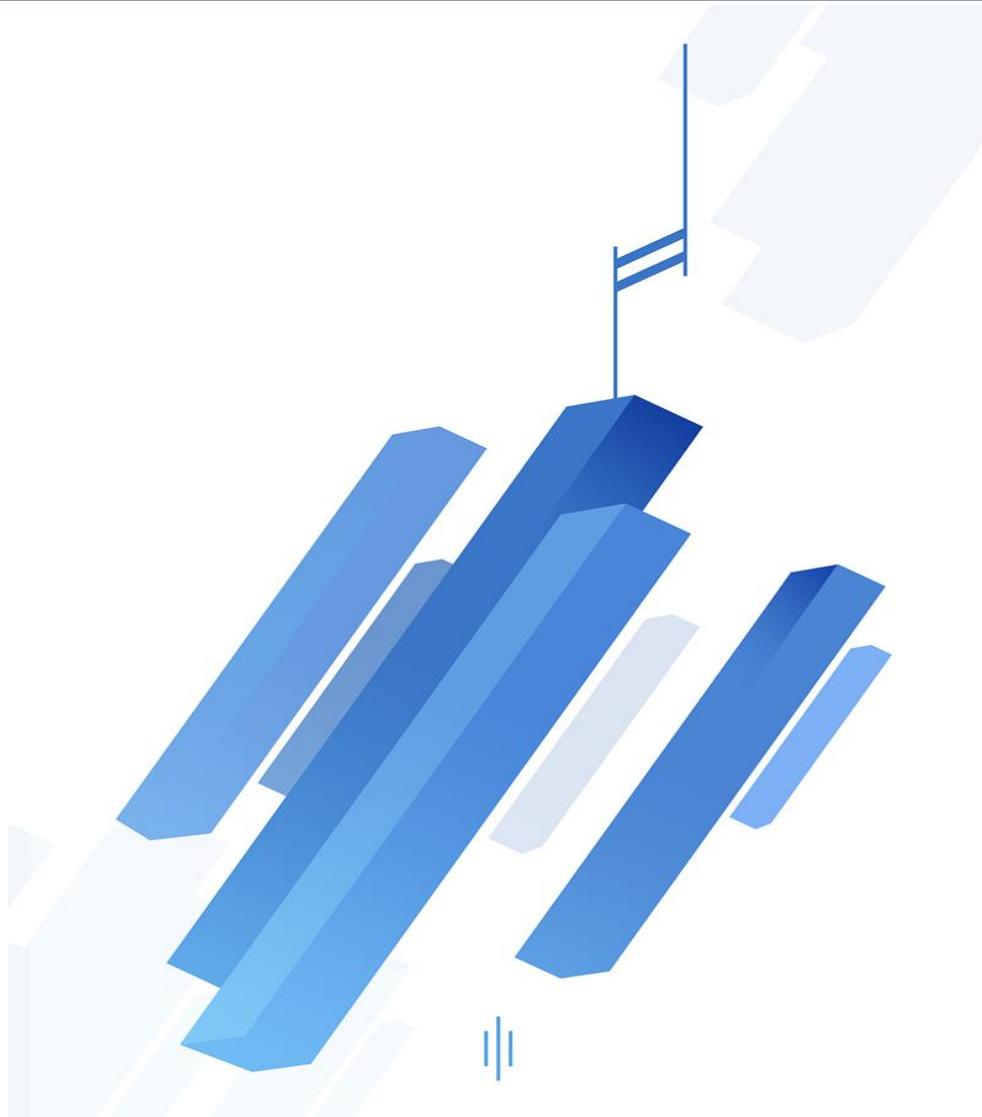


# CASE STUDY METROPOLITAN GOVERNANCE

## GUADALAJARA METROPOLITAN AREA, MEXICO



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# Case Study on Metropolitan Governance

## Guadalajara Metropolitan Area, Mexico



This metropolitan governance case study is part of a **joint effort of GIZ and UN-Habitat** to develop a framework for their future cooperation with metropolitan regions and related partners. Three selected case studies – Metropolitan Bandung (Indonesia), Guadalajara Metropolitan Area (Mexico), and eThekweni (Durban, South Africa) - are complementing the global study **“Unpacking Metropolitan Governance for Sustainable Development”** (GIZ/ UN-Habitat, 2015). They were prepared by local consultants in collaboration with local institutions under the coordination of the Global Fund for Cities Development (FMDV).

