

FREQUENTLY ASKED QUESTIONS: METROPOLITAN COUNCIL REFORM PRINCIPLES

1) Why now?

Over the years, the role of the Metropolitan Council has expanded from that of a regional planning agency to its now self-described role as “the regional policy-making body... and provider of essential services for the Twin Cities metropolitan region.”

In no other major metropolitan region in the United States are duly elected representatives so divorced from policy-making and the provision of regional services.

Reform of the Metropolitan Council has been a growing concern of many local governments for many years, as the Council’s responsibilities have expanded and the lack of accountability to metro-area residents has increased.

The release of ThriveMSP2040 reinvigorated the drive for reform in many cities and counties who were unhappy with aspects of the plan and the process by which it was produced. However, our call for change is not a reaction to the specifics of the plan, or to how it allocates resources. Instead, the experience drove home what little incentive the Council has to take into account the opinions of local governments. Councilmembers do not answer to the local constituency, but rather to a constituency of only one elected official: the Governor. We realized this was the core problem, and the release of Thrive2040 was the catalyst that renewed our efforts to build a coalition for governance reform.

2) Who makes up the coalition?

The coalition originated with elected officials from Anoka, Carver, Dakota, and Scott Counties, who share a collective opinion that the Metropolitan Council must be more accountable to the regional constituency. They made the decision to develop principles for reform, and, knowing it was important to have the perspective of cities represented as well, invited interested elected city officials to join the group. The city officials (listed in Attachment A) represent themselves alone, and do not necessarily represent the views of their entire councils. Together this group developed a mutually-agreed-upon set of principles for reform.

3) You’re asking cities to adopt these principles, knowing that they go against the position of Metro Cities. Doesn’t this undermine the work of the Metro Cities organization?

Metro Cities is a voluntary membership organization, representing 88 of the nearly 140 cities in the metro area. We believe that Metro Cities plays a vital role in advocating for city interests, and we did invite them to play a part in the development of the shared principles. However, they ultimately decided to withdraw from the group due the incompatibility of some of our

positions. We had hoped to work together toward reform, and we hope to work together in the future if the position of the organization changes.

However, in the meantime we are aware that many cities hold positions on Metropolitan Council reform that also contradict the official Metro Cities position, and we believe that these cities, along with counties, should have their voices heard in the Legislature.

4) What are the next steps?

These draft principles have been distributed to every city and county in the metropolitan area, and we hope as many as possible adopt these principles. We are eager to discuss the principles, along with our reasons for advocating reform, with any County Board or City Council in the area.

During the Legislative Session we will present these adopted resolutions to Legislators to illustrate how important reform is to local governments in the metro area, and we will work with Legislators to advance reform proposals that meet the adopted principles.

5) How do other metropolitan areas provide regional planning?

Every other major metropolitan area in the United States, as well as every other metropolitan area in Minnesota, has a metropolitan planning organization that is made up of a majority of local elected officials (Attachment B).

The Metropolitan Council does have a more expansive role than planning organizations in other metropolitan areas, and is involved in a wider array of metropolitan service operations. However, we believe this is an even stronger reason why elected officials should serve. The Council has more responsibility than other metropolitan planning organizations- it stands to reason that it should have *more* accountability to the electorate, not less.

6) Is this an effort to get rid of the Metropolitan Council?

Absolutely not. Regional governance is important, but it would be more effective and credible with local representation. In the current system, Metropolitan Council members are non-elected individuals answerable only to the Governor, an office that has often been elected without majority support from metropolitan-area voters. We believe that only elected officials who are directly accountable to the electorate should hold the responsibility to impose taxes. The Council has a budget of over \$1.5 billion in 2016 (more than that of the City of Minneapolis) and the authority to levy taxes on metropolitan-area residents (\$82 million in 2016). We believe that the Council should be answerable to the citizens and taxpayers of the area it represents rather than a single officeholder and should feature strong representation from local elected officials.

7) Is this a reaction to the ThriveMSP2040 plan?

No. Many cities and counties were unhappy with aspects of the Council’s plan. However, our call for reform is not a reaction to the specifics of the plan, or to how it allocates resources. Instead, the experience drove home to many what little incentive the Council has to take into account the opinions of local governments. The Council does not answer to the local constituency, but rather to a constituency of one- the Governor. We realized that this was the core problem, and the release of Thrive2040 was the catalyst to renew our efforts to build a coalition for governance reform.

8) Is there other support for this?

Yes, many other entities and organizations have come out in support for reform. In 2011, for example, the Office of the Legislative Auditor released [a report](#) recommending that the Metropolitan Council be composed of a majority elected officials, citing the Council’s “limited credibility” due to a governance structure that limits accountability.

