Concepts in Establishing a Council of Governments

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INTRODUCTION

This report is based upon experiences relevant to the local highway coordinating board, which is now attempting to expand its scope to include matters other than transportation. Explanations will be given pertaining to the present organizational structure, the procedure for making major decisions, and the main purpose for such an organization. These will then be expanded to: (1) why a broader scope (other than the coordinated transportation planning) is necessary from the present organizational structure, and (2) some of the problems arising from an attempt to reorganize.

HIGHWAY COORDINATING BOARD ESTABLISHED

Purpose

The principal reason for the existence of the highway coordinating board is due to the Federal Aid Highway Act of 1962, which briefly states that after July 1, 1965, no financial participation will be available from the federal government on any highway project, unless such projects are based upon a continuing comprehensive transportation planning process, carried on cooperatively between the states and their local communities.

State Highway Assistance

The Urban Planning Division of the Indiana State Highway Commission, acting as consultants, assisted the local authorities toward the organization of the Fort Wayne—New Haven—Allen County Highway Coordinating Board. This was done basically to satisfy the 1962 Federal Aid Highway Act and to carry on comprehensive transportation planning.
Organizational Structure

The Administrative or Policy Committee, as diagrammed in the organizational booklet (Appendix A), was then formed consisting of chief executives of both cities and the county, a representative from the state, and one from the Bureau of Public Roads. Subsequently, this committee appointed first, a technical working committee composed of technical representatives from each of the agencies represented on the administrative committee and from such other agencies as may provide technical assistance or technical data for the preparation of the comprehensive transportation plan and the continuing planning process; and secondly, an Advisory Committee representing public and private commissions and organizations, such as the school board, railroad, transit, and airport authority, the utilities, financial institutions, the downtown association, the chamber of commerce, etc.

The organization of the highway coordinating board for the first time allowed agencies from different governmental units to meet regularly and to discuss problems of mutual concern.

Personnel Hired

In February of 1966, an executive director was employed by the City of Fort Wayne, with the agreement that Allen County would furnish a budget permitting: 1) the employment of a secretary, 2) office supplies, and 3) office space. In approximately mid-1967, two more were added to the staff: a systems computer programmer, financed by the City of Fort Wayne, and a technician-draftsman, financed by Allen County.

Duties

The duties of the programmer are to code (program) and process data to be utilized in the area transportation study. Through an agreement with the Allen County Data Processing Board, the coordinating board is authorized use of the county data processing equipment for the transportation study and its continuing phases.

It was the function of the technician-draftsman to initiate and develop a metropolitan mapping series. He also performs planning research, does drafting as needed, and acts as area representative for driveway applications on state highways within the county.

Procedures for Decision Making

The highway coordinating board formulated proper procedures for making decisions. These procedures were charted and are listed in the organizational booklet (Appendix A). A project regarding trans-
portation may be originated by anyone. The project is then introduced to the technical committee for review and necessary action. The technical committee either returns the project to the originator with advice or forwards it to the administrative committee in report form. The administrative committee, if it so chooses, may send the project to the advisory committee for consultation and advice. The advisory committee would then return the project, with comments, to the administrative committee for final decision.

*A Stimulus for the Board*

It seems that the only real catalyst or stimulus is a project or program which is being withheld from federal aid participation for one reason or another. In our case, we were suddenly faced with a project—dual laning of U.S. 30 bypass—which could not be built unless: 1) a comprehensive travel estimate, based upon projected land use, was prepared to justify the design for construction; and 2) an assurance was given that the transportation planning process was being satisfactorily conducted.

The board subsequently employed a consulting firm to review the completed study elements, to summarize their adequacy, and to prepare a comprehensive study guide. A selected link analysis was also made for the bypass, estimating travel with the use of the *1961 Origin-Destination Study and the Forecast of Future Land Use*. This satisfied the bureau, and the project was approved.

