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Working Paper 2007-17



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BUILDING RESILIENT REGIONS

**GOING REGIONAL:
Community-based
Regionalism,
Transportation, and
Local Hiring Agreements**

Todd Swanstrom and Brian Banks

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UNIVERSITY OF CALIFORNIA

GOING REGIONAL: COMMUNITY-BASED REGIONALISM, TRANSPORTATION, AND LOCAL HIRING AGREEMENTS

Abstract: Community-based regionalism (CBR) is the attempt by community-based organizations (CBOs) to reorient regional policies to benefit disadvantaged communities. Advocates of CBR have mostly called not for regional governments but for collaborative regional governance processes. This article examines the efforts of (CBOs) to form regional governance processes that target jobs from federally funded transportation projects to disadvantaged communities. Transportation policy has long been dominated by a policy monopoly centered on state departments of transportation and their highway engineers. By balancing conflict and collaboration, entrepreneurial CBOs have been able to penetrate this policy monopoly and negotiate successful local hiring agreements using collaborative regional governance processes. We conclude that success will be limited, however, without supportive federal and state policies.

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In 1996, after listening to a presentation by Myron Orfield, the Gamaliel Foundation, a network of more than 40 regional coalitions of congregation-based community organizations, adopted a “regional equity organizing” agenda linking the problems of central city and inner suburban communities to regional dynamics. Gamaliel’s 2001 “Statement on Regional Organizing” aptly expresses the main argument for community organizations “going regional.”

When [community organizing] was first developed, many political and economic decisions were made in or near the community in which people lived and worked Now, most important decisions are being made at a regional, national, and global level. The power and significance of a neighborhood group has diminished. The Gamaliel Foundation encourages and assists in the creation of large metropolitan organizations that bridge divisions of race, class and political boundaries (quoted in Kleidman 2004).

Orfield (1997) originally argued that regional equity would be driven by alliances of central cities and fiscally stressed inner-ring suburbs. But central city/suburban coalitions of this type have not enjoyed much success (Weir, Wolman, and Swanstrom 2005). In place of a municipally driven regionalism, scholars and activists have proposed that community-based organizations (CBOs) serve as the agents of regional reform (Pastor 2001; Weir, Wolman, and Swanstrom 2005; Pastor, Benner & Matsuoka 2006; Rast 2006). Scott Bernstein, Founder of the Center for Neighborhood Technology in Chicago, coined the term “community-based regionalism” (CBR) to refer to this approach (Bernstein 1997).¹ Under CBR grassroots organizations form regional coalitions to pressure corporate and governmental elites to redirect jobs, investments, and tax revenues back to disadvantaged neighborhoods in central cities and inner-ring suburbs.

Few would argue with the proposition that it is increasingly difficult for individual neighborhoods, or even cities, to control their own fates. Many maintain that regional approaches are necessary to address spatial inequities, including central city decline, concentrated poverty,

and racial disparities (Rusk, 1999; 2003; Orfield 1998; 2002; Pastor, et al 2000; Weir 2005; powell 2000; Dreier, Mollenkopf and Swanstrom 2005). Neighborhood decline, they argue, is rooted in regional dynamics, including the divorce of needs from fiscal resources, job-housing mismatches, and concentrated poverty, with all of its negative contextual effects. In many regions the number of new housing units being built on the urban fringe, with the help of public subsidies, exceeds the formation of new households (Watson 2007). The inevitable result is housing abandonment at the end of the filtering chain in the urban core. David Rusk (1999) argues that the inside game of community development will fail without an outside game of regional reform (see also Nowak, 1997).

We believe the evidence is strong that CBOs would be more successful if regional development patterns were altered. Where scholars disagree, and where the evidence is much thinner, is on the political sustainability of CBR. We now have over a decade of experience of CBOs going regional to test the political viability of community-based regionalism.² In this study, we examine a series of related cases of CBR, focusing on the ability of CBOs to leverage construction jobs for disadvantaged communities from regional transportation policies. The case studies are based on publicly available data, newspaper articles, government documents, and extensive interviews with key decision makers and activists. We begin by reviewing the literature on the advantages and disadvantages of CBR as a political strategy.

Community-Based Regionalism and the Dilemma of Scale

Instead of focusing on resource allocation, critics emphasize the damaging effects of regionalism on democratic political processes and the power of disadvantaged groups. Critics of the new regionalism argue that moving decision making up to the regional scale will disempower minorities and poor neighborhoods and will worsen inequalities. African Americans would be better served working through existing political arrangements rather than diluting their power in regional forums or futilely attempting to move to exclusionary suburbs (Piven and Cloward 1972; Thompson 1998; 2002; Savitch and Vogel 2004; Imbroscio 2006).

As a result of the conflict between the economic arguments for CBR and the political arguments against it, grassroots activists find themselves facing a classical dilemma of scale, one that has bedeviled democratic theorists for centuries: geographically extended decision making arenas can address more significant issues and mobilize greater resources, but they also make decision making more remote and often empower experts at the expense of ordinary citizens (Kling & Posner 1990).³

For the most part, the critics of new regionalism have directed their fire at proposals for new regional governments. The evidence that regional governments have supported promoted greater equity is mixed at best.⁴ But advocates of CBR have not, for the most part, supported regional *governments* but regional *governance*. Savitch and Vogel define regional governance as a process of “mutual adjustment, wherein public and private actors find ways to address issues of regional concern without the creation of formal metropolitan government” (Savitch and Vogel 1996, 279).⁵

Advocates of regional governance argue that it has significant advantages over formal governments. In the planning literature governance is identified with a collaborative style of planning (Healy 1997; Innes and Booher 2002; Innes and Gruber 2005). Informal collaborations are viewed as having three advantages:

- 1) **Cooperation Across Governments:** Many issues, such as air pollution, traffic congestion, and affordable housing, cut across municipal boundaries. They require regional solutions, such as linking the unemployed or underemployed persons from inner cities and disadvantaged suburbs to dynamic centers of job growth in the region is crucial to successful workforce development policies (Melendez & Borges-Mende 2007).
- 2) **Collaboration Across Sectors:** Collaboration among public, private, and nonprofit actors can increase the effectiveness of policies. In effect, nonprofit and private organizations can coproduce policies, thereby making them more responsive and cost-effective. A good example is the use of community-based “workforce intermediaries” to

link job seekers in disadvantaged neighborhoods to job opportunities (Dresser and Rogers 2003; Giloth 2004; Benner, Leete & Pastor 2007).

