

# Metropolitan Governance

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## INTRODUCTION

Metropolitan governance refers to the governing of metropolitan regions. This can be accomplished by a variety of mechanisms, ranging from a comprehensive metropolitan “government” to a variety of forms of cooperation among the numerous jurisdictions in a metropolitan area, which will be termed “governance” here. Over the period of modern metropolitan development, there has, accordingly, been a debate among scholars and practitioners (in government and business) between the respective virtues of a single unitary metropolitan government on the one hand and a multiplicity of independent, autonomous jurisdictions on the other. The unitary form is said to promise efficiencies of scale and greater equity throughout the metropolitan area. The polycentric form, as it has come to be called, is said to promise “public choice,” which affords area residents as well as government and business interests a variety of choices of how to govern themselves and regulate local land use. Both approaches will be outlined briefly below.

## DEFINITIONAL PROBLEMS

Policymakers and scholars generally use the White House Office of Management and Budget’s (OMB) definition of metropolitan areas, usually referred to as “metropolitan statistical areas.” This definition specifies a county or counties with a central city or contiguous cities of 50,000 or more, plus all adjacent counties that are metropolitan in character and are economically and socially integrated with the central county as measured, respectively, by density and degree of commuting between the counties. Varying portions of MSAs have, over the years, taken on various more or less formal forms to promote interlocal cooperation on regional issues and/or to meet federal policy requirements, as illustrated by Councils of Governments (COGs) and Metropolitan Planning Organizations (MPOs). (It is worth noting that such metropolitan agencies tend to significantly trail the definitions of their MSAs; metropolitan growth steadily outdistances organizational development.<sup>[1]</sup> The Atlanta MSA, for example, comprised 20 counties

until the latest census expanded it to 28, but the Atlanta Regional Commission, the area’s COG and MPO, represents only a 10-county area that was the MSA in 1970.)

## THE MODERN METROPOLIS

While there have been metropolises since ancient times, these remained confined to little more than the scope of “walking cities” until the emergence of modern transportation technologies, beginning with horse trolleys. And though the gentry has had its villas beyond the outskirts of the city since at least Roman times, it was only over the last two centuries that technological developments made suburban dwellings available to progressively broader segments of society. Railroads made possible the first remoter suburbs for the wealthy, electric trolleys the denser closer-in ones for the “common man,” and, finally, the unconfined automobile, with its steadily increasing affordability, allowed cities and suburbs to grow in all directions. Automobiles enabled the huge residential expansion of suburbs and, importantly, these were followed by trucks, which overwhelmingly enabled the commercial and industrial “sprawl,” which gave us the complex metro areas of today.

## GOVERNING IN THE METROPOLIS

The concern with governing these metropolitan areas began, not surprisingly, with their very emergence in the late 19th/early 20th centuries, as cities began to expand because of demographic pressures, an expansion, which was facilitated, indeed, encouraged by the abovementioned developments in transportation technology. Those who could afford more transportation could afford larger properties and housing farther out from the center of the city, a pattern that still characterizes metropolitan areas today. While at first a good deal of this metropolitan expansion was captured by expanding the existing city via annexation, suburbanization soon took instead the form of developers and homebuyers creating their own independent jurisdictions. This creation of multiple autonomous suburban “small republics”<sup>[2,3]</sup> came about, in part, because of Americans’ antiurban bias, the lower prices of land

beyond the city limits, and the highways and home mortgages created and promoted by the federal government (mobilized, in turn, by automobile, banking, construction, and a host of related lobbying groups).<sup>[4]</sup> In addition, many states liberalized incorporation policies and made annexation more difficult for central cities. This created the polycentric metropolitan areas championed by public choice scholars.<sup>[5]</sup>

There is, therefore, a certain aptness to the increasingly strong federal incentives for regional approaches insofar as the major problems that need to be addressed regionally can be said to have been produced by the federal government's highway and housing policies (interstates and mortgages), as noted. States, too, have taken up the cause, promoting various "smart growth" policies.

Thus, while in 1898, New York was still able to form a metropolitan government by consolidating Manhattan with five suburban counties into "Greater New York," subsequent efforts to expand and increase regional government have been stymied by suburban interests maintaining their own power and autonomy.