The City of Minneapolis also passed a resolution on January 14, 2011, asking the Legislature to reform the Council so that a “majority of council members shall be locally elected city and county officials.”

Furthermore, representatives of the Federal Highway Administration and Federal Transit Administration, responsible for certifying the Council as eligible to receive federal transportation and transit funding, have encouraged reform of the Council to make it “more directly accountable to its public.”

9) Would these principles turn the Metropolitan Council into a Council of Governments (COG)?

No. Councils of Governments have little authority beyond transportation planning and regional coordination of service. The level of authority that the Legislature has granted the Metropolitan Council, including the authority to levy taxes, is unique. None of the proposed principles diminish Council authority in any way, and will not transform the Council into a COG.

10) Is this a partisan issue?

No, this is not a partisan issue- we would feel the same way whether the Governor was a Republican or a Democrat. In fact, our reform efforts started in 2011, when the Governor was Republican. What troubles us is that the entire membership and focus of the Council can shift depending on who is in power. Many regional issues require very long-term, consistent approaches, which can be altered dramatically every four or eight years by a new Governor. The Council should represent the long-term interests of the region, not a single individual.

11) Is this about the suburbs complaining?

No. This is about ensuring that the entire region feels represented by the Metropolitan Council.

12) Is the Metropolitan Council accountable to their constituents?

No. Although the Council has the power to levy taxes on metropolitan area residents, it is not accountable to those residents and is instead solely accountable to the Office of the Governor, which over the last five election cycles was only once elected with majority support from metro-area voters.

QUESTIONS ABOUT THE PRINCIPLES THEMSELVES:

13) Aren't local elected officials too busy to serve on the Council?

There is a time commitment to serving on the Council, true, but it is only a part-time engagement. Many current Metropolitan Council members hold other full-time jobs. Furthermore, local elected officials serve on the metropolitan planning organizations of every other large city in the country.

If these principles are enacted it will be part of cities and counties' role to ensure that those appointed to the Council are comfortable with the time commitment. All elected officials must consider their availability and take responsibility for effective allocation of their time. There are 43 elected county officials and approximately 800 elected city officials in the metropolitan area; we are confident that a sufficient number within that pool would be ready, willing, and able to serve on the Council.

14) Some claim that local elected office and Met Council membership are "incompatible" offices. Is that true?

There is nothing in the state constitution or in statute that makes these offices incompatible. Reform legislation authorizing service on the Met Council by local elected officials would also resolve any such questions.

As a practical matter, incompatibility arises when an individual cannot discharge the duties of two offices with "fidelity and propriety." Holding a different point of view, or needing to represent the interest of a particular constituency on an issue, does not prohibit a member from fulfilling the responsibility with "fidelity and propriety." In fact, it is the problem-solving and resolution of diverse viewpoints and perspectives that gives strength to our elected bodies at every other level of government – including city councils, county boards, and the

legislature. Even some current appointed Met Council members have history, affiliations, and/or allegiances with /to other organizations.

15) Isn't it a conflict of interest to ask an official elected by one specific city or county to represent an entire region?

Local elected officials already serve in many capacities where they must consider regional interests. The Council's Transportation Advisory Board, for example, which recommends allocation of transportation and transit funding throughout the region, is made up of majority of local elected officials. In fact, the federal government requires all regional metropolitan planning organizations, which administer transportation and transit funding in metro areas (and are thus required to have a regional focus) to be made up of a majority of elected officials. Even the structure of County Boards and City Councils requires local elected officials to represent the interests of the entire city/county, rather than the specific district that elected them. There are hundreds of examples of local officials serving on regional boards and joint powers agreements where they collectively share authority in areas beyond each member's individual jurisdiction.

16) Wouldn't this make the Council more parochial, more politicized, and more beholden to special interest groups?

We believe that a fundamental principle of effective government is accountability to those impacted by its decisions. It is inherent in the nature of the political process, however, that increased input from stakeholders of all interests could raise concerns of increased politicization. However, this concern would be mitigated by the participation of a broad range of local elected officials who would strengthen the Council's accountability and increase its flexibility; these are necessary steps to increase the credibility of the Council with metro-area residents. Furthermore, we are confident that concerns about parochialism and politicization could be mitigated by a fair, regionally balanced, selection process that allows for advocacy, debate, and voting.

In addition, the Council would continue to be overseen by the Legislature to help ensure that it remains an effective regional tool. In fact, a Council composed of a majority of elected officials may have more legitimacy in the eyes of the Legislature, as it will be seen as an independent, responsive entity. A Council with a majority of local elected officials will be able to independently interact with the Legislature, rather than as a State agency under executive branch control.

