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Technical Service

Municipal Technical Advisory Service

(A new agency created to serve Tennessee's cities)

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By Gerald W. Shaw

The first Executive Director of the Municipal Technical Advisory Service, Gerald W. Shaw, has been engaged in municipal government activities for the past 18 years.

He has served as City Manager at Big Stone Gap, Virginia, Hazard, Kentucky, Columbia, Tennessee, and as Assistant City Manager at Ashland, Kentucky.

Mr. Shaw came to the Municipal Technical Advisory Service directly from the Tennessee Valley Authority where he had been employed during the past seven years as a member of the Government Research Staff, Regional Studies Division, and for two years as Assistant Properties Manager, Knoxville Area, Reservoir Property Management Department.

Mr. Shaw has a B. S. degree in Business Administration, Miami University, Oxford, Ohio, 1929, and a M. A. degree in Political Science, University of Tennessee, Knoxville, 1946. Mr. Shaw is 42 years old, married, with two daughters, and lives in Fountain City. He is a member of Sigma Alpha Epsilon, Delta Sigma Pi, honorary business fraternity, and has been a member of the International City Managers' Association for the past 16 years.

In Tennessee, as in every state in the country, the plight of our cities has commanded increasing public attention as local financial resources have failed to meet the demands for added municipal services. The causes of this crisis in municipal government are many and complex, and practical solutions are so difficult as to offer a serious challenge to the best talent in the fields of public administration and political science.

It is a demonstrated fact that cities have come out a poor third in the division of public revenues. The federal and state governments, with their superior legal status, have claimed the most lucrative revenue sources for their own uses, and, in effect, told the cities to get along as best they could on what was left. The income tax, gasoline tax, sales tax, excise taxes, tobacco and liquor taxes, and many more, are utilized as revenue sources by our state and federal governments, and the cities are precluded from their use. Even in the use of remaining revenue sources, chiefly the general property tax, the cities are not free to exercise unrestricted judgment in the fulfillment of demonstrable local needs, but may use these restricted sources only within the narrow confines of state-imposed limitations.

Pressure on our municipal governments is exerted from another direction—the demand by local citizens for improved or entirely new services adequate to meet the problems of modern urban living. As cities continue to grow and to spill out beyond the artificial boundaries of their corporate limits, the technical problems of providing adequate health and welfare services, fire and police protection, traffic movement and parking facilities, sewerage and waterworks systems, schools, and all of the other services and facilities provided by local governmental units, become increasingly complex and expensive. Thus city officials are caught in the middle of two opposing forces—demands for more services on the one hand, and the denial

of adequate revenue resources on the other.

Solutions of the revenue problem must rest, finally, in the arena of political action and compromise. The states, which have created our municipal governments as public corporations, must eventually grant to them the financial resources and the general authority required to enable them to meet the demands with which they are faced. Municipal home rule, sharing of state-collected taxes on an increased scale, and allocation of certain additional revenue sources to cities for their exclusive use are devices already being employed by many states in providing adequate local revenues. Likewise the federal government will have to recognize, and in fact is already indicating its awareness, that the siphoning off of a disproportionate amount of public revenues is stifling municipal growth and development. Future trends may well point in the direction of permitting a larger proportion of total public revenues to remain in urban areas for use of local governments in meeting local needs.

It is in the field of municipal expenditures as the means of meeting local demands, however, that we are here primarily concerned. Although difficult to prove on any scientific basis, it is generally recognized that municipal expenditures give the taxpayer more for his money, with greater efficiency and less waste, than is the case in any other unit of government. This is true because city officials have been driven to it by sheer necessity, if nothing else, in their attempts to balance municipal budgets on the basis of increasing costs, expanding services, and dwindling revenues. But this has not been enough, and city officials in Tennessee, as elsewhere, realize they must squeeze even greater values out of the tax dollar if they are to accomplish the seemingly impossible task of meeting the demands of their local citizens within the present-day revenue framework. This is the environment and background out of which the Municipal Technical Advisory Service has been created.