2) **Coordination Across Functions:** Regional governments often approach issues through narrow bureaucratic silos, or pillars, that perpetuate the status quo (Weir 2005). Informal collaborations involving diverse stakeholders can devise creative solutions that transcend bureaucratic specializations. Using federal transportation policies to fund employment programs that address labor shortages and target jobs to disadvantaged communities is a good example of the synergies that can be achieved by planning across functions.

In short, the literature suggests that by participating in regional governance processes, CBOs can slip between the horns of the dilemma of scale.⁶ Participating in informal collaborations at the regional scale can enable CBOs to influence the larger processes that impact their neighborhoods without creating remote top-down regional governments. The literature on regional governance processes is highly normative, even hortatory, implicitly assuming that the advantages of regional collaboration will be enough to carry the day. However, regional collaboration, especially collaboration that addresses equity issues, is inherently political. There is a small but growing literature on the politics of CBR that looks both at the internal resources that CBOs need to succeed at the regional level and the external factors that contribute to the success of regional collaborations.

Barriers to Community-Based Regional Governance

Moving up to the regional scale presents special challenges for CBOs. First, they must be strong enough to sustain a regional campaign that will often take longer than a neighborhood campaign and will require a broader coalition.⁷ One of the problems in CBR is finding targets of opportunity to organize against. Lacking a regional government with formal systems of representation regional decision making is often hard to locate and when it is located it is often ensconced in bureaucratic structures that are hostile to citizen participation. CBOs must also

convince their supporters that decisions made by remote regional authorities make a difference in their neighborhoods. In the words of longtime Gamaliel organizer Mike Kruglik, it is “hard to get people to think in a way that is not parochial; really believing in their heart, their gut, that what happens elsewhere in the region affects their community” (quoted in Kleidman 2004, 417).

The literature on regional governance stresses the importance of collaboration. If CBOs are going to coproduce public policies, they need to establish relations of collaboration and trust. “But getting what neighborhoods need from regional decision makers ... can be a resolutely political process” (Pastor, Benner & Matsuoka 2006, 83). As the title of one study put it: Collaboration is not enough” (Weir, Rongerude & Ansell 2007b). Conflict is as important as collaboration. CBOs must walk a fine line between conflict and collaboration.

Scholars have also begun to examine the external factors that affect the success of CBR. In their detailed study of transportation planning, Judith Innes and Judith Gruber argue that collaborative processes are undermined by federal grants restricted to narrow formulas, elected officials who earmark funds for specific projects, complex technical requirements for planning, and the general lack of inclusiveness in planning agencies (Innes and Gruber 2005, 186). Since passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991 regional policy networks around transportation have become much more diverse and inclusive. However, these networks are rarely empowered to shape transportation policy (Weir, Rongerude & Ansell 2007a; Swanstrom 2007).

In a series of papers Margaret Weir and colleagues (Weir 2005; Weir & Rongerude 2007; Weir, Rongerude & Ansell 2007a) argue that the focus in the literature on horizontal cooperation within regions fails to take into account the importance of vertical relations that span levels of government in the American federal system. After examining the varying success of governance networks around transportation in Chicago and Los Angeles, Weir and her colleagues concluded that “the reform network’s ability to exercise vertical power is a critical component in carving out the space for regional governance” (Weir, Rongerude & Ansell 2007, 27).

The idea is not just that CBOs engage in venue shopping (Baumgartner & Jones 1993), i.e., jumping to another level of government when thwarted at one level. Rather, the ability to exert power at other levels is important because it affects the ability of CBOs to form effective collaborations at the regional scale. Political organizations influence policies and then these policies, in turn, influence their ability to organize and influence future policies (Weir 1992; Pierson 1993). Policies can stigmatize groups as undeserving or legitimize their claims to access and influence. Welfare policies, for example, discouraged civic engagement whereas Social Security helped to create “senior citizens” as one of the most powerful constituencies in the nation (Campbell 2003). As Mara Sydney argued in her insightful study of federal community reinvestment and fair housing laws, policy designs can “channel future political battles in particular directions” and “create movements by delineating a target group for government benefits or burdens” (Sidney 2003, 10 and 15). “Policy thus creates constituencies and the terrain on which strategies are made” (Meyer 2003, 9).

We now turn to examine efforts of CBOs to gain jobs for disadvantaged communities from large regional transportation projects. These cases test the political viability of CBR and the hypotheses about the importance of vertical relations and policy feedback.

The Alameda Corridor: Local Initiative Meets Federal Barrier

The story of local hiring agreements on federal transportation projects is a process that has moved up and down the federal ladder – from regional to federal to state and then back to the regional scale (Map 1). In the late 1990s the Alameda Corridor project in Los Angeles included an innovative local workforce agreement that successfully targeted jobs to needy local residents. The transportation Equity Network (TEN), a national coalition of grassroots groups, wanted to spread the Alameda model around the country, but federal officials vetoed the use of federal transportation monies for targeted hiring. In order to circumvent this obstacle, TEN lobbied to include language supporting local hiring agreements in the 2005 reauthorization of federal transportation law, the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy

for Users (SAFETEA-LU). This language was then used by CBOs around the country to legitimize campaigns for local workforce hiring agreements.

INSERT MAP 1 HERE.

Approximately one-third of all international waterborne trade into the United States moves through the ports of Los Angeles and Long Beach. About half of the goods move by train, but often the rail yards were miles from the wharfs where the goods were unloaded. Moreover, the rail lines crossed over 200 city streets at grade. The truck traffic backed up, creating delays and air pollution hot spots. The two ports proposed a plan to “consolidate over ninety miles of rail lines into a single, uninterrupted, high speed, grade-separated rail system” (Erie 2004: 149). Stretching 21 miles parallel to Alameda Street from the ports on San Pedro Bay to the rail yards in downtown Los Angeles, the project eliminated all at-grade crossings through a 35-foot deep trench and a series of bridges. The nation’s largest intermodal project was politically popular because it would cut train delays by 75 percent, train noise by 90 percent, and reduce air pollution by lessening train and truck delays (Erie 2004: 151).