The three cases, **although unique, are representative of the diverse situation of metropolitan governance in the global South** and exemplify some of the core concepts of metropolitan governance developed in the international study. A comparative analysis as well as summary of each case study can be found in a separate publication.

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## List of abbreviations

CONEVAL	National Council for Evaluation of Social Development Policies
GMA	Guadalajara Metropolitan Area
IIEG	Statistical and Geographical Information Institute of Jalisco State
IMEPLAN	Metropolitan Institute of Planning
IMCO	Institute for Competitiveness
INDETEC	Institute for the Technical Development of the Public Finances
INEGI	National Institute of Geography and Statistics
MCB	Metropolitan coordination board
MCC	Metropolitan Citizen Council
SEDESOL	Secretary of Social Development
SEMARNAT	Secretary for Environment and Natural Resources
SIAPA	Inter-Municipal Water, Sewer and Drainage System
SITEUR	Urban Electric Train System

# 1. GUADALAJARA METROPOLITAN AREA - INTRODUCTION & BASIC DATA

The Mexican territory is divided into 2,457 municipalities, in 31 States (provinces) and one Federal District -conformed by 16 delegations- that host the three branches of power: Executive, Legislative and Judicial. It is a democratic, representative and federal Republic, with three levels of government: federal, State and municipal, as established in the National Constitution (H. Congreso de la Unión, 1917).

Demographic, economic and cultural activities concentration in certain areas of Mexico has resulted in 383 cities (accounting for only 10% of the national territory) concentrating three quarters of the total population (112 million people in 2012<sup>1</sup>) who generate 97% of the national gross domestic product (GDP). Furthermore, 56.8% of the national population, i.e. 63.8 million people, are concentrated in the 59 metropolitan areas, composed with 367 municipalities. These figures demonstrate how much the urban population of Mexico is eminently metropolitan (Salinas Arreortua, UNAM; National Commission for Population; Social Development Secretariat; National Institute of Statistics And Geography, 2012).

## 1.1 THE MEXICAN METROPOLITAN PHENOMENON

The Mexican metropolization phenomenon appears around the 1940s with the conurbation of Mexico City Area. In the 1960s, 12 metropolitan areas were identified; by the 1980s, 26; and in the early 90s, 11 new cities were added to the metropolitan list, concentrating more than 51% of the overall Mexican population. Mexico was clearly a country with metropolitan trends. Nowadays, as stated above, this proportion reaches around 57% with a total of 59 metropolitan areas.

To date, there is no harmonized definition of Metropolitan Areas and related mechanisms at national level, resulting in a large variety of institutional arrangements at the Federative States level. For the purpose of this case study, we will be using Mexico's Secretary of Social Development (SEDESOL) and National Institute of Geography and Statistics (INEGI) definition of metropolitan areas:

*"A metropolitan area is defined as the set of two or more neighbouring municipalities which urban area, of fifty thousand or more inhabitants, functions and comprises activities that exceed the limit of the municipality; it is predominantly urban and maintains a high degree of socioeconomic integration." (INEGI, 2010)*

In addition, Federal agencies considered three criteria to conform the metropolitan areas in the country as follows:

- A "central municipality" in which municipalities that share an inter-municipal conurbation and whose population altogether amounts to 50 000 or more inhabitants;
- A metropolization which includes foreign municipalities defined on the basis of statistical and geographical criteria; and
- An urbanization based on criteria of planning and urban policy.

Under this definition, only 11 of the 59 Mexican metropolitan areas have more than one million residents, as it is the case of the Guadalajara Metropolitan Area (GMA) (INEGI, 2010).