The need for technical advisory assistance was recognized by city officials in Tennessee many years ago. Only this year, in 1949, was it possible to create the kind of service agency they had envisioned for so long. Tennessee cities, aware of the need for unified representation and cooperative effort, organized the Tennessee Municipal League just prior to World War II. After a splendid start, its program was interrupted by the war and the new organization was held together loosely by a handful of city officials until the close of the war permitted the league to resume its program and activities. Serious-minded city officials, meeting together in league conventions and regional meetings, found an opportunity to exchange views on their common problems and began to realize the need for technical advisory assistance in finding practical solutions to those problems. Immediately they were confronted with the need of devising some practical method of making such assistance available. Several years of careful study and analysis of this problem preceded the establishment of the Municipal Technical Advisory Service.

Several alternative possibilities were given careful consideration. The league itself could undertake the service, but it was evident that the league, in its semi-official status, could not hope to secure the complete

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cooperation and direct assistance of the several public agencies in position to make substantial contributions, in terms of their available resources, to the overall municipal program. Although municipal leagues in other states have attempted to provide such service, none of these league service programs were regarded as entirely adequate.

Again, the Tennessee Municipal League could rely upon the various state agencies already in the field to provide the needed technical assistance. But here again, after some experimentation, it was found that certain agencies were available to furnish technical advisory assistance in some specialized fields, but that in others, in which the need was equally great, no comparable state agency existed. In addition to the need for filling these gaps by providing a complete advisory service, an obvious need for coordination of the work of existing agencies, and a single central clearing-house to which municipal officials could turn, was immediately apparent. For these reasons, the plan of utilizing existing agencies was abandoned.

Finally, consideration was given to the possibility of designating some one existing state agency as the center around which a technical advisory service program could be developed. Practical difficulties interfered with serious consideration of this plan, because such existing agencies had other primary responsibilities and narrower interests. It was feared that the total program would be slanted toward those specialized interests if this plan were followed, and that other needed services, on a well-rounded basis, would not be made available by this means.

After discarding these proposals, and possibly others, the city officials, acting cooperatively through their municipal league, decided to abandon all thoughts of utilizing existing agencies, and to give consideration to the establishment of an entirely new agency which could have as its single primary purpose the furnishing of additional technical advisory assistance they required. This plan answered all the objections to previous proposals, but created other practical difficulties. Problems of how to establish the new agency, how to finance its operation, how to establish it so as to obtain maximum benefits from the resources of existing state agencies, and how to provide for its coordination and cooperation with those existing agencies demanded practical answers before this plan could be regarded as a workable method of providing the technical advisory assistance which city officials were seeking.

To provide the proposed agency with official public status, it was necessary to have it created as an arm of the state government. This was accomplished by the passage of a Public Act by the General Assembly of Tennessee, 1949, Chapter 261. Financing, adequate to inaugurate the proposed program, was provided by the Act which allocated funds sufficient to permit an annual operating budget of \$70,000. As an indication of their sincerity and belief in the proposal, city officials suggested that half of this annual amount be deducted from the cities' share (12 1/2%) of the state sales tax, before allocation of this revenue to the individual cities is made. The state was willing to support its acceptance of the proposed agency and the technical assistance program by appropriating a like amount from its General Fund. In this way the Municipal Technical Advisory Service is an official arm of the state government, supported, in part, by state funds; at the same time, it is the cities' own program, for which they are making a direct financial contribution, and thus it contains none of the elements of a program imposed on the cities by the state

as a superior level of government. In terms of the over-all budget of the state, its contribution to the advisory assistance program is very modest. Likewise, each individual city's proportionate part of the cost of the service is not significant, amounting, as it does, to less than 7/10 of one per cent (0.7%) of the sales tax allocation to municipalities, which itself is only one-eighth of the total sales tax collections.