17) Isn't there a potential for Council appointees to be geographically imbalanced?

We believe the most important issue is that of accountability; it is our goal to make the Council accountable to the entirety of the metropolitan area. These principles do not in and of themselves guarantee geographic balance, as they are purposely at a high level, but we would

are confident that an eventual nomination process would take pains to ensure geographic equity.

Furthermore, it is worth noting that although current Council members do reside in Council districts they have no accountability to those districts. Their job security rests entirely in the hands of a single individual- the Governor. And even if one considers current Council members to be “representing” their districts, this does not guarantee geographic balance. For many years not a single Councilmember resided in Scott County, for example.

18) What about Metro Cities’ argument that if local elected officials were on the Council they would serve as both “regulator” and the “regulated”?

The Council does have limited regulatory functions. However, they are structured to encourage regional compatibility and consistency, rather than setting standards to be measured against. Furthermore, for the things that are regulated by the Council (e.g. sewers) the collective public interest will outweigh the interests of single municipality.

Even when the Council does exercise its limited regulatory responsibilities, its members should have strong ties to the electorate so that stakeholders have input in the implementation of such regulations. Any issues with regulation can be addressed through targeted reform of the Council.

19) Isn’t it important to the Council’s effectiveness that it be a separate regional government, able to operate independently from local governments?

We support keeping the Metropolitan Council as its own separate entity. However, as an organization with a \$1.5 billion budget and authority to levy taxes, it cannot and must not be truly independent- it must, of course, be subject to oversight.

That oversight is currently provided by the Governor and the Legislature; we are not asking to remove either entity from this process. The Governor and the Legislature will likely always play a role in shaping the future of the metropolitan area. All we are asking is that local governments, who have the greatest amount of expertise on the practical impact of the Council’s policies, have a voice as well. The creation of a Council with a broad-based constituency will strengthen the regional government and make it more responsive to the needs of the region, thus strengthening its legitimacy.

20) Wouldn’t having local elected officials serve reduce the amount of regional expertise on the Council?

This argument belittles the vast amount of knowledge and broad range of expertise of so many local elected officials. Local elected officials do not operate in a vacuum; they all must consider the region in which they operate and be aware of regional issues in order to be effective in their

positions. Local officials already serve in numerous regional organizations in which they have developed significant issue expertise.

Furthermore, current Council appointments are made by the Governor, resulting in significant turnover each time a new Governor is elected; this is not conducive to building up regional expertise.

21) What happens if an elected official leaves office in the middle of his/her Metropolitan Council appointment?

We purposely made these principles high-level. We do not want to get into the details of a specific plan; that is the responsibility of the Legislature. These issues can be considered as a plan develops.

22) What about the criticisms of the role of the Council? These principles don't address any of that.

True, and many of us do have thoughts on the role of the Council. However, we believe that the first step is to reform the governance of the Council. Once the Council is accountable to its metropolitan constituency the role that it should play in the region's future can be considered.

23) You mention a system of voting and checks and balances- can you elaborate?

We proposed principles which we believe are worthy of being embodied in a plan for reform. We chose not to present the details of a specific plan, which is ultimately the responsibility of the Legislature. However, we do believe that the Council should reflect all citizens in the area, balancing the interests of large and small, without allowing the areas with the largest populations to drive all decision-making.

ATTACHMENT A: PARTICIPANTS IN THE METROPOLITAN GOVERNANCE WORKING GROUP

Participating County Officials:

Anoka County: Commissioner Matt Look
 Commissioner Scott Schulte
 Commissioner Rhonda Sivarajah
 County Administrator Jerry Soma

Carver County: Commissioner Randy Maluchnik
 Commissioner Tom Workman
 County Administrator Dave Hemze

Dakota County: Commissioner Chris Gerlach
 Commissioner Nancy Schouweiler
 Commissioner Liz Workman
 County Manager Brandt Richardson

Scott County: Commissioner Mike Beard
 Commissioner Jon Ulrich
 County Administrator Gary Shelton

Participating City Officials:

