is no overlapping on the board to the two agencies and both are staffed independently. There is, however, considerable sharing of program information and coordination of work efforts. The commission, for example, uses regional economic forecasts prepared by the Manpower Division of NCTCOG to determine projected manpower needs and resources for the region. The two agencies also share data concerning the forecasted impact of a major regional airport that is under construction.

Regional councils have become increasingly involved with manpower planning through State and local initiatives. The Governor and 12 large city mayors are eligible for manpower planning grants from the Department of Labor. The mayors of Dallas, Fort Worth, Beaumont, and Lubbock have transferred the grants they received to their respective regional councils provided that the regional councils undertake manpower planning for the entire region. Most of the other mayors, while retaining the manpower funds, have agreed to develop their manpower plans on a regional basis.

Eleven regional councils cover those areas containing only cities of less than 100,000 population. The Governor has appointed area manpower planning boards in each of the regions. Board membership generally overlaps that of the regional council; in several cases the chairman of the regional council was appointed to the same position on the manpower planning council. Staff support is provided by the regional council. One State official said that it is anticipated that the AMPB's will be formed into permanent human resource committees of the regional councils.

## FINANCE

Local government contributions to regional councils are determined by the membership of the regional council. Neither State nor Federal funding agencies mandate the degree of local participation. Both, however, establish some minimum local commitment by requiring evidence of local matching funds. Generally, cities and counties contribute to regional councils on a per capita basis, school districts through fees based upon student enrollment, and special districts by a flat fee.

(The amounts received from dues may be found in Table VII.9)

Most council dues structures have not changed appreciably since they were formed. Increases in local funds have resulted from population increases reflected in the 1970 census and from increased membership. For example, H-GAC receives dues totalling nearly \$88,000 per annum, an amount equivalent to \$.038 per capita. Although the population of NCTCOG is approximately equal to that of H-GAC, it receives annual dues equivalent to \$.059 per capita, and AACOG, with the third largest population, receives \$.050 per capita annually.

The issue of increased local financial support for regional councils is becoming increasingly pertinent. One regional council director recently resigned when the executive committee refused to increase per capita membership dues.

Regional councils have complete flexibility to receive funds from non-governmental sources. For example, H-GAC received a \$30,000 grant from the American Bar Association in 1971 to undertake a legal counseling project for individuals and organizations involved in providing housing for low- and moderate-income families and individuals. Several regional councils also receive in-kind services from local, State, and Federal agencies.

Texas initiated a regional council grant program in 1967. From 1967 to 1972 the State has increased the annual appropriation from \$250,000 to \$1.6 million. During the same period Federal grants to regional councils increased from \$2.1 million to almost \$9.3 million, exclusive of criminal justice action grants. The availability of State and Federal monies has tended to discourage local governments from increasing their per capita support to regional councils.

The formula by which the State allocates funds to regional councils has undergone three changes. Initially, funds were based on a formula of 10 cents per capita for the first 50,000 population and one cent per capita for population exceeding 50,000. Subsequent alteration provided a formula for a minimum annual sum equal to \$10,000, plus 5 cents per capita for all population served in excess of 100,000. The current formula, enacted in 1971, consists of a \$10,000 base grant, plus \$1,000 for each member county, plus ten cents per capita for all population.

Qualifications for State financial assistance are provided in the enabling legislation and through administrative requirements. The legislation requires that regional councils provide local funds equal to at least half the State grant, that membership be open to all general purpose governments in the State Planning Region, that regional councils be composed of at least two general purpose governments representing at least 60 percent of the population of the region or subregion, and that the regional council be engaged in a comprehensive development planning process.

The Division of Planning Coordination (DPC) administers the grant program and establishes guidelines. Regional councils must submit their annual work program to DPC for review and comment; submit planning reports and documents; and furnish an accountant's certification that local matching funds are available. In return, regional councils receive a lump sum appropriation for the fiscal year.

DPC does not require that State funds be used for specific planning programs, so the regional councils use the State funds to increase their matching capacity for Federal grants. Without the State funds, they would often be unable to take full advantage of available Federal funds.

The other principal source of State funds is the Texas Water Quality Board, which has provided over \$1.7 million since 1966 to regional councils for regional water quality planning.

Regional councils receive Federal funds from a variety of Federal agencies, either directly or through State agencies. Federal funds accounted for almost 79 percent of regional council revenue during the annual reporting period ending May 31, 1972. The single largest source was the Law Enforcement Assistance Administration. Regional councils received slightly more than \$5.7 million through the Texas Criminal Justice Council, which administers LEAA funds, for planning and action programs. Over \$5 million was allocated for action programs; a significant portion of this was passed through to local member governments. Regional councils received an additional \$683,000 for criminal justice planning.

The principal source of Federal funding for general support is HUD's Community Planning and Management Assistance Program. The 24 regional councils received some \$2.3 million during the 1971-1972 reporting period. Another source of general support is the Economic Development Administration, which provided \$205,000 to six regional councils designated as Economic Development Districts. The HUD and EDA grant programs provide flexible grants to regional councils to undertake broad management and planning activities. Other Federal grants are limited to functional planning activities.

One of the larger functional planning programs is run by the Farmers Home Administration, which provided \$290,000 to regional councils during 1971-1972 to develop rural water and sewer plans.

Regional councils have also received in excess of \$4.1 million in Emergency Employment Act funds administered by the Department of Labor. The Texas Department of Community Affairs has designated regional councils as agents for the program, which is designed to create employment opportunities for the disadvantaged in local government. The regional councils act as fiscal agents for the program and pass most of the funds on to member governments to hire the disadvantaged.

Regional councils receive over \$1.6 million from other Federal sources. Most of these funds are for human resource activities, including regional comprehensive health planning and the development of prototype programs involving alcoholism, senior citizens, crisis care centers for pre-delinquent youth, and family planning.

The prospects afforded by revenue sharing have caused regional council officials some concern. One regional council staff member noted, however, that there was less concern over general revenue sharing than there was over special revenue sharing since "we will still be needed to perform regional review and comment and assist some member governments in obtaining Federal grants." Several local officials expressed concern that not all of the six special revenue sharing proposals proposed by the Administration contain provision for regional council support.

Table VII.9 provides detailed information on the funding of regional councils.

## EVALUATION AND CONCLUSIONS

Most of the State and local officials interviewed feel that regional councils are at a critical stage in their evolution. These officials feel that regional councils have reached a plateau in terms of structure and organization. There is a general lack of confidence in the Federal government's willingness and capacity to strengthen the regional councils further through planning requirements and funding incentives. Accordingly, most officials feel that the future of regional councils rests with State government. A consensus exists that 1) regional councils should be given more opportunity to serve as a vehicle through which local officials can directly participate in decision making at the State level; and that 2) regional councils need encouragement from the executive and legislative branches of State government, as well as from local elected officials, to assume broader responsibilities with regard to program implementation and service delivery systems. While most officials do not favor giving regional councils police powers or encouraging their evolution into forms of general purpose government, they do favor councils' engaging in "holding company" activities. Most officials also favor strengthening review and comment processes to give regional councils limited veto authority over certain types of programs and projects.

Governor Smith and many key Executive Office staff members feel that the regional council system currently represents a dynamic process that relies primarily upon informal relationships. The Division of Planning Coordination continues to emphasize the organization and program structure of regional councils. There is evidence, however, suggesting that this focus is changing. Interviews with State and local officials revealed an awareness of the need to consider the regional council

Table VII.9

**FINANCIAL INFORMATION**  
(All Grants from June 1, 1971 to May 31, 1972)

Regional Council	State of Texas		Criminal Justice		Housing & Urban	Farm. Home	Econ. Dev.	Other Fed.	1971-1972	1971-1972	Cumulative Totals <sup>2</sup>		
	Governor's Office	Other State Agencies	Planning	Action	& Urban Devel.	Home Ad.	Dev. Ad.		Local <sup>1</sup>	Totals	Local	State	Federal
AACOG	\$ 113,166	0	\$ 68,000	489,776	\$ 306,127	\$ 45,800	0	\$ 219,026	\$ 70,200	\$ 1,312,275	\$ 350,781	\$ 555,551	\$ 3,433,055
Ark-Tex	35,286	0	23,021	0	36,000	0	0	513,480	23,951	631,738	74,262	66,467	797,408
BVDC	20,650	0	0	64,674	20,000	0	\$ 33,566	25,600	11,322	175,812	61,066	85,076	473,811
CAPCO	61,605	0	37,667	100,270	220,438	38,100	0	239,375	115,210	812,665	190,089	90,527	920,900
CTCOG	183,403	0	20,556	437,260	33,333	0	0	122,044	21,000	817,596	80,854	227,726	682,400
CBCOG	64,000	\$95,000	23,000	399,918	212,961	0	0	405,346	50,000	1,200,225	200,500	330,849	1,876,081
CVCOG	42,006	0	22,778	47,514	122,710	0	0	73,630	30,213	338,851	148,348	116,371	764,089
DETDC	16,901	0	19,000	20,413	30,000	0	31,500	214,440	20,004	352,258	74,275	33,365	473,008
ETCOG	61,559	0	22,800	641,660	72,162	71,500	0	215,237	84,500	1,169,418	186,975	107,951	1,301,506
GCCOG	31,238	0	18,000	33,895	36,000	0	0	0	31,036	150,169	74,926	63,841	207,178
HOTCOG	38,763	0	19,000	389,985	55,000	0	0	114,626	23,593	640,967	119,764	86,017	881,002
H-GAC	245,951	0	66,500	47,612	314,500	0	0	73,204	328,078	1,075,845	1,267,885	947,830	2,184,123
LRGVDC	38,562	0	29,500	324,714	119,098	0	28,295	666,211	20,396	1,226,776	112,164	304,318	3,840,590
MRGDC	17,508	0	17,811	159,731	28,000	0	44,000	1,175,801	15,362	1,458,213	47,320	32,536	1,596,185
NCTCOG	262,956	0	101,800	592,315	200,000	46,000	0	763,247	821,442	2,787,760	2,295,940	949,457	4,939,832
Nortex	43,253	0	0	67,101	112,303	0	0	10,000	94,588	327,245	678,111	96,690	643,812
PBRPC	42,328	0	19,500	35,297	45,000	30,500	0	25,365	24,077	222,067	24,077	42,328	155,662
PRPC	48,273	0	29,300	107,020	55,000	39,500	0	185,621	158,133	622,847	185,433	70,723	564,042
SETRPC	58,594	0	20,600	358,097	60,000	19,000	0	349,567	33,139	898,997	64,657	79,248	950,967
SPAG	19,036	0	20,000	74,335	52,667	0	0	92,820	51,678	310,536	328,253	51,454	409,464
STDC	12,855	8,033	19,965	42,101	52,000	0	38,024	0	14,227	187,205	57,577	108,612	490,099
Texoma	25,970	0	21,200	21,086	50,000	0	30,000	20,000	12,970	181,226	46,008	137,352	271,586
WCTCOG	60,044	0	27,300	108,785	55,000	0	0	162,417	113,280	526,826	188,137	212,673	855,473
WTCOG	69,724	0	36,600	532,750	87,000	0	0	67,146	24,036	817,256	131,536	193,105	1,676,000
<b>Totals</b>	<b>\$1,613,630</b>	<b>\$103,033</b>	<b>\$683,898</b>	<b>\$5,096,309</b>	<b>\$2,375,299</b>	<b>\$290,400</b>	<b>\$205,385</b>	<b>\$5,734,204</b>	<b>\$2,192,435</b>	<b>\$18,244,773</b>	<b>\$6,983,028</b>	<b>\$4,990,767</b>	<b>\$30,388,273</b>

307

Note: Criminal Justice Funds & Grants include pass-through to local governments

<sup>1</sup> Estimates only; possible budget carry-overs may cause figures to vary slightly

<sup>2</sup> Total budgeted funds since inception of the organization

Source: 1972 Directory of Regional Councils  
Division of Planning Coordination

system within the framework of a statewide planning and development process.

DPC is presently assessing the status of planning and development at the State level in conjunction with the preparation of a new multi-year overall program design. Considerable attention is being devoted to the relationship of State agencies to the Executive Office and the relationship of State government to regional councils, local general purpose governments, and planning and development entities at the substate district or local government levels.

Regional councils do not participate formally in the State budgetary process or the program development activities carried out by the Executive Office. The Governor and DPC must rely upon "friendly persuasion" when encouraging State agencies to make greater use of regional councils for administrative, planning, programming, and service delivery purposes. Although significant informal support exists, the Governor and the legislature have not taken any official action in support of a statewide planning and development process. Thus, the planning and development activities being carried out by State agencies and the regional councils are not directly or continuously linked to State decisions that affect resource allocations, physical plant and facility location, program and project implementation, and the delivery of services. A review of key decisions made during the 1971-1972 fiscal year revealed that DPC played an uneven role.

A recent report prepared by Koepsell & Girard Associates for DPC notes:

Several agencies appeared confused as to the role and functions of the Governor's Office. It was generally agreed, however, that it should provide the central political base for State operations and should provide broad policy guidance and direction to line agencies . . . . Two comments relative to this point were as follows: "It should be the responsibility of the Governor's Office to set goals, policies and priorities, and to evaluate the effectiveness of line agencies; however, it should steer clear of the internal operations of the agencies" and "There is a thin line between the effective conduct of coordination and evaluative responsibilities, and getting involved in agency operations."

Within the Governor's Office and within the State government as a whole, no clear lines of responsibility and authority appear to have been established regarding policy formulation and execution, functional planning and coordination, and program planning and coordination.

The report suggested the need for DPC to re-orient itself to "policy planning and coordination" and to

emphasize its role with State agencies. To this end, several officials interviewed raised the possibility of re-organizing the Governor's Office to link planning, budgeting, and program development. Another possibility suggested is the transfer of most of DPC's responsibilities regarding regional councils, including the Management Information and Control System (MICS) and the State planning assistance grant program, to the Texas Department of Community Affairs.

One of the report's findings which most concerned key executive staff members was the following:

It was said [by State agency officials] that DPC's orientation has become increasingly that of a Federal grant administering agency, with its role as a planning and policy unit of the Governor diminishing proportionately. Further, its effectiveness in providing real leadership and guidance to State agencies was also said to have diminished.

This report also noted that the interagency council system was extremely weak in terms of formulating goals, setting priorities, and establishing specific objectives.

An earlier report, based upon interviews with regional council personnel, revealed:

There were a number of functions which the directors desired DPC to perform. They included: 1) a liaison and "door opening" function with state agencies; 2) the development of definitive and consistently supported statewide policies; 3) the development of uniform and consistently supported administrative policies and procedures; 4) "negotiations" on behalf of COG's with State agencies, doing so "from a position of strength", and 5) communicating with councils on evolving trends and patterns concerning COG activities and major issue areas (e.g. statewide land-use planning, State stance on revenue sharing, etc.).

Both reports were critical of the Goals for Texas Program carried out at the State and regional levels. The following excerpts of one report indicate the general feelings of State officials.

The final products . . . were found to be confusing. . . . The confusion was further heightened by the fact that no explicit criteria were used to establish priorities. And, in fact, beyond the designation of a time-framework, no actual priorities were established.

Several agencies indicated an interest in using "Goals", but found both the process and the results too confusing to be easily

applied to policy and program planning. Many think that no one has followed up "Goals" to determine what actually has been accomplished.

Some agencies used the goals process in policy and program planning simply to comply with a request from the Governor. It was not necessarily viewed as a tool.

The following excerpts indicate the general feelings of regional council personnel:

It was suggested that the exclusion of State agency considerations in Volume II of "Goals" [regional council goals], and conversely the exclusion of regional considerations in the development of Volume I [State agency goals], had an adverse effect on "goals implementation" at both the State and regional level.

Several directors indicated that goals "execution" or "implementation" is keyed closely to the legislature, yet State legislators were not involved to any great extent in the goals process.

"State agencies should have been expected to use Volume II."

The assessment project being carried out by DPC should be completed in late December of 1972. It is expected that a number of fundamental recommendations relative to the organization of the Governor's Office and the establishment of a formalized statewide planning and development process will be presented to Governor-Elect Dolph Briscoe. A study prepared by Management Services Associates which deals with the present budgetary process and the management of the Governor's Office will be available to help the governor determine how he wants to approach State planning and development.

No discernable legislative policy or interest exists with regard to regionalism. Observers of the Texas political scene do not anticipate the next legislature's devoting priority attention to regional councils. As one local official noted, "Most of the legislators who carried regional council bills were defeated. It will take time to re-educate legislators on the value of regional councils. And the legislature will also serve as the constitutional convention. There will be little attention on regional councils or regionalism unless it comes up as part of the constitutional revision effort."

Regional councils have experienced steady progress since 1966. Texas State government has been in the forefront of the few States that have formulated specific policies in support of multi-county planning and development. There is every indication that the State's commitment will remain strong and become more refined in terms of State agency involvement with

regional councils and the use of substate districts. Governor Briscoe's public position on regional councils is unknown at this time. Several of his key associates indicate that he wants to analyze the present situation and emerging trends carefully before taking a position on either regional councils or the broader subject of a State policy on regionalism.

Texas does not yet have a formal process for evaluating regional council performance, but only several requirements imposed on regional councils. Several State officials have considered establishing a formal evaluation process, but, as one State official has noted, the "concept of performance evaluation is too hot an issue at this time." DPC requires each council to submit its annual work program for review prior to receiving a State planning grant. This process enables the State to assess the purpose for which State funds will be expended. DPC has not used its review process, however, to force regional councils to change priorities.

The State is encouraging each regional council to adopt a uniform Management Information and Control System (MICS). MICS is primarily an accounting and program recording system. The data required of regional commissions emphasizes expenditures by program category. End products and results are not required, but MICS does provide a basis for regional councils to strengthen their capacity to engage in self-evaluation.

Federal departments and agencies tend to evaluate regional councils on the basis of interim and final project reports. Little effort is made to look behind the reports to evaluate the impact of a particular program. Both Federal and State agencies tend to focus on the success or failures of individual projects and on financial accountability.

Local elected officials tend to evaluate regional councils in terms of the amount of Federal and State grant assistance generated.

In a 1971 report, the Texas Urban Development Commission made several recommendations to increase effectiveness of regional councils:

The Commission recommends, first, authorized collection and maintenance of information regarding local planning and financial decisions, planned by authorized location of comprehensive reports of regional council authority.

The Commission has concluded that strengthening the review and comment authority of councils of governments is an evolutionary step in the continuing growth of the regional council movement in Texas and is fully consistent with the concept of retaining decision-making power over the course of regional development in the hands of local public officials. Moreover, the same logic that persuaded the city and county

governments of Texas to engage in regional planning to guide their collective futures suggests that they will voluntarily agree to be bound individually by their collective decisions to a greater degree.

The Commission recommends that the Texas legislature enact legislation to strengthen the regional council of governments review and comment function by:

- Requiring all local governments within the jurisdiction of a council of governments to submit for review and comment their plans for the construction of capital facilities which have regional significance as determined by gubernatorially authorized guidelines; and
- Requiring State agencies contemplating major public facility investment within a region to notify councils of governments of their plans well in advance of construction.

State-regional coordination in location decisions will increase the potential of these investments to beneficially affect economic development in the region.

The Commission further recommends that the Governor take the initiative in encouraging federal action through Presidential directive or other means to require Federal agencies planning major capital construction within a Texas metropolitan region to notify the appropriate regional council of their plans well in advance of construction for the same reasons cited above for State project notification.

There is reason to be optimistic that the regional councils will continue to evolve as a compromise between strictly voluntary agencies and forms of general purpose government. It seems reasonable to expect State government to continue to shield regional councils from certain Federal thrusts while encouraging stronger State-

regional council relations through the various State line agencies. Regional councils should be in a position to expand their "decision influencing" capability over the next several years while moving in the direction of regional policy making. A 1971 DPC report notes the importance of program implementation to the future of regional councils:

Regionalism has made significant gains, most notably in gaining membership and achieving completion of the organizational phase. There has been a gratifying acceptance of the movement by a majority of public officials and a substantial number of influential private citizens. And, many regional council programs and activities have found particular favor among member governments and citizenry.

Nevertheless, many of the regional councils are still without strong public visibility and general public understanding and support. Regional councils, if they are to continue to grow, must find a means to promote and foster public awareness.

Often, the best way to increase public awareness, is by developing programs which can actually be implemented, or put into effect. Plans and studies which are shelved before their recommendations are implemented are of relatively little public relations value. It is now certain that regional councils do have significant implementation powers. This determination was made in Attorney General's Opinion Number M-889, dated June 21, 1971. The opinion, in response to a request that the El Paso Council of Governments be allowed to participate in the construction and operation of an interstate park, verifies that regional councils have significant contracting and implementation authority. How this authority is used will have a profound effect on the future of regionalism.

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## Footnotes

<sup>1</sup>County-based planning has never been strong in Texas, with counties generally lacking the legal authority to establish planning commissions. However, Article 1011m (the State

statute authorizing Regional Planning Commissions) materially enlarged the powers and scope of County Commissioners Courts. For detailed examples of this enlargement, the reader is referred to Texas Attorney General's opinions M-689 and M-928.

<sup>2</sup>For a general statement of the importance of the Governor's role, the reader is referred to the Evaluation and Conclusions.