To fit the new advisory service agency into the state-municipal environment so that it would be in position to obtain maximum benefits from existing agencies already interested in various specialized fields of municipal government, and at the same time be free to inaugurate its own program of technical assistance, posed many perplexing questions. Again, alternative proposals were carefully considered, including setting the agency up as an autonomous, independent organization, as a regular department of the state government, as a division under some appropriate state department, or within the University. It was finally decided, in order to effect close integration with superior resources and greater parallel interests, to place the new Municipal Technical Advisory Service within the organizational framework of the University of Tennessee.

With this decision came more problems, arising from the need to place the new agency in the University so that direct access to the total resources of the University would be available, and at the same time to prevent the advisory service from losing its identity and having its program completely subordinated to the University's primary functions of teaching and research. Obviously two factors requiring reconciliation were those of administration of the service itself, and professional direction by members of the University's staff and faculty as technical experts in their respective subject matter fields as they relate to municipal government and administration.

A workable plan was developed to meet the problem of administration by placing the agency within the University's Division of Extension, where it fell logically as another off-campus activity. Thus, for purposes of administration within the University, the advisory service operates as another unit within the Division of University Extension. This unit is under the administrative supervision of an executive director who reports on administrative matters to the Dean of Extension.

To integrate the service with University programs which have an interest and responsibility in the field of local government, to provide direct access to all University resources, and to obtain technical advice and direction by University personnel having professional competence in fields relating to municipal government, an Advisory Council of seven members was created, representing the Tennessee Municipal League and the following University units:

Division of University Extension
Bureau of Public Administration
Engineering Experiment Station
Bureau of Business Research
Legal Aid Clinic
Bureau of Sociological Research

Through these University units, access is provided directly to the College of Law, College of Engineering, College of Business Administration and the Liberal Arts College, including the Departments of Political Science and Sociology. Other resources of the University, although not

represented directly on the Advisory Council, are likewise available to the Municipal Technical Advisory Service by reason of its status as a unit within the University organization.

The function of the Advisory Council membership is two-fold. As a body the council is responsible for determining questions of major policy, defining the program in its broadest terms, adopting an annual budget for advisory service funds which are separate and earmarked for its exclusive use, and holding the executive director accountable for the professional competence of his direction of the technical advisory service program. Individually, each member of the Advisory Council will give professional direction, and in some cases actual supervision, to the work of the full-time advisory service staff member working in that particular field.

For example, the advisory service is now in the process of recruitment and employment of four consultant-specialists in the following fields:

- Municipal Engineering—Public Works
- Finance and Accounting
- Municipal Management
- Municipal Law

The Consultant on Municipal Engineering—Public Works, will be employed by the executive director, with the approval of the associate director of the Engineering Experiment Station. To give this staff member professional status and access into its resources, he will actually be an employee of the Engineering Experiment Station, but assigned full-time to the Municipal Technical Advisory Service. Administratively he will work under the supervision of the executive director, but functionally he will be responsible for the professional competence of his work to the associate director, Engineering Experiment Station.

Admittedly, this could become an awkward administrative arrangement, but its inherent advantages are so basic and so necessary that all participants are determined to make it function smoothly and effectively. It is intended that each member of the Advisory Council, in exercising professional supervision over the work of a particular full-time staff-member, will be acting, in effect, as an arm of the office of the executive director who, obviously, could not possibly be expected to give technical, professional supervision of the highest order to all phases of municipal government and administration—the field is far too broad to make this possible.

The Tennessee Municipal League is represented on the Advisory Council, and the league's executive secretary participates in each meeting of the council as a regular member. The position of the Tennessee Municipal League in the establishment and operation of the Municipal Technical Advisory Service and its program has been clearly defined in the legislative act by which the service was created, in the following language:

"This program shall be carried on in cooperation with and with the advice of cities and towns of the State acting through the Tennessee Municipal League and its Executive Committee which is hereby recognized as their official agency or instrumentality."

The important statutory role of the league as a cooperating agency, and the great value of the views and

opinions of seasoned municipal officials concerning a technical advisory service operated in their behalf is recognized by all University participants. Proposals of the league's executive committee and its representatives therefore receive more consideration than the one-to-six ratio of representation on the Advisory Council might indicate, thus insuring that the service shall be primarily of and for the municipalities.