Bethel: Councilmember Brian Kirkham

Burnsville: Councilmember Bill Coughlin

Chanhassen: Mayor Denny Laufenburger

Elko New Market: Mayor Bob Crawford

Jordan: Councilmember Mike Franklin

Lino Lakes: Mayor Jeff Reinert

Prior Lake: Mayor Ken Hedberg

Rosemount: Councilmember Jeff Weisensel

Shakopee: Mayor Bill Mars

Metropolitan Planning Agencies in Large Metropolitan Areas

Name	Governance Structure
San Diego Association of Governments	<p>The Board includes 20 local elected officials as well as non-voting members from various state and federal agencies and other organizations.</p> <p>Summary: All voting members are local elected officials. There are no citizen members.</p>
Metropolitan Council	<p>The Council consists of 16 citizens appointed by the Governor.</p> <p>Summary: All voting members are citizens. There are no elected officials on the Council.</p>
North Jersey Transportation Planning Authority	<p>The Board consists of 15 local elected officials, 4 other government representatives, and 1 citizen representative (position is currently vacant).</p> <p>The 3 other government representatives are from the Port Authority, the NJ Governor's Authorities Unit, NJ Department of Transportation, and NJ TRANSIT.</p> <p>Summary: The majority of voting members are local elected officials. There is one citizen member.</p>
Metropolitan Transportation Commission (Oakland CA)	<p>The Board consists of 16 local elected officials, 2 representatives of the federal government, 1 representative of state government, and 2 representatives of local organizations.</p> <p>The state representative is from the California State Transportation Agency.</p> <p>The 1 organizations are the San Francisco Bay Conservation and Development Commission and the Association of Bay Area Governments.</p> <p>Summary: The majority of voting members are local elected officials. There are no citizen members.</p>
Houston-Galveston Area Council	<p>The Board consists of 30 local elected officials, 6 judges, and 1 representative of the Independent School Districts.</p> <p>The local elected officials represent cities and counties in the metro area, although some cities and counties are represented by judges.</p> <p>Summary: The majority of voting members are local elected officials. There are no citizen members.</p>

Metropolitan Planning Agencies in Large Metropolitan Areas

Name	Governance Structure
North Central Texas Council of Governments	<p>The Board consists of 9 local elected officials, 3 judges, and a non-voting member of the Texas Legislature.</p> <p>The metro-area cities are represented by mayors or councilmembers; the counties are represented by judges.</p> <p>Summary: The majority of voting members are local elected officials (although there are no county elected officials- counties are represented by judges). There are no citizen members.</p>
Boston Region MPO	<p>The Board consists of 14 local elected officials, 8 representatives from other governments and organizations, and 2 nonvoting representatives from the federal government.</p> <p>The elected officials are all mayors and selectmen of local towns; there are no county representatives.</p> <p>There are 2 representatives from regional planning organizations, as well as representatives from regional transit and transportation authorities and the Massachusetts Department of Transportation.</p> <p>Summary: The majority of the voting members are local elected officials. There are also no citizen members.</p>
Atlanta Regional Commission	<p>The Board consists of 23 local elected officials, 15 citizens, and 1 non-voting representative from the Georgia Department of Community Affairs.</p> <p>There is 1 citizen representative from each of 15 districts in the metro area, elected by the 23 public officials.</p> <p>Summary: All voting members are either local elected officials or are citizen members selected by local elected officials.</p>
Puget Sound Regional Council	<p>The Council has a general assembly consisting of all elected officials from all member jurisdictions. The Assembly establishes the budget and elects representatives to the Executive Board.</p> <p>The Executive Board consists of 30 elected officials and 2 representatives from the Washington State Transportation Commission and the Washington State Department of Transportation.</p> <p>Summary: All voting members are either local elected officials or are selected by local elected officials. There are no citizen members.</p>

Metropolitan Planning Agencies in Large Metropolitan Areas

Name	Governance Structure
National Capital Region Transportation Planning Board	<p>The Board consists of 32 local elected officials and 2 representatives from state government.</p> <p>The 2 state representatives are legislators from the Maryland and Virginia General Assemblies.</p> <p>Summary: The majority of voting members are elected officials. There are no citizen members.</p>
Maricopa Association of Governments	<p>The Council consists of 32 local elected officials, 4 state representatives, and 1 member of a citizen organization.</p> <p>The elected officials are mayors, councilmembers, etc. from metro towns, cities, and reservations.</p> <p>There are also 2 representatives each from the State Transportation Board and the Arizona Department of Transportation.</p> <p>Finally, there is a representative from the Citizens Transportation Oversight Commission.</p> <p>Summary: The majority of voting members are local elected officials. There is one citizen member, a representative of a citizen oversight commission.</p>
Southwestern Pennsylvania Commission	<p>The Executive Committee consists of 11 local elected officials, 3 at-large members, and representatives from the Pennsylvania Department of Economic Development, Department of Transportation, and Governor's Office.</p> <p>Summary: The majority of voting members are local elected officials. There are 3 at-large members.</p>
Delaware Valley Regional Planning Commission	<p>The Board consists of 16 state government appointees, 24 local government elected officials and staff, and 2 attorneys. as well as a number of non-voting members.</p> <p>There are 4 representatives from the PA Department of Transportation and 3 from the NJ Department of Transportation.</p> <p>There are also 3 representatives from the PA Governor's Policy Office, 1 other PA Governor's appointee, 3 from the NJ Department of Community Affairs, and 2 appointees from the NJ Governor.</p> <p>Summary: The majority of voting members are either local elected officials or local government staff members. There are no citizen members.</p>