How the local governments manage the metropolitan areas varies from one area to another, and the 59 MA also operate with different legal, political and administrative structures, and urban norms.

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<sup>1</sup> 125,4 million in 2014

Political and administrative fragmentation of the Mexican federation generates a structure of incentives that motivates both elected and designated officers to neither cooperate nor coordinate among the neighbouring jurisdictions as we will see in Part 2 (Ramírez de la Cruz, 2012; OECD, 2006).

Currently, in the national legal framework, there is neither a regulation to articulate and coordinate the development of metropolitan areas as local governments units, nor the recognition of the metropolitan areas as an intermediate level for public administration between States and municipalities.

Nevertheless, in the Constitution, there is legal recognition of inter-municipal associations and coordination between municipalities and States, but that is a decision taken by the local and the State governments. Thus, in Mexico, some municipalities have addressed this regulation gap, by forming certain structures for decision-making at the regional or inter-municipal level (Ramírez de la Cruz, 2012).

Due to this legal state of the art, e.g. the constitutional autonomy of municipalities (no intermediary constituencies authorized between second and third tier of government), the binding or facilitating instruments for constituting functional metropolitan areas are basically non-existing, up to now (see Part 2 for more details).

## 1.2 INTRODUCING THE GUADALAJARA METROPOLITAN AREA

The Guadalajara Metropolitan Area (GMA), often stated as the Mexican “Silicon Valley”, is an urban area located at the centre of the State of Jalisco, Mexico (Fig. 1). It is the second major metropolitan area in the country in terms of population (after the Metropolitan Area of the Valley of Mexico, which includes the Federal District) and one of the most competitive and with major potential. It combines a modern and diversified industrial base with a strong sector of services (especially education and tourism) together with relatively efficient local governments. In the last two decades, the GMA has emerged as an attractive destination for investments in sectors like aerospace, electronic manufactures and Information and Communication Technologies (ICTs).

The local governments (LGs) account for relatively robust finances: the GMA is second in the national ranking for the level of fiscal autonomy of its member LGs (own revenues compared to total revenues) and the 6<sup>th</sup> rank for the property tax collection (IMCO 2012). Yet, the GMA municipalities recently advertised their high levels of indebtedness (with 4 municipalities in the national Top 20 of most indebted local governments). GMA also faces structural problems of competitiveness, safety and security, mobility, urban sprawl, loss of public space and lack of coordinated metropolitan planning and management.

In June 2015, the *Citizen Movement* party won the municipal elections in a majority of the GMA municipalities (6 of 8 municipalities, representing 4 million people out of the 4,8 composing the GMA), allowing for a possible alignment of mayors and administrations regarding metropolitan issues, agenda and management.

Guadalajara, GMA's core municipality, gives its name to the metropolitan area that comprises seven other neighbouring municipalities: El Salto, Tlajomulco, Tlaquepaque, Tonalá, Zapopan, Ixtlahuacán de los Membrillos and Juanacatlán (the two latter despite not being part of the direct urban conurbation centred by Guadalajara municipality were included in the GMA).

The GMA accounts for around 2 734 square kilometres, and a population of 4,8 million people (CONAPO, 2015)<sup>2</sup>. GMA's evolution, along Mexican urban development history, provides an enlightening example of the on-going urbanization and metropolization processes and trends taking

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<sup>2</sup>In 2015, the city of Zapotlanejo was authorized by State Decree to join the GMA. Yet, as its integration has not been yet completed in the GMA, for the purpose of the study, we will keep analyzing the GMA with 8 municipalities (for reasons of available data also).



place in many large and intermediate cities along Mexico and Latin America. Several attempts to address the challenges and externalities generated by conurbation and neighbouring among different territorial jurisdictions are part of Guadalajara’s intimate narrative to date.