Because of this desired improvement—U.S. 30 bypass—we became better organized and the catalyst stimulated work on additional needed elements of the transportation study, conducted by the agencies represented on the technical committee and coordinated by the director and staff.

**ORGANIZATION WITH BROADER SCOPE NEEDED**

The *Comprehensive Study Guide*, which was prepared by the consultant and formally approved by the board, also contained a section on formal organization. The recommendations were as follows:

The Fort Wayne—New Haven—Allen County Highway Coordinating Board now serves as the regional agency for the Standard Metropolitan Stastistical Area (SMSA) to provide liaison and to coordinate the study elements.

*Metropolitan Planning Powers Needed*

The makeup and extent of participation in the board should be established by formal agreement. The board should have advisory powers
to make recommendations and review proposals affecting metropolitan area problems. Essentially, the board is now accomplishing these functions. However, to meet federal requirements which will affect future problems in the area, a formal organization should be established. The metropolitan agency must have the power to carry on metropolitan planning which serves as an advisory guide to local governments. This in no way implies delegation of local authority or responsibility for decision making or the approval or rejection of local projects.

Regional Planning Powers Needed

A Regional Planning Agency is now required to review sewer, water, transportation, and other grant proposals made to the federal government before the local community is eligible to receive funds. The regional agency does not approve or disapprove of local government proposals. Rather, it states whether the proposal is part of, and consistent with, the overall plan for the area.

This requirement is similar to that of the 1962 Highway Act—all cities over 50,000 population must have a metropolitan area planning program to receive federal funds for transportation, etc.

Although retaining the option of using federal funds is very desirable to our area, the primary justification for the regional planning agency is the useful role it can play—and to some extent is playing—in coordinating and reviewing projects which affect more than a single agency.

Need for Revision of Organization Not Immediately Apparent

Revision of the organization to broaden the scope of the highway coordinating board did not appear to be an immediate need since completion of the land use transportation study was being accomplished by the agencies represented on the technical committee; i.e., the land use inventory conducted by each plan commission within their jurisdictional area.

Another, an inventory of the existing major street system, for which a procedure manual was developed to insure consistency, was conducted by the district office of the Indiana State Highway Commission, the cities involved, and the county, each within their jurisdictional area.

Most other elements of the study were conducted in the same manner, with the Indiana State Highway Commission responsible for the origin-destination survey, and the Traffic Engineering Department of the City of Fort Wayne responsible for the parking inventories. Completing the study in this manner did not require application for a HUD (Department of Housing and Urban Development) grant.
Need for Revision Becomes Apparent

During the later months of 1967, the need arose for making application to HUD for a mass transit grant. This was due to notice of termination given by Fort Wayne Transit, Inc., a privately owned company, because of increasing losses in revenue.

The highway coordinating board, assisting the city council, made application in December of 1967. After a delay of two months, on February 5, 1968, a reply was received from Washington with the comment that:

"To qualify, there must exist in the Fort Wayne area an officially established agency or organizational arrangement which is authorized or designated to carry out areawide comprehensive planning."

This, then, supplied the catalyst or stimulus—a project being withheld from federal aid participation—and the push was on, for no one wanted to see the bus operation terminated in our urban area.

ESTABLISHING THE THREE RIVERS COORDINATING COUNCIL

The highway coordinating board employed an attorney whose foremost concern was to draft an agreement resolving this desperate situation.

Simple Formalization and Expansion of Highway Coordinating Board

Since we have in the highway coordinating board essentially a regional agency, the need was to formalize the arrangements between government agencies. The change needed was to expand the scope of this regional planning agency to include sewer, water and other problems with more than a local effect.

The regional agency serves a role of coordinating efforts in planning concerned with data collection, a data bank, areawide analysis, and liaison.

A draft of the organizational agreement was completed, basically patterned after that of the Falls of Ohio Metropolitan Council of Governments—Louisville Area.