## BACKGROUND AND STRUCTURE

Under the leadership of several State planning coordinators, the Governor's Office in Utah has been involved since the mid-sixties in examining the organizational arrangements of government. It sought to determine how men and materials might best be organized to get various tasks completed; where various functions and services of government might most appropriately be located; and how these new arrangements could be implemented within the context of political realism. Substate districting has been part of this examination, and it has been viewed as a process rather than a program. As such, it is a process of decentralization whose vehicle for implementation has been the establishment of a set of new organizational arrangements at the local level designed to counter the weight of Federal influence.

These new organizational arrangements, or multi-county districts, were formed in Utah to provide a consistent framework for solving problems in which the State as well as other governmental levels have a mutual concern and responsibility. It was thought that such a framework would provide the following advantages: 1) a means of strengthening the role of the county and municipal elected officials in the execution of programs; 2) a way of improving communication between various levels of government in planning and development efforts; 3) a uniform basis for coordinating major areawide plans and programs; 4) a method for coordinating Federally assisted programs at substate levels with State programs; and 5) a geographically consistent areawide basis for gathering and analyzing information and statistics.<sup>1</sup> Prior to establishing a uniform set of planning districts, there were more than 25 different district configurations in Utah.

During Governor Calvin L. Rampton's terms of office (1965 to the present 1972), the Governor's Office has strongly supported the substate districting concept, and it has committed time and money in an effort to strengthen local government. Work actually began even earlier in 1963 when the State Advisory Planning Committee at its first meetings began discussing preliminary ideas on developing substate district boundary lines. A subcommittee was appointed in 1965 to make recommendations. Its 1966 report outlined five proposed multi-county regions, three of which were split into two sub-districts each.

Governor Rampton introduced the preliminary report from the State Advisory Planning Committee to county

officials in the summer of 1966, urging careful consideration of the proposal. This document became a "talking paper" for several orientation sessions with local officials which were sponsored by the Utah Association of Counties and the League of Cities and Towns. At these meetings the proposed district boundaries were presented as "some ideas local officials should react to." Emphasis was on the need for a testing period during which county officials, planning groups, and other interested government and private agencies could live with the proposed districts for a few years prior to a more final and official State adoption of regional boundaries.

From the beginning, the executive directors of the Utah Association of Counties (UAC) and the League of Cities and Towns (LCT) were involved in formulating these preliminary district boundaries. Governor Clyde appointed them to the State Planning Advisory Committee on the same day he announced the appointment of the first State planning coordinator. The directors and their associations played crucial roles in the formulation of the districts. Jack Christensen, the current UAC staff director, said, "We saw the writing on the wall; we recognized regionalism was the wave of the future and we became involved." Bennie Schmielt, LCT director, agreed. "The job new gets too big for us (city and town officials) to handle alone. We welcome the help of multi-county organizations. I don't care who does the job as long as it gets done." The policy-making boards of both groups endorsed the proposed district concept by formal resolution.

The configurations proposed for the multi-county districts were in large measure a reflection of existing multi-county organizations and of the preferences of many locally elected officials. For this reason there was no evidence of concerted local opposition to the proposed districts. On the whole, the reaction of local officials and citizens ranged from strong support to general skepticism and wonderment, with few strong negative expressions.

The issue of county consolidation was preeminent in the minds of many county officials when the initial districting proposal was announced. State planners responded to this concern by arguing, "If we want to consolidate counties, regional cooperation is a good first step; if we do not want county consolidation, then regional cooperation is an essential alternative."<sup>2</sup> State planners pointed out that substate districts could improve intergovernmental relations in urban areas and that rural areas facing a critical scarcity of resources

could increase the chances of receiving Federal grants by combining with other counties on an areawide basis.

While local opposition was minimal, there was some local reluctance to move ahead swiftly in staffing or otherwise strengthening the regional organizations. In part, this stemmed from a concern of local officials who were not yet sure of where they wanted to go as a group and who were afraid that a full-time staff might assume undue influence over the part-time commissioners. In most cases, there were some historic antagonisms between various parts of the regions. This added to the suspicion regarding a cooperative effort, and to the concern that the staff might be co-opted by a particular interest in the region or perhaps an interest outside the region, such as a State or Federal agency.

To generate initial support for regional cooperation, State planners stressed the problems facing local governments and the need to establish a mechanism for local control of the new Federal resources provided to help meet these problems. They argued, "Here is an opportunity for the use of a Federal program if you can provide the mechanism to administer it." Later, State planners stressed the need for positive State action to avoid further Federal encroachment on local government prerogatives. The proponents defined the issue as one of the "angels confronting the feds."<sup>3</sup> By identifying a common enemy ("the feds"), local counties had an incentive to join together. When questions were raised about the proposed multi-county districts, they were less about boundaries than about the purposes of the multi-county associations and the extent of their authority.

A series of meetings were held in individual counties throughout the State at which the Governor, the State planning coordinator, or his representative would outline the districting proposal to interested parties. Other topics for discussion included the A-95 review process and possible organizational structures for the associations of governments (AOG's) in each multi-county district.

From 1966 to 1970 the proposed boundaries outlined by the State Planning Advisory Committee report were adopted on a trial basis. After considerable interaction and discussion between local and State officials, some modifications to the preliminary boundaries were proposed. Where local officials could justify their requests for a change in the boundaries, the State appeared to be willing to consider the proposed changes. The recommendations for modified boundaries were incorporated into the final version of a comprehensive study entitled *Multi-County Regions in Utah* (the Fitzgerald Report), which was issued in March 1970. This report was issued by the Bureau of Community Development at the University of Utah in cooperation with the State Planning Coordinator's Office.

The boundaries in the 1970 report show only two relatively minor changes from the preliminary bounda-

ries. The preliminary proposal suggested five regions, three of which were split into two sub-regions apiece. The 1970 report simply removed the distinction between regions and sub-regions, thereby providing eight regions instead of five. The boundaries were the same as originally suggested with one exception, that Summit County, originally grouped with Salt Lake and Tooele, was grouped with Wasatch and Utah Counties. Summit was apparently worried that it would be overwhelmed by the urban population of Salt Lake County. The grouping with Wasatch and Utah Counties meant a three-county district in which two were mountain valley counties and the third, though urban, was not as overwhelmingly large as Salt Lake County.

The Fitzgerald Report provided an elaboration of the criteria employed in delineating Utah's substate districts. It identified two basic assumptions made in drawing multi-county district boundaries: County boundaries cannot be divided, and local preferences must be considered. Operating on these assumptions, the study sought to determine the characteristics that predominate sufficiently among combinations of counties to suggest larger units. It analyzed various criteria for delineating regional or district boundaries, including 1) ecology and population, 2) cultural-geographic similarities, 3) communication and transportation, 4) functions and services, 5) social-relationship groups, 6) historical/social change, and 7) complex combinations of these categories.<sup>4</sup> After considering the utility of these general classifications, the study concluded that three major criteria could be profitably employed in defining Utah multi-county regions: 1) service areas, including a number of economic and social measures; 2) intrastate classifications of regions by governmental agencies, organized groups, and planners; and 3) organized inter-county affiliations and activities.<sup>5</sup>

Following the release of the Fitzgerald Report setting final boundary lines, there was further interaction and discussion between State and local officials. Public hearings were not held because State planners felt that the most productive discussions would be those between State and local officials. Governor Rampton participated in some of the sessions with local officials. On May 1, 1970, the Governor issued an executive order which delineated the boundaries for Utah's eight (since amended to seven) multi-county districts. Those which the Governor originally authorized in 1970 (see Table VII.10 and Figure VII.6) were almost identical with the eight the Fitzgerald Report recommended.

During the period between the 1966 report and the executive order, it is important to note the role of regional HUD in attempting to dictate the configurations of Utah's metropolitan planning areas. In 1966 and 1967, HUD was promoting councils of government. The HUD regional office saw in the Wasatch Front an opportunity for a large multi-metropolitan area council of governments. State planners, however, felt that

Table VII.10

**Utah Multicounty Districts  
by Name, Number and Constituent Counties  
(1970)**

District Number	District Name	County Name
1	Bear River	Box Elder Cache Rich
2	Weber River	Davis Morgan Weber
3	Great Salt Lake	Salt Lake Tooele
4	Provo River	Summit Utah
5	Central Utah	Wasatch Juab Millard Piute Sanpete Sevier Wayne
6	Southwestern	Beaver Garfield Iron Kane Washington
7	Uintah Basin	Daggett Duchesne Uintah
8	Southeastern	Carbon Emery Grand San Juan

Source: State Planning Coordinator's Office

general purpose units of government should be strengthened, at least where their boundaries were relatively reasonable. They were especially anxious to strengthen the county governments along the Wasatch Front because their boundaries corresponded well with urban settlement patterns and followed the natural geographic limits of the valleys. The one problem was in Davis County, which did not have an urban center of its own, but has become a suburb of both Salt Lake City and Ogden. Even in this case, however, there were relatively few problems since the county was large enough to have a reasonably balanced tax base. The State planners' argument to HUD was that the primary coordinating

units should be the county governments themselves. In addition, where coordination was needed between counties for the larger metropolitan center of Utah, State planners contended that the State was the appropriate level of coordination. They pointed out that the State boundaries reasonably approximate the cultural and economic region including the Wasatch Front metropolitan area and its rural hinterland.

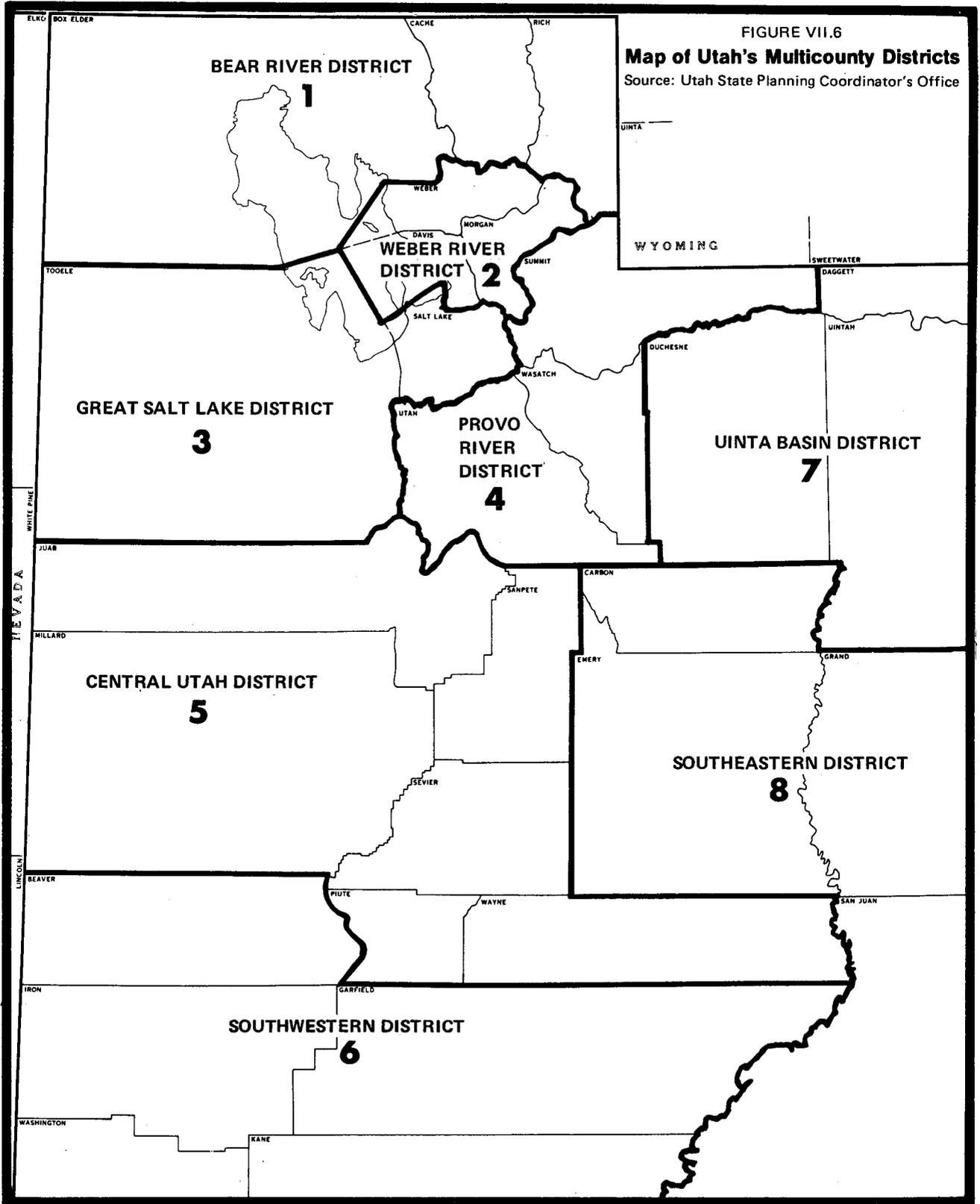
This approach had the support of HUD's regional office early in the work of the State planning program. It wasn't until 1966 and a change in personnel at the regional office that there was any problem. Then efforts were made to organize the county and local governments on a Wasatch Front basis. State planners objected; when the regional office refused to accept their arguments, the State planners carried them to the Washington office, which overrode the regional official concerned.

The argument of the State planners was not without local support. The arrangement which was discussed and accepted by HUD was that the counties would be the primary review agency, that in this function, they would work with a coordinating council in each county made up of representatives of the various local governments within that county, and that there would be an additional State level review for purposes of multicounty coordination. HUD had apparently approved this State level review in only two instances: Rhode Island and Utah.

To understand the present relationship between the State and local officials it is necessary to note the role of the State Office of Local Affairs. This office was established in the Governor's Office to handle the HUD 701 planning role for the State and to develop liaison with local officials. Prior to its establishment, the function of intergovernmental coordination had been assumed by the State planning coordinator and the State Advisory Planning Committee.

An adjunct to the increased executive focus on local affairs was the Governor's Advisory Council on Local Affairs (GACLA), which was created as a mechanism for communication between local officials and State government. The council related directly to the local affairs office, and it included 21 members appointed by the Governor. The membership is drawn from local elected officials from counties and municipalities in each of the eight (now seven) districts in the State. The Governor accepts recommendations for membership on the advisory council from the executive directors of the League of Cities and Towns and the Utah Association of Counties (both of whom sit on the council). They in turn consult local officials in each district for the names of appropriate nominees.

In 1971 the local liaison role was moved from the Governor's Office into a separate department, the Department of Community Affairs (DCA). Enabling legislation set up this department; it also recognized the substate district pattern and gave statutory basis to the



Governor's Advisory Council on Local Affairs as the policy-making body for the department. This legislation charged DCA as follows: to cooperate and provide technical assistance to various public and private agencies; to encourage local governments to develop cooperative solutions to common problems; to serve as a clearinghouse for information which may be helpful to local governments in discharging their responsibilities; and to assist local governments and other officials and agencies in carrying out the purposes of the law.

During this crucial period of development for substate districting in Utah (1966 to 1970), two basic points arose: First, local officials were interested in getting some kind of grip on the Federal grant-in-aid situation; many local officials viewed substate districts as a mechanism for doing this, and to a real extent came to the State for help. Second, the State took the position early that substate districts were a viable arrangement, but did not want to impose either boundary lines or organizational structure on the local government. The policy of the Governor's Office was to lay careful groundwork for the concept and implementation of substate districts, while allowing full leeway for local prerogatives.

The Governor's executive order not only established uniform multi-county districts, but also called for the formation of multi-county associations of governments, comprised of representatives from cities and counties within each district, as a means to facilitate comprehensive and functional planning and development activities.

Certain sections of the State had nearly a decade of experience in voluntary multi-county coordination by the time the official substate districts were designated. A few examples of preexisting regional associations follow.

### Five County Association

This association consisted of Beaver, Iron, Washington, Kane, and Garfield Counties in the southwestern portion of the State. In partial response to Federal encouragement for intergovernmental cooperation in dealing with problems of parks, forests, monuments, and recreation, these five counties formally organized in 1957. The organization included representatives from each participating county, but permanent affiliation from cities was not provided in the formative stages. The organization's aims were to achieve cooperation, promote good will, look after common interests, and work for the development of the area—mainly with regard to industry, legislation and tourism. It was meeting monthly to accomplish these objectives.

### Six County Commissioners' Organization

This group was similar, but less structured, than the Five County Association. It was formed so that county

officials could consider possible joint solutions to local problems. It included Juab, Millard, Sanpete, Sevier, Piute, and Wayne Counties in central Utah. The commissioners' organization met monthly and consisted of all 18 commissioners of the six member counties. Later, an economic development district was organized which conformed to the same boundaries. The commissioners' organization had an executive committee and five basic committees—Agriculture and Natural Resources, Industry and Commerce, Tourist and Recreation, Education and Training, and Community Facilities and Services.

### Wasatch Front Regional Council

This multi-county COG was composed of members from Weber, Davis, Salt Lake, and Tooele Counties. It was formed in 1968 to improve communications among local governments in the Wasatch Front urban area, to facilitate coordination of common planning activities, and to promote greater efficiency through joint participation in areawide efforts to solve shared problems.

In the case of the Five and Six County Associations, there is strong evidence that increased communication and coordination has resulted from their activities. Related to this has been an increase in community concern. For example, in the mid-Sixties the Five County Association organized a community development conference at Cedar City. It was an all-day program, supported by a great deal of preparation by the University's Bureau of Community Development and with prominent speakers, including Governor Rampton. It attracted over 500 participants from throughout this sparsely populated area. The participants included essentially all of the elected officials in the region and a great many other community leaders who contributed to discussions during the conference. It is likely that much of the community activity occurring in that part of the State was encouraged by this and similar activities of the Five County Association. Similarly, in the six-county area the regular monthly meetings frequently provided the catalyst for concerted lobbying efforts by these six counties for their interests before the State legislature and State and Federal agencies.

In addition to these examples of multi-county cooperation prior to substate districts, there were regional advisory councils for law enforcement planning, multi-county and single-county community action agencies, economic development districts, and areawide health planning agencies. Other pre-existing coordinating bodies included county COG's, which are becoming more prevalent in Utah. These voluntary associations of locally elected officials are established to promote programs of common interest for their members. In Utah, COG's differ from the pattern in most states in that they are organized in individual counties, with the single exception of the Wasatch Front multi-county

COG in the Salt Lake City SMSA.

The district boundaries outlined in the Governor's executive order piggy-backed pre-existing multi-county organizations to the extent possible. Where the newly formed regional boundaries did not conform to existing multi-county affiliations, compliance with official boundaries was required.

Two years after issuing the first executive order which established eight multi-county regions, the Governor amended (as a response to requests of local officials) his executive order by combining districts two and three. This combination reduced the total number of districts to seven and brought Davis, Morgan, Weber, Salt Lake and Tooele Counties under the same organizational umbrella. This change was deemed desirable since it was apparent that the five counties involved had a consistent pattern of purpose and shared interests.

## ACTIVITIES

The planning, administrative, and coordinative functions performed by substate districts in Utah vary from area to area. The Wasatch Front Regional Council (WFRC) has devoted the bulk of its time and resources to efforts in three areas: air and water pollution, regional transportation, and land use studies.

In the area of pollution, the council staff has provided administrative assistance and technical support to its pollution committees, coordinated efforts at the county level, worked with State agencies to establish uniformity of understanding and interpretation of State pollution regulations, and planned ways and means for implementing these regulations. Of the five counties in the WFRC, two have implemented air and water pollution regulations more stringent than those required by the State Health Department. WFRC is coordinating its plans with regional transportation studies now being made by State and local agencies in the Wasatch Front area.

A mass transportation study by Voorhees and Associates has been completed in Salt Lake County and is currently underway in other counties along the Wasatch Front. Residents of Salt Lake County voted in favor of joining the Utah Transit Authority and similar votes are soon to be taken in Weber and Davis Counties.

In the area of land use, WFRC is developing an inventory of regional data on existing land use by major categories, public facilities and services, recreation, and transportation systems. Based on this inventory, the council will develop a regional land use plan by coordinating the county land use plans and establishing regional guidelines for future major land use. In this connection, WFRC is conducting research sponsored by the Bureau of Reclamation which attempts to bring together the numerous studies that have been conducted concerning the Great Salt Lake. Funding for this study includes \$10,000 from the Federal government, \$2,500

from the State, and \$5,000 from local sources. The eventual goal of this research project is to develop an atlas of the area and guidelines on the uses of the lake.

The Mountainland Association is the only other metropolitan planning district in Utah. This district intends to devote the majority of its time and resources to preliminary development of a functional open space plan. Since tourism is potentially the biggest industry that could be developed in this scenic, tri-county area, the Mountainlands Association has established a Tourism and Publicity Committee composed of representatives of the hotel and motel industry in each county. Funds to promote tourism come from a transient room tax (of one and one-half percent) levied by counties, and it is expected to be matched 50-50 by the Utah State Travel Council. The Mountainland Association also assumes coordinative functions between various Federal agencies in the area of rural development and has provided administrative and technical support to an application for establishment of a Resources Conservation Development District. The association is funded under the Public Employment Program and Department of Labor (CAMPS) to coordinate all manpower planning in the region. In both metropolitan districts, there are numerous planning activities taking place at the sub-regional or county level.

In the five non-metropolitan districts, the scale of regional activity is less, with the notable exception of the Five-County Southwestern Association of Governments. A project to improve the delivery of social services at the district level was begun several years ago in the Five-County District. The initial impetus came from local officials and a State senator representing this area. A combined State response to this project included support from the State Planning Coordinator's Office, the Department of Community Affairs (DCA), social security, and local support from the Five-County Organization.