**FIGURE 1 - GUADALAJARA METROPOLITAN AREA GEOGRAPHICAL LOCATION IN JALISCO STATE**



Source: (INEGI, 2010). National Institute of Statistics and Geography & Jalisco Government (2015)

**POPULATION & HOUSING**

According to the Census of Population and Housing 2010, the population of the GMA was 4 434 878<sup>3</sup> people, representing 60.33% of the State total, with an average population density of 1622 hab./km<sup>2</sup>.

**TABLE 1 - POPULATION, AREA AND POPULATION DENSITY - GMA 2010**

Municipality	Population	Area (km <sup>2</sup> )	Population Density/km <sup>2</sup>
Guadalajara	1, 495,189	151.4	9,874.4
Zapopan	1, 243,756	1 163.6	1 ,068.9
San Pedro Tlaquepaque	608,114	110.4	5,506.2
Tonalá	478,689	166.1	2,881.9
Tlajomulco de Zúñiga	416,626	714.0	583.5
El Salto	138,226	87.9	1, 573.3
Ixtlahuacán de los Membrillos	41,060	202.4	202.9
Juanacatlán	13,218	138.3	95.6
Total	4, 434,878	2734.1	1,622.1

Source: Author, with information from (IIEG, 2010). Statistical and Geographical Information Institute of Jalisco State

The average rate of population growth in the GMA in the last 20 years has been 1.86% (Table 2). The population growth rate for the country has been around 1.37%, significantly lower than for GMA, showing its constant attractiveness as an urban conurbation (INEGI, 2010).

<sup>3</sup> 4,8 million inhabitants following updated data on population from CONAPO 2015

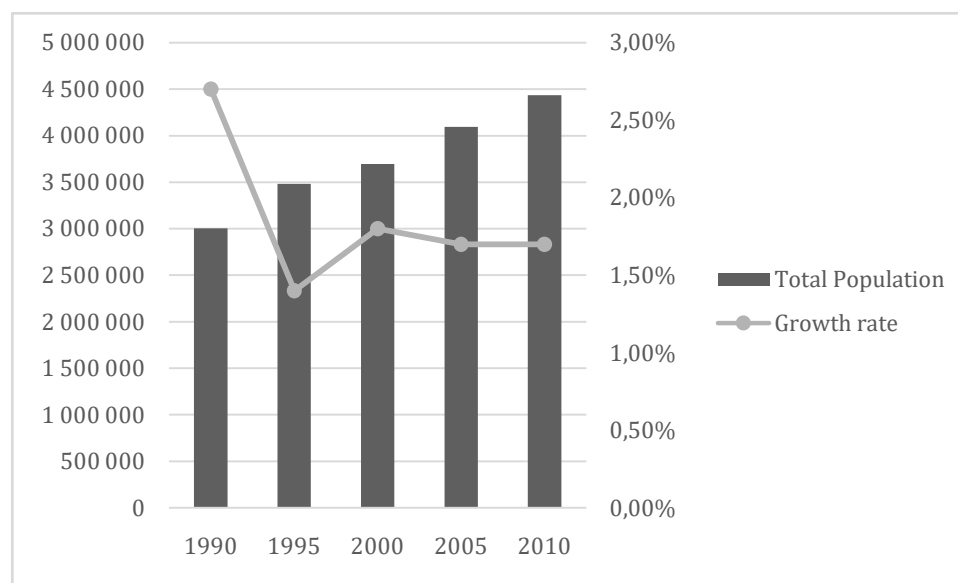
**TABLE 2 - TOTAL POPULATION AND RATE OF POPULATION GROWTH**

Year	1990	1995	2000	2005	2010
Total Population GMA	3,003,868	3,482,417	3,696,136	4,095,853	4,434,877
Annual growth rate	2.70%	1.40%	1.80%	1.70%	1.70%

Source: (Jalisco, 2014). Jalisco, State Government

As shown in Figure 2, the GMA rate of population growth has waxed and waned over the past 20 years, however, the total population has increased significantly every 5 years. According to Statistical and Geographical Information Institute of Jalisco State (IIEG, 2010), the projected population growth rate for 2010-2015 is around 1.53%, and 1.05% for the period 2015-2020.