The Municipal Technical Advisory Service was activated on July 1, 1949, with the appointment of an executive director, following several preliminary meetings of the Advisory Council leading to his final selection and appointment. The first several months have been devoted to developing a broad framework of working relationships with various interested University colleges and bureaus and with the Tennessee Municipal League, to working out details of space and equipment needs, to forming a full-scale organization in general terms, and, finally, to conducting a recruitment campaign carefully designed to lead to the employment of qualified, competent consultants in each of the specialized fields in which the service will function.

Primarily, the Municipal Technical Advisory Service will be geared to provide on-the-spot technical advisory assistance to Tennessee city officials, upon request. Other elements in the advisory service program will arise out of, and be incidental to, this basic objective. In the consideration of ways and means of furnishing technical advisory assistance to local officials, a number of policy questions have arisen. Some have been determined but others can be decided only on a basis of actual operating experience as the program progresses.

First, the Municipal Technical Advisory Service will not attempt to duplicate existing services furnished by agencies already in the field. Although it is recognized that some degree of overlapping may be inevitable, a determined effort will be made to hold such duplication to an absolute minimum. For example, the advisory service will not attempt to assume primary responsibilities in the field of planning and zoning, but instead will act in close cooperation with the Tennessee State Planning Commission, and will assist in the commission's community planning assistance program wherever possible. Again, as another example, questions involving community recreation will be referred to the Division of State Parks, Department of Conservation, inasmuch as the division has a capable technician available for professional guidance in matters pertaining to municipal recreation.

The Municipal Technical Advisory Service will not attempt to invade the field of private enterprise, but will withdraw at the appropriate time, if at all possible, in favor of continuation of a specific project by private consultants. In the field of engineering and public works, for example, a given city might submit a request for assistance on the feasibility of making additions to an existing water filtration plant. A preliminary investigation as to adequacy of source of supply, feasibility of added installations within the existing structure, possibility of tying in to existing piping and pumping installations, need for additional storage capacity, the financial aspects of expansion, and many similar problems must be given technical consideration before the feasibility of the proposed project can be deter-

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mined. When the advisory service has provided these preliminary answers, it would suggest that, if the project was found feasible, the city employ a private engineering consultant to prepare detailed plans and specifications, to advise in the awarding of the contract and to supervise construction. The advisory service might possibly assist the city, if requested, in its negotiations with the private engineering consultant, but would refrain from recommending any particular concern or individual.

In acting upon requests for legal assistance, the Municipal Technical Advisory Service will attempt in all instances to work directly with city attorneys. The advisory service will supply model ordinances, assist in drafting charters or charter amendments, and examine proposals, such as bond ordinances, for a preliminary determination of technical legal faults based on cases having a direct bearing upon

such proposed local legislation.

Full time staff members of the Municipal Technical Advisory Service will be technical specialists in their particular fields. They will work together in close cooperation however, inasmuch as nearly every municipal problem involves several technical fields. A proposed bond ordinance for the sale of securities to obtain funds for the construction of a new bridge, for example, will involve the Engineer Consultant in checking the original estimate to ascertain that the ordinance will provide sufficient funds, and is technically correct from the standpoint of any other engineering details; the Consultant on Municipal Law will, of course give preliminary review to the proposed ordinance as to legal technicalities; the Finance and Accounting Consultant will examine the proposal to determine whether the schedule of principle and interest payments can be met in view of outstanding issues and other financial obligations of the particular city involved. This work would done in the preparatory stages, and would in no way replace the essential services of bond houses or bond attorneys.