In early 1972, a consultant study of the Utah Department of Social Services was completed by Touche Ross; it recommended reorganization on a regional basis to achieve a more effective system for planning and delivering health and social services. Because of its previous activities, the Five-County District was selected as a pilot area to test the recommendations of the Touche Ross study concerning whether an association of governments could assume responsibility for the administration of State and Federal programs with the financial and technical support of the State and Federal governments. If the experiment proves successful in the five-county area, it will most likely be adopted in the other six districts.

The study proposes to establish district social service centers and social service councils under single management to meet the social and health needs of citizens. The center and council are to be developed on a district basis in accordance with the Governor's planning

districts. The relationship between the multi-county association of governments and the district social services program as envisioned by the study is illustrated in Figure VII.7. The association has program policy authority for the district center, provides local matching funds for the district center's operation, and appoints the district social services council.

In the last half year, the project has developed to the point where the Five County Association has hired an executive director. The project is also an allied services type of model and currently receives substantial HEW (SRS) funds for that purpose. Additionally, the district is now an Integrated Grant Administration (IGA) applicant, enabling a single application for the planning funds (LEAA, Manpower, SS, HUD 701, with more to follow) which affect the area. The initial phase of the IGA mechanism will be to draw together all the planning money affecting the district; the second phase will be to develop a district delivery mechanism for social services (with State agency personnel reporting directly to the executive director of the association of governments); and the third phase will be 1) to assess the impact of district service delivery on the corresponding State agency, 2) to expand the model effort into a statewide effort and 3) to develop fiscal procedures at the State level which will implement district service delivery.

According to current plans, the State Social Services Division will remain the fiscal agent for the district, yet State employees will be responsible administratively to the multi-county association. The fiscal agency has been developed through the State College of Southern Utah for purchasing, disbursing, and auditing. This attempt to integrate social services on a district basis in a rural area has not met much local resistance, but the inevitable loss of jobs at the State level has been threatening to many State employees. It is too early to assess the impact of the proposed reorganization.

This innovative project at the substate level is a product of local interest and initiative, strong State response, and firm gubernatorial commitment to strengthening local government. It reflects the efforts underway at both the State and local levels in Utah to make substate organizations a productive part of the Federal system.

## RELATIONSHIPS AND COORDINATION

In general terms, the multi-county associations of governments were formed to promote the orderly and efficient development of the physical, social, and economic resources of the district and to encourage governmental subdivisions to participate in seeking areawide solutions to common problems. Membership on the associations was to be drawn from the elected officials of the major county and municipal units existing within a district. The area of jurisdiction of multi-county associations in each case is coterminous

with the area of a multi-county district, but the executive order permits the grouping of two or more entire districts where clearly justified for specific purposes. To achieve official recognition, a multi-county association must submit a written agreement among members of the association with an application for recognition to the Department of Community Affairs for review and gubernatorial approval. As of July 1972, all seven multi-county associations were approved and operational.

### Five County Association

The policy making body for the Five County Association is a 15-member steering committee composed of the chairman of each county commission, a mayor or town president from each county, the chairman of each county school board, plus *ex officio* members, including representatives from the two area colleges and all State senators and representatives whose districts extend into the five-county area. The steering committee is assisted by eight standing committees on functional areas. An executive director was hired in June 1972 and additional staff positions are being filled. The inclusion of representatives from school boards, area colleges, and elected State officials on the association's steering committee is unique among Utah's substate districts.

### Six County Commissioners' Organization

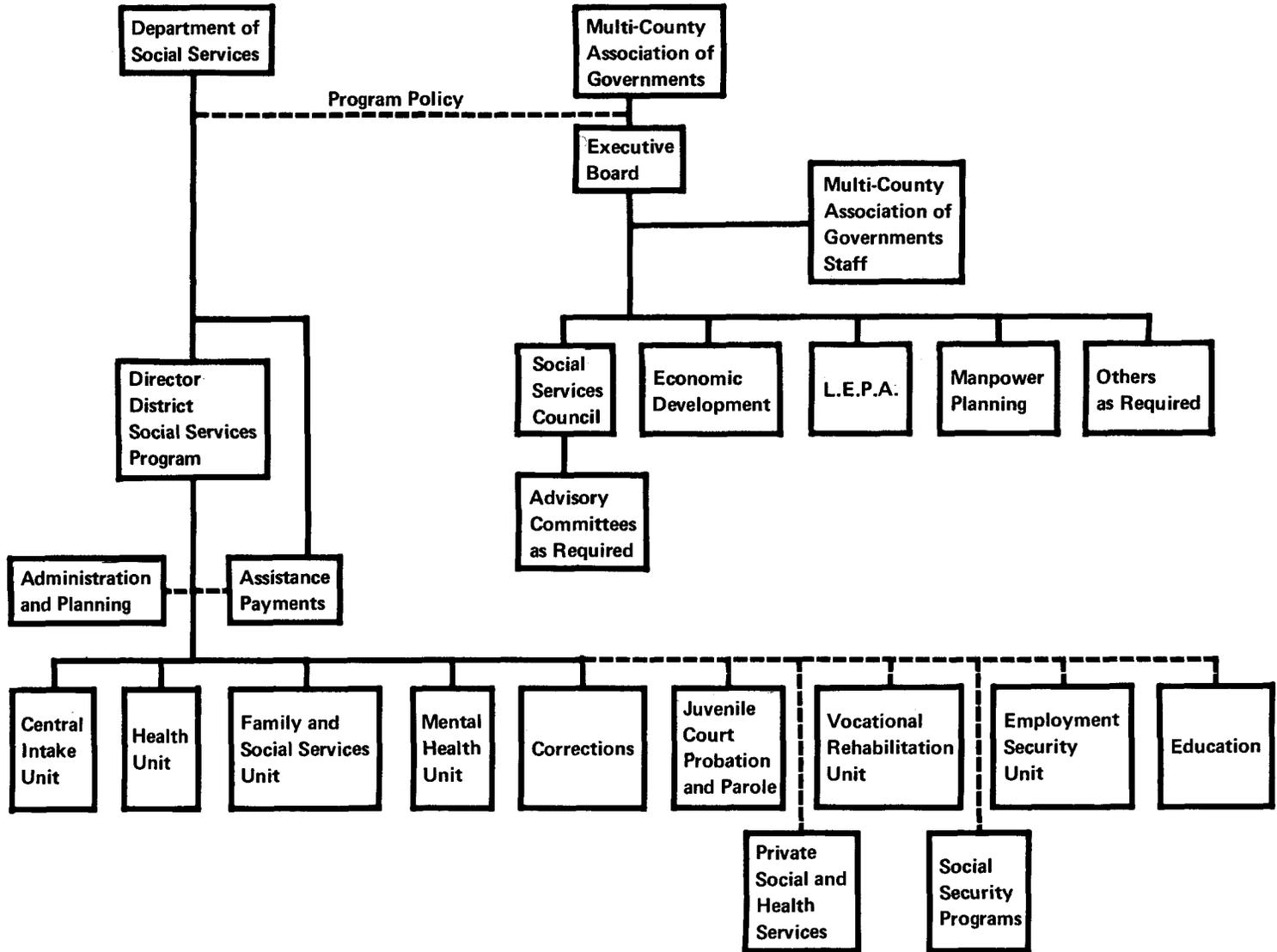
This 18-member multi-county organization is composed exclusively of county commissioners; no other elected officials participate directly. Each of the six counties has a county development council (or county COG) in its separate jurisdiction composed of county commissioners, mayors, and town presidents.

The five basic committees, each composed of three commissioners serve as a coordinating umbrella for various development committees or organizations. For example, under the Agricultural and Natural Resources Committee, there are the Sevier Water Users, Inc., and the Area Soil Conservation District steering committee; under the Industry and Commerce Committee, the economic development district; under the Tourism and Recreation Committee, the Area Travel Council; and under Community Facilities and Services, the Law Enforcement Council and Mental Health Authority. These development committees are the working groups of the commissioners' organization. Members of each development committee function as *ex officio* members of each basic committee.

While the EDD is under the commissioners' organization, it is incorporated and has its own construction, board of directors, professional staff, and finances. The EDD office is not located in the same town as the office of the commissioners' organization. It appears that better coordination is needed between the EDD staff

FIGURE VII.7

**Proposed Relationship Between The Multi-County Association of Governments and The Southwestern District's Social Services Program**



and the executive director of the Commissioners' Organization. The Area Extension Agency, represented by an employee of Utah State University's Extension Service, serves as the executive director in this district.

### Wasatch Front Regional Council

Under the Governor's 1972 Executive Order, Districts 2 and 3 were combined, bringing together Davis, Morgan and Weber Counties with Salt Lake and Tooele Counties. The original 12 member policy-making body is being enlarged to 16 members. In the Five County and Six County districts, membership on areawide associations includes three members from each county COG; in the Wasatch Front organization, membership is proportional (not one man, one vote), coinciding roughly with the financial input of each local government. For example, Salt Lake County has 65 percent of the area's population; it contributes 47 percent of the council's budget; and, under the new realignment, it will have 42 percent of the council's membership. The local financial contributions come from the five county COG's, with the cities making their contributions through the COG's rather than directly to the council. The three basic committees are Transportation, Pollution, and Land Use.

The Wasatch Front Council's relationship to Federally initiated single-purpose areawide bodies is illustrated in the area of comprehensive health planning. There are two areawide 314(b) bodies funded in Utah, both in this district. The Wasatch Front organization has signed formal memorandums of agreement with them providing that each will act as a technical advisory group to the council in meeting its review and comment responsibilities. The council's executive director believes that "all regional activities, whether funded by local, State, or Federal dollars, should be under the umbrella of this office." Consistent with this philosophy, he is pushing to have the two 314(b) agencies combined and to bring them under the Wasatch Front group as one of its standing committees, thereby creating an areawide professional staff capacity for health matters. Spokesmen for the health planning bodies are reluctant to agree that such action is necessary or desirable.

Thus, while the State established a uniform basis for coordinating areawide programs through substate districts, the composition of the multi-county organizations, the source and amount of financial support, the committee structure and program areas, and the relationship of the regional organization to other State and Federal agencies varies considerably from district to district.

In Utah, several Federally initiated, single-purpose areawide bodies conform with the State's multi-county planning districts; others do not. The conforming bodies include the OMB A-95 clearinghouse areas (six), economic development districts (two), HUD-701 metropolitan and regional planning areas (seven), HEW compre-

hensive health planning areas (two), USDA resource conservation and development districts (seven, with one nonconforming county), DOJ-law enforcement planning areas (seven), and the Four Corners Regional Commission (five).

Community action agencies and EPA's—air quality control districts do not conform. Governor Rampton mentioned the CAA's non-conformance to substate districts in a letter of December 17, 1971, to OMB Director Schultz:

... no concerted effort on the part of the state would be exerted to force compulsory realignment of CAA's to coincide with the multi-county districts. It is felt that the CAA's as presently constituted are sufficiently responsible to the particular needs and conditions of each of the existing geographic areas. Population is the primary criteria which was considered in setting up these agencies. In the urban areas of Utah—Salt Lake, Davis and Weber Counties—the counties were deemed to be the optimum unit to justify and support CAA's. The combined population of the counties again was the determining factor in establishing the boundaries.

In the terms of future action regarding the formation of CAA's, the State's posture will be to evaluate the population base to support an OEO agency. Consideration will be given to encouraging formation where feasible on a multi-county basis in accordance with the sub-state districts to prevent overlapping, or emerging with an existing organization if the objectives of the program can be best accomplished through expansion of an existing geographic area. If new multi-county CAA's are formed, emphasis will be placed on not only compliance to sub-state districts but also organization structure as part of an established regional association of governments, rather than external as is the case presently.

Another example of nonconformance is EPA's air quality control district boundaries, which vary substantially from those of the State planning districts. The reason for the variance is that Utah's two air quality control regions were established prior to both EPA coverage and multi-county districting; continued use of these established monitoring areas was deemed the most efficient means for program implementation following substate districting, because air quality monitoring depends largely upon data accumulation. A third district has since been formed to cover the rest of the state.<sup>6</sup>

A recurrent problem has been evident in Utah due to

SMSA boundaries being inconsistent with the pattern of substate districting. Governor Rampton highlighted the implications of this inconsistency in his letter to Schultz:

This particular Department of Labor programming area highlights a continuing problem we have had because of inconsistencies in the designation of SMSA's in Utah. As you know, we have felt that the presently defined SMSA's—(1) Salt Lake-Davis, (2) Provo-Orem, and (3) Ogden—do not reflect the true metropolitan character of this area of the state. Additionally, the Department of Labor has seen labor force information as more accurately delineated by splitting Davis County into two halves—a north half included in the Ogden labor market area and a south half included in the Salt Lake area. This has had implications for the CAMPS area in our state because the SMSA designation used by the Department of Labor fragments Davis County, which for our multi-county planning and administration purposes is wholly in one sub-state district but for CAMPS must be handled differently. I recognize the complex problems in SMSA delineation but am concerned with consistency, and strongly urge you to consider this matter. Essentially, we feel that the designation of Weber, Davis and Salt Lake Counties into one SMSA could be justified under your present criteria and could substantially increase both federal and state effectiveness in areas involving SMSA designation.

Thus the designation of SMSA's in Utah has necessitated some nonconformance to State planning districts in the CAMPS area.

Governor Rampton would like to see multi-county planning districts used more for fund allocation purposes. He has criticized EDA and the Department of Labor for their tendency to divorce funding from planning:

... I think greater attention should be given to using such districts for allocation purposes. EDA, for example, continues to distinguish eligible from ineligible counties inside EDA districts. The reason the ineligible counties are so classified is because they lack sufficient numbers of employers to receive service. A similar judgement has been made by the Department of Labor in the distribution of Section 6 monies under the Emergency Employment Act of 1971. There are a

number of small counties in the state which have received none of that money, despite the fact that they have been classified as areas of substantial unemployment longer than some of the counties that have received large amounts of money under this act. The discrepancy comes because some counties are not of "sufficient size" to be considered eligible.

We have proposed to the DOL that they allocate Section 6 monies within the state of Utah on the basis of multi-county planning districts. Small counties could then be aggregated with a population of sufficient size to qualify. And the same would be true if EDA services were allocated on a multi-county basis. . . . Now that we have multi-county planning districts, we should not continue to allocate funds on a single county basis, thus once again divorcing funding from planning.<sup>7</sup>

In addition to Federal conformity to district boundaries, it is important to consider the conformance of State agencies to these districts, since these latter agencies were the most vocal opponents of districting.

The Governor's executive order establishing the districts also instructed State agencies to comply with the boundary lines. Negotiations began immediately after the executive order was issued, with the State Planning Coordinator's Office initiating the meetings. Those agencies which were weak, or which saw little if any cost in realigning substate boundaries, were generally prompt in complying. Those agencies whose boundaries had long been based on geographic considerations (e.g., Fish and Game, Water Resources) resisted strongly and received temporary waivers. Other agencies argued that certain service areas (e.g., highway maintenance districts) would gain little from realignment since the relevant service was not ever likely to be administered by a local area, and were also given temporary waivers. The education system, based on school district boundaries and a separate electorate, resisted strongly. At present, all but Education and Natural Resources are in compliance.

Generally, State agency compliance in Utah was related directly to 1) the power of the agency in relationship to the Governor and 2) the administrative cost of changing boundaries. The stronger the agency and/or the higher the cost, the greater the opposition. However, some agencies actually recognized the value of organizing on a consistent areawide basis and made a real effort in spite of the cost. The State Planning Coordinator's Office implemented the Governor's compliance order, but the Governor himself was part of many of the negotiations; the net result is that most State agencies use the designated district boundaries. This level of compliance could not have been achieved without the

Governor's goal of State agency compliance and the negotiating clout of the State planning coordinator.

In addition to Federal and State Agency conformity to districting, the clearinghouse functions at the State and Regional level deserve comment before the coordination process between agencies at each level of government becomes clear. There are two components to the clearinghouse function: 1) the State clearinghouse and 2) the areawide clearinghouse. Governor Rampton designated the State Planning Coordinator's office as the State clearinghouse for purposes of OMB Circular A-95. To implement the circular, the planning office prepared "Project Notification and Review System" (PNRS) procedures for State and local agencies. Under these PNRS procedures, areawide clearinghouses were recommended for each of the multi-county planning districts to supply areawide review. Regional review agencies must meet the following requirements if they wish to obtain the Governor's designation as an official areawide clearinghouse: 1) membership on the clearinghouse policy boards must be composed of elected officials from all major general local government units within the multi-county district; 2) the boundaries of the clearinghouse must coincide with the boundaries of one or more entire multi-county districts; and 3) a clearinghouse must have access to sufficient technical staff to review project proposals adequately. As of September 1, 1972, six of the seven multi-county associations of governments had been designated as areawide clearinghouses.

By specifying certain organizational requirements as prerequisites to receiving official designation as an areawide clearinghouse, the Governor provided an incentive to local officials to proceed with the requisite organizational items. Most local officials are anxious to secure the right to review grant applications since this gives them a measure of control over projects which affect their jurisdictions. Thus, the A-95 process has been an impetus to organizational development among the substate districts.

The A-95 review process takes place at three levels: State, areawide, and county. Applicants notify the State and regional clearinghouses of their intent to apply for Federal assistance. The state clearinghouse in turn notifies each State agency and the regional clearinghouse notifies the county COG which would be affected by the intended application. The concurrent review of intent at the State, areawide, and county levels is intended to avoid obvious overlap and duplication by providing an early warning system of proposed projects. A similar multi-level review process takes place when the application has been prepared. The State clearinghouse has developed written agreements or memorandums of understanding with more than ten State and some Federal agencies for A-95 review purposes. These agencies review and comment on proposals and the State clearinghouse correlates them. The county COG sends its

comments to the regional clearinghouse which, in turn, reviews the proposal and forwards its comments with those from the county COG to the State clearinghouse. The State clearinghouse reviews all comments from State agencies, regional clearinghouses, and affected county COG's before sending its recommendations forward to Federal agencies.

In practice, the problems Utah has experienced with the A-95 review process are not unlike those encountered elsewhere.<sup>8</sup> Regional clearinghouses do not have many areawide plans against which to evaluate proposed applications. The review is often done hastily and the comments are usually superficial. Not only are substantive comments limited, but negative comments are seldom if ever made. What was intended as a review and comment process is in practice an expedient "sign-off" mechanism. This is due partly to the time constraints imposed on the review process—30 days to review "notification of intent" and 30 days to review applications. Since most multi-county associations meet monthly—with limited staff and plans to guide them—it is not surprising that review and comment is dispensed with in a perfunctory manner.

Nevertheless, the process is not without its redeeming features. One optimistic executive director states, "I view A-95 as one of the finest coordinating tools yet devised. I think it is one of the most important documents to create change within local government that has come along in years."<sup>9</sup> A more widely accepted view is that the A-95 process is an "educational and communication device" that helps to "control and eliminate the most blatant kind of conflicting projects."<sup>10</sup>

While there are some problems with the A-95 process, there are also distinct advantages. For example, the notification of intent procedure brings together relevant decision makers who can alter a project design *before* it is set in concrete. By reaching an accommodation and compromise at the notification stage rather than the project review stage, problems can be identified before definite commitments have been made or final plans developed, and it gives the review agencies an opportunity to become involved in the project. Representatives in the State Planning Coordinator's Office do not see the absence of negative reviews as an indication of ineffectiveness, pointing out that any proposal with obvious deficiencies would be identified by the early warning system and altered or withdrawn before it reached the formal review stage.

The Utah Federal Assistance Management Act (FAM) of 1969 requires all State agencies to secure prior gubernatorial approval on any application for Federal assistance. This does not technically relate to local entities. The Governor's position has been, however, that if a State agency project affects a particular substate area (as opposed to a project which has statewide impact), he wants local officials to approve the project. While this

has been an unwritten policy, it has generally been carried out. Review is done by the areawide clearinghouse. The overall result of FAM is that coordination has been increased and local officials are given additional control over projects which affect their jurisdiction. In a letter dated May 11, 1971, Governor Rampton instructed all Utah State agencies concerning FAM as follows:

It should be emphasized that under the Federal Assistance Management Act of 1969, all state agencies are required to report the extent of their participation in federally assisted programs; and moreover, to secure gubernatorial approval *prior* to submitting any application for federal assistance to any federal agency. Before I will approve any application, I will insist on an adequate review of the proposal by the State Planning Office. This coordination and approval activity is necessary to provide an adequate overview of all the activities of state government, to prevent duplication of effort or the funding of projects which are detrimental to state and local interests, and to involve affected agencies in discussions of their proposed activities far in advance of preparation of the formal applications, thus insuring maximum coordination of effort.

The State's relationship to multi-county associations is primarily to insure a coordinated State-district-local partnership in areas of planning, policymaking, and development. These coordinative functions are performed in the Office of the Governor by the Office of

the State Planning Coordinator's office and the Department of Community Affairs (DCA). The DCA assisted in the formation and development of multi-county associations. In addition, it staffs the Governor's Advisory Council, keeps districts informed concerning State program plans, provides technical services to districts as requested, assists district associations in securing recognition from Federal and State governments, and helps districts identify Federal and State resources to conduct planning. The Governor establishes statewide standards for designating regional clearinghouses, develops guidelines regarding the operation of areawide clearinghouses, requires that State agencies plan by multi-county districts, encourages State agencies to cooperate with recognized district associations, provides planning assistance and technical services as requested, and insures coordination of major State and Federal programs through the districts.