The Alameda Corridor ran through some of the poorest neighborhoods in the Los Angeles region and local communities wanted to insure that they would benefit from the project.⁸ In 1997 a group of CBOs in the area met to learn more about the project. The Century Freeway project in L.A. had taught activists how to use legal tactics to squeeze community benefits out of large federal projects.⁹ In September 1997 an alliance of about 40 CBOs created the Alameda Corridor Jobs Coalition (ACJC), a 501c(3). ACJC wanted jobs on the project targeted to the communities it was to pass through. A number of cities in the Alameda Corridor filed lawsuits, including the city of Compton, threatening to delay the project.

Because the project cut across a number of local jurisdictions, the cities of Los Angeles and Long Beach created a regional institution, the Alameda Corridor Transportation Authority (ACTA), to carry it out. The sixteen-member ACTA board represented eight cities directly affected by the project as well as the two ports and other regional organizations concerned with

transportation planning. Undoubtedly concerned about delays, ACTA convened the stakeholders in the region to devise a mutually agreeable solution. Erie (2004) argues that the creation of a regional authority like ACTA, far from harming regional governance, facilitated the process of negotiating a local workforce hiring agreement by centralizing bargaining. The CBOs knew where to apply pressure and once the agreement was signed ACTA could deliver.

On March 12, 1998 ACTA announced an historic agreement promising that at least 30 percent of the work hours in the project would be reserved for residents of the 30 zip codes bordering the project. According to Dennis Rockway of the Legal Aide Foundation of Long Beach, “This is the largest local hiring plan of any public works project in the history of the United States” (quoted in Erie 2004, 161).

The role of CBOs in coproducing job training services was significant. ACJC spun-off a separate corporation, ACJC TEC (Training and Employment Corporation) that was awarded a \$7.5 million contract to do the outreach, hiring, and training (about \$7,500 per participant). ACJC TEC contracted with eight CBOs to recruit willing and able workers. As one report put it: “The best recruiters are grassroots organizations that have gained the trust of the neighborhoods and communities in which they operate” (Rubin and Slater 2005: 33). All in all, 9,861 corridor residents were contacted. A three-part panel consisting of representatives from the construction industry, job training centers, and CBOs interviewed the applicants for acceptance to a preapprenticeship program that provided training for skills, such as basic math, necessary for success in the construction industry. In the fourth week of the preapprenticeship program participants began receiving a minimum wage. They also had access to a wide array of support services, including child care vouchers, transportation allowances, car loans (up to \$2,400), free tools, help in reinstating their driver’s licenses, and clothing allowances.

Collaborative governance succeeded. The project exceeded its goals: workers from the surrounding low-income zip codes performed 31 percent of all hours on the Mid-Corridor project. In addition, 1,281 corridor residents graduated from one of the training programs and 710

graduates were placed in construction jobs. Of the 880 graduating from the preapprenticeship program, 190 were former welfare recipients and 373 were ex-offenders. The prime contractor, Tutor-Saliba, praised the agreement for helping to eliminate the delays and conflicts that normally plague large construction projects.

The Alameda Corridor is a clear case of regional governance as we defined it. The project involved collaboration among a range of local governmental authorities. It used community-based workforce intermediaries to coproduce job training services, linking disadvantaged neighborhoods to job opportunities. Finally, it cut across policy silos, forcing transportation planners to think about job training and job trainers to think about transportation. The question remained, however, could the Alameda model be replicated in other metropolitan areas around the country?

Jumping Scale: CBOs “Go Federal”

Local workforce development is a high priority for many CBOs that work in communities with high unemployment. Construction jobs pay decent salaries, averaging \$19.23 an hour in 2004 (Bureau of Labor Statistics 2006-07), despite the fact that less than 10 percent of construction workers have a college degree (Mishel, Bernstein & Allegretto 2005, 173). The U. S. Department of Labor estimates that due to job growth and openings due to retirements, the construction industry will need to recruit and train on average 245,900 new construction workers each year (Hecker 2005). Federally funded construction sites are especially inviting targets for local hiring agreements because they pay Davis-Bacon prevailing wages and are subject to the claim that publicly funded projects should generate public benefits. With guaranteed funding of \$244 billion, SAFETEA-LU will generate over 1.9 million direct, on-site construction jobs over five years.¹⁰

Activists wanted to apply the Alameda model to federal transportation projects in regions around the nation, but they faced major obstacles. Federal transportation policy had long been dominated by what political scientists call a policy monopoly (Baumgartner and Jones 1993, 6-9).

Sometimes referred to as iron triangles or subgovernments, policy monopolies restrict access to the policy process by insulating decision making behind specialized bureaucratic structures. Lack of citizen participation is justified by ideas that frame the policy in ways that privilege industry insiders and experts, often based on claims of technical expertise. Transportation in the United States has long been situated in a policy monopoly dominated by state highway departments and their engineers. Privileging highways over public transit the policy monopoly has been buttressed by a progrowth coalition, closely allied to the homebuilding industry, that rewards members through jobs, campaign contributions, and advance knowledge of siting (Altshuler 1965; Caro 1974; Mollenkopf 1983).

In 1991 Congress passed the Intermodal Surface Transportation Efficiency Act (ISTEA), an intentional effort to break open the transportation policy monopoly by empowering other interests to play a role in setting policy, including environmentalists, minorities, and low-income communities. It did this principally by allowing more funds to be “flexed” from highways to mass transit and giving more power to metropolitan planning organizations (MPOs). Reauthorized in 1998 (TEA-21) and 2005 (SAFETEA-LU), the new model for federal transportation policy has changed transportation policy only at the margins. State highway departments and their engineers still dominate decision making and little money has been flexed from highways to transit (Puentes and Bailey 2005).

Efforts by grassroots groups to influence federal transportation policy go back to 1987 but they were not institutionalized until the formation of the Transportation Equity Network (TEN) in 1997. At its peak leading up to passage of SAFETEA-LU in 2005 TEN included about 300 grassroots groups. A much smaller core, however, led the TEN effort, including ACJC and the Gamaliel Foundation. TEN has worked to reframe national transportation policy away from an exclusive focus on moving people and goods to viewing transportation policy as having multiple goals, including community revitalization, poverty reduction, and environmental enhancement.