A determined effort will be made to keep the program of the Municipal Technical Advisory Service completely flexible at all times. In this way, as needs develop the advisory service will be able to meet those needs by having competent technical specialists available. In recognition of this feature, the advisory service has no fixed, pre-conceived program whereby a request that does not fall within a set pattern cannot be handled. Rather, the advisory service will attempt always to act as a central clearing house for information and assistance on all municipal problems, and will attempt to respond to requests directly, or by referral to another agency, depending upon the nature of the request. In this way city officials may look to the advisory service for assistance on all problems knowing that it will undertake to provide the answers to such problems either directly or by taking the problem to the proper state

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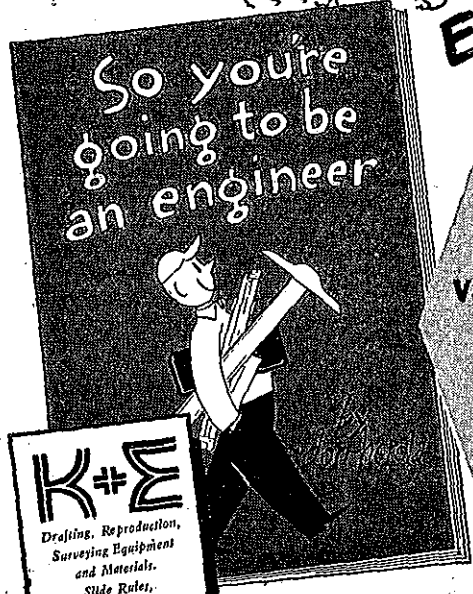
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possible manner in such research undertakings, and may make personnel or funds available for given research projects which it regards as essential to its own basic program. The advisory service may discover problems in which research is necessary in order to provide basic data needed to support answers to specific questions. In such case the advisory service may initiate the research project with the appropriate agency, make funds available, and assist generally in the project.

Finally, the Municipal Technical Advisory Service will be interested in the publication possibilities of its own work, the work of other agencies, and of research projects having a direct bearing upon problems of local government. Realizing that municipal officials in Tennessee must be kept constantly informed of recent developments and trends, and new practices and procedures if they are to be made aware of opportunities to improve their local administrations, the advisory service recognizes its responsibility to bring such information to city officials in Tennessee. Therefore it will participate in every practical way in bringing such information to the attention of local officials.

federal agency for the best technical assistance available. Full-time staff members will be added to the initial organization as the need for technical assistance in other fields becomes apparent, and if the programs of other agencies will not permit them to respond to requests referred to them.

Incidental to the basic program of the Municipal Technical Advisory Service, and arising out of its activities in the field, opportunities for making broad, general contributions to the field of municipal government and administration will arise. First, the advisory service will develop its own technical reference library, which has already been started. As this library is expanded it will become a central source of technical information on municipal government and administration available for use by city officials and by personnel of all agencies interested in the various aspects of local government. Detailed information on all cities in Tennessee will be gathered and recorded for ready analysis, so that eventually any question on any specific city in Tennessee can be answered by referring to accurate and up-to-date materials on file in the advisory service headquarters.

Still another by-product of the advisory service program will be its sponsorship of and participation in research projects having a direct bearing administrative problems of municipal government. The advisory service will not attempt to undertake long-range research projects as its primary responsibility, regarding that as logically and properly the responsibility of other University units and possibly of certain outside agencies. It will, however, cooperate in every

It may publish and distribute its own materials, it may contribute articles and technical information to other publications having wide circulation in Tennessee, and it may make its personnel and funds available to other agencies in securing distribution of information to city officials from those sources. The full possibilities of this phase of the advisory service program have not been completely explored, but careful attention is being given to this very important service.

In conclusion, the possibilities of the Municipal Technical Advisory Service program are unlimited. The need for technical assistance is everywhere evident, and Tennessee cities are no exception. On the contrary, city officials in Tennessee are acutely aware of this need, of which the establishment of this new agency is positive proof. By the active support and cooperation of the Tennessee Municipal League, it is obvious that Tennessee city officials are ready and willing to accept the services which the new agency will offer. In the framework which has been so carefully established, the Municipal Technical Advisory Service has an opportunity to make a contribution in the field of local government which has never before been equalled. In taking full advantage of these opportunities to advance local government in Tennessee, those responsible for the administration of the new Municipal Technical Advisory Service program must not, and cannot, fail.