**FIGURE 2 - TOTAL POPULATION AND ANNUAL GROWTH RATE - GMA 1990-2010**



Source: Author, with information from (INEGI, 2010). Census 1990 to 2010

The Mexican *suburbanization* trend appears more clearly in the metropolitan areas gathering several municipalities. In the GMA, between 2005 and 2010, the city of Guadalajara lost almost 106,000 inhabitants, while the city of Tlajomulco de Zúñiga (located in the periphery of the GMA) saw its population double with up to 197,000 more inhabitants. This means that there was an intense relocation of the population in the GMA which resulted in an increasing demand for mobility within the metropolitan area as peripheral municipalities like Tlajomulco de Zúñiga rarely constitute urban nodes with sufficient employment and services for its residents.

In terms of housing coverage in Jalisco, there were 1.83 million homes inhabited and 358,000 uninhabited in 2010. 60% of the inhabited dwellings were located in the GMA, as well as 58% of the uninhabited. In Jalisco, there are on average 4 people per inhabited home, and 3.9 in GMA. Independent houses represent 90.5% of the total.

The 2005-2010 growth rate of housing in Jalisco was 3.2%, and 3.1% in the GMA. However this growth is unbalanced: while it decreases in Guadalajara, it grows in Tlajomulco and Ixtlahuacán at high rates of 17 and 16% respectively.

In terms of patrimonial/asset security, 65% of the houses are owned, 23% rented, 12% lent or in some other situation. Housing consumes about 10% of household income, and 5% is dedicated to the goods and services related to it. The average cost of housing in the formal market in Jalisco is 341,000 pesos (US\$ 20,760). In terms of quality, the type of construction predominating is the self-made and

informal construction, with 52%; only 20% of the houses were formally built by constructors or architects. This is partly due to the fact that more than half of the population is not creditworthy; hence the importance of support for housing construction and improvement, as well as new funding policies. 90% of the houses are built with durable materials and 9% with regular supplies or precarious ones. 25% of households have a condition of backwardness, whether by regular or overcrowding precarious materials, and about 10% still lack basic services like water and sewerage inside home.

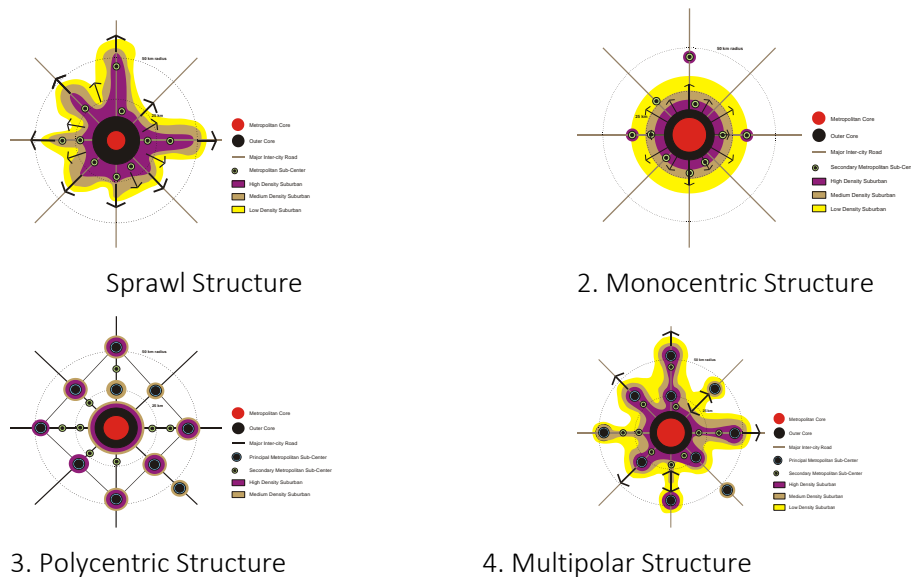
In terms of public management, there are several funding and home improvement programs, but INFONAVIT (Workers National Institute for Housing) certainly stands out for its impact with credits for 13,8 billion pesos (US\$ 840 million) that financed 41,000 homes in 2011. In 2012, demand was of 50,000 housing solutions, according to SHF (Federal Mortgage Company).