TEN had a number of priorities in the run-up to SAFETEA-LU, including targeting jobs from federal transportation projects to low-income and minority communities. But the General Counsel of U.S. DOT had prohibited the use of federal transportation funds for local hiring agreements on both statutory and constitutional grounds.¹¹ DOT argued that competitive bidding requirements for DOT-funded projects prohibit local hiring agreements. Federal officials also based their ban on the grounds that community workforce agreements violate the Privileges and Immunities Clause of the U.S. Constitution: “The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several states.” (Article IV, Section 2) According to this interpretation, a local hiring agreement requiring the contractor to hire from certain neighborhoods would discriminate against residents of another state. The Alameda project had been able to get around this prohibition by restricting the local hiring to the 80 percent of the project that was state funded. Most large transportation projects are funded by the federal government.

TEN saw three choices for removing the federal prohibition on community workforce agreements: 1) amend the regulations implementing federal transportation law; 2) change the interpretation of these regulations; 3) persuade Congress to amend the law. Given TEN’s inability to influence the Bush Administration’s rulemaking or legal interpretations, TEN decided that the best approach would be to persuade Congress to revise the law.

Representative Juanita Millender-McDonald (Dem., CA), whose district included the Alameda Corridor, wrote an amendment that would have required all contractors on projects over \$10 million to submit a plan to the state DOT “to establish a job training and community workforce development program” and provide assurances that they would make a “best effort” to direct not less than 30 percent of total hours worked on the project to local residents. The amendment called for extensive data collection and dissemination and enabled states to reward contractors who met the hiring goal by giving them priority on future contracts.¹²

Like most legislation, federal transportation policy is primarily written in committee – in this case the House Transportation and Infrastructure Committee and the Senate Banking, Housing, and Urban Affairs Committee. The Republican leadership of the House Transportation and Infrastructure Committee rejected the amendment. To Republicans it smacked too much of affirmative action. They had their own plans for helping small businesses but were leery of targeting workers. Millender-McDonald withdrew her amendment and the House bill that passed in 2004 contained nothing on local hiring. The House bill never went anywhere, however, because the Conference Committee was not able to reconcile the House and Senate bills. Instead Congress passed another temporary extension of TEA-21.

As Congress went back to the drawing board in 2005, it appeared the community workforce provision was dead. At this point the Gamaliel network of faith-based community organizations played a key role in resuscitating it. Ron Trimmer, an activist in United Congregations of Metro East (UCM) in the East St. Louis, Illinois area, had attended a TEN national meeting and was aware of the success of the Alameda Corridor Jobs Coalition. Representing 26 congregations in East St. Louis and the inner suburban areas in Illinois east of the Mississippi, UCM had key relations with two politicians who could help TEN.

Congressman Jerry Costello (D., IL), a member of the House Transportation and Infrastructure Committee representing East St. Louis, attended one of UCMs annual public meetings where this issue was raised. Later, a delegation from UCM visited Costello in his Belleville, Illinois office and persuaded him to support the local hiring provision. Gamaliel had a closer connection on the Senate side. In November 2004 Barack Obama was elected to the U.S. Senate. A former organizer for Gamaliel in Chicago, Obama had worked for Mike Kruglik, the national political director of Gamaliel, and Kruglik's son now served on Obama's staff. It is almost unheard of for a U.S. Senator to attend a public meeting of a community organization, but Senator Obama attended a Gamaliel affiliate public meeting in Chicago. The fact that African

American clergy, who were members of UCM, were instrumental in turning out the black vote in East St. Louis also probably helped convince Obama to champion the local hiring provision.

Without Republican support, however, local hiring was dead. Metropolitan Congregations United (MCU) is the counterpart to UCM on the Missouri side of the Mississippi River in St. Louis. With about 76 member congregations, MCU is an organization that politicians ignore at their peril. Over the years, MCU had developed a relationship with Senator Kit Bond (R., MO), at the time highly influential in the Republican-controlled Senate. Bond prided himself on bringing home the bacon for Missouri, and he had been more successful than most Republicans in getting votes out of St. Louis. A few years earlier MCU had worked with his staff on a road improvement project in the city of St. Louis. As a result, MCU members had developed trusting relationships with key members of Bond's staff. At a public meeting in St. Louis in the fall of 2004, MCU leaders read a letter from Senator Bond that gave lukewarm support to the local workforce provision. The thousands of people at the annual meeting "lifted up" Senators Bond and Obama for supporting the local hiring provision.

Part of the reason Republicans acquiesced on local hiring is that the language in the amendment had been softened. Instead of requiring contractors to come up with a plan and prove their "best effort" at meeting the 30 percent goal, what became Section 1920 of SAFETEA-LU encouraged states to do local hiring but did not require any particular actions and included no funding. Section 1920 begins by citing the Alameda Corridor as an example of a transportation project that successfully targeted 30 percent of the jobs to "locally hired and trained men and women." It then goes on to express the "Sense of Congress" that "federal transportation projects should facilitate and encourage" collaboration between government and other interested parties, including CBOs, "to help leverage scarce training and community resources and to help ensure local participation in the building of transportation projects" (Public Law 109-59, 119 Stat. 1144. Section 1920: "Transportation and Local Workforce Investment"). Included as a manager's

amendment, Section 1920 was part of the final bill that came out of conference committee, was passed by both houses, and eventually signed by President Bush.¹³

Although federal law now encouraged state DOTs to do local hiring, a few months after Section 1920 was enacted into law, the Civil Rights Office of the U. S. Department of Transportation issued a memorandum concluding that “Section 1920 does not alter the existing legal restrictions on the use of State, local, or territorial hiring preferences on FHWA funded contracts....” (Isler and Gee 2005) Concerned that this legal ruling would discourage state DOTs from implementing local hiring agreements, TEN responded with a legal memorandum of its own arguing that the lawyers at U.S. DOT were wrong: carefully crafted local hiring agreements could survive legal scrutiny (Degrafinried 2005).¹⁴ The question remained: would the legal cloud hanging over targeted hiring agreements chill organizing efforts or would CBOs be able to use the “Sense of Congress” to energize local workforce hiring campaigns?

Negotiating a Local Hiring Agreement: I-64 in St. Louis

Even though substantively Section 1920 changed little, it did open a symbolic policy window that CBOs could exploit. Section 1920 is a good example of policy feedback: Section 1920 said that federal transportation policy should target jobs to needy local communities and legitimized CBOs as players in this process. It provided legitimacy for CBOs to penetrate the policy monopoly that had dominated transportation for half a century and make their concerns about equal job opportunity heard.