But by the time suburbanization reached an early crest, in the 1950s, many of these suburban authorities recognized the necessity of joint solutions for regional issues and problems, and between that recognition and the knowledge that if they, the local authorities, did not act voluntarily, a higher level of government would impose its authority on them, local leaders began to create regional conferences at which city and county officials could voluntarily negotiate certain regional policies. The first of these, which would become known as COGs, emerged among the counties around Detroit in 1954, with others following around Washington, DC and the Puget Sound in 1957. The initial ones may have been influenced by federal housing legislation, which established a regional planning assistance program in 1954; the many COGs formed in the 1960s certainly were responding to federal highway and housing legislation that mandated regional approaches.<sup>[6]</sup>

For example, the 1959 Housing Act called for regional jurisdictions; the 1962 Federal-Aid Highway Act mandated a regional approach to transportation planning; and the 1965 Housing and Urban Development Act specified that the new department could make grants to regional councils. The 1966 Demonstration Cities and Metropolitan Development (Model Cities) Act required certain federal grant applications to be reviewed by metropolitan review agencies, as did the Intergovernmental Cooperation Act of 1968. This process was codified and strengthened by OMB's 1969 Circular A-95, which enhanced regional cooperation somewhat.<sup>[7]</sup>

The A-95 regional review process was abolished in the 1980s, and with it even the little regional work the COGs did was further diminished. (COGs have

pursued less "political" activities like infrastructure improvements and stayed away from social program areas such as housing, health, and welfare).<sup>[8]</sup> But new federal legislation has called for new regional goals. The Clean Air Act Amendments of 1990 placed requirements on metropolitan transportation planning. The Intermodal Surface Transportation Efficiency Act of 1991 and its successor Transportation Equity Act for the 21st Century require metropolitan areas to have a designated MPO. By imposing air quality standards and freeing up gasoline taxes for uses other than highways, this legislation in combination has fostered a certain amount of metropolitan governance by giving MPOs more power.

This has been the case in the Los Angeles area, where the Southern California Association of Governments, a COG, has taken over the transportation role of an MPO, which works together with a largely coterminous special district covering five counties, 200 cities, as well as numerous other local governments, the South Coast Air Quality Management District.<sup>[9]</sup> A similar district, combining pollution and transportation management as well as limited land-use controls, was created around Atlanta in 1999, extending beyond the existing MPO, which had grown out of a COG, by three additional counties that fell afoul of air quality standards.<sup>[10]</sup>

These examples do not constitute full-scale, comprehensive metropolitan government, but they have raised the metropolitanwide salience of issues that allows regional residents and their leaders to recognize that, despite the hundreds of governments and often 3000 or more square miles of such metropolitan areas, they indeed share a region and a common set of interests.<sup>[11]</sup> And while there are areas that have opted for some form of genuine metropolitan government to address such issues, the vast majority have relied on more limited forms of metropolitan governance. Regionwide cooperation usually requires incentives from higher up, as illustrated by the Minnesota and Portland cases below and MPOs generally; local governments may work together if they perceive that they will all share losses, as in common pool resources such as air and water, but they do not see such losses coming from sprawl and are generally not willing to adopt, for example, metrowide land-use policies (as illustrated by the failure of Atlanta's metropolitan district to do this).

## METROPOLITAN GOVERNMENT

The idea of a single unitary metropolitan government, which would provide all (urban) services to everyone in the metropolitan area, is one that emerged out of the progressive movement of the early 20th century, which promoted business values that claimed that metropolitan

centralization would bring benefits of economy and efficiency, thanks to its larger scale.<sup>[12]</sup> And though research has not supported this claim, this literature's other claim, that the polycentric approach of many "small republics" exacerbates the segregation of rich and poor and of minorities, has some evidence supporting it and thus also supports the claim of metropolitan government advocates for its greater equity.<sup>[13]</sup>

Those areas in which actual new, larger-scale governments have been formed can be viewed as having taken place in one, two, and three tiers.<sup>[14]</sup> A one-tier system is a consolidation, which peaked with the integration of Greater New York's five boroughs in 1898 (following the previous consolidation of Manhattan and New York Borough). But most of the more recent examples have been just partially complete consolidations of a central city with its county, which tends to cover only a small proportion of the actual metropolitan area.<sup>[15]</sup>

In some cases, these consolidations are more akin to a two-tiered system such as that in Miami-Dade (1957), known as "Metro," in which the county provides some services, while the remaining 27 cities provide others (leaving unincorporated county residents somewhat short on services). The three-tier system, which extends beyond a single county and is thus the closest to any real form of metropolitan government, is exemplified only by Minnesota's Twin Cities and Portland, Oregon.