## SPATIAL STRUCTURE, MOBILITY, PLANNING

### Spatial Structure

The spatial structure of GMA resembles the multipolar structure (Figure 3). Such structure was the result of an evolution process produced by the population growth in the zone. Over 40 years ago, the zone had four distinctive large population centres, corresponding to the main urban centres of the municipalities of Guadalajara, Zapopan, San Pedro Tlaquepaque and Tonalá. Such spatial picture was more of a polycentric structure. The population growth produced urban centres increase, to the point where they reached each other borders, and finally formed the multipolar structure.

FIGURE 3 – MODELS FOR SPATIAL STRUCTURES OF METROPOLITAN AREAS



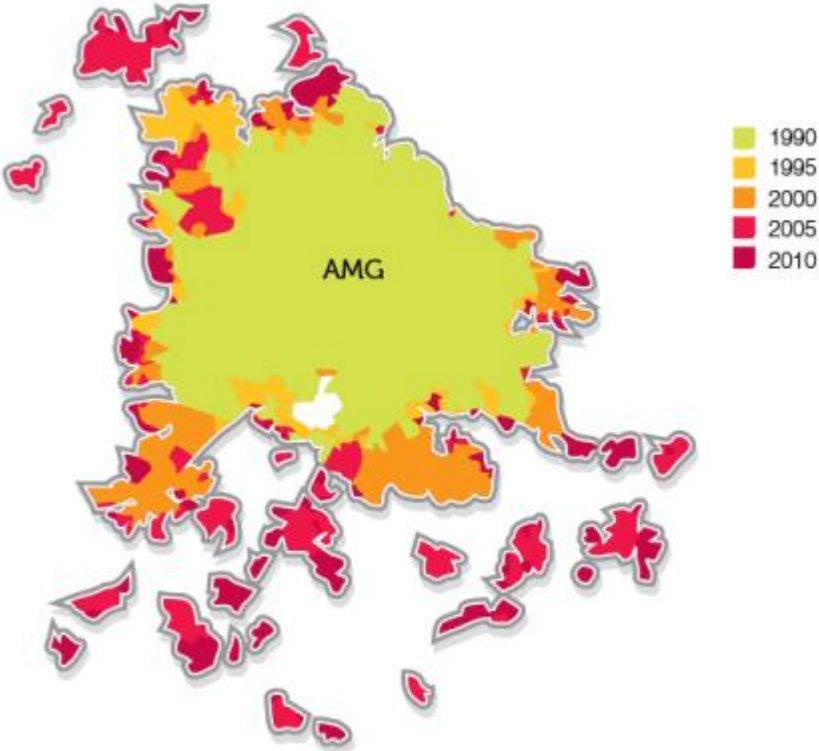
Source of graphs: Edward Leman, Chreod Ltd., 2001

The GMA has several services and production centres, with radial residence areas between them. For example, in the northwest and south sides of the metro-area, one can find some of the biggest employers in the city: Siemens's, Flextronics, Jabil and Sanmina; employing around 20,000 people. But, around the middle zone of the GMA, one can observe the traditional industries also employing several thousand workers.

Between 1960 and 2005, the existing urban ground, based on 1960, multiplied by 7.5, while the population increased by 4.5 times in the same period. This demonstrates the obvious difficulty for authorities to deal with territorial expansion, with planning capacities growing at a moderate pace.

The growth of the metropolitan spot in terms of population and territory has been huge over the last twenty years (Figure 4). The population growth was 47%, from 3,003,868 in 1990 to 4,435,252 people in 2010.