INSERT FIGURE 1 ABOUT HERE (map of unemployment in St. Louis area).

Wired in to the struggle in Congress, MCU acted quickly to take advantage of the new opening. The central city and inner suburban areas where MCU’s congregations were located had suffered from decades of deindustrialization and high unemployment (Figure 1). At the same time, employment in construction was growing, with an estimated 2,330 new openings in construction each year between 2004 and 2014 in the St. Louis metropolitan area (Hecker 2005). But African Americans were underrepresented in the construction industry in St. Louis.

According to one study blacks (non-Hispanic) represented 18 percent of the workforce in the four core counties of the St. Louis region in 2005, but they held only 12 percent of construction jobs (Swanstrom 2007, 24). Well-paid construction jobs could pump earnings into minority neighborhoods suffering from high unemployment.

MCU's lead organizer, Dan Grandone, immediately identified the I-64/40 project in St. Louis as a target of opportunity. Extending 12 miles from the inner city of St. Louis out to the wealthy suburbs west of the city, the \$535 million I-64/40 project was the largest highway project in Missouri history, involving the rebuilding of 10 interchanges and 39 bridges. Because of the huge problems that would be created by the complete shutdown of the main east-west arterial in the region, the project had attracted intense media scrutiny.

MCU crafted a two-pronged strategy to pressure MoDOT into agreeing to a local workforce plan. First, MCU used its one-on-ones interviews to learn how MoDOT makes decisions and to form relationships with politicians and public officials exercising influence over federal highway funds and job training programs.¹⁵ Supplementing this "behind-the-scenes" strategy MCU orchestrated a series of public meetings and media events to pressure MoDOT. Public events demonstrated mass support to elected officials and decision makers and energized grassroots groups to continue the fight.

MCU began by trying to figure out how decision were made at MoDOT. MoDOT is governed by the Missouri Highway and Transportation Commission, a six-member board appointed by the governor for six-year terms. The Commission represents the different parts of the state and is bipartisan (no more than three members can be from one party). The idea behind the Commission was to insulate decision making from political influence, but of course it also had the effect of insulating decision making from citizens. MCU eventually found a way to penetrate this shadowy institution. After meeting with the two commission members from the St. Louis region, MCU learned that an MCU member was longtime friend of one of them. This commissioner gave MCU crucial insider information about how MoDOT worked.

The Missouri Highway and Transportation Commission appoints the Director of MoDOT but as in most private corporations the Director, by controlling information and day-to-day operations, exerts tremendous power over the Commission. MoDOT had a new director, Pete Rahn. Unlike his predecessor, who was a military man with an engineering background, Rahn had degrees in government and regional and city planning. A relentless cheerleader, Rahn promised a new era at MoDOT. He would make the department “forward thinking” and “customer-oriented” (Rahn 2005). Above all, for our purposes, he promised to make MoDOT “transparent,” welcoming citizen input. As one MCU organizer put it, Rahn’s “street credibility” was on the line in how he responded to the local hiring appeal.

In an effort to put pressure on Rahn, MCU held a public meeting on December 2, 2005 in a downtown St. Louis hotel drawing over 1,100 supporters. Wearing white hardhats, a group of young people from a construction preapprenticeship program were seated prominently at the front of the auditorium. Run like a religious revival complete with a Gospel choir, the meeting included a testimonial by one of the young men who talked about how getting a construction job had transformed his life. MCU presented their demands and then had a series of elected officials come forward, proclaim their support, and sign the petition. Probably the most important endorser was St. Louis Mayor Francis Slay. With roots in the white ethnic wards of St. Louis, Slay had won a racially polarized election and needed to cement black support. He saw immediately the advantages of having federal transportation dollars provide well paying jobs for inner-city residents.

MCU orchestrated a kind of “good cop, bad cop” strategy that balanced conflict and collaboration. Six years earlier 125 protesters had been arrested for sitting down on Interstate 70 to protest the lack of construction jobs for minorities. To end the impasse, Missouri Governor Mel Carnahan (Dem.) brokered a deal which committed funds for a new Construction Prep Center to provide preapprenticeship training for women and minorities (Leiser & Mannies 1999). The bad cop was the threat to do this again, to close the I-64 project. This clearly helped to bring

the MoDOT to the bargaining table. MCU played the role of the good cop, offering a reasonable solution: if MoDOT agreed local hiring, then MCU would help to prevent this kind of protest. MCU was put in the delicate position of having to walk a fine line between orchestrating public pressure at the same time that it developed relations of trust with MoDOT, contractors, and unions.

MCU finally managed to get local hiring on the agenda for a meeting of the Highway Commission in the state capital, Jefferson City, on January 11, 2006. Historically, the Commission has had low political visibility and little citizen input. MCU shocked the Commission by packing the aisles and hallways with more than 200 supporters. Led by MCU, a coalition of CBOs asked the Commission to require that at least 30 percent of the hours on the Highway 64/40 project be performed by minorities, women, and disadvantaged persons and that MoDOT set aside ½ of 1 percent of the funds to meet that goal.¹⁶ The delegation presented the Commission with over 3,000 signed cards expressing support for the demands and highlighted political support, noting that St. Louis Mayor Frances Slay, St. Louis County Executive Charlie Dooley, and a number of state senators and representatives supported their demands.

MoDOT Director Pete Rahn listened to the presentation but refused to make any commitments. He did agree, however, to hire Julie Cunningham, Executive Director of the National Conference on Minority Transportation Officials, to facilitate a meeting of all the concerned stakeholders to come up with an overall plan to address the issue. According to one informant, MoDOT was under pressure for a poor score on its On-the-Job Training (OJT) program where as many as 55 percent of the participants were white men.

The I-64 agreement was a classic example of what we defined earlier as regional governance. Cunningham convened a broad group of 30-40 stakeholders in a series of meetings in February and March of 2006 to hammer out an agreement. The agreement reached across the region involving a number of local governments, joined together the traditionally separated silos

of transportation and job training, and was coproduced by collaboration among public, private, and nonprofit actors.