The Three Rivers Coordinating Council, as it was called, was reviewed by eight different attorneys connected with the local agencies involved. There were also, as stated by our own general council, eight different drafts. This should tell us something about attorneys.
THE COUNCIL OF GOVERNMENTS

I think the best summarization of a council of governments is that given by the regional planning director of the Fox Valley urban region. Some of his comments follow:

"Governmental fragmentation in urban areas is one of the most perplexing problems facing community leaders today. In the average urban area there are several, in some cases hundreds, independent governmental units. Socially, economically, and culturally, the urban area is a common unit whose residents crisscross political boundaries every day without so much as a thought."

Two factors have recently brought forth a new focus on the metropolitan problem and the reality of these circumstances.

Citizens Aware of Local Government Fragmentation

The first factor is a growing citizen awareness of this governmental fragmentation and the need for doing something about it. This is reflected in such publications as the Committee for Economic Development's, Statement on Modernizing Local Government. The CED is a privately financed organization; its research and policy committee (made up of some of the nation's top business and industrial leaders) was very critical of local government. The basic premise of their statement was that today's local government is poorly suited to cope with the burdens imposed on all governments by the complex conditions of modern life.

A few months ago the United States Chamber of Commerce also issued a policy statement calling for modernization of local government. Among other things, it called for coordination among units of government at the metropolitan level. The chamber was particularly disturbed by the failure of local governments to adapt to changing conditions and the increasing dependence on government at the national level, a trend which is replacing local leadership and private enterprise solutions.

Federal Government Aware of Local Government Fragmentation

The second factor which has sharpened the focus on the problem of local governmental fragmentation in metropolitan areas has been the federal legislation coming out of Washington. It started with the Highway Act of 1962, was intensified with the Housing and Urban Development Act of 1965, and reached a crescendo with passage of the Demonstration Cities and Metropolitan Development Act of 1966.

The Highway Act of 1962 called for an urban, areawide, continuous
planning process in standard metropolitan statistical areas throughout the country as a requirement for receiving federal highway grants. The Housing and Urban Development Act of 1965 provided for grants for local sewer and water projects among other things, and it went a step further by requiring an officially coordinated sewer and water area-wide plan for all urban areas, whether SMSA's or not. This requirement goes into full effect July 1, 1968, as specified in the 1965 act. Early this year, HUD set the same urban, area-wide, long-range planning and short-range programming requirements as prerequisites for receiving open-space grants.

Title II of the Demonstration Cities and Metropolitan Development Act of 1966 deals with planned metropolitan development. Among other far-reaching and imaginative coordinating provisions, it calls for review of local federal grants by an urban-regional agency for comment on local project conformance with urban, area-wide plans.

In addition, the act provides for bonus grants—up to 20 percent of the project cost—to municipalities which are effectively assisting in metropolitan planning and programming, and which have been demonstrated to be of high quality.

There is also a new emphasis on programming and the direct involvement of local elected officials.

Some or all of these programs will affect your community, regardless of its particular size. If you have incorporated municipalities or unincorporated towns on your fringe, if you are in a county or in a school district, then you have the ingredients for problems of the metropolitan type.

Council of Governments for Intergovernmental Coordination

I would like to submit that a council of governments presents a workable approach to effective intergovernmental coordination in metropolitan areas.

A council of governments is a cooperative voluntary association of local units of government. It recognizes the sovereignty of the individual participating municipalities. It is organized to solve common problems. A council of governments is not a super government organized to take away people's rights and taxes.

Number of Council of Governments Increasing

The establishment of councils of governments in metropolitan areas has gained tremendous momentum around the country in the past year. They are found in 28 states, with the largest numbers occurring in California and Texas. There were, at last count, 73 councils of
government in the United States. A year ago there were less than 20. The service to regional councils, a recently established special service provided jointly by the National League of Cities and the National Association of Counties, reports that 30 additional councils are in the process of being established. The establishment of this new regional service on a national level is an indication of the rising importance of the council of governments movement.