The DCA holds monthly meetings in Salt Lake City with the executive directors of the seven substate districts. In these meetings, staff directors can share experiences and discuss common problems. DCA regularly sends professional staff members out in the field to visit particular districts and assigns some full-time staff to work in a liaison capacity with multi-county associations. Also, the DCA is planning to conduct staff training sessions for district personnel. The substate districts and multi-county associations relate to the Governor's Office and the legislature primarily through the Governor's Advisory Council, which serves as the advocate for local officials at the State level.

The most important *formal* device the Governor uses to get State agencies to conform to and make effective

Table VII.11

Summary of Total Costs and Source of Funds by District  
FY '73

	Total Costs FY '73	Local Service Contribution*	Federal Dollars Requested
Wasatch Front Regional Council	\$180,400	\$60,134	\$120,266
Mountainland Association of Governments	66,000	22,000	44,000
Bear River Association of Governments	24,000	8,000	16,000
Six County Commissioners Organization	30,000	10,000	20,000
Southwestern Association of Governments	10,000	3,334	6,666
Uintah Basin Association of Governments	10,000	3,334	6,666
Southeastern Utah Association of Governments	10,000	3,334	6,666

\* No local cash contributions.

Source: Compiled from data provided by Utah's Department of Community Affairs.

use of the substate districting system is the A-95 process. The County workshop for State, county, and local officials is an *informal* device used by the Governor in attempting to strengthen multi-county organizations.

## FINANCES

As a stimulus to voluntary local cooperation, \$60,000 in State funds have been allocated for distribution by DCA to eligible multi-county organizations during FY 1972. After considering optional bases for distribution, the Governor's Advisory Council decided to distribute the money equally to each multi-county district, metropolitan and non-metropolitan, in the amount of \$7,500 per district. This financial assistance is intended to supplement local contributions to recognized multi-county organizations, thereby reducing their dependence on Federal funds for operation. State funds can be used as local matching money for various State and Federal programs, and it can be used to develop an in-house staff capability for regional planning and services to local government. All of the seven multi-county organizations in Utah had technical staff as of July, 1972.

Governing bodies of counties and municipalities participating in the multi-county associations contribute some financial support to carry out areawide duties and functions. While counties and municipalities in various districts contribute financial support under differing

formulae, a typical formula would base county contributions on assessed valuation, sales tax receipts, and population. In addition, the associations receive gifts, donations, and grants from various Federal and State agencies. Since many of the regional associations have become operational in the past year or two, only the most recent budget figures (FY 73) are available for district-by-district comparisons. Table VII.11 shows the total costs for each district for FY 73 and whether these monies were local cash contributions, local service contributions, or Federal dollars requested. In each district the pattern of support is two-thirds from Federal funds and one-third from local contributions, with the State providing one-half of the local one-third share. A budgetary breakdown for each district by program area and work activity for FY 73 is contained in Table VII.12.

## EVALUATION AND CONCLUSIONS

Since the Governor's Executive Order establishing substate district boundaries in the summer of 1970, the State has only had two years' experience with multi-county planning districts. It is too early to expect Utah's seven substate districts to have accomplished their objectives in other than organizational terms. Each of the multi-county districts is now operational and supported by a professional staff. The urban districts have

Table VII.12

### FY 73 Costs for Utah's Seven Multi-County Associations by Functional Area

	<u>Program Area and Work Activity</u>	<u>Subtotal</u>	<u>Total Costs</u>
<b>Wasatch Front Regional Council</b>			180,400
A.	Wasatch Front Regional Council	115,200	
	Administrative and Technical Support	40,000	
	Regional Air Pollution	15,000	
	Regional Transportation	5,000	
	Regional Land-Use Plan Phase I	39,000	
	Travel	4,000	
	Supplies	3,400	
	Equipment	3,800	
	Rent	2,500	
	Phone	2,500	
B.	Salt Lake County Land-Use Update	20,000	
C.	Davis County	13,000	
	Administrative and Technical Support	4,000	
	Sewer and Water Master Plan	1,000	
	Housing Study—Second Year	1,000	
	Open Space	2,000	
	Mass Transportation	3,000	
	Land-Use Study	2,000	

	<u>Program Area and Work Activity</u>	<u>Subtotal</u>	<u>Total Costs</u>
D.	Morgan County	1,000	
	Administrative and Technical Support	1,000	
E.	Tooele County	6,200	
	Administrative and Technical Support	3,200	
	Regulatory Ordinances Development and Adoption	3,000	
F.	Weber County	25,000	
	Administrative and Technical Support	7,000	
	Master Plan Ogden Valley	7,000	
	Master Plan Shadow Valley	3,000	
	Uniform Zoning and Ordinance Development Phase II	3,000	
	Development and Publication of Soil Maps	5,000	
<b>Mountainland Regional Council</b>			<b>66,000</b>
A.	Functional Open Space Phase I	22,100	
	Inventory and Data Collection	7,500	
	Policy and Objectives	6,000	
	Open Space and Recreation Analysis	8,600	
B.	Utah County Capitol Improvements	7,500	
C.	Wasatch County Master Plan	15,300	
D.	Organization, Administration and Local Planning Assistance	14,192	
E.	Inter-Regional Coordination	1,438	
F.	Publications	500	
G.	Membership and Subscription	195	
H.	Travel	3,100	
I.	Office Expense	1,675	
<b>Bear River Association of Governments</b>			<b>24,000</b>
A.	Imp. and Mgt.	6,000	
B.	Technical Assistance	4,000	
C.	Regional Coordination	5,500	
D.	Local Planning Efforts	6,000	
E.	Publications	500	
F.	Travel	1,500	
G.	Office Expense	500	
<b>Six County Commissioners Organization</b>			<b>30,000</b>
A.	Planning Goals	4,800	
B.	Recreation and Open Space	5,200	
C.	Local Planning Efforts	7,200	
D.	Imp. and Mgt.	5,020	
E.	Publications	1,500	
F.	Travel	3,500	
G.	Office	700	
H.	Fringe Benefits	2,080	
<b>Southwestern Association of Governments</b>			<b>10,000</b>
A.	Implementation of Master Plans	2,000	
B.	Regional Planning and Coordination	1,500	
C.	Local Planning Efforts	3,500	
D.	Travel	1,000	
E.	Office Expense	1,000	
F.	Fringe Benefits	1,000	

<u>Program Area and Work Activity</u>	<u>Subtotal</u>	<u>Total Costs</u>
<b>Uintah Basin Association of Governments</b>		10,000
A. Implementation of Master Plans	2,000	
B. Regional Planning and Coordination	2,500	
C. Local Planning Efforts	3,500	
D. Travel	1,000	
E. Office Expense	1,000	
F. Fringe Benefits	1,000	
<b>Southeastern Utah Association of Governments</b>		10,000
A. Implementation of Master Plans	2,000	
B. Regional Planning and Coordination	1,500	
C. Local Planning Efforts	3,500	
D. Travel	1,000	
E. Office Expense	1,000	
F. Fringe Benefits	1,000	

evolved a more sophisticated and complex organizational environment than their rural counterparts; but the non-metropolitan areas have a longer history of informal intergovernmental cooperation, and it is likely that they will see the fruits of collaboration sooner than the metropolitan districts. If the pilot project in the Southwestern District proves successful, it is likely that other districts will assume greater responsibility for the administration of State and Federal programs. This would strengthen the role of county and municipal elected officials throughout the State in executing programs within their region. As multi-county associations develop comprehensive plans, they will develop some basis for their comments in A-95 review. The districting system does provide a uniform basis for coordinating major areawide plans and programs, and it has facilitated coordination of some Federally assisted programs at substate levels with State programs. Finally, the districting systems have provided a geographically consistent basis for gathering and analyzing information and statistics.

The attitudes of local officials seem to have become more favorable to multi-county associations as they have gained experience in inter-governmental cooperation. Initially local officials were suspicious of regional coordinating agencies; the predominant attitude seemed to be, "Anything their jurisdiction gets, that we don't get—I am against." This suspicion has subsided and most multi-county associations are now searching for a more efficient way to plan and deliver services. Whereas in the past, small counties and cities feared domination by big counties and cities, now small governmental units see that they can learn from and receive assistance from bigger units. Many local jurisdictions were initially fearful that they would assume added financial obligations by participating in multi-county organizations. Cities were particularly concerned about being doubly

charged by paying to both the county and the region. These fears were allayed somewhat when the cities were assured that payments to the county would preclude assessments from the region and when the State subsequently appropriated funds to assist the regional bodies. Some county officials resisted the inclusion of city mayors or town presidents on the multi-county associations, but most multi-county organizations are now composed of officials from both counties and municipalities. Members of some regional associations have questioned the need for full-time staff support, others have disagreed over where to locate the regional office, and still others have had difficulty identifying areas where cooperative action was necessary or desirable. Now that all districts are staffed, located in a regional office, and geared up for planning, these earlier obstacles seem rather insignificant.

There have been isolated instances where participation in multi-county associations has become a political issue. For example, a local barber and member of the John Birch Society in Washington County was recently running for county commissioner against a Republican incumbent of ten years who had served for several years on the Five County Association. The challenger made his opposition to multi-county associations the key issue in his campaign. He was particularly concerned that money from Washington in the form of revenue sharing might be distributed through regional agencies which "take decisions a big step away from the people." He was also concerned about the absence of public accountability on the five-county regional body since citizens who disagree with positions taken can only get at 20 percent (representatives from one county) of the association's membership in subsequent elections. This challenger was defeated soundly in his party's primary election.

While developments at the regional level have not been free of conflict, and while some local officials

remain suspicious of multi-county organizations, the executive director of the Utah Association of Counties seems to reflect a widely shared view among local officials when he observes, "So far they haven't hurt us, they have helped us. I think we can work together." He acknowledged that the "foot is in the door; the nose of the camel is under the tent" and further development at the regional level may lead to a new layer of government. But he was more persuaded by the benefits of regionalism. "The counties that have banded together have never had as much money," he observed. "We could never have done that alone."<sup>11</sup>

Support for substate districting at the State level has been strong. The Governor and other State officials are deeply committed to strengthening local government. To accomplish this the State has insisted upon regional organizations responsible to local officials elected to direct general-purpose units of government. Further, the establishment of the Governor's Advisory Council on Local Affairs has strengthened the hand of local officials in legislative matters affecting their interests. One informed observer said, "The activities of the Advisory Council are most pertinent to local government. It (the council) has considerable influence over specific pieces of legislation dealing with local affairs. All such legislation comes to the council, and its yea or nay bears sway with the Governor."<sup>12</sup>

One indication of the Governor's support for substate districting has been his participation in orientation sessions with local officials in each county at which the role and responsibilities of multi-county associations were discussed. Governor Rampton made personal visits on three occasions to assist in working out the details of the social services demonstration program in the Five County area. State agency resistance to substate districting was more of an obstacle than local resistance, particularly where State agencies were strong and where there were high costs involved in realigning to conform with substate boundaries. However, Governor Rampton's strong support for substate districting has led most State agencies to conform, with the exceptions of the Departments of Education and Natural Resources.

The proposed districts encountered some complications at the Federal level as well. Some regional HUD officials expressed regret that Utah's districting plans had proceeded so rapidly because they preferred bringing the three metropolitan areas (Salt Lake City, Provo-Orem, and Ogden) together into one metropolitan unit. When Utah County (Provo) was reluctant to join with other Wasatch Front Counties, it was supported by the State and HUD had to compromise. But the largest problem with the Federal officials had not been related to geographic boundary questions; rather, it has centered on the individual requirements for policy boards in various Federal programs. It has been the consistent position of Governor Rampton that policy in *all* programs must ultimately be formulated by those

individuals who represent the people being served; in other words, elected officials should formulate policy. This stance has led to conflict with OEO, EDA, and DOL programs. While Utah officials are aware that there are several arguments opposing this view, they have nonetheless supported the notion of policy making boards composed of elected officials. They prefer to see the Federally-required policy boards incorporated into the structure of associations of governments.

One method of evaluating an organizational innovation like substate districting is to see what has changed as a result of this new reorganization. In Utah, the following changes as a result of districting can be noted:

- 1) There has been increased communication among levels of government.
- 2) Local officials, particularly rural, know more about the Federal system and operate more effectively in it.
- 3) Professional staff capability exists at the regional level to coordinate planning and seek Federal assistance.
- 4) Districting has prevented the further proliferation of single-purpose areawide districts and respective planning bodies.
- 5) Where there were no existing substate district organizations, establishment of districts has guided the patterns of new relationships.
- 6) There has been increased citizen participation in policy making *vis-a-vis* subcommittees of associations of government.
- 7) Technical assistance to substate areas has been increased by both State and Federal agencies.
- 8) Areawide planning is being done by various State agencies.
- 9) Regular district workshops are held by DCA, with the Governor in attendance at least once a year.
- 10) The pilot project regionalizing the delivery of social and health services in one district will probably lead to similar movement in other State agencies and substate districts.

While these developments might be viewed as some of the products of substate districting, it should also be noted that the move to districting could not have been accomplished as it has been without strong support from the Governor; careful preplanning by the OSPC staff; a manageable number of counties with reasonable boundary lines, a historical legacy of cooperative activity; the absence of mistrust between local and State governments; the approach of the Governor's staff in educating and negotiating with local officials rather than imposing a boundary plan as a *fait accompli*; and the fact that many problems requires to arewide approach.

## Footnotes

<sup>1</sup>Utah State Planning Coordinator's Office, *Utah Multi-County Districts for Planning and Development* (Salt Lake City, State Capitol), p. 10.

<sup>2</sup>Interview with Bob Huefner, former State planning coordinator, conducted on July 17, 1972.

<sup>3</sup>Interview with Ken Olson, former State planning coordinator, conducted on July 14, 1972.

<sup>4</sup>Utah State Planning Coordinator's Office, *Utah Multi-County Districts for Planning and Development*, p. 17.

<sup>5</sup>Utah State Planning Coordinator's Office, *Utah Multi-County Districts for Planning and Development*, p. 23.

<sup>6</sup>Letter, Gov. Calvin Rampton to OMB Director George Schultz, December 17, 1971.

<sup>7</sup>Letter, Gov. Calvin Rampton to OMB Director George Schultz, December 17, 1971.

<sup>8</sup>See Melvin B. Mogulof, *Governing Metropolitan Areas* (Washington, D.C.: The Urban Institute, 1971).

<sup>9</sup>Interview with George Scott, executive director, Mountainlands AOC, conducted on July 12, 1972.

<sup>10</sup>Interview with Ken Olson, former State planning coordinator, conducted on July 14, 1972.

<sup>11</sup>Interview with Jack Christensen, executive director, Utah Association of Counties, conducted on July 14, 1972.

<sup>12</sup>Interview with Jack Christensen, executive director, Utah Association of Counties, conducted on July 14, 1972.

# Virginia

## BACKGROUND AND STRUCTURE

In 1966, the Virginia General Assembly recognized that rapid industrialization together with population concentration had begun to present existing governmental structures with serious problems. Crises within large, expanding cities of the Northeast stood as examples of failures to plan both economic development and population growth. The Assembly wanted to avoid such crises in Virginia. This desire led to legislation providing for the Governor to appoint a commission whose function would be to study Virginia's metropolitan problems and to make recommendations for adjusting the present governmental structures to meet these problems.

Subsequently, Governor Mills E. Godwin, Jr., appointed the Virginia Metropolitan Areas Study Commission, known as the Hahn Commission after its chairman, T. Marshall Hahn, Jr. In May 1967, the Commission issued two reports, *Governing the Virginia Metropolitan Areas: An Assessment* and *Metropolitan Virginia 1967: A Brief Assessment*. During May and June public hearings on the reports were held in each of the State's SMSA's. These hearings provided direct input to the State's governmental processes from State and local officials, various organizations, and numerous private citizens.

Commission findings were used as a basis for the Virginia Area Development Act of 1968. Its intent is best understood by the language of the act itself, as follows:

- 1) To improve public health, safety, convenience and welfare, and to provide for the social, economic and physical development of communities and metropolitan areas of the State on a sound and orderly basis, within a governmental framework and economic environment which will foster constructive growth and efficient administration.
- 2) To provide a means of coherent articulation for community needs, problems, and potential for service in relation to State government.
- 3) To foster planning for such development by encouraging the creation of effective regional planning agencies and providing the financial and professional assistance of the State.

- 4) To make provision for the creation of a unit of government capable of efficiently performing governmental functions and services on a regional basis, the cost of which can be borne equitably by those receiving the benefits thereof.
- 5) To deter the fragmentation of governmental units and services.

Authority to draw boundary lines for the authorized planning districts was given to the Division of State Planning and Community Affairs (DSPCA). DSPCA was required to hold appropriate public hearings and to consult with local officials and citizens in the process of delineating planning districts. The Act called for voluntary membership on the part of local government in the planning district commissions (PDC's), which were to be formed after their boundaries were delineated.

The recommendations made in the Hahn Commission report were endorsed by 13 of the 15 commission members. Of the remaining two, one member disagreed very slightly with the report, while the other filed a dissenting statement concerning one of the report's major recommendations. Six of the seven Hahn Commission recommendations were adopted by the General Assembly in the Virginia Area Development Act.

The present Governor, Linwood Holton, is very much in favor of a regional approach to government both in substate and in multi-state matters, as evidenced by his activities as the chairman of the Southern Growth Policies Board, which aims to develop a growth plan for the South as a region, and also as chairman of the Southern Regional Education Board. To Governor Holton the parochialism of local governments is the greatest obstacle to good government.

According to the DSPCA associate director for planning districts, there was really no organized opposition to the district system, although some individuals opposed the idea because they thought its purpose was to take over local government. The Virginia State Chamber of Commerce, the Association of Counties, and the Virginia Municipal League supported establishment of the planning districts.

The Virginia State Chamber of Commerce worked with the Hahn Commission in its study of metropolitan areas and included Hahn in a series of seven meetings sponsored by the chamber in various parts of the State to explain the planning district proposals to Chamber of Commerce members. These meetings directly exposed some 1,000 Virginia business leaders and over 50 percent



of the Virginia General Assembly to the idea of local planning districts. The Board of Directors of the state Chamber generally endorsed the recommendations set forth in the commission report and supported 1968 legislative action to strengthen the division of planning and to provide it with the resources and personnel necessary to meet its added responsibilities as defined in the Virginia Area Development Act.

The director of the Virginia Municipal League had been a member of the Hahn Commission and fully supported its recommendations, even though the league and the Association of Counties traditionally have opposed any action that would diminish the prerogatives of local government. Counties and municipalities share the traditional philosophy that centers on the concept of strong local control and thereby creates an inherent distrust of other levels of government. But they both supported planning districts which are voluntary advisory planning agencies that do not take away any powers of local government. Thus, planning districts were organized quickly in both rural and urban areas. While smaller governments currently are cautiously exploring relationships to regional planning districts, no particular pattern of sentiments has yet surfaced. Towns of less than 3,500 population are not eligible to join planning districts. It is clear that some local government units do not like PDC's, some are resigned to their existence, and others embraced them with a fervor totally unexpected.

The method used by DSPCA may be considered an excellent model for other States to use in drawing substate district boundaries. The first step in the process involved the DSPCA's meeting with all State agencies using multi-jurisdictional districts. Those agencies were asked how their substate districts were being used, why they were being used, and how effectively their districts were operating. The DSPCA discovered that there was no consistent pattern between the districts used by the different State agencies.

In the second step, the DSPCA met with each of the 16 regional planning commissions (RPC's) in Virginia. Of the 16 RPC's, nine were staffed. Up to the time of these findings, the State had been contributing \$10,000 per year to each organized regional planning commission. The State distribution policy was to provide \$2 for every \$1 spent by regional planning commissions, up to \$10,000. The DSPCA met with the staffs of the operational regional planning commissions, and with the chairmen or members of commissions which were not staffed. (However, the planning districts drawn by DSPCA did not necessarily follow RPC boundaries.)

As its third step, the DSPCA met with non-governmental agencies and next with non-State government agencies. These included Virginia's State universities, utility companies, the State Chamber of Commerce, and associations of counties and municipalities. Meetings were held also with individual members of the Hahn Commission. The DSPCA then met with some out-of-

state groups, including Federal agencies—HUD, HEW, OEO, and others—and with research organizations such as the Brookings Institution and the National Association of Regional Councils.

Fourth, the DSPCA staff met on numerous occasions and exchanged ideas about how the State should be divided, based on their knowledge of the State and their meetings with the various groups. The DSPCA also tried to consider the political compatibility of local governments, a factor which has proven to be critically important in all previous efforts of this type.

All of the preceding steps took place during 1968. In September 1968, the DSPCA staff put together its first map of the substate district boundaries. Then discussions with local officials began—according to Stan Kidwell, DSPCA associate director, the most important and difficult step in the entire process. DSPCA staff members met with each of the 159 local governments which was eligible to join a planning district, including all counties, all cities, and all towns with populations above 3,500. According to DSPCA, county officials represent the small towns which are ineligible for planning district membership. (In one planning district, the boards of supervisors of each county appoint a representative from each small town to the PDC board.) The DSPCA sent out four staff teams to meet with the local governments. Some 40 meetings per team and three meetings per day were necessary.

In these meetings, the DSPCA staff discussed the Virginia Area Development Act and the purposes and functions of planning districts. The DSPCA staff then showed the local officials blank maps of the State of Virginia and asked them to participate in delineating a logical planning district which included their jurisdiction. As the officials outlined their concept of how their particular districts should look, the DSPCA staff discussed the various consequences of the particular boundaries described by the local government officials and at the same time presented DSPCA's thoughts on logical planning district boundaries.