Agreement did not come easy, however. To the frustration of activists, MoDOT remained strictly neutral about the desirability of local hiring. But it did facilitate the meetings and signed on to the final agreement. One of the main stumbling blocks was finding enough qualified minorities, women, and people from disadvantaged backgrounds to enter the apprenticeships. Experience in Alameda and other projects had shown that nontraditional applicants needed well-funded preapprenticeship programs to succeed. But federal Workforce Investment Act job training grants had been cut and remaining funds were tied down in fragmented, patronage-laden contracts (Cummings, Tomey & Flack 2004). CBOs filled the gap, recruiting workers, sometimes through churches, and running them through preapprenticeship programs based in the inner city and inner suburbs. Essentially, they got past the prohibition on geographical or race targeting of jobs in federal transportation projects by committing MoDOT to “first source” hiring from community-based workforce intermediaries.

The final “New I-64 Work Force Utilization Plan Partnering Agreement” included thirty-one organizations from the public, private, and civic sectors, with each agreeing to perform specified functions. The final Memorandum of Understanding (MOU) acknowledged the “Sense of Congress” (Section 1920) but stated that it had “no legal binding on MoDOT’s projects.” The MOU sets aside \$2.5 million to implement the agreement and called for an Advisory Committee to recommend how those funds should be spent. A pastor from MCU was appointed to chair the Advisory Committee. The contractors were given incentives of \$10 per hour (coming out of the \$2.5 million) to hire additional minorities, women, and economically disadvantaged individuals to work on the project as apprentices. When fully implemented, the agreement will place more than 150 minority, low-income, and women workers in construction jobs.¹⁷

Conclusion: The Vertical Dimension in Community-Based Regionalism

African Americans have a long history of exclusion from skilled trades. Construction is no exception (Waldinger & Bailey 1991). Civil rights activists staged massive demonstrations in cities around the country in the 1960s to open up the building trades to blacks (Sugrue 2004). Presidents Kennedy, Johnson, and Nixon all issued executive orders pushing for minority hiring on federally funded construction projects. Since then, however, conservative judges have struck down affirmative action plans and the federal government has largely withdrawn from pushing for more minority hiring in construction. Forty years after the civil rights movement, African Americans (and women) still lag far behind white males in construction (Swanstrom 2007).

CBOs have stepped in to fill the vacuum created by the withdrawal of the federal government from affirmative action in construction. When led by CBOs the push for equity in the construction industry has taken a different form from affirmative action; the approach is to target jobs to disadvantaged communities more than to racial minorities. The Alameda agreement, for example, required workers to be hired from certain zip codes. Originally, MCU in St. Louis wanted to target high-poverty census tracts, but the federal prohibition on geographical targeting made this impossible. Instead the “Partnering Agreement” targeted “minorities, females, and economically disadvantaged individuals.” By requiring contractors to hire apprentices from “first source” workforce intermediaries based in the central city and inner-ring suburbs, MCU effectively achieved geographical targeting.

The Los Angeles and St. Louis examples examined are part of a broader movement by grassroots groups for community benefits agreements. “A Community Benefits Agreement, or “CBA,” is a legally enforceable contract, signed by community groups and by a developer, setting forth a range of community benefits that the developer agrees to provide as part of a development project” (Gross 2005, 9). The community benefits movement began in California and is now spreading across the country. The rationale is that construction within a community should provide benefits to that community. In exchange for community support for the project,

the developer agrees to provide benefits for the community, such as jobs for local residents or parks, open space, and reduced air and noise pollution.

Are CBAs, such local hiring agreements, an example community-based regionalism? To the extent that CBAs target large regional infrastructure projects, such as highways, convention centers, and stadiums, they can be seen as efforts to balance regional development by bringing more of the benefits of regional development to disadvantaged communities in the urban core. Targeting jobs from regional projects can be viewed as a first step in a regional strategy of CBOs to acquire more power to challenge more fundamental regional priorities. More advanced CBR would require CBOs to challenge what is being built (highways instead of mass transit) and where it is being built (sprawl versus smart growth). The question is whether local workforce hiring agreements can build the power of CBOs to challenge regional development priorities.¹⁸

The Los Angeles and St. Louis examples demonstrate that coalitions of CBOs, by skillfully balancing conflict and cooperation, can negotiate local workforce hiring agreements. CBAs, however, have distinct weaknesses. First, they absorb scarce resources from CBOs. Effective community workforce agreements require the collaboration of a wide range of actors: CBOs, state DOTs, unions, construction companies, job training agencies, etc. The collaborative nature of community workforce agreements is what makes them attractive: by combining transportation, job training, and community development under one umbrella they can achieve win-win outcomes in which the whole is more than the sum of its parts. The advantages of regional governance, as we defined it, are real. On the other hand, the collaborative nature of community workforce agreements makes them very time-consuming and politically challenging. Ad hoc community workforce agreements are vulnerable. “If any one piece of the puzzle falls through, the whole enterprise can quickly collapse” (Rubin and Slater 2005, 36). Like Sisyphus, after a CBA is signed CBOs must roll the rock back up the mountain to win the next agreement.

To succeed, CBR needs supportive federal and state policies that mandate local workforce development and institutionalize the process of cross-sector collaboration. Our

analysis highlights the importance of vertical relations within the American federal system. In 1932 Supreme Court Justice Louis Brandeis praised the American federal system for allowing states to “serve as laborator[ies] and try novel social and economic experiments without risk to the rest of the country” (*New State Ice Company v. Liebmann*, 285 U.S. 262 (1932)). Regions can serve as laboratories of democracy as well. The success of the Alameda Corridor initiative was taken up by TEN and written into the “Sense of Congress” in SAFETEA-LU. The language in the act created an organizing hook that local organizers used to mobilize their constituents and claim a place at the table when decisions were made by state DOTs about how to spend federal transportation monies. Now, TEN is taking the experience in different regions around the country and using it to put pressure on Congress to strengthen the local hiring provision when federal transportation policy is reauthorized. Their demands include expanding the ½ of 1 percent provision from highways to transit and making local hiring mandatory in regions with construction labor shortages and pockets of high unemployment.

INSERT FIGURE 2 ABOUT HERE: The Vertical Dimension in Community-Based
Regionalism

Governance is often contrasted with government, but in fact effective governance depends on strong governments. A central theme of our analysis is that to be effective CBOs must be able to function at different levels of the political system: federal, state, regional, and local. The conventional wisdom that community organizing must start at the grassroots misses the fact that success at the grassroots depends on the laws and policies enacted at higher levels. Some scholars have argued that the expansion of state power takes place at the expense of CBOs (Olasky 1992; Schambra 1994). Our analysis supports the thinking of Theda Skocpol who argues that, on the contrary, federal government policies have played a key role in nurturing civil society (Skocpol 1996; 1999a and 1999b). Skocpol laments the loss of civic organizations with federated structures that joined grassroots face-to-face local organizations into national networks that could influence the federal government. Gamaliel is just such a federated civic organization that is able

to operate effectively at different scales. Heidi Swarts (2007) goes further and argues that centralized national organizations like ACORN are even more effective because they can pressure for national policy changes in ways that help them to build local power.