The formation of councils of government is endorsed and encouraged by the National Municipal League, the American Association of School Administrators, and the U.S. Advisory Commission on Intergovernmental Relations.

**Purpose and Members of Council of Governments**

It is emphasized that councils of governments are not forms of government in themselves, but are a means of cooperation and communication between units of government.

They are composed of local elected officials, preferably the key elected heads of government. The direct involvement of these elected officials is a main element in a council of governments. It is an involvement which I, as a regional coordinator, welcome. There are many metropolitan plans in many metropolitan areas around the country. Unfortunately, many of the plans were DOA—dead on arrival. Once prepared they were not used at all to guide the development of the urban areas. One of the reasons was that they were prepared in a political vacuum.

A council of governments provides the opportunity to tie planning to the decision-making process. It will, perhaps, mean that our plans will not be as glorious and grandiose as they might have been, but the probability for implementation will be much greater. A council provides the opportunity to move the plans from the drawing board to the mainstream of political decision making.

**Functions of Council of Governments**

Briefly note the functions of a council of governments:

1) A council can serve as a forum for the exchange of ideas among local elected officials. In most areas there is no suitable opportunity for local elected officials to discuss, debate, agree, disagree, and/or coordinate their ideas and programs.

2) It can serve as an agency which can speak for an entire urban region.

3) It can provide technical assistance to the member units of government.
4) A council can involve itself in anything from land use planning through police protection to joint purchasing. It is not limited to physical planning. In brief, a council of governments can be, and is, a very flexible organization that can do whatever types of jobs the local officials want done.

Council of Governments also Possible in Small Urban Areas

I would like to point out that councils of governments are not the sole province of large metropolitan areas. They can be, and have been, formed successfully in small urban areas. They can be set up wherever there is interest and concern for the problem.

SUMMARY AND CONCLUSION

The need for coordinating urban services on the metropolitan level is becoming more acute. Federal legislation is recognizing this fact, and citizens of the metropolitan areas are becoming more aware of the problems of governmental fragmentation and are becoming concerned that something be done.

I submit that voluntary cooperative councils of governments are not only useful, but that they are a practical political approach toward the study and solution of the intergovernmental problems facing us today.

A problem stemming from the attempt to formally organize was exemplified in an expression to provide instead for an area planning commission, thereby consolidating the present plan commissions. This was said to conquer the planning problems more efficiently and more economically than the proposed council of governments.

Planning on an area basis is not a community’s greatest problem—the problem is the implementation of these planned regional programs. A plan commission does not directly involve the chief elected officials, while the council of governments does, thus permitting greater assurance that the regional plans can be implemented since the original decisions are made by the elected officials who, in effect, control the purse strings.

As early as 1961, a number of individuals and organizations concluded that the effectiveness of metropolitan planning had been limited by the schism between the decision-makers and the planners. The advisory commission on intergovernmental relations, for example, registered its opposition to the establishment of metropolitan planning commissions comprised solely of part-time commissioners and dominated by professional planning staffs. It saw as preferable a body including as ex officio members a small number of mayors, councilmen, and county
commissioners in the metropolitan area, as well as private citizens, with adequate authority and funds to employ the requisite staff.

The need is also, in some way, shape, manner, or form to coordinate all agencies and governmental units, including those of state and federal levels. This must involve more than just planning and planning agencies.

An area plan commission would be but a temporary solution to the reorganization problem. For example, if an urbanized area is enlarged to include other jurisdictional areas, as in such cases as the South Bend and the Indianapolis area, the same problem would then exist and face these areas once again. A complete reorganization would then be necessary in order to include these other jurisdictions. This would not be the case with the council of governments. The council of governments, since it is established on purely a voluntary basis, may simply invite another agency to the meeting table and to be included in the coordination of activities.

In summarizing these remarks, I offer again that a council of governments is a practical solution to this governing problem. The council can organize in any manner that is deemed necessary, as the sole purpose is to provide a coordinated objective.