Afterward, the DSPCA staff revised its original delineations as a result of information it had received from the local officials. Several adjustments were made to the original map of the DSPCA staff had drawn, which contained 20 planning districts. The revised map contained 22 planning districts. The final boundary map was released to the news media, and DSPCA concurrently announced that public hearings would be held to discuss this particular map. One public hearing was scheduled in each of the proposed planning districts. As a result of these hearings, changes were made which affected only four of the 22 districts. All of the above process was accomplished in the 12 months from June 1968 to June 1969. One of the criteria in drawing the boundaries was not to split any of the seven SMSA's in Virginia; however, planning districts which encompassed

SMSAs were enlarged. Also, a number of existing RPC's were broken up.

In July 1969, the final planning districts map was published by DSPCA. At that time, no planning districts had been organized, and only one year remained in which the planning districts could get organized to obtain a share of the FY 1968-70 State appropriation for the planning districts. To spur organizational efforts, DSPCA announced that any planning district organized within the following three months would get its full share of State funds. If a district organized after three months, it would get a share equal to the percentage of the remaining year. Nine of the planning districts were organized within the specified three months. Currently, 21 planning districts have been organized and all but two of these are staffed and operating. Those local governments embracing a majority of the population may organize a PDC; representation must include two or more local governments. In the 21 ongoing planning districts, only three eligible governments have not joined.

Generally speaking, the compositions of the district commissions are similar. At least a majority of commission members must be elected officials of the governing bodies of the local governments within the district; each county, city, and town of more than 3,500 population must have at least one representative. Remaining commission members must be qualified voters and residents of the districts who do not hold public elective office. The total number of commission members, by-laws, and voting rights vary from commission to commission.

Six of the planning districts are also economic development districts (PDC's 1, 2, 13, 14, 19, and 22) and six are local development districts under the Appalachian Regional Commission (PDC's 1, 2, 3, 4, 5, and 6).

## ACTIVITIES

Planning district commissions are prohibited from acting as a general purpose government. They cannot implement plans or policies or provide governmental services in the districts. In 1972, an emergency amendment was passed which made an exception to this prohibition. Functional authority was granted to the LENOWISCO PDC (Lee, Norton, Wise, Scott and Big Stone Gap) of southwestern Virginia to carry out a program of small stream maintenance for purposes of environmental improvement and minor flood control and to operate a solid waste disposal program.

Although the PDC's are prohibited from operational activities with the exception of LENOWISCO, functional activity on a district basis is allowed under the Virginia Area Development Act through the formation and use of service districts. Planning for the creation of a service district is done by the PDC, but such a plan can be drawn only upon request by two or more of the

government subdivisions in a planning district. The Act requires that plans include two or more governmental subdivisions which embrace the majority of the population within the planning district and all the governmental subdivisions which are parties to the planning district commission charter. Governance of the service district is to be based upon the council-manager model. The types and extent of services and the rates that will be assessed each governmental subdivision must be included in the proposed service district charter. In order to pass in referendum, approval of a majority of those voting in *each* governmental subdivision is required.

Once the service district plan is approved by the voters, the members of the service district commission are selected, a majority of whom must be elected from a single member district. The variable which affects the total size of each commission is the number of "official members." Official membership is limited to locally elected members of governing bodies of the governmental subdivisions within the district; each county, city, and town of more than 3,500 population shall have at least one official members. According to one DSPCA official, the "service district portion of the law as now written is unworkable." For example, if a service district were to be established in the Richmond district, it would have at least 110 members on its commission, an exorbitant number for such a function.

Furthermore, the existence of the planning district commission as such depends upon whether a service district is formed. If a service district is not formed, then the PDC continues as it is. However, once a service district is formed, the PDC is absorbed into the service district as a subordinate part of it, even though it will continue its original functions.

No service districts have been established for two reasons: one is that the statutory procedures are so rigorous that attempts to set up a service district are almost certain to be defeated; the second is that cities and counties in Virginia are legally separate and have traditionally performed all their own service functions separately, so there is less incentive to combine service activities than if the cities and counties already shared some functional responsibilities.

By statute, the PDC's are charged with planning for physical, economic, and social development in districts. The DSPCA director intends to consult with the various planning districts on whether they want to do the planning for State agencies. He will also determine how much planning responsibility the various State agencies would be willing to give to the planning districts. The DSPCA Director is concerned mainly with making sure that State agency plans are based on planning district boundaries, no matter who does the planning. At present, 18 of the 38 State agencies which use multi-jurisdictional districts conform to the district boundaries. Nine of the other 20 have made partial boundary adjustments, and 11 have no boundary adjustments.

Most planning district commissions are involved in some regional planning. Among the categories in which PDC's are planning are water quality management (with EPA and HUD), criminal justice, land use, some comprehensive health, some solid waste, economic development, data gathering, and A-95 review and comment functions.

Some examples of ongoing activity may be instructive. In the Northern Virginia District, the commission brought groups together to develop a water quality management plan for the Environmental Protection Agency. West Piedmont PDC has formed an arrangement for mutual aid between communities in the field of law enforcement. Also in West Piedmont, two counties are having consultations concerning zoning along a major highway. LENOWISCO, the only PDC with some functional authority, is involved in solid waste disposal, small stream maintenance and flood control, and establishment of an industrial park in one of the counties.

In the Richmond district, comprehensive health planning is not under the PDC. The Richmond Health Planning Council and the PDC were started almost concurrently. Physicians on the Health Planning Council have indicated that they oppose the idea of laymen being concerned with comprehensive health planning. Currently, the Virginia Secretary of Administration (a member of the Governor's cabinet) is attempting to resolve this problem by meeting with the director of the State Health Department, the chairman of the Virginia Health Planning Council, and the HEW regional director. The Secretary of Administration favors a State policy which would result in coordination of PDC and CHP efforts.

Extensive review and comment authority is granted to the PDC's by the Virginia Area Development Act. All subdivisions of local government, regardless of whether they are members of the PDC, must submit to the commission any applications for State or Federal loans or grants for review and comment. Within ten days after submission of such an application, the PDC must determine if the application conflicts with district plans or policies.

As A-95 clearinghouses, some PDC's have a heavy workload. The Federal government now sends to PDC's many applications which previously went to the cities and counties and which are not the PDC's responsibility, according to the statute. The State puts a strain on the PDC's by requesting social and economic data of the commissions; the data are there, yet it costs time to gather material for use by another body. Some of the PDC staff members see an eventual problem and perhaps the demise of the planning districts because of this workload. PDC staffs must be built up if they are to accommodate work which often far exceeds the capabilities of a staff geared primarily to deal with regional planning matters.

Some Federal agencies are operating completely

separately from the PDC. This creates confusion over who has responsibility for A-95 review purposes, the PDC or a State agency other than DSPCA. In some cases, Federal agencies have approved applications prior to the completion of the PDC's review, thus undercutting the utility of the district commission concept. Not all applications for A-95 review have been rubber stamped; there have been a few negative reviews.

## RELATIONSHIPS AND COORDINATION

Governor Holton's Executive Order 15 was an important first step in bringing all State agencies using multi-jurisdictional districts into a common district framework. Through the DSPCA the Governor is following up on those agencies not yet complying with the Executive Order. As of July 1, 1972, 18 of the 38 multi-jurisdictional districts had complied. By mid-1973, it is expected that all those agencies that can, will conform their districts to the 22 official substate districts. This situation will simplify coordination between State agencies significantly and will improve social and economic data collection on a statewide basis by regions.

Some State agencies and planning district commissions have established solid interrelationships. State agencies go to the PDC's for information, and since the PDC's have extensive reviewing authority they must be familiar with various State programs available to their members. Furthermore, A-95 review responsibility, granted by statute to the PDC's as voluntary organizations, strengthens the lines of communication between local governments on a district basis.

The State Secretary of Administration, T. Edward Temple, believes that all State agencies should plan in cooperation with the PDC's, using them as planning tools as well as geographical boundaries. The Virginia Highway Department does plan in cooperation with the metro planning districts by virtue of the Federal Aid Highway Act.

The planning districts receive approximately \$1.5 million each biennium from the State. A degree of influence over PDC's is exercised by DSPCA each year: The department conducts year-end audits, disburses funds to PDC's on a quarterly basis, and may withhold funds on its own discretion.

Directors of the various PDC's periodically meet with the DSPCA director. Their relationship is singular: The DSPCA director has a veto power over the selection of an executive director by a planning district commission. Not only is the DSPCA director or his representative present for interviews with candidates for executive directors positions, he also helps question the potential candidates. Even so, the voluntary nature of the PDC's diminishes to some extent the planning influence DSPCA might have over them. Local planning assistance is provided to the local governments within PDC's by

DSPCA. Even though there is an association of executive Directors, there is no unanimous opinion on most matters; neither that association nor the PDC's themselves therefore are able to relate to the State legislature in a meaningful way. However, there are some informal relationships between individual PDC's and local legislators.

The Virginia Area Development Act states that a PDC is a "political subdivision of the State." As such, PDC's are both part of the State government process because of their origins, powers, and reliance for funds from DSPCA, and also arms of local governments because of their membership and authority to coordinate local planning.

The extent of interrelation and coordination between the PDC's and local organizations, such as Chambers of Commerce, varies widely. For example, some PDC members are also involved in Chamber of Commerce activities, and there have been cooperative activities, such as a crime information program in Richmond. Yet there is also a competitive relationship between chambers and planning districts since both are created for similar purposes, i.e., economic and social development of the community. Chamber representatives thought that once their members and the general public realized the potential power that PDC's have in reviewing projects, there would be increased cooperation between the business community, the local Chamber of Commerce, and the PDC's. They see the present situation as a period of transition in which local chambers do not appear to understand readily the purpose of local planning districts.

The Richmond planning district is considering hiring a regional industrial development planner who is supposed to inventory assets, sites, etc., to plan for industrial development. He is not intended to engage in attracting industry as such, but to gather information useful for industrial development. This appears to be an area where the Chambers of Commerce and the planning districts could cooperate, but public activity in this area causes concern to chamber representatives since numerous private organizations already operate in this field.

Most chamber members feel that the planning districts have not come up with any kind of useful regional economic profiles. In the chamber's view, much of the PDC's effort is directed toward, and primarily concerned with, writing Federal grant proposals.

Although there has been some piggybacking on the planning districts by Federal single-purpose programs, the exact extent of this practice is unknown. As of 1966, there were also about 305 special districts in Virginia (because of the independent city and county concept) with which the PDC's might deal.

Review and comment authority places PDC's in the chain between local governments and Federal programs. In most cases, the Federal programs are coordinated through PDC's. However, in some cases they are not. For

example, in LENOWISCO, OEO operates separately from the PDC.

The Department of Labor has provided funds to cities for the CAMP's program to do areawide manpower planning, and the boundary of the areawide manpower planning board CAMPB is coterminous with the Richmond PDC boundaries. However, the executive director of the Richmond RPC believes that the PDC should write the areawide manpower plan, and he is going to try to use A-95 to block Department of Labor (DOL) dollars to the Richmond CAMPB. Richmond PDC is going to ask DOL to turn over the CAMPB dollars to the planning district. The City of Richmond is opposing this effort.

There are a number of community action agencies (CAA's) in the Richmond region which are engaged in local planning and implementation, and they believe that the PDC should be doing poverty program planning for the area, or at least should be consulted in the formulation of these plans. The executive director of the Richmond PDC sits on the Comprehensive Health Planning Board of Directors for the Richmond region. Also, the Richmond PDC has a number of committees, such as the Comprehensive Health Planning Committee, the Transportation Committee, and the Criminal Justice Committee.

The Richmond planning district engages in a great deal of public relations work. In every A-95 review, the Richmond PDC indicates the impact area on a map and sends this map out to every organization and governmental unit involved in the impact area. Groups and individuals within the impact areas are given an opportunity to be heard at the A-95 review conducted by the PDC.

## FINANCE

Initially, the Virginia General Assembly appropriated \$400,000 for a two-year period to assist in setting up PDC's; distribution of these funds was restricted until after each district commission was organized formally. Currently, the State appropriates \$775,000 per year to the planning districts. By statute, there is a 20 cent per capita limit on the State funds, and local governments are required by DSPCA to match the State appropriation dollar for dollar. Because of unequal distribution of funds, two planning districts contribute over 40 cents per capita and some of the larger planning districts contribute less than 20 cents per capita to match State funds. If every PDC raised 20 cents per capita locally, \$950,000 would be required in State matching funds. According to DSPCA, the State's annual grant of \$775,000 is not sufficient to finance this program.

During the last session of the General Assembly, Governor Holton considered proposing a local option sales tax plan for funding regional projects. Half the revenue raised under this plan would have gone to local governments which planned intergovernmental projects

Table VII.13

State and Local Grants to Planning District Commissions  
Fiscal Years 1970, 1971, 1972

PDC	FY 1970		FY 1971		FY 1972		Total, FY 1970-1972		
	State	Local	State	Local	State	Local	State	Local	Total
1	\$ 18,000	\$ 29,056	\$ 17,325	\$ 29,056	\$ 16,929	\$ 33,626	\$ 52,254	\$ 91,738	\$ 143,992
2	25,000	12,622	23,455	12,622	22,499	22,499	70,954	47,743	118,697
3	32,000	24,044	31,048	33,248	31,882	31,883	94,930	89,175	184,105
4	21,994	4,994	21,383	26,999	22,967	27,000	66,344	58,993	125,337
5	46,730	33,284	44,261	35,063	46,235	46,235	137,226	114,582	251,808
6	37,500	37,500	35,262	37,457	37,261	37,261	110,023	112,218	222,211
7	—	—	19,830	21,522	21,274	21,274	41,104	42,796	83,900
8	85,800	33,000	81,973	92,550	146,937	105,568	314,710	231,118	545,828
9	—	—	—	—	—	—	—	—	—
10	—	—	—	—	—	—	—	—	—
11	28,094	19,000	26,401	32,483	33,199	38,379	87,694	89,862	177,556
12	8,431	—	43,276	23,365	43,575	43,575	95,282	66,940	162,222
13	18,810	3,140	17,637	19,799	16,513	17,284	52,960	40,223	93,183
14	5,929	—	13,413	13,413	15,249	15,249	34,591	28,662	63,253
15	65,893	81,585	69,556	70,410	94,137	70,603	229,586	222,598	452,184
16	7,648	29,414	14,485	32,707	15,485	32,707	37,618	94,828	132,446
17	10,000	5,000	10,000	5,000	10,000	10,000	30,000	20,000	50,000
18	—	—	—	—	10,000	—	10,000	—	10,000
19	—	—	31,557	16,106	32,212	45,815	63,769	61,921	125,690
20	54,893	91,262	108,439	116,601	153,874	130,793	317,206	338,656	655,862
21	62,893	70,100	61,200	57,600	63,816	54,800	187,909	182,500	370,409
22	—	—	10,000	15,000	10,000	15,000	20,000	30,000	50,000
	<u>\$529,615</u>	<u>\$474,001</u>	<u>\$680,501</u>	<u>\$691,001</u>	<u>\$844,044</u>	<u>\$799,551</u>	<u>\$2,054,160</u>	<u>\$1,964,553</u>	<u>\$4,018,713</u>

through PDC's. However, he decided not to present it to the Assembly because of its controversial nature and because he wanted to use the power elsewhere. Information concerning State and local grants to PDC's in fiscal years 1970 and 1971 and the estimated Federal grants for fiscal year 1973 is listed in Tables VII.13 and VII.14.

Table VII.14

**Planning District Commissions  
Estimated Federal Contributions, FY 1973**

PDC	Federal Contribution
1	\$ 198,200
2	107,600
3	110,000
4	114,000
5	183,000
6	26,000
7	44,000
8	38,800
9	—
10	—
11	78,000
12	42,400
13	133,000
14	92,000
15	227,200
16	84,000
17	12,000
18	—
19	116,000
20	97,000
21	64,000
22	39,000
	<hr/>
	\$1,806,200

**EVALUATION AND CONCLUSIONS**

The Hahn Commission recommendations anticipated that service district commissions would evolve from PDC's. Yet no service districts have been formed. Four weaknesses in the present local planning districts in Virginia may help explain why service districts have failed to evolve.

1) The Virginia system of select cities being totally independent of surrounding counties. This situation creates a great deal of conflict, competition, and mistrust between select counties and cities. This situation greatly

complicates the creation of mutual understanding and programs between several counties and cities.

2) The newness of the total planning district concept. There still exists a strong sentiment within the business community and among the general population that local planning districts are truly another layer of government. Most persons can identify more easily with their city council, town council, or board of supervisors than with a group of regional planners. People tend to think of a planning commission as a "non-action" group.

3) Although several planning district commissions have attempted to implement a far-reaching public relations program, many commissions have no program whatever. As a result very few people understand the importance of programs of local planning commissions.

4) There are weaknesses in the legislation that established PDC's. The requirements for setting up a service district are complicated and require majority approval of all local governments in the planning district. According to one State official, the legislation is a serious obstacle to establishment of service districts.

The LENOWISCO experience made some people uneasy by making them see a greater likelihood that a service district may be formed in some other district. Establishment of such a service district would result in a regional body with power to operate, and this is what many local governments fear the most. This fear has given rise to a discussion of amending the service district legislation in order to remove this possibility. On the other hand, there are some State officials who either want to amend the planning district legislation in order to give PDC's operational authority or to make it easier to form a service district.

LENOWISCO, the unique planning district with limited functional authority, is an example of the potential that PDC's have for dealing with areawide problems. It is interesting to note that LENOWISCO was set up solely by legislative action in response to a request from political and lay leaders in that area. No local referendum was held. Had a referendum been required, it is very possible that the functional authority of LENOWISCO would not have been approved.

Inter-level communication and coordination have been improved because of PDC's. First, the Governor is emphasizing the use of districts by State agencies. This allows the various State agencies to talk to the planning districts on many matters, whereas before they had to

consult with local governments. Second, the DSPCA director and the executive directors of the various PDC's meet quarterly, which allows both formal and informal coordination. Also, the designation of PDC's has simplified horizontal coordination in the State governmental processes because people know where to go when they have problems.

Virginia's PDC's are organized so that local governments are directly involved in the decision making at the regional level, thus, a majority of the PDC's members are directly responsible to the citizens. The consensus of local officials is probably that planning districts do some good, yet this compliment is usually given grudgingly. A significant number of city managers and city planning staff would probably oppose giving planning districts the status of service districts with implementation power because of their concern that service districts would usurp local government prerogatives.

Attempts are being made to improve citizen participation in all PDC's. In Richmond, for example, the PDC set up a Committee on Citizen Participation to determine a suitable means of consumer participation. Four of the six members of this committee are black, which is perhaps indicative of the PDC's sensitivity to the need for broadening its base of support.

One of the major problems facing PDC's is comprehensive health planning. Physicians and other health professionals are often reluctant to let laymen, such as PDC members, get involved in decision making related to health care. Nevertheless, State officials recognize the need for greater coordination between CHP and PDC's. The Virginia Area Development Act specifically mentions health as a concern of the planning districts. If the CHP councils had not been formed at approximately the same time as the PDC's, some officials think the matter could have been resolved more easily.

Another major problem seems to be handling the workload within the PDC staffs. There is often insufficient time to do a thorough review of A-95 applications. Also, securing and keeping qualified and experienced staff members is difficult, especially in predominantly rural districts. One district staff member calls the situation a "seller's market."

Another unique characteristic is the annexation procedures available to independent cities and counties. In such a situation, a city grows only at the county's

expense, but the county itself cannot grow or expand into a city's jurisdiction. At present, further annexation proceedings have been placed under a moratorium by the General Assembly. Normally, the process is that a city sues a county for part of its territory before an *ad hoc* judicial body called an annexation court. The same judges seldom are used twice. The implications for the districting system are that this annexation process creates strong antagonisms because of its zero-sum game nature, and that an independent city could decide to annex part of a contiguous county in another district.

Perhaps the single most valuable lesson in Virginia's experience with planning districts derives from the manner in which the district boundaries were drawn. The task was assigned to a single, existing State agency which did extensive preparation and analysis on its own prior to thorough consultations with State and local officials and nongovernmental organizations. Input from local governments is important in the first stages of gaining local acceptance of the concept. Other lessons can be drawn from the concept of making membership on planning district commissions voluntary, yet giving them powers of State and Federal program grant review, which almost forces local governments to "volunteer." Also, the State provided funds as an incentive for the formation of PDC's.

The main negative aspects of Virginia's experience with substate districts are that the PDC's are prohibited from functional activity and that establishing a service district is made extremely difficult. Regional activity would seem to depend upon the integration of planning and functional authority.

According to an official of the Virginia Municipal League, districting matters are in such a state of flux in Virginia that they could be resolved in a number of different ways. One view is that there could be a great increase in the number of special service districts and special authorities, such as turnpike authorities. Another view is that many of the existing PDC's could take on some functional or operational responsibilities. A third view is that the PDC's could transform themselves into full-scale service districts. Realization of any one of these three views is possible under existing enabling legislation; however, the General Assembly might have to approve some of the changes once a group of localities had acted under the enabling legislation.

# Washington

## BACKGROUND AND STRUCTURE

On August 6, 1969, Gov. Daniel J. Evans issued an Executive Order dividing Washington State into 13 substate districts in an effort to improve State decision making, planning coordination, effective program use, and intergovernmental relations. The new districts were additions to, rather than replacements for, any existing legal or voluntary structures. The organizations have different labels, and are most easily referred to as "districts."