What is the answer to our central question: Should CBOs “go regional”? If going regional means concentrating organizing efforts at the regional level, the answer is NO. There is nothing special about the regional scale. Indeed, informal regional collaborations can distract CBOs from essential political organizing. We agree with the conclusion of one study: “horizontal collaboration by itself can do little more than promote new ideas and hope for the best” (Weir, Rongerude & Ansell 2007a, 35). Until community workforce agreements are supported by strong federal and state policies, local hiring agreements in construction will depend on extraordinarily entrepreneurial CBOs.¹⁹ Without vertical relations that empower CBOs in regional governance networks, community-based regionalism will falter.

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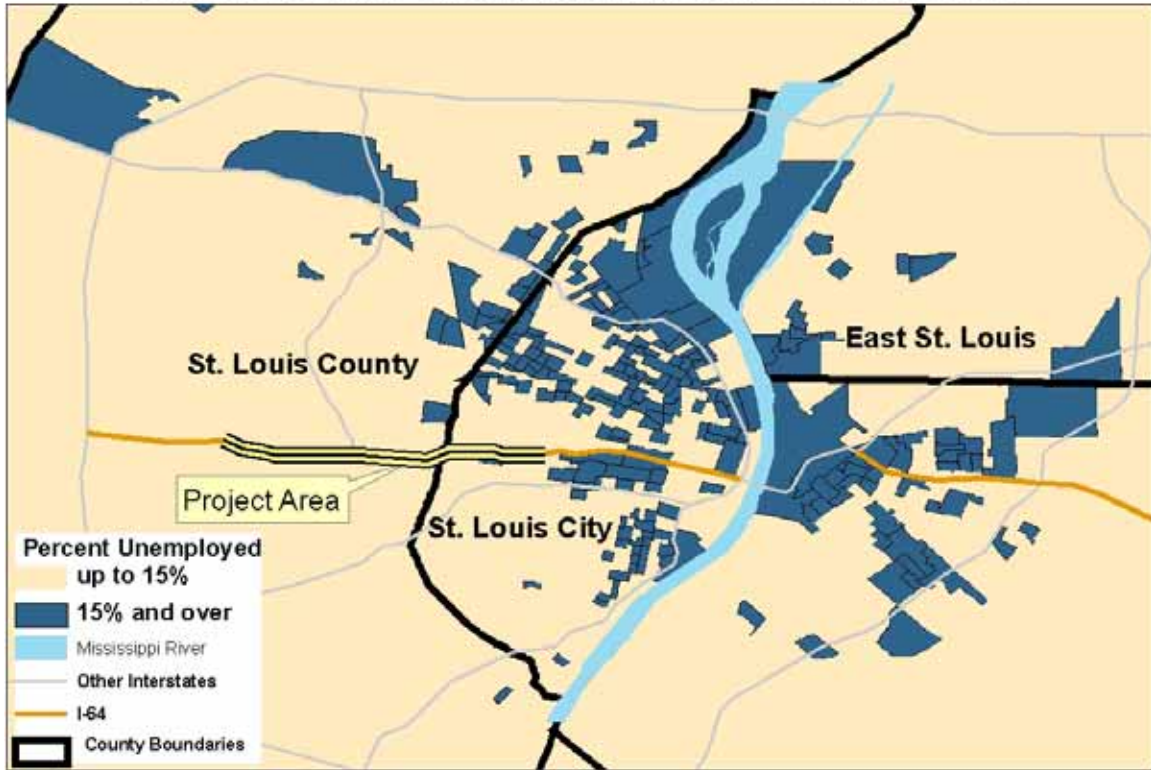
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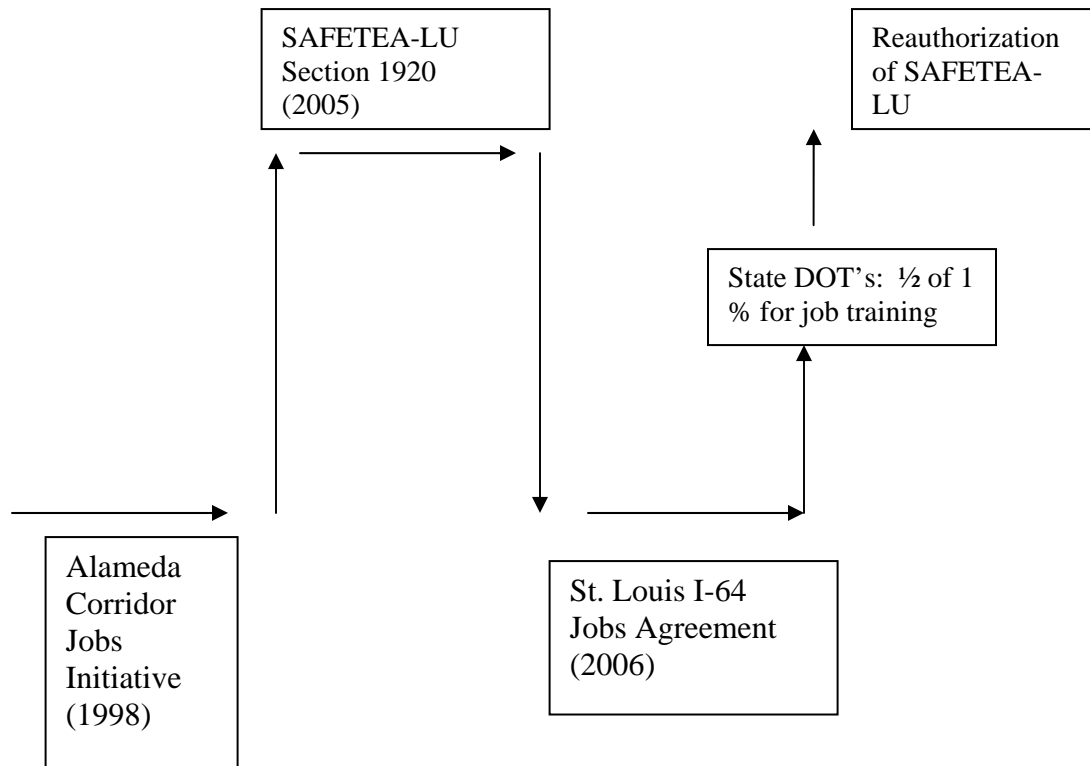
Figure 1.

