

MINORITY REPORT

The Task Force spent a great deal of time reviewing the history of the Metropolitan Council, its scope of responsibility and looking at other regional governance. It became clear early on that a Council of Governments (COG) and a version of an elected model were the two that garnered the most interest and support. While no model examined was able to gain a majority of the votes, **a group of task force members (referred to as “we”) believes our regional government should be formed under a Modified COG structure and that the Metropolitan Council should not be permitted to operate under a Home Rule Charter.**

Why is Governance Change Needed

There is a perception that the Metropolitan Council lacks accountability to those they serve. This long-standing perception has prompted several governance studies by various groups since the Council’s inception. Our public engagement sessions highlighted the diverse perspectives and concerns between the urban and suburban communities. Despite those differences of opinion, there was agreement that the current governance of the Metropolitan Council was not meeting the needs of the cities, counties, and residents they are required to serve. This task force has been charged by the legislature with developing a governance model that can better respond to the needs of the entire metro region. A few items that were identified in the process:

- Met Council members are accountable to only the Governor
Currently the Governor appoints a nominations committee to recommend candidates to the Governor for appointment. The Governor may choose to appoint one of the recommended candidates or select someone that did not participate in the nominations process. With members serving at the “pleasure of the Governor”¹ and the Chair being part of the Governor’s cabinet, the Metropolitan Council is a partisan body of the Governor’s party and agenda rather than being a representative body of the communities it serves.
- Met Council Representatives districts are too large
According to the 2020 census, which was the basis for the current Met Council districts, the population of the 7-County Metro Area was approximately 3.16M residents. This means a Metropolitan Council member represents 197, 500 residents; the equivalent of 2.3 State Senate districts and is 4.6 times larger than a State House district. Our research showed larger regional governments are effective, more responsive to the communities they serve and can overcome parochial concerns in a collaborative manner.

¹ MN Statute Sec 473.123

- There is a conflict of interest with the Met Council acting as the MPO and operator of Metro Transit in allocating Federal Funds
Federal law requires that Metropolitan Planning Organizations (MPOs) be designated in regions with more than 50,000 in population. Metropolitan Planning Organizations are responsible for multimodal transportation planning, providing an ongoing, cooperative regional planning process, and approving federal transportation funds for expenditure within the region. The Met Council is the only MPO that is responsible for both planning for transportation and operating a regional transit provider. In addition, the Twin Cities is the only comparable region with multiple transit providers, serving predominately suburban communities, that competes directly with Metro Transit. These issues raise credibility concerns of decisions as to whether the Met Council prioritizes funding for projects that will benefit its own operations over other options.
- The scope of the Metropolitan Council is too broad
We heard from local governments and residents that the scope of the Met Council is too broad. Local governments have commented that the Met Council's land use requirements usurp the authority of cities and counties to develop in a manner that best meets the needs of its residents, achieve economic development goals, or can conflict with other state agencies. Suburban transit providers and residents raised concerns and dissatisfaction with the Council's performance as operator of Metro Transit. Members of the task force questioned whether some services, like affordable housing vouchers and grants, are better managed by other state or local agencies. The legislature and governor in the most recent legislative session gave more direct funding and decision-making authority to local governments due to accountability concerns of the Met Council. The current governance structure does not facilitate the discussion regarding the appropriate scope and authority the Met Council should have.

Why a Modified COG:

We recommend the Metropolitan be reorganized as a Modified Council of Governments (COG). The Modified COG allows local governments and residents, through their existing elected officials, to have a direct voice in the planning and implementation of strategies for the 7-County Metro area.

- Proportional – the 33 districts will be defined by population to ensure each member represents the same population.
- Smaller Districts – Having smaller districts, just slightly larger than a current Senate district, will mean councilors will be more focused and more accessible to the areas they serve.

- More Perspectives Represented – More districts and County participation encourages collaboration and tempers concerns that a single parochial issue can stall the work of the Met Council, yet still allows all points of view to be considered.
- Non-Partisan – Our 7-County Metro area is represented by members of both parties. The Modified COG will assure that decisions will be bipartisan and in the best interest of the region.
- Locally Selected Representation – the Modified COG ensures that representatives serving on the Met Council are selected by the communities they serve.
- Credibility & Transparency -The Modified COG proposal requires communities and councilors meet quarterly in an open meeting to discuss issues relating to the Metropolitan Council, giving district residents the opportunity to voice their concerns.
- Accountability & Consistency - Requiring Council Members to also be elected local officials adds a layer of accountability and reduces the possibility of major swings in regional planning philosophy or abrupt changes in policy.
- Scope – Locally-elected officials are best suited to evaluate which responsibilities and services should be managed by the regional body and which should be assigned to other authorities.

Concerns with Directly Elected Metropolitan Council Representatives

The proposals to directly elect representatives to the Metropolitan Council address many of the issues raised in discussions of why a governance change is needed yet brings new concerns and issues that can't be addressed by legislation. These concerns include:

- Partisanship – local elections for non-partisan offices are becoming more partisan. Local party units are endorsing or recommending candidates for county commissioner, city council and school board seats. This has been a practice in the cities of Minneapolis and St. Paul, and the practice is now spreading to the suburbs. Simply calling these seats as non-partisan will not prevent partisan races.
- Special Interest Influence – Given the authority of the Metropolitan Council, it is expected that special interest groups will provide campaign contributions and independent expenditures on behalf of candidates who support their interests. A review of the Portland Metro campaign finance reports shows that contributions from PACs and out-of-state residents are used to help elect and influence representatives. Metropolitan Councilors should be accountable to the communities they serve, not their contributors.
- Accountability – A concern raised in our public listening sessions is that voter engagement for some “down ballot races” is already low. During the Minneapolis session, several testifiers stated a local race for judges and park board had a 30% voter turnout, and questioned whether the winner was truly representative of the public at large.
- Lack of Collaboration - During the Portland presentation, Metro President Lynn Peterson describe tension between the council and local communities. Having a separately elected

board and separate layer of government fails to structurally foster cooperation with other locally elected officials.

- Lack of connection to state and local governments – A directly elected Met Council would not have any responsibility to cities, counties, state, or federal governments. The directly elected council could stop current projects with no regard to the impact it has on local or state government budgets. The governor already must fight with the legislature over many issues but has leverage to make the fight fair. The governor (or state legislature) would not have any leverage over a directly elected council.

There is significant concern that an elected or hybrid-elected Met Council effectively creates a “Mini Legislature” which would disenfranchise the authority of locally elected city, county, and Township officials. Local government units, the State Legislature and Governor would have much less recourse to shape taxation and regional policy that an elected board could impose. We also are not convinced that an elected council creates the accountability and transparency that task force members and community input have said is needed.

In conclusion, this report is the latest example of many previous reports to the legislature that failed to come to consensus on a specific recommendation for a change to the governance model of the Met Council. No major governance changes have occurred to the Met Council and the status quo has continued to prevail. It is disappointing that the taskforce chose to put forward a report that does not give clear direction for change to the governance model to the legislature who created the Met Council and has the true power to make the changes to the Met Council.

Respectfully Submitted By:

Senator Eric Pratt

Senator Julia Coleman

Rep. Jon Koznick

Rep. Mark Wiens

Commissioner Karla Bigham

Jeff Reed