Counties were used as the basic unit in forming districts; no county was divided between districts or excluded from a district. Four of the 13 districts were piggybacked onto existing areawide bodies which were concerned with intergovernmental action, planning, and economic development. Boundaries for the remaining districts were drawn according to general criteria,<sup>1</sup> among which were considerations of geography, government, economics, urban development, public and private community activities. These criteria were developed by the Governor's staff in the State Planning Division of the Department of Commerce and Economic Development and subsequently in the Planning and Community Affairs Agency (PCAA). According to Milton Patton of the PCAA, it would be difficult to rank the criteria in order of relative significance.

The Governor's Executive Order lists the following reasons for establishing substate districts:

- 1) . . . to provide increasing planning and program coordination among State agencies, and provide guidelines for determination of the location of State government facilities to better meet public needs.
- 2) . . . to meet the planning and coordination requirements connected with the wide range of federal aid programs and to meet the objectives of the Bureau of the Budget . . . for implementation of Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Section 201 and Title IV of the Intergovernmental Cooperation Act of 1968.

The dominant consideration in the designation of the districts lay in Governor Evans' belief that a uniform district system would facilitate planning, information collection, and administration of closely interrelated State programs. At the time the Governor's order was

promulgated, Federal requirements to use some form of substate districts were apparent in a number of programs. For example, HUD had evidenced increasing interest in the use of districts for the approval of water and sewage facility plans. The only State reference to the idea that a district system would encourage local planning activities is found in an early (1966) memorandum to the Governor from the director of the Department of Commerce and Economic Development, the department in which the Local Planning Division was then located. The antagonism of the counties and the indifference of the cities to district development may be partially responsible for the omission of this consideration from later rationales.

Principal support for districting came from the Governor and his staff. Opposition came mainly from county commissioners and the staff of the Washington State Association of Counties (WSAC). Gary Lowe, WSAC assistant executive secretary, maintains that it is not feasible to establish one set of districts for all purposes, that regional activity is best achieved on an *ad hoc* basis, and that different regional boundaries can be established for different functions. He holds that flexibility should be a key principle in organizing administrative districts. Lowe suggests that the district boundaries which were established were influenced unduly by PCAA's emphasis on economic regional analysis. WSAC has not modified its opposition to the district system.

There was little or no participation by local governments in the delineation of substate districts prior to the release in May 1968 of the booklet *A Development Areas System for the State of Washington*. When the publication appeared, the WSAC staff alerted its constituency about the districting plan through a letter and its own publication, and invited reactions. In a letter to all boards of county commissioners, WSAC President Ev Fourre objected to the initial step taken by the State in distributing *Development Areas*. He did not base his objection on the idea of multi-county cooperation itself, but on the method in which the regions had been imposed, on the lack of local government involvement in the drawing of regional boundaries, and on what seemed to him to be the unwieldy nature of several districts. WSAC also arranged for a day-long meeting between its executive board and Richard Slavin, PCAA director, to discuss the implications of the district system, and scheduled meetings at various locations in the State at which Slavin and the WSAC staff met with interested officials, editors, and local legislators.

Almost a year lapsed between the time that the

*Development Areas* booklet announced the district plan and Governor Evans issued the Executive Order establishing the substate district system. Governor Evans was running for reelection in 1968 and apparently a number of county and other local officials were attempting to damage his chances by making a political issue out of the substate district system. These pre-election opposition tactics, plus the fact that the State Senate was controlled by the opposition party, made the Governor and his staff reluctant to push the substate district system too hard or too fast. The higher priorities of getting the Governor reelected and avoiding undue controversy with the legislature prevailed.

During this period, the district plan was called "arbitrary and capricious"<sup>2</sup> by the commissioners of one county, and an editorial published in a conservative newspaper called the plan a "can of hash"<sup>3</sup> because it added another set of boundaries to the multitude of existing State districts. Other than the opposition of a few newspapers and WSAC, no other groups participated actively or protested the process of substate district development.

The State's 39 counties were grouped into 13 standard districts by the Executive order. There are from one to five counties per district. Each of the two largest districts was divided into two sub-districts, so that the areas in question would fit the Federal guidelines for OMB Circular A-95, as well as for other Federal programs. In four cases, boundaries of existing areawide agencies were used as district boundaries.<sup>4</sup> The remaining nine districts were set up on the basis of the criteria mentioned previously. The original district boundaries were slightly altered as a result of political pressures from Walla Walla County and the Washington State Association of Counties. As a result, Walla Walla County was transferred from the Benton-Franklin County District to the Southeast Washington District.

No district policy board was outlined in the executive order because the districts were proposed as an effort to simplify State agency administration and operations which hitherto had operated with separate sets of districts and regions. Also, a system of regional planning commissions, primarily multi-city and single-county planning agencies, already existed. Over a period of ten years, \$7.5 million had been spent by the State, Federal, and local governments on the development of strong local planning organizations. Richard Slavin, among others, felt that after such expenditures of time and money it would not be a sound idea to abandon these planning organizations for a single agency within each district.

At present there are 17 countywide planning agencies and two regional planning agencies in operation. The Seattle HUD office wants the State to establish councils in each of the 13 substate districts, a proposal which led to conflicts between the State and the Federal governments over the approval of Federal program grants.

According to Slavin, one of the main reasons for not adopting the district council concept is that individual counties in Washington tend to be large in size and problems tend to be focused in only a small area within any one county.

In a letter of May 12, 1972, to Richard Moore of HUD, PCAA Director Slavin discusses the district planning capabilities as follows:

... [I]n most instances ... regional planning organizations which are, operational in this State ... are not coterminous with the thirteen districts designated by Governor's Executive Order.

The thirteen districts were designated for State agency use to bring uniformity out of the numerous and sometimes confusing, overlapping administrative districts employed by State agencies and departments. The districts were never designated to serve as a structure for land-use planning, the implementation of planning or public facilities programs.

The State is working toward the development of a Project Notification and Review System (A-95) based upon the thirteen districts. At this point in time, however, we feel that all other planning and implementation programs may not be most effectively established through these same districts.

... With the exception of the four-county Puget Sound Governmental Conference area, [multi-jurisdictional county-wide agencies rather than multi-county agencies] are the most common and most effective planning organizations in the area.

## ACTIVITIES

Currently, only two districts have multi-county regional planning organizations operating within them. These regional organizations carry out a variety of planning functions. Of the multi-county, district-wide organizations, the Puget South Governmental Conference has been the most active in securing Federal grants for specific planning functions, particularly transportation.

According to the Executive Order, the districts are to be used by State agencies as units for data collection. State budget officials ask affected State agencies to submit project requests by their locations in official State districts, and to gather data for their own operations on a district basis. In response to this, most State agencies forward their program information to the State budget office on the basis of the 13 districts. For agencies which do not comply with this request, the

FIGURE VII.9  
**WASHINGTON DEVELOPMENT AREAS**



budget office aggregates district data from county data.

Since the districts lack staff to act as A-95 clearinghouses, A-95 tasks are assigned to State agencies. Ten of the 13 districts have at least one proposed or certified clearinghouse in them, and some have as many as three. The Governor recognizes PCAA as the clearinghouse for the three districts where no existing agency has the capability to function in the A-95 role. The Governor appoints those persons charged with actual responsibility of review and comment, but in practice, this takes place only after PCAA works out the appointment with the affected county commissioners and the planning director in the district to be served. Appointees are likely to be planners from the most highly developed agency of the regional planning agencies within the district.

Funds for A-95 clearinghouse functions are not available from the State; the additional costs and work load must be absorbed, therefore, by the appointee and his staff. "No one in the district says that we shouldn't have an A-95 system," notes one planner, but the additional work with no compensation has made some appointees "sorer than hell." At one clearinghouse, it was estimated that 75 percent of the A-95 work is done by its secretarial staff. Review and comment by these clearinghouses is largely perfunctory, because of the usual lack of a comprehensive, areawide plan to which applications can be related. In addition to performing the A-95 functions required by the Federal government, the clearinghouses are charged with conducting similar reviews for State programs.

## RELATIONSHIPS AND COORDINATION

The district system has brought about few changes in the established work patterns of State agencies. Minor changes have been effected in the State budget system by conversion to the district system. Districts are still seen as part of State-local relationships. The lack of a State or Federally supported staff within the districts places A-95 responsibility in existing agencies, which see it as a necessary but uncomfortable burden.

In a letter to James E. Connolly, director of the Mason (County) Regional Planning Council, on June 13, 1972, Richard Slavin stated that Federal attention, with regard to all planning programs, was fixed on the "13 state administrative districts." Slavin calls this conclusion by the Federal government "arbitrary"; he says furthermore that it is "not reasonable for the State of Washington" to be expected to conduct all planning exclusively within these districts.

Since PCAA requested A-95 certification for existing agencies rather than for the substate districts, the effect upon local and metropolitan special districts has been nil. At the State level, the districts have had a limited effect. State agencies submit some district-ordered data with their budget requests to the Office of Program Planning and Fiscal Management (OPPFM). This data is

used by the budget agency more for general understanding and evaluation of trends among regions than for direct application to specific budget requests. At the present time only Outdoor Recreation and Comprehensive Health Planning funds are allocated on a State district basis.

To date, there has been little decentralization of the administration of State services in conformance with the district plan. The most significant plans for decentralization have been made by the Department of Social and Health Services, a super-agency that came into existence in July, 1970. Instead of using the 13 districts, it has established ten regions compatible with the basic planning concept. Social and Health Services district boundaries follow official district lines to encompass one or more districts, or are made up of a part of a single district. Within each district is a regional advisory council for citizen input in the development of State social and health service policy. However, the major projected use of Social and Health Services regions is to provide a regional service delivery system. It is anticipated that a set of multi-service centers will provide better use of resources and will also simplify the task of the client in securing State health and social welfare services. The department anticipates that other agencies may establish adjacent facilities at regional centers. No significant opposition has developed so far to the department's districting plan, which is being organized in the areas of public assistance, probation and parole, delinquency prevention, and vocational rehabilitation.

Since the issuance of the Executive Order, little action has been taken to put it to use. In a memorandum relating to the 1971-73 biennium budget instructions, the State budget director requested agency plans regarding prospective uses of the districts. While some agencies responded to this request, most did not. Almost no political pressure has been brought to bear as a means of pushing the program. State officials attribute this lack of follow-up to two factors: 1) The Governor and his budget office (OPPFM), which assumed administrative responsibility for substate districts from PCAA in 1970, have been preoccupied with the State's severe economic crisis during the past few years; and 2) many old-line agencies have their own long-established districts, which their bureaucracies and their clientele groups often wish to preserve.

## FINANCES

Budgetary information is available for only two of Washington's regional planning commissions of one or more counties both of which were operative when the districting plan went into effect. They show sharp contrasts in funding and scope of activity. District 10 represents about 2.5 percent of the State's population, whereas District 4 represents almost 48 percent. The \$36,900 amount for District 10 in 1971 was the result

Table VII.15

**Budgets for Operating Areawide  
Planning Organizations**

**Benton-Franklin  
Regional Planning Commission (District 10)**

Year	Total	Local	State-Federal
1972	\$51,157	\$51,157	-0-
1971	57,568	20,668	\$36,900
1970		not available	
1969	30,680	30,680	-0-

**Puget Sound Governmental Conference (District 4)**

Year	Total	Local	State-Federal
1972	\$1,295,265	\$251,000	\$1,044,265
1971	1,274,466	149,266	1,125,200
1970		not available	
1969	948,600	232,000	716,600

of a Federal grant given for the study of governmental modernization.

**EVALUATION AND CONCLUSIONS**

On the basis of the official objectives set out in Governor Evans' 1969 executive order, the substate district system has had mixed success. Although the system lacks a set of district councils, the existing arrangement of regional planning bodies must be judged as effective in light of the State's particular demographic characteristics. State agencies have not adapted their planning and operations to conform with the official substate district boundaries to a degree that has more than slightly "increased planning and program coordination among state agencies." However, there is growing pressure from both the State and Federal levels for such conformity. Federal pressures for regionalization are resulting in the development of single-function regional planning groups, the boundaries of which vary.

Fifteen comprehensive health planning regions exist in Washington, and there are 18 regional advisory committees for law and justice planning. CHP regions follow main district boundaries; two of the districts have sub-districts, which make up the total of 15. The CHP districts are, at this point, separate from the health delivery districts planned by the Department of Social

and Health Services. The Interagency Commission on Outdoor Recreation uses the official State districts extensively for planning, capital budgeting and allocation of funds.

The Governor and his budget office have relegated substate districting to a relatively low-priority position and have not exerted pressure to insure compliance with the Governor's initial Executive Order. An improvement in the State's economic situation has recently made it possible for the Governor to increase his attention to planning.

The U.S. Department of Housing and Urban Development anticipated using official substate district planning agencies for the review of requests for HUD-administered water and sewer construction grants and open space grants. PCAA still does not support this approach. Richard Slavin (in his previously cited May 12, 1972, letter to Richard Moore) stated that PCAA was embarking on a study

... to review the official State districts, [and] to develop minimum standards and criteria to develop viable regional planning agencies designed to conduct planning and implementation, as well as coordination.

We will then study the matter, and with local agencies, work out a revised system of regional areas on at least a county-wide basis but allowing the option of joining with one or more adjacent counties where the county area is unable or unwilling to support the program alone. If necessary, the Governor could then be requested to amend his present designations.

We feel that the requirements of each State are different and that we must work out an effective substate planning structure to meet the changing conditions and needs of the State of Washington.

Pending completion of the study, Slavin requested that HUD tentatively certify county regional planning agencies as the official areawide review groups for most areas of the State.

PCAA takes the approach that Washington's counties cannot be forced into associations. Within limits, time must be allowed for them to develop their own planning capabilities without undue pressure and haste. State legislation is being prepared which would require each county to meet certain levels and standards of planning activities. Those counties unable or unwilling to meet those standards, by the terms of this legislation, would have their planning responsibilities taken over by the State.

An attempt is underway to stabilize the size of the State's population. One legislative proposal would merge the Department of Commerce and Economic Develop-

ment, which is responsible for attracting industry and tourists, the Planning and Community Affairs Agency, and the State Office of Economic Opportunity. The intent is to provide a coordinated program for State community development.

"Transitional" is perhaps the most descriptive word concerning the status of the substate district system in Washington. The staff of the Washington State Association of Counties continues to regard the State PCAA districting efforts as threatening to local prerogatives. The Washington Association of Cities, the Washington Association of Local Elected Officials, the Washington State Research Council (state taxpayers' association), and the Washington State Chamber of Commerce have taken no obvious positions in support of or in opposi-

tion to substate districting. Federal pressures for a standard and comprehensive district plan will continue, especially under the revenue sharing program. According to Richard Moore, acting director of HUD's Seattle office, the existing substate district system is expected to evolve slowly into a more comprehensive regional planning system.

Efforts are being made to establish a minimum, county-wide planning organization, but alteration of present district boundaries is unlikely. James Dolliver, chief administrative assistant to the Governor, commented that he knew of no major changes in the offing; he said, "I know of no big guns that are going to go off." The process of strengthening the substate districting system in Washington is likely to be a gradual one.

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#### Footnotes

<sup>1</sup>Planning and Community Affairs Agency, *A Development Areas System for the State of Washington* (Olympia, May 1969), p. 6.

<sup>2</sup>H. Milton Patton, *Housing and Special Programs*, Planning and Community Affairs Agency.

<sup>3</sup>Quoted in *Legislative Bulletin*, Washington State Association of County Commissioners, August 7, 1968.

<sup>4</sup>Ellensburg *Daily Record*, August 28, 1968, quoted in *ibid.*

# Wisconsin

## BACKGROUND AND STRUCTURE

The Wisconsin substate districting effort can be scrutinized by examining the following three types of regional planning organizations: uniform state districts, of which there are eight; regional planning commissions, eleven; and councils of governments, two.

### Regional Planning Commissions

Statutory authority for the establishment of regional planning commissions (RPC's) in Wisconsin was provided in 1955 with the State legislature's enactment of Section 66.945. The first multi-county RPC, the Northwestern Wisconsin Regional Planning Commission, was created in 1959, four years after the authority to create such bodies was given. Six RPC's were added during the 1960's and eleven exist now. Of the eleven RPC's, one (Wausau Area) affects less than one county, two (Brown County and Dane County) encompass a single county, and the remaining eight are multi-county units. Currently only 11 of the State's 72 counties are not part of an RPC.

Executive Order 10 dealt specifically with regional planning and regional planning commissions. It stated:

Regional planning shall continue to be encouraged throughout the State, and to enhance federal-state-local cooperation and coordination, the state district boundaries should be used as a guide when new multi-county regional planning commissions are created. The progress of existing commissions which have well established planning programs should not be hindered. The uniform district plan is intended not to disrupt existing working relationships among local units of government, but, rather, to enhance their effectiveness.

Relative to the substate district boundaries for Wisconsin, the Governor did not say they "shall be used"; he said they "should be used as a guide when new multi-county regional planning commissions are created."

During its 1971-72 term, the Assembly passed a bill which would have allowed RPC's to add single counties so the single counties could be part of a multi-county agency and continue planning activities. The bill was vetoed by Governor Patrick Lucey. Its purpose was to facilitate the formation of two multi-county RPC's

which were having difficulty getting organized because of the existence of established RPC's in the region. Six counties in eastern Wisconsin wished to form an RPC, but they ran into difficulty because of the existing Brown County RPC, which split the proposed RPC in half. The bill would have permitted the formation of a multi-county RPC including the six original counties plus Brown County. The region has now been organized as the Bay Lakes RPC. Because of the veto by Governor Lucey, the status of the Brown County RPC remains at issue.

A Wisconsin statute prohibits an RPC from being in more than two uniform state districts. Partially as a result of this statute, the former Northeastern Wisconsin RPC, which was in three uniform districts, was reorganized as the East Central Wisconsin RPC, dropping three of its northern counties (Forest, Florence, Langlade) and adding four southern counties (Marquette, Green Lake, Fond du Lac and Calumet).

Under Section 69.945, the governing bodies of a group of counties and/or municipalities proposing a regional planning commission petition the Governor to create a commission encompassing the designated areas. If the governing bodies of the local units which made up over 50 percent of the population and over 50 percent of the equalized property valuation of the region consent to the formation of the commission, and if the Governor finds a need for the petitioned region, he will create the defined RPC by executive order. By a two-thirds vote of its governing body, any local unit may elect to withdraw from the RPC within 90 days of its creation. After that time, a county or local government, by a similar vote, may withdraw at the end of that calendar year.

No specific statutory authority is given the RPC's to include new counties. By joint agreement, however, regional commissions may be enlarged. While the Governor determines the boundaries of newly created RPC's, there is no legal provision for his making subsequent boundary adjustments.

An RPC may be dissolved if the governing bodies of a majority of local units in the region so recommend. Upon evidence of satisfaction of indebtedness and other financial affairs, the Governor must issue a certificate of dissolution.

### Councils of Governments

The formation of councils of governments (COG's) in Wisconsin was authorized in 1959 by Section 66.30 of

the Wisconsin State Statutes. The two current COG's are the Head of the Lakes (HOTL) COG, which is an interstate COG in the Superior-Duluth area, and the Rock Valley Metropolitan Council, which is also an interstate COG in the Rock County, Wis./Winnebago County, Ill. area. A third COG, the Fox Valley Council of Governments, was dissolved recently.

Section 66.30 states that a municipality may contract "with another municipality or municipalities or the state or any department or agency thereof for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by statute." The statute also states that such contracts may provide for the administration of the project, even to the extent that they may create a commission which "may finance the acquisition, development, remodeling, construction and equipment of land, buildings and facilities for regional projects . . ." The statute permits municipalities in Wisconsin to contract with municipalities in another State for those purposes, to the extent permitted by the laws of the other State and of the United States.

Section 66.30 appears to be little more than the familiar inter-local contracting authority sort of statute which has been adopted by many States. Even though the statute permits the creation of commissions, it limits their concern to the administration of inter-local contracts. A series of opinions of Wisconsin's Attorney General in 1970 and 1971 severely restricted the ability of COG's organized under Section 66.30 to engage in planning activities. The Attorney General interpreted Section 66.30 to mean that a COG can do only what the individual members of that COG can do. The COG's, therefore, cannot engage in multi-county comprehensive planning, because none of the members is authorized to do such planning. The Attorney General did permit the COG's to engage in joint physical planning because this is a *legal* function of each of the individual members.

Wisconsin's two COG's appear to be living on borrowed time. In addition to the difficulties caused them by the Attorney General's judgments, vigorous opposition is coming from at least one of Governor Lucey's closest advisors, who seems to be committed to the elimination of COG's in Wisconsin. He stated his belief that "COG's are on the way out, since they hardly ever cover the entire county; they tend only to plan for the metropolitan area and, therefore, ignore the problems of the regions."

### Uniform State Districts

During February 1968, Governor Warren P. Knowles and members of his cabinet read a report prepared by the Bureau of State Planning entitled "Criteria and Alternatives for Uniform Districts." The report suggested three alternative plans for the uniform districting of the State and gave reasons for these suggestions. Cabinet members endorsed the principle of uniform

districting, but disagreed over specific district boundary lines. A working committee of the cabinet, chaired by the director of the Bureau of State Planning and including representatives from the Departments of Health and Social Services, Transportation, Natural Resources, and Local Affairs and Development, was established to draft a concrete proposal for substate districts and boundaries.