Percent Persons Unemployed by Census Block Group



Source: U.S. Census Bureau, 2000 Census

Figure 1. The Vertical Dimension in Community-Based Regionalism



¹ See also the special issue of *Antipode* (2004) on “Progressive Regionalisms in North America.”

² Although Gamaliel is the only national community organizing network that, to our knowledge, has adopted “regional equity organizing” as its official strategy (Kleidman 2004), the Industrial Areas Foundation (IAF) has taken a regional approach in many cases. Project Quest in San Antonio, a regional job training initiative, is a well-documented example (Warren 2001; Osterman 2002). In many metropolitan areas CBOs have successfully developed regional job training systems with CBOs serving as workforce intermediaries (Harrison and Weiss 1998; Giloth 2004a; 2004b). Grassroots groups have also tried to influence regional transportation policies, with more success in Chicago than Los Angeles, according to one of the few studies in this area (Weir, Rongerude & Ansell 2007).

³ The debate between Federalists and Anti-Federalists over the ratification of the U.S. Constitution revolved around this issue. The question of how to divide power between the central government and state and local governments is still a burning issue in America politics.

⁴ With the exception of Portland, where the greenbelt has pushed development back to the core, and the Twin Cities, where tax-based sharing has benefited fiscally stressed municipalities, the evidence for the equity effects of regional governments is weak. Although Charlotte's consolidated city-county school system not only improved racial integration but also inner city schools (Lassiter 2006), most consolidations, such as Indianapolis's Unigov exclude. Often consolidations dilute the emerging power of minorities in central cities education (Savitch and Vogel, 2004). The consolidation of Miami and Dade County failed to address extreme poverty in Miami, as evidenced by riots there in the 1990s. Scholars have long noted that regional authorities and special districts have never been very democratic or responsive to the poor (Foster 1997; Burns 1994). The consensus from the literature is that consolidated regional governments are most effective at providing regional infrastructure and least effective at redistributing resources (Altschuler, et al, 1999).

⁵ For an insightful discussion of the governance approach, see Pierre 1999.

⁶ Rob Kleidman argues that Gamaliel's adoption of regional equity organizing helps it to manage dilemmas of scale. A regional approach counters the tendency of neighborhood organizations to adopt a "circle the wagons" mentality that can produce a narrow "enclave consciousness" (Plotkin 1990). At the same time, the insertion of community organizations into regional decision making helps overcome the tendency for technocratic elites to dominate decision making and "challenge(s) regionalists to deepen their commitments to grassroots politics and genuinely participatory planning" (Kleidman 2004, 419)

⁷ Pastor, Benner & Matsuoka (2006) describe how One East Palo Alto (OEPA) first had to develop internal leadership and staff before it could seize opportunities at the regional scale.

⁸ The following account of ACJC is drawn largely from Ranghelli, 2002.

⁹ The Century Freeway in Los Angeles took decades to complete and at \$127 million dollars per mile was the most expensive freeway project in history. Delays were caused by lawsuits and eventually about half of the \$2.2 billion cost was spent on nontransportation costs, including \$320 million for housing. The Century Freeway also funded a preapprenticeship program that trained over 2500 people and placed about 2100 in construction jobs. For a recent account of how Los Angeles CBOs are extracting community benefits from large construction projects, see Meyerson 2006.

¹⁰ Calculation of the number of construction jobs created by federal transportation funding is based on Keane 1996.

¹¹ The following analysis of the legality of community workforce agreements is based on a memorandum by Alaric Degrafinried of the National Housing Law Project dated December 15, 2005 (authors' files).

¹² Amendment to H.R. 3550 Offered by Rep. Millender-McDonald (authors' files).

¹³ A manager's amendment is a technical fix on noncontroversial amendment that can be added by the manager of a bill at the last minute with the approval of the Rules Committee and the Speaker or Majority Leader. Strangely enough, when Rich Stolz of CCC read through the bill he could not find Section 1920. It turned out that it had literally fallen out of the bill onto the floor of the Senate. An aide to Senator Obama, insisted to the leadership that it be put back into the bill, citing Obama's special relationship with Gamaliel. Leadership agreed and Section 1920 was reinserted in the bill.

¹⁴ TEN argued that the legal restrictions on community workforce agreements were invalid. Other federal programs have had local hiring provisions, including HUD's Section 3 program, which required preference for public housing residents on public housing reconstruction, and DOT's preference for residents of Appalachia. Legal counsel for US DOT has ruled, wrongly advocates argue, that *all* local preferences for hiring under federal transportation law are prohibited. The Supreme Court, for example, in *City of Camden* (1984) ruled that local hiring preferences are permitted if they meet a three-part test that includes demonstrating the need to enact a local hiring ordinance to counteract specific social and economic ills stemming from high unemployment (*City of Camden, United Building and Construction Trades Council of Camden County and Vicinity v. Mayor and Council of the City of Camden*, 465 U. S. 208, 104 S.Ct. 1020 (1984); as cited in Degrafinried 2005).

¹⁵ A central part of Gamaliel's organizing strategy is "one-on-ones" – face-to-face interviews with individuals who are important for their issues. The relationships formed by one-on-ones are viewed as building blocks of the organization (Jacobson 2001, ch. 7).

¹⁶ Under longstanding federal transportation law (23 USC 140) state DOT's may commit up to ½ of 1 percent of surface transportation funds to job training. At the time only two states, Maine and South Carolina, had taken advantage of this opportunity.

¹⁷ As of October 2007, 40 persons had gotten jobs as apprentices on the I-64 project under the agreement.

¹⁸ For a parallel analysis of how CBOs in San Antonio used a job training program, Project Quest, to expand their political power, see Warren 2001, ch. 6.

¹⁹ CBOs have mounted campaigns to require targeted hiring on federal transportation projects in a number of states, including Missouri, Minnesota, Michigan and Illinois. As of this writing, no state had enacted a law mandating local hiring on transportation projects.



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