Metropolitan Planning Agencies in Large Metropolitan Areas

Name	Governance Structure
New York Metropolitan Transportation Council	<p>The Board consists of 5 local elected officials, 3 city representatives, 1 state representative, and 7 non-voting members from various federal and state agencies.</p> <p>The 5 local elected officials are the County Executives of the 5 metro counties. The city representatives are heads of the New York City Transportation Authority, Department of Transportation, and Department of City Planning.</p> <p>The state representative is from the New York State Department of Transportation.</p> <p>Summary: The majority of voting members are local elected officials or representatives from city government. There are no citizen members.</p>
Baltimore Regional Transportation Board	<p>The Board consists of 7 local elected officials and 4 representatives from state departments (3 non-voting).</p> <p>A representative from the Maryland Department of Transportation has voting privileges.</p> <p>Summary: All voting members, except one, are local elected officials.</p>
Southeast Michigan Council of Governments	<p>The Council has a general assembly consisting of delegates from all local governments in the region. The Executive Committee consists of local elected officials as well as representatives from community colleges and the Regional Transit Authority of Southeast Michigan.</p> <p>Summary: The majority of voting members are local elected officials. There are no citizen members.</p>
Chicago Metropolitan Agency for Planning	<p>The Board consists of appointments from each of the metro counties- the members are a combination of elected officials and representatives of nonprofits and private industry. There are also 2 non-voting Governor's appointees and a non-voting representative of the Regional Transportation Authority.</p> <p>Summary: The majority of voting members are elected officials and all are appointed by local jurisdictions. There is a Citizens' Advisory Committee created by the Board.</p>
Southern California Association of Governments	<p>The Regional Council consists of elected local officials representing 67 districts, all members of the Los Angeles City Council and the Mayor, as well as 1 elected representative from each of the 6 counties in the district, and representatives from regional transportation commissions and tribal governments.</p> <p>Summary: The majority of voting members are local elected officials. There are no citizen members.</p>

Metropolitan Planning Agencies in Minnesota

Name	Governance Structure
Duluth-Superior Metropolitan Interstate Council	<p>The Board consists of 15 local elected officials from Minnesota and Wisconsin, 2 citizens, and one representative from the Duluth Transit Authority.</p> <p>There are two citizen members, one representing the City of Duluth and one the City of Superior.</p> <p>Summary: The majority of voting members are local elected officials. There are two citizen representatives.</p>
Grand Forks - East Grand Forks Metropolitan Planning Organization	<p>The Board consists of 6 local elected officials as well as 2 representatives from the Planning Commissions of the City of Grand Forks and the City of East Grand Forks.</p> <p>Summary: The majority of voting members are local elected officials. There are no citizen representatives.</p>
Fargo-Moorhead Metropolitan Council	<p>The Board consists of 11 elected officials and 3 representatives from the Fargo and Moorhead Planning Commissions.</p> <p>Summary: The majority of voting members are elected officials. There are no citizen representatives.</p>
St. Cloud Area Planning Organization	<p>The Board consists of 11 local elected officials as well as representatives from the Central Minnesota Transportation Alliance and St. Cloud Metro Bus.</p> <p>Summary: The majority of voting members are elected officials. There are no citizen representatives.</p>
Metropolitan Council	<p>The Council consists of 16 citizens appointed by the Governor.</p> <p>Summary: All voting members are citizens. There are no elected officials on the Council.</p>
Rochester-Olmsted Council of Governments	<p>The Board consists of 16 local elected officials, including 2 representatives from school districts, and 2 citizen members.</p> <p>Summary: The majority of voting members are elected officials. There are two citizen representatives.</p>
La Crosse Area Planning Committee	<p>The Board consists of 10 local elected officials.</p> <p>Summary: All voting members are elected officials. There are no citizen representatives.</p>
Mankato/North Mankato Area Planning Organization	<p>The Board is made up of 6 local elected officials.</p> <p>Summary: All voting members are elected officials. There are no citizen representatives.</p>