In April 1968, the working committee completed its tentative plan, which recommended dividing Wisconsin into four areas, each of which would include two districts, thus resulting in an eight-district plan. Governor Knowles gave his approval and instructed the working committee to prepare district office location criteria and to recommend specific office locations. He expressed an interest in implementation of the plan but indicated that "if the development of agency implementation plans brings out significant problems in the recommended area and district boundaries, suitable adjustments could be made."

Approximately a year elapsed from the time the Governor expressed interest in the plan to the time his "executive policy" was announced formally as Executive Order 10 in August 1969. During this period a great deal of uncertainty arose concerning the Governor's position on substate districting. In the summer and fall of 1968, the Governor was in the midst of a re-election campaign and did not confront the growing controversy over districting. The major question, as far as the populace and their legislators were concerned, was the location of district headquarters; this question never was broached by the Governor.

Another indication of the Governor's questionable position on the districting issue became evident during the 1969 legislative session. An opponent of the plan introduced a Senate bill which would prevent the Governor from authorizing a State system of uniform districts. The Senate and Assembly both passed the measure. The Governor vetoed the Senate bill. The Assembly failed to override the veto, by a narrow margin. It became obvious that the Governor's policy, though unannounced formally, had become a political issue of some consequence.

The gubernatorially-appointed working committee presented its final report on substate districts entitled *A Wisconsin System of Uniform Districts* in July 1969. The report reviewed Wisconsin's current governmental situation, the process which had been used in developing the Governor's proposal, the purposes of state districts, and the criteria used in delineating the districts. According to the criteria defined by the Committee, the proposed districts were supposed to reflect community interest, defined as a commonality of social, economic, and environmental characteristics; to promote optimum efficiency of diverse State agency operations; to be formed along county lines; to include one or more existing or potential urban service centers; to include

each metropolitan area in its entirety within a single district; to be large enough to support district-wide State services efficiently; to allow for a flexible hierarchy of areas, districts, and subdistricts; and to lend itself to logical areawide planning for the coordinated development of the human, economic, and physical resources of the region. At the time it issued the report, the working committee and other cabinet members appeared optimistic about the adjustment of predictable difficulties which would be encountered during the implementation of the plan.

Governor Knowles approved the recommendations of the working committee and asked it to prepare an executive order which would incorporate its recommendations. On August 19, 1969, he issued Executive Order 10, accompanied by press releases in which he announced the action, discussed its purposes, explained its relevance to developments in the Federal government's districting activities, described the potential for strengthening local governments as a result of the action, and called for flexible implementation of his order. A map identifying eight districts was attached.

Executive Order 10 listed the intended uses of the districts and described a local boundary review process which might be invoked. Its language implied that the plan was amenable to modification and that the approach to implementation was to be evolutionary. The Governor specified that the districting plan was an "interim basis for basic statewide planning and state administrative purposes."

The order included a directive that operating cabinet departments "shall" respond to the following directives:

- A. Recognize and adopt, on an interim basis for basic statewide planning and state administration purposes, the boundaries of the State Districts as delineated on the attached map.
- B. Take steps to plan for program modification to conform to the district boundaries, including negotiations with federal agencies which have boundary requirements to establish common boundaries with State agencies.
- C. Review field services and operations to determine the extent to which they can be carried out on the district basis.
- D. Review data collection and dissemination activities to determine the kind of statistical data and information that can have meaningful collecting and reporting on the district basis, or on a county-by-county basis compatible with the district.
- E. Maintain flexibility, particularly during the next twelve months, to adjust to changes that would improve the district structure.

Consultation with the recipients of State services, public hearings, and other public review was not a feature of the process through which the districting plan had been formulated. The order prescribed the basic features of a review process which "shall be formally conducted" in the event that any county board should request a "public hearing on the state district system."

The tentative nature of the districting plan at its publication is clear from the second paragraph of the order:

After the local review and public hearings are completed and after the first year's experience with their use for state administrative purposes a thorough review of the system will be undertaken and appropriate adjustments will be made in the subsequent Executive Order providing for final implementation of administrative districting.

The actual process of formulating the districting plan in Executive Order 10 involved the participation of a substantial portion of the State executive branch. The concept of executive action on the districting matter weathered a challenge in the 1969 Assembly session. Yet the process did not include public review despite the Assembly dispute it caused, nor had the plan received significant public input.

In October 1969, two months after Executive Order 10 was issued, the process for a public review of the districting system was invoked. The Governor created a citizen's task force, called the Governor's Regionalism Task Force for Northeast and East Central Wisconsin, to review the system as it concerned some 20 counties. A report prepared for this task force commented that "the Governor experienced an extremely strong reaction" to Executive Order 10 "from citizens within the 20 counties of the Northeast and East Central Districts." The Governor asked the regionalism task force to study the issue of district boundaries, and assured the task force that "what we want of you is an objective, analytical study, letting the chips fall where they may."

The task force undertook discussions with various local, regional, and State leaders to determine the most effective way of proceeding. Although the focus of this review was to be on the eight-county area of the Northeast District and the 12-county area of the East Central District, the task force expanded the geographical scope to include certain counties adjoining the eight. This expansion was undertaken to identify and assess shared conditions, interests, and concerns in the boundary areas of the focal 20-county area.

The task force created a technical study group which was responsible for analysis of physical and social conditions and the ties among the communities of the area. Included in this group were area residents and the State planning officer and the director of the State

Department of Local and Regional Planning, who served as State consultants. The technical study group used public meetings to learn the views of community officials and other citizens concerning planning and inter-county cooperation. The task force acquired documented information from four questionnaires, from official county and municipal resolutions, from personal letters, and from the news media. These hearings resulted in extensive changes in the Northeast and East Central regions which were made formal in Executive Order 22.

Although the task force review in the Northeast and East Central Districts appears to have been the dominant citizen review activity, some citizen attention to districting was manifest elsewhere in Wisconsin. This other activity is summarized as follows:

In other areas of the state, local reaction to the district lines was one of general acceptance. Formal hearings were held for four counties which had made requests. In two of these cases—Taylor and Richmond (counties)—formal requests for a district change were made. In each of these instances the request was honored in the final order.

Two counties—Pierce and Pepin—requested an informational hearing and appeared satisfied with the assurances they received concerning the state's support of their continued participation in the Mississippi River Regional Planning Commission (at the same time they expressed flexibility concerning their possible eventual affiliation with an Eau Claire regional commission).

In two instances—Rush and Marquette counties—early requests for hearings were withdrawn.

Finally, as it became clear that the recommendation of the Northeast Regionalism Task Force would have an impact on the Central Wisconsin area, the Governor's office began a series of informal discussions with local elected officials and citizens in this area.<sup>1</sup>

In response to the recommendations published in the task force report, Governor Knowles issued Executive Order 2 in August 1970. A year earlier, in Executive Order 10, he had promised that "appropriate adjustments will be made in the subsequent Executive Order providing for final implementation of administrative districting." In Executive Order 2, the Governor directed that a system of State districts be established. He identified it as a "uniform system."

A list identifies the eight districts and the assignment of counties to districts bordering Illinois. Taylor County was moved from the West Central to the Northwest

District. Richland County was moved from the Western to the Southern District. Only two of the 43 counties in the total area of two districts outlined in the 1969 plan were shifted to other districts. The three remaining districts were reconstituted and given new names, as follows:

- 1) A new Lake Michigan District was created:  
from the Northeast District of 1969:  
Marinette and Oconto counties  
from the East Central District of 1969:  
Door, Kewaunee, Brown, She-  
wano, Menominee, Manitowoc,  
and Sheboygan counties
- 2) A new North Central District was created:  
from the Northeast District of 1969:  
Vilas, Oneida, Forest, Florence,  
Lincoln, and Langlade counties  
from the Central District of 1969:  
Marathon, Wood, Portage,  
Juneau, and Adams counties
- 3) A new Lake Winnebago District was created:  
from the Central District of 1969:  
Waushara, Marquette, and Green  
Lake counties  
from the East Central District of 1969:  
Waupaca, Outagamie, Winne-  
bago, Calumet, and Fond du Lac  
counties.

The boundary changes, which reorganized 28 counties and reconstituted the entire middle eastern to north eastern portion of the State, produced a configuration which differs considerably from that shown in Executive Order No. 10.

Besides changing the districting pattern, Executive Order 22 specified the departments to which the "shall" terms apply. They are Administration, Agriculture, Health and Social Services, Local Affairs Development, Natural Resources, Revenue, Transportation, and Industry, Labor and Human Relations. The order stated that these departments *shall* "recognize and adopt the Uniform State Districts for state planning and administrative purposes." The Governor ordered further that these departments shall

Prepare plans to implement the State Districts as completely and as rapidly as is possible, consistent with maximum efficiency and citizen convenience, and proceed, after gubernatorial review and approval, with the implementation of such plans.

The Governor also extended an invitation to the State departments and agencies which were not listed "to examine the State Districts and, where appropriate, to adopt them for their planning and general administrative uses," or, if this were not feasible, "to coordinate their program developments with State departments organized



on the uniform State District basis and with regional planning organizations.”

Executive Order 22 also rephrased the encouragement of regional planning which appeared in the 1969 order. It reads as follows:

Established regional planning agencies and other multi-county organizations, whose boundaries do not presently conform with the uniform State Districts, shall continue to receive State encouragement and support.

- A. Full (sic) departments are directed to provide for communication and coordination between the State Districts and such organizations.
- B. While it is a long run objective that multi-county organizations and the State Districts should be generally consistent, the progress and achievements of existing regional organizations must be preserved and built upon. As locally initiated adjustments to existing regional organizations are undertaken, a closer consistency with the State Districts should develop.

The concluding paragraph recognizes that conditions change with time and that State districts should be responsible to such changes. The Governor specifies that “counties or groups of counties desirous of obtaining a districting adjustment should petition the Governor.”

## ACTIVITIES

Since there are no substate district councils as such, only RPC and COG activities are relevant in Wisconsin.

The activities of three RPC's seem to be representative of RPC's in general. The three which were studied were the Northwest Wisconsin Regional Planning and Development Commission (NWRP&DC), which is a rural, multi-county RPC; the Southeastern Wisconsin RPC (SEWRPC), which is a predominantly urban, multi-county RPC; and the Dane County RPC, which is a single-county, metropolitan RPC.

The NWRP&DC executive director stated that his organization has not pushed a regional government approach to problem solving, but has engaged in implementation to a limited degree. Activity has been concentrated primarily on technical assistance in such areas as drafting grant proposals for member governments and assisting local governments in drafting zoning and subdivision regulations. This assistance is given at the request of the local governments. Two local government representatives stated the NWRP&DC provided an invaluable service to all local governments in the area, because few of them are capable of land-use management and comprehensive planning.

NWRP&DC considers economic development plan-

ning and technical and advisory services to local governments as its top priority activities. It also is involved in criminal justice system studies and regional planning for land-use, law enforcement, water and sewer, solid waste facilities, housing, industrial parks, outdoor recreation, and transportation.

NWRP&DC has been designated by Governor Lucey as the recipient of planning assistance funds for the Water Basin Planning Assistance Program of the Federal Water Pollution Control Administration. Currently NWRP&DC is developing a plan for the Lake Superior basin and is sub-contracting part of this work to the Head of the Lakes COG in Superior. NWRP&DC is conducting a regional water quality management study in cooperation with the Arrowhead Regional Development Commission in Minnesota.

NWRP&DC is the recognized regional A-95 clearing-house for northwest Wisconsin. The commission's staff feels the significance of this A-95 authority in areas in which regional plans have been formulated. The informational value of the A-95 process itself is substantial, according to the staff.

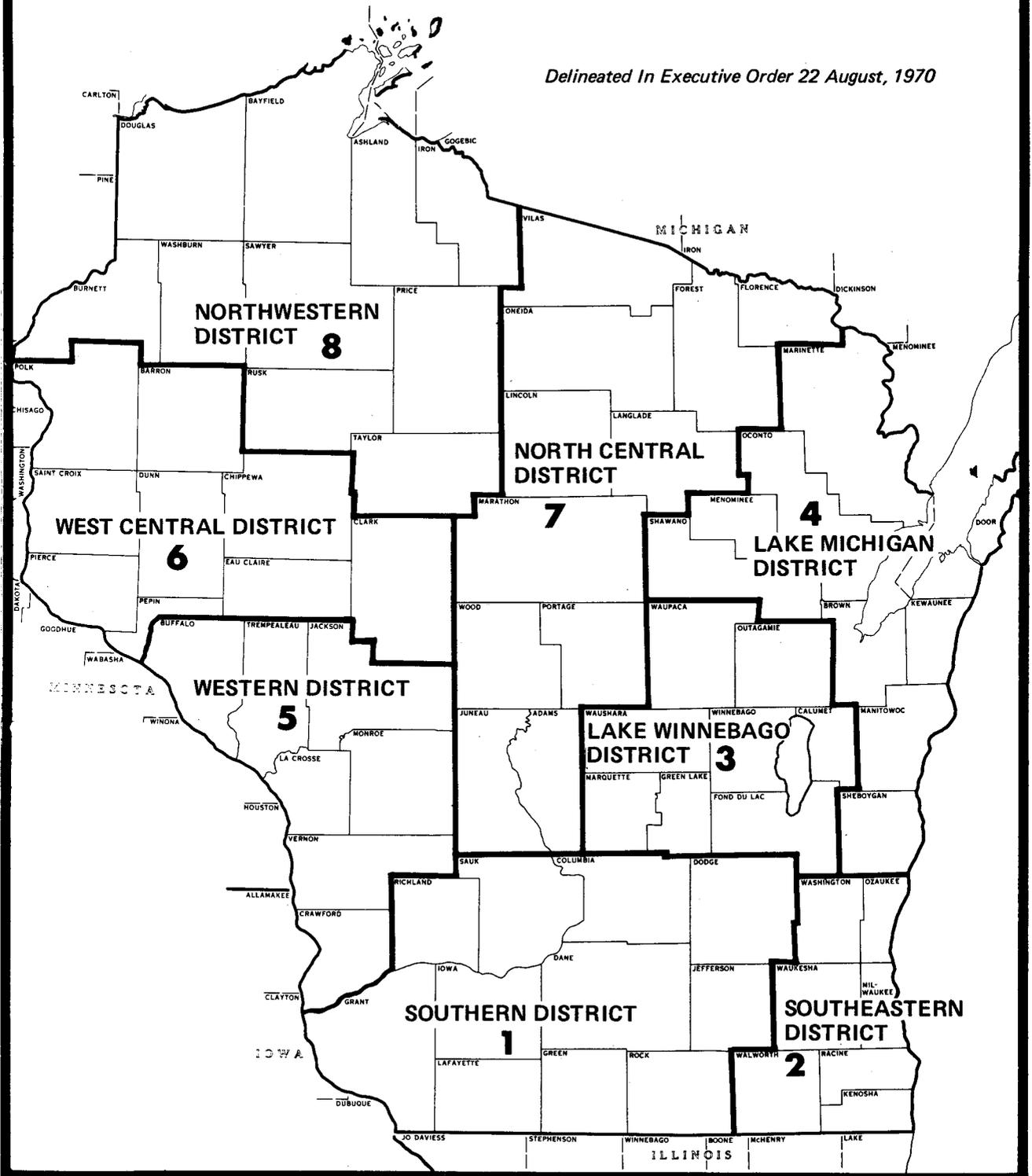
The Southeast Wisconsin Regional Planning Commission (SEWRPC) is probably the most sophisticated of the RPC's in Wisconsin. It is both well staffed and well funded. SEWRPC is concerned with the provision of planning and advisory services and technical assistance for local governments. This RPC is concerned primarily with physical planning; it has shied away from social planning, even though the SEWRPC executive director believes that the two kinds of planning cannot be separated completely. SEWRPC is actively involved in planning for transportation, outdoor recreation, environment, land use, water and sewer, and libraries facilities. The RPC has no operational activities, despite its concern for and interest in seeing implementation of its plans. Both the land use and transportation plans of the commission were received well and have served as important guides for development.

SEWRPC has developed a certification process which the executive director believes is important in moving SEWRPC's efforts from the status of bookshelf plans to that of actual development guides. After the staff completes a particular plan, it is presented to the Commission for review and discussion. After any recommended changes and amendments are made, the plan is certified by resolution of the commission. The certification resolution recommends adoption of the plan by the implementing agencies, which usually include both State agencies and local governments. Something akin to a campaign then is waged by commission members in an attempt to get the local governments and State agencies to adopt the plan formally. Though this activity does not guarantee implementation, the SEWRPC executive director believes that it is helpful because it obtains a formal commitment to regional plans. SEWRPC places substantial emphasis on the adoption of its regional

FIGURE VII.11

**WISCONSIN STATE DISTRICTS**

*Delineated In Executive Order 22 August, 1970*



plans by State agencies since they often are essential to implementation. SEWRPC recognizes that State agencies must be given an opportunity to offer input during the development of regional plans if their support is necessary or desirable for implementation.

Land-use planning is a top priority area for SEWRPC. It is basic to all other planning, in the commission's opinion. In the area of land use, the move from planning to implementation is more difficult than in other areas. Unlike transportation, in which the State is the primary implementing agency, land-use regulation is a strictly local function. SEWRPC apparently has had considerable success in persuading local governments to adopt land-use plans.

The RPC operates a "community assistance program" which, in addition to providing local governments with valuable technical assistance, provides SEWRPC with a fair reading of how seriously local governments take the commission's regional land-use plans. At the request of a city or town, the RPC staff will formulate and actually draft a detailed community development plan, including recommendations for schools, parks, police protection, capital improvements, and housing locations. The RPC staff cited the example of Kenosha, which, even though it has its own city planning department, asked SEWRPC to take its regional land-use plan and refine it to fit the city level. This request resulted in a virtual comprehensive land-use plan for the city. Upon request, the community assistance program also engages in residential planning services, which usually involve assessment of the adequacy of schools, transportation, utilities, etc., for a proposed subdivision. Requests for this kind of assistance do appear to be barometers of local government interest in SEWRPC's land-use planning efforts.

The SEWRPC has made a concerted effort to be as non-political as possible. According to a representative from the *Milwaukee Journal*, this is the real reason SEWRPC has kept away from becoming directly involved in social planning. In fact, he related, the SEWRPC executive director sees it as "sort of an engineering advisory group to local government." According to the SEWRPC executive director, the board's reason for rejecting many additional proposed planning activities was that if the RPC undertook too many functional planning activities, then the board's ability to review and comment upon so many plans with competence would be lessened. The result would be an unhealthy and heavy dependence upon staff recommendations, rather than upon considered reviews and thorough discussions. The executive director said that SEWRPC does not try to avoid areas other than those to which it is formally committed currently. For instance, out of necessity SEWRPC will become involved in two areas of social planning if the State criminal justice officials should decide to locate regional correctional facilities in the region, or if the State comprehensive health planning agency should decide to develop a

system of health care facilities in the region. SEWRPC, however, did disagree with the HUD regional office over HUD's housing element. The disagreement was caused by HUD's insistence that the RPC include low-cost housing in Milwaukee; SEWRPC revised its housing plan, and the dispute was resolved.

The Dane County RPC is a single-county RPC containing the Madison metropolitan area. It has an 11-member commission which includes five members of the Dane County board and six members representing towns and cities in the county. The RPC serves as both the State-designated 204 agency and the OMB A-95 metropolitan clearinghouse; it is also recognized by HUD as a recipient of 701 funds for metropolitan comprehensive planning. The RPC is involved in solid waste disposal studies and planning for transportation, environmental, housing, and water and sewer facilities. It was involved in law enforcement planning until that function was withdrawn by the State, and has not engaged in manpower planning, because the City of Madison exercised its own option to undertake manpower planning for the metropolitan area. According to the RPC's director, almost all social planning in the metropolitan area is done by the Madison Community Action Agency. The director is concerned about his RPC's being absorbed by larger RPC's.

The Rock Valley and Head of the Lakes COG's are both State- and OMB-designated 204 and A-95 metropolitan clearinghouses and are recognized by HUD as recipients of 701 funds for metropolitan comprehensive planning. They are involved in planning for land use, transportation, sanitary facilities, and environmental and water quality management.

## RELATIONSHIPS AND COORDINATION

The uncertainty which surrounded the districting issue in Wisconsin from the time of its initial, informal endorsement by Governor Knowles in 1968 to the issuance of Executive Order 22 in 1970 has resulted in a mixed response from State agencies.

Since 1967, Wisconsin has had a Department of Local Affairs and Development which combines a number of existing agencies and functions, including the Division of Economic Development, civil defense and administrative services functions, the Bureau of Local and Regional Planning, the Office of Economic Opportunity, and the Bureau of Milwaukee Services. The Bureau of Local and Regional Planning is responsible for the coordination of State-RPC relations and for giving technical and financial assistance to RPC's and proposed RPC's.

The Wisconsin Bureau of Planning and Budget (BP&B) in the Department of Administration is the State's comprehensive planning agency. This separation of the Bureau of Local and Regional Planning and the Bureau of Planning and Budget has received considerable criticism. The criticism has been especially pronounced

among the staff of the Bureau of Local and Regional Planning who do not believe that local, regional, and State planning can be done separately and be done well. The Department of Administration gained control over State planning as a means of creating a Planning Program Budget System (PPBS). This organizational decision has been questioned on the grounds that PPBS should involve local and regional input and therefore should work in conjunction with the agency which coordinates local, regional, and State planning efforts.