Here neither existing cities nor counties are eliminated or merged, but a whole new third level is added, like a legislatively empowered COG or MPO, in the form of an areawide coordinating agency. The Portland Metropolitan Service District ("Metro"), for example, covers 3 counties and 24 cities, originally with responsibilities for waste disposal, zoo administration, and other services. In 1992, voters gave it a home-rule charter and expanded its authority to regional planning via land-use control as well as an affordable housing plan.<sup>[16]</sup> This "Metro" is the only directly elected regional government in the U.S.A. The Twin Cities Metropolitan Council ("Met"), though its members are appointed by the governor, has similar powers and can levy property taxes and issue bonds, and it oversees sewers and waste management, protection of open spaces, and the development of sports facilities, and it also serves as the region's housing authority. The metro transit and airport commissions were placed under its authority. It likewise has land-use powers and, perhaps, most unusually, a tax-sharing plan among cities.<sup>[17]</sup> The near metropolitan governments of the Twin Cities and Portland areas did not emerge out of local initiative and cooperation (any more than the Greater New York consolidation did), but were created by their respective state legislatures.

While this latter approach aspires to, and, to some extent, achieves, more regionwide equity (and perhaps efficiency), the one-tier consolidation approach tends

to give more power to suburban interests.<sup>[18]</sup> Of course, this comes at the expense of city residents, as minority representatives have been quick to point out, which thus raises issues of representation in metropolitan areas.<sup>[19]</sup> There is the "one-government, one-vote" side, and the "representation by population" side, with the former favoring suburbs and the latter cities. (A US District Court has ruled that the "one person, one vote" does not apply to COGs or other such voluntary organizations as they are not governments as such).<sup>[20]</sup> This is another factor discouraging the creation of more actual metropolitan governments, as these would then come under the Supreme Court's "one person, one vote" dictum.

## THE POLYCENTRIC METROPOLIS

This "tier" approach is the best shorthand for summing up the governmental side, but it obviously applies to very limited areas (counties) and cases (the Portland and Twin Cities metros). What prevails broadly across the rest of the country's metropolitan areas is what has increasingly been called "regional governance," with a focus on enhanced cooperation and collaboration among the countless "small republics." There is in American political culture a clear preference for such self-government and local autonomy, and it gained its academic legs with the "public choice" theory that emerged in the 1950s.<sup>[21]</sup>

These "small republics" have been able to sustain themselves autonomously by a number of service arrangements like interlocal contracting. This is federalism writ small across metropolitan America: Citizens of a small city keep their autonomy by entering a contract (it is worth remembering that the concept of federalism comes from the Latin "foedus" for "compact"<sup>[22]</sup>) with a larger city or the county for services they do not want to produce or provide themselves. The classic example of such contracting is the "Lakewood Plan." To avoid being annexed by Los Angeles, a number of suburban residents incorporated cities in the mid-50s, Lakewood the first of these, and bought services such as water and sewerage, among many others, from the county. As this illustrates, it bears repeating that in metropolitan areas real "public" choice only goes to some publics—those who can afford to choose in the suburbs—often practicing "exclusionary" zoning, and not those in the city.<sup>[23]</sup>

One of the earliest studies of how such separate jurisdictions operate autonomously and at the same time deal cooperatively with metropolitan issues analyzed intergovernmental relations in the Quad cities in Illinois and Iowa.<sup>[24]</sup> Here public officials and business leaders whose operations transcended local jurisdictions promoted cooperative governance in a limited

set of areas: they all share an airport in one city, a museum in another, a municipal art gallery in a third, and a hospital in a fourth. On the other hand, there is also the older “Tri-City Symphony” and a metro area minor league baseball team. The metro area business interests have promoted metropolitan government, but, of course, local officials (and residents) have shown no interest. Area residents prefer to retain their city identity, but they seem happy to identify with their metro area. Insofar as this may amount to metropolitan governance, it is limited chiefly to economic issues.

## CONCLUSIONS

While metropolitan government advocates stress social equity, attempts at regional governance, as in consolidations, are more often driven by economic motives and spearheaded by area business leaders, chambers of commerce, non-profit organizations, and other such agents. As noted, business interests have thus become advocates for regional governance—they have recognized that the economic climate depends on a environmental factors such as clean air and water and “amenities” like easy commuting.<sup>[25]</sup> Business interests have advocated metropolitan cooperation, but they have also promoted the creation of metropolitan area special purpose districts to address what they see as the primary issues (regional transportation and water districts in Georgia, for example).<sup>[26]</sup>

Given the economic commons metropolitan areas represent,<sup>[27]</sup> it would appear that, while more suburban governments will continue to be created, these economic pressures and other regional interests will promote increasingly cooperative governance. Many scholars see these pressures and interests leading to a “new regionalism,” in networks of business, non-profits, and governments, with positive efforts to address the environment, poverty and inequity, governmental inefficiencies, and regional competitiveness.<sup>[28]</sup>

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