The Bureau of Planning and Budget is the State A-95 clearinghouse for Wisconsin. The regional clearinghouses (RPC's or COG's) review and comment upon applications from their regions and then send the applications, along with their comments, to BP&B. The bureau makes a preliminary review of the applications, then sends copies to affected State agencies for review and comment. The Bureau attempts to avoid blanket notification of State agencies for A-95 review. It expressed dissatisfaction with the Federally imposed standard process of requiring submission of all applications received by the regional clearinghouses to the bureau, even when the project involved has no statewide implications and affects no State agency. The bureau staff suggested that sufficient information concerning project applications could be gleaned by the bureau if it were simply notified by the regional clearinghouses concerning which applications they have reviewed.

In 1972, BP&B sought only \$47,000 for performing the A-95 function. The small budget for A-95 in Wisconsin is demonstrative of the conditions under which most State clearinghouses work. They function primarily as referral agents sending applications to appropriate State agencies. According to the bureau staff, part of the reason there has not been more A-95 activity in Wisconsin is that there have been few State plans or policies developed in the fields in which most projects have been proposed or grants requested. Until such plans and policies are forthcoming, the only real value of State A-95 review, according to the staff, will be in the information generated through the process.

### Department of Natural Resources

The Department of Natural Resources (DNR) has broad authority in Wisconsin. It is engaged in numerous activities, including environmental protection (it coordinates the activities of the State Water Resources Advisory Council and the Air Pollution Control Advisory Council), tourism, parks and forests, fire control, and game and fish regulation. Since Executive Order 22, DNR has reorganized its operations so that its district boundaries are coterminous with those of uniform state districts, except for one DNR district which includes two uniform state districts. There are DNR district headquarters in each of its seven regions. Its main headquarters are in the same city as are NWRP&DC

headquarters. The DNR district conforms exactly with NWRP&DC district boundaries. NWRP&DC feels that its relationship with DNR can be described as excellent. DNR has designated a representative of the district DNR office to act as liaison with NWRP&DC.

NWRP&DC is active in environmental planning, especially river basin planning, water and sewer planning, and floor plain zoning. Even though these activities directly affect the DNR, its district office does no official planning. DNR participates unofficially in planning activities, however, and has prepared resource and recreational plans for the NWRP&DC. Officially, the district DNR office is not supposed to engage in planning and planning questions are to be referred to the State DNR office in Madison. The district DNR office has no planning office as such, a situation which is a sore point with the district DNR director.

In the area of the A-95 review process, the district DNR participates, in a casual fashion. For example, when water and sewer facilities are needed for developing a subdivision, NWRP&DC, which is the regional A-95 clearinghouse, might ask the district DNR office to review and comment upon the project proposal. If DNR objects to the project, it is given an opportunity to discuss the objections with the applicant. This process, voluntary on the part of NWRP&DC, is an example of the informal cooperation between the district DNR office and NWRP&DC.

### Department of Transportation

The Department of Transportation (DOT) is directed by an administrator who serves at the pleasure of the Governor. DOT includes three types of districts: state patrol districts, driver examination districts, and highway districts. None is coterminous with the uniform state districts, nor are any coterminous with each other. DOT is on record as being committed to converting all of its operations to conform to the eight uniform state districts over a six-year period. According to one DOT official, the department is roughly two years behind in its conversion efforts. This conversion for DOT can be no simple task. For example, with regard to the state patrol districts, a significant problem has arisen because of the predictable overlapping of radio signals which would occur through the State Patrol's compliance with the uniform districts. The uniform districts' use in the issuance of driver's licenses would result in a disproportionate amount of work for the southeastern and southern offices, which are in areas where population has increased rapidly. The highway districts can be converted to the State district pattern, yet this has not occurred because no cities in the districts have been designated as the headquarters for the operations.

DOT appears to have developed a good working relationship with the RPC's. The NWRP&DC staff reports that DOT is cooperative and described their relationship

as "very good." A recently completed regional highway plan necessitated close cooperation among the State DOT planning staff, the RPC staff, and the highway engineers of the two districts in the northwest region. The regional transportation plan has been adopted formally by NWRP&DC.

The director of the southeast regional DOT office believes that his office has an excellent relationship with SEWRPC. DOT and SEWRPC worked together in the development of SEWRPC's regional transportation plan. Both the development process and the plan itself have been referred to as a model for State agency-RPC cooperation. The plan was developed with the cooperation of traffic and transportation engineers and officials from local governments throughout the region, with engineers and transportation planners from DOT, with members of the SEWRPC staff, and with citizen groups through well publicized public hearings. DOT assigned some State transportation staff to SEWRPC during development of the plans. The regional DOT office maintains a DOT staff member at SEWRPC at State expense. The district highway engineer believes this is justified for at least two reasons: First, planning is a dynamic process and should be an ongoing effort with State involvement; and second, SEWRPC is involved with so many areas which affect and are affected by transportation (such as recreation, land use, environment) that an increased awareness of these factors provides a functional State agency such as DOT with a broader perspective of RPC's.

## Department of Health and Social Services

The Department of Health and Social Services (H&SS) is the largest of Wisconsin's State agencies. It includes seven major divisions: Health, Mental Hygiene, Corrections, Family Services, Aging, Vocational Rehabilitation, and Business Management. H&SS was one of the first State agencies to commit itself to conform with the uniform state districts. Plans for that conversion were begun prior to Executive Order 10, and H&SS began actual conversion after its issuance. Because of its redistricting, Executive Order 22 caused problems for H&SS.

The Division of Health in H&SS is the designated State 314(a) agency for comprehensive health planning. The Division of Health has recognized eight 314(b) agencies, which are coterminous with the uniform districts, except that two counties were put into different districts for health planning.

The Division of Corrections has only three regions. One region is made up of only Milwaukee County, and the rest of the State is divided into two regions. This situation does not make cooperation with RPC's very easy. The director of the Milwaukee County region of the Division of Corrections is aware of the existence of SEWRPC and some of its functions, but he does not

communicate with SEWRPC. If he had some reason to call upon SEWRPC, he would have to get permission to do so from the State division office in Madison. Further, he reports that there is no regional planning being done by anyone concerned with corrections.

The Division of Aging operates out of Madison for planning purposes and does not coordinate with the RPC's. There is no evidence of any significant cooperation between the Division of Vocational Rehabilitation and the RPC's.

The Division of Family Services has five regions, exactly coterminous with the boundaries of NWRP&DC and SEWRPC, and almost coterminous with combinations of RPC's in the rest of Wisconsin. Family Services had a staff person assigned to SEWRPC for two months. The chief of the Division of Family Services reports that the division worked on planning for juvenile delinquency prevention for the seven-county region, and that SEWRPC was not involved in the plans. According to H&SS representatives, the family services regions will serve as the basis for delineations of other H&SS divisions.

## University of Wisconsin

The University of Wisconsin has 14 campuses around the State. These campuses were located according to criteria based on student facilities and do not conform to either uniform state districts or RPC regions. According to university representatives, location of campuses to fit pre-established regions simply does not make sense because it would result in disproportionately large demands on some facilities and very small demands on others.

The Cooperative Extension Service (CES) districts, which are administered by the university system, do not conform to RPC or uniform district boundaries. Until the RPC's all over Wisconsin are staffed, the alteration of the CES's district boundaries would result in disproportionate workloads for the CES field staff. Where RPC's exist and are fully staffed, CES works with them. For example, even though the district CES director in northwest Wisconsin is headquartered outside the NWRP&DC, he is assigned by the State Extension Service to oversee the Extension Service's activities in the northwest region, and he attends most of the RPC meetings.

## Department of Local Affairs and Development

The Department of Local Affairs and Development (DLAD) is the State agency working most directly with regional planning. The Bureau of Local and Regional Planning in that department works closely with existing regional planning commissions and helps in the formation of new ones.

Wisconsin has developed an unusual method of

assisting RPC's with their staffing needs. The system is known as the State Staff Option, under which an RPC, at its option, may request the assistance of a staff person provided by DLAD. That staff person works on a full-time basis for the RPC, yet receives compensation from DLAD. The department began this service during 1963, and at least four RPC's are participating in the program currently. In fact, the entire salary of the executive director of the Northwest Wisconsin RPC is paid by DLAD.

According to its supporters, the State Staff Option program has been highly successful. Others think that it should be eliminated. The program's opponents believe that it is unwise administratively for RPC staff members to be responsible for answering to two masters—the RPC and DLAD. This problem would be solved if the RPC's were given additional funds to pay their own staffs. Further, the opponents believe that RPC's are established to represent local governments and that the State Staff Option simply gives the State a vehicle to influence and control RPC activities. Supporters of the State Staff Option say that both of these arguments are rebutted adequately by the fact that the program is and has been working successfully and has the strong support of RPC's and their constituent local governments.

The Bureau of Milwaukee Services is a part of DLAD; its area of jurisdiction coincides with that of SEWRPC. The only branch office of DLAD, it is responsible for coordinating the State's intergovernmental role in the Milwaukee metropolitan area, coordinating the Milwaukee model cities program, and operating the State Service Center. Basically, the State Service Center is a complaint center for inner-city residents. The bureau also represents the State OEO with the Milwaukee and Racine CAA's.

### Wisconsin Council on Criminal Justice

The Wisconsin Council on Criminal Justice (WCCJ) is designated as the State LEAA agency and has recognized ten criminal justice planning (CJP) council regions. Three regions are coterminous with the uniform state districts; the remainder are not. A WCCJ representative sees no intention by the commission to revise the CJP council regions to conform to the uniform state districts.

The WCCJ Executive Director remarks that his councils attempted to coordinate their activities with RPC's, but often they find a lack of expertise in criminal justice planning matters in the State districts. This situation apparently is responsible for the reluctance evidenced by many of CJP councils to go through the A-95 process with the RPC's.

NWRP&DC was the only RPC to decide to take on LEAA planning. LEAA operations were subsequently reorganized, and the State LEAA office was moved into the Governor's office. In addition, the reorganization called for law enforcement planning boards to be

separate from RPC boards. A separate law enforcement planning board has since been established for the NWRP&DC region.

The State LEAA agency asked SEWRPC to assume responsibility for criminal justice planning for its region but the WCCJ decided that this would not be an appropriate function for SEWRPC. So a separate CJP board was established in the region.

During the first year of the LEAA planning program the Dane County RPC was the designated CJP agency for its area, and it used LEAA funds to employ a criminal justice planner. Although employed by the Dane County RPC, the criminal justice planner was made responsible for criminal justice planning for five additional counties. Then the State LEAA agency decided to separate CJP boards from the RPC, and withdrew its financial support.

### State Manpower Planning Council

The State Manpower Planning Council (SMPC) has devised eight area manpower planning boards (AMPB), which are coterminous with the uniform state districts except in the Dane County area. There the mayor of Madison exercised his option to create a secretariat to do manpower planning for the Madison metropolitan area. The SMPC director of planning said that the council works fairly well with the RPC's and that the RPC's are beginning to come to the AMPB's for help in manpower matters. The SMPC's efforts have been hampered somewhat by the State Employment Service, which has been reluctant to conform to the uniform districts.

The director of planning for the State Manpower Planning Council was critical of Federal agencies for not conforming to Wisconsin's regional boundaries and for not coordinating their own activities. He pointed out that a CAA recently received a Federal OEO grant to do manpower planning in exactly the same area in which an AMPB is planning.

One of the most serious difficulties for RPC's from a coordinative viewpoint, involves those programs in which the State agency is merely acting as a middleman between regional organizations and the Federal agency responsible for the program.

### Comprehensive Health Planning

The Division of Health in H&SS is the 314(a) state comprehensive health planning (CHP) agency, and there are eight 314(b) regional CHP agencies. The RPC's are involved with a number of 314(b) organizations. At least one RPC board member sits on each 314(b) board. The reason for not combining the 314(b) agencies with the RPC's is that most RPC's were weak and understaffed when the 314(b) agencies were organized. Some RPC representatives strongly disagree with that rationale.

NWRP&DC has sought to be designated as the

regional CHP agency. However, a group of people in Superior, including the administrators of two hospitals and a member of the State CHP board, organized the Northwest Areawide Comprehensive Health Planning Organization as a non-profit corporation and sought recognition as the regional 314(b) agency. Against the wishes of NWRP&DC, the Northwest Areawide CHP was recognized by the State CHP board. According to one of the Northwest Area CHP organizers, the State board did not want physicians to be relegated to the status of advisors to NWRP&DC on CHP matters. "After all," he commented, "health planning and land-use planning are not the same."

Two counties in the northwest region chose to join a

CHP agency in the north central region, and this exception was approved by the Governor, even though it placed them in a different uniform district. NWRP&DC did not approve of this arrangement. When the Northwest Areawide CHP sent its grant request to NWRP&DC for review, it was given a negative comment. The grant request, which had been written by the 314(b) agency in Madison, then received a tentative negative comment from the State planning bureau. With the help of the medical community, the 314(a) agency was able to convince the Governor that the Northwest Areawide CHP should receive its grant. According to CHP officials in Superior, the Governor informed the State planning bureau that the grant request should be sent to HEW

Table VII.16

**Summary Budget (1971)**  
**Southeastern Wisconsin Regional Planning Commission**

Sources of Funds	Percent	Dollars
Member Counties—Tax Levy	21.0	\$ 212,100
Member Counties and Local Units of Government		
—Contract Services .....	24.0	254,000
DLAD .....	.9	9,000
Wisconsin DOT .....	9.3	98,000
U. S. DOT .....	13.0	136,900
HUD .....	28.0	298,500
FWQA .....	2.6	27,500
Other .....	2.1	22,000
<b>Total .....</b>	<b>100.0</b>	<b>\$1,058,000</b>
<b>Expenditures</b>		
Regional Land Use-Transportation Study .....	37.4	395,692
Milwaukee River Watershed Planning Program .....	12.9	136,482
Racine Urban Planning District Program .....	7.5	79,350
Regional Sanitary Sewer System Planning Program ...	4.3	45,494
Mass Transportation Study—Milwaukee County .....	4.7	49,726
Regional Housing Study .....	3.8	40,204
Regional Library Planning Program .....	3.2	33,856
Kenosha County Mapping Program .....	3.0	31,740
Preparation of Local Planning Assistance Guides ....	0.4	4,232
Community Assistance Program .....	0.8	8,464
Census Map Incoding Project .....	1.3	13,754
Land-Use Plan Design Model Development Project ...	2.3	24,334
Fox River Watershed Planning Project .....	1.1	11,638
Regional Housing Study Prospectus .....	0.3	3,174
Stream Gauging Program .....	0.6	6,348
General Office Overhead .....	6.4	67,712
General Office Salaries .....	10.0	33,856
<b>Total .....</b>	<b>100.0</b>	<b>\$1,058,000</b>

Table VII.17

**Summary Budget (1971)  
Northwestern Wisconsin Regional Planning  
and Development Commission**

Sources of Funds	Percent	Dollars
Member Counties—Tax Levy .....	34.3	\$29,334
DLAD .....	34.0	29,150
FMHA .....	1.4	1,189
Cash Balance (includes EDA) .....	29.2	25,029
Other .....	1.1	934
<b>Total .....</b>	<b>100.0</b>	<b>\$85,636</b>
Expenditures		
State Planning Aid Program .....	50.1	\$42,918
NW Regional Planning and Development Program ...	5.5	4,750
Overhead .....	14.8	12,673
Cash Balance .....	29.6	25,295
<b>Total .....</b>	<b>100.0</b>	<b>\$85,636</b>

without negative comment, because any problems with the application could be worked out later. The bureau complied.

NWRP&DC now sends health-related grant requests to the Northwest Areawide CHP for A-95 review. The review process is a serious matter to both the CHP agency and the RPC, and it seems to be handled with good cooperation.

**Office of Economic Opportunity**

Soon after its formation NWRP&DC was made the regional OEO agency. Later the Federal regional OEO office decided that the RPC, which at that time included five counties, was too small to serve as the regional OEO agency. NWRP&DC used the potential for additional OEO dollars as an incentive to draw five additional counties into RPC, as OEO recommended. The NWRP&DC was successful in getting the five new counties to join, and then it received notice that OEO had determined that a ten-county region was too large to be a regional office and that two five-county regions should be established. OEO also decided that the two regional OEO agencies (CAA's) should have boards separate from the NWRP&DC board. The two CAA's in the northwest region now have separate boards, although there is extensive overlapping of board members and officers of the two CAA's and NWRP&DC. As a result, NWRP&DC is planning for the poor, even though indirectly.

In most cases, the local CAA's are responsible primarily for planning efforts for the poor and operate independently from RPC's. Neither SEWRPC nor the Dane County RPC work in this area.

The relationships between State agencies and the substate districts, between Federal agencies and the substate districts, and between the substate districts themselves are greatly divergent in Wisconsin, perhaps to the point that they defy a brief summary. The single factor which shines through these relationships is that in spite of Executive Orders 10 and 22, the lack of effective administration follow-through seems to have influenced the individuals in governmental positions in Wisconsin to treat the substate districts as somebody's passing fancy and someone else's headache.

**FINANCES**

Section 66.945, authorizing the creation of RPC's, permits them to accept financial aid from local, State or Federal governments. It permits RPC's to assess their constituent members through a property tax limited to three cents per \$1,000 equalized property valuation. The statute requires that each RPC prepare and approve a budget annually which reflects the cost of its operations and services to local government units. However, there is no requirement for the submission of the budget to any State agency, nor is there any provision requiring an audit by a State agency.

The RPC's do receive funds from Federal, State, and

local agencies. Because of the property tax assessment method of determining local contributions, the amounts of such contributions vary drastically from one RPC to another. For example, in 1971 NWRP&DC received approximately \$29,000 from its local tax levy; SEWRPC received \$212,000 during the same year. The Wisconsin General Assembly appropriates funds to DLAD for grants to the RPC's. For the 1972 and 1973 fiscal years the appropriation was \$200,000. DLAD is not bound by any set formula for the allocation of its funds among RPC's; rather, the policy has been to provide the largest grants to those RPC's which are becoming operational and are having financial difficulty. In 1971, SEWRPC, a relatively wealthy RPC, received only \$9,000 from DLAD, a sum which represents less than one percent of its total budget of more than \$1 million. The same year NWRP&DC, a relatively poor RPC, received \$29,000 or 34 percent of its total budget from DLAD (See Tables VII.16 and VII.17.) Generally, the RPC's seem dissatisfied with the money they receive from the State. Their complaint was not over the State's method of allocation but about the overall amount available to RPC's and the interest in RPC's by the State which it seems to reflect.

## EVALUATION AND CONCLUSIONS

Wisconsin appears to have taken some important initial steps towards a true substate district system. Basically, three issues remain to be resolved before the State can achieve a true substate district system. First, a decision must be made regarding the relationship of the State to the RPC's and the RPC's to each other. Also, a decision must be made concerning the degree of decentralization which will be required of State agencies. Third, the difficult political question of whether district headquarters will be established and, if so, where must be answered.

Governor Knowles firmly endorsed the establishment of a system of uniform state districts in Wisconsin. His successor, Governor Lucey, has done likewise. Through these endorsements and the accompanying executive orders, State agencies have been notified that they are expected to realign their field operations to conform to uniform district lines. This situation has placed many State agencies in a rather difficult position. They are grappling with the problem of determining whether decentralization should accompany redelineation and, if so, to what degree. The agencies are being pressed on the issue by both their own field staffs and by the RPC's; both contenders are pushing for decentralization. The State agency field staffs argue that, in order for regionalization to work, the district staffs should be given more planning and decision-making authority. The RPC's believe that the only way comprehensive regional planning can become a reality is for the district operations of State agencies to be able to work directly

with the RPC's and with other State agencies in planning and policy formulation.

In those cases in which a State agency has decided to realign its field operations and to relocate its district office, the agency has received no direction in deciding where to locate. The location of district headquarters is a hot political issue which no governor has been willing to face. In fact, one official stated that if there is anything to be learned from the experience of substate districting in Wisconsin, it is that district headquarters should be assigned at the outset. He said that this decision would have taken considerable political courage, but had it been done, the districting movement would be much further along than it is today.

The fact that there is an issue concerning the relationship of the State and RPC's is a bit difficult to understand. Part of the problem stems from the delegation of responsibility for regional planning and the responsibility for State planning to separate State departments. The Bureau of Planning and Budget is concerned primarily with getting State agencies to conform to the uniform state districts. DLAD, the agency responsible for the coordination of regional planning efforts, is interested primarily in strengthening and fostering RPC's. There are some boundary differences between the RPC's and the uniform state districts. Another serious problem is the purported lack of strong support for RPC's by BP&B. Bureau representatives stated that their agency strongly supports regional planning. DLAD representatives said that in fact BP&B may support regional planning, but it does not support RPC's.

BP&B appears to assume the attitude that when all State agencies have conformed to uniform district lines, then regionalization will have been accomplished. What the bureau does not seem to realize is that the reluctance of many State agencies to conform to uniform district lines is because of the lack of a strong regional planning organization in some districts. These agencies believe that regionalization will be a futile gesture unless there is a regional planning organization in existence to coordinate and assist in the planning of interagency activities.

It is difficult to determine how Wisconsin has been able to accomplish any progress in its districting efforts; the political struggles at every level in the State would seem to constitute almost insurmountable barriers to progress. "It is because of our common German backgrounds that we get along in Wisconsin," according to one State official. This explanation of the situation may be the most logical.

## Footnotes

<sup>1</sup>Wisconsin, Department of Administrative Departmental Correspondence, Schrantz to Nusbaum, February 12, 1971, Attachment No. 1, p. 3. Roger Schrantz, director of state planning, was a member of the Technical Study Group, Governor's Regionalism Task Force for Northeast and East Central Wisconsin.



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