FIGURE 4 – GROWTH OF GMA FROM 1990 TO 2010



Source: Jalisco Como Vamos, 2012 Quality life Indicators Report

The most notorious externalities of this metropolitan expansion are related to urban injustice and lack of planning. The two richest municipalities are Zapopan and Guadalajara, which concentrate jobs and basic facilities, whilst other municipalities in the area increase their population with not enough adequate services and urban equipment. As an example, the biggest medical hub in the Region is the “Western Medical Center”, a State run hospital, located in Guadalajara and one of the few with level three medical capabilities. This level of medical services offer does not exist in other GMA municipalities, making the neighbouring streets a conglomerate of complementary services and major traffic congestion.

Also, as a whole, GMA faces a growing loss of mobility and occupation of forest reserves with profound impacts on the environment and natural resources.

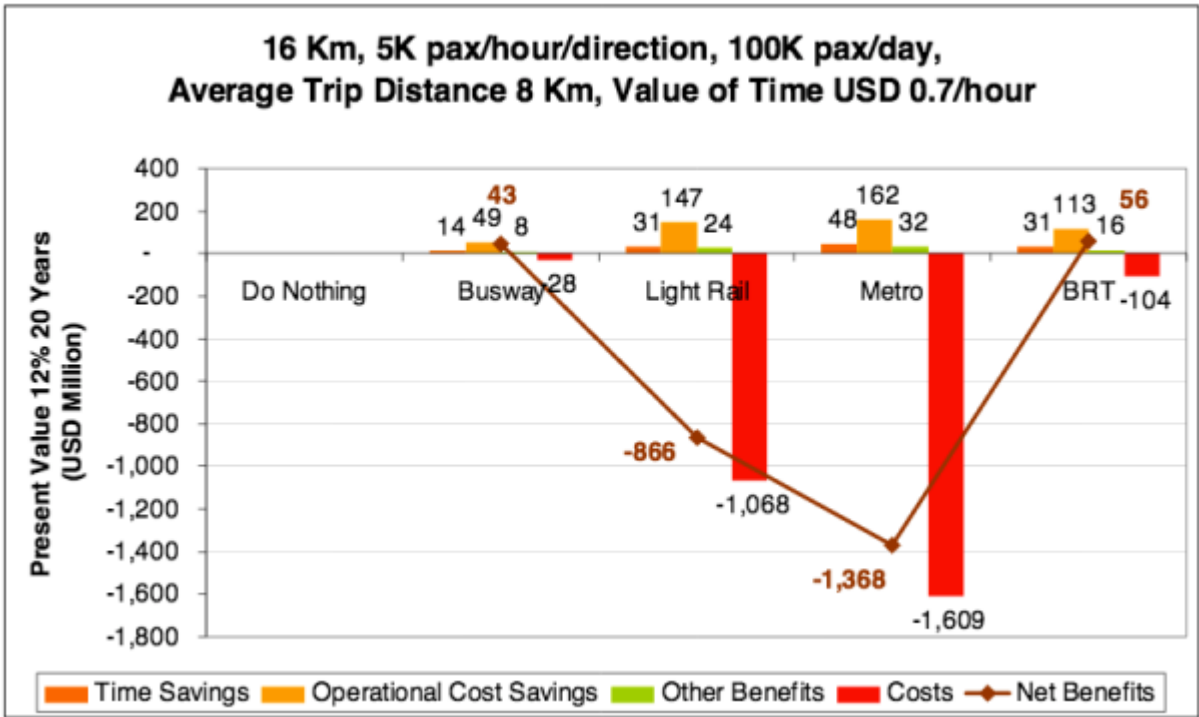
**Mobility**

GMA’s mobility system has erratically followed population growth and urban sprawl. To date, no integrated development plan for transportation and mobility has been including the 8 municipalities, apart from a 1982 Conurbation Plan that has never been updated since its enactment.

Public transport in the GMA consists of about 300 bus and trolleybuses routes; two lines of light rail and one Bus Rapid Transit line, the Macrobus (since 2009). A third light rail is under design and implementation (see Part 4), as well as other BRT lines. But, in total, GMA’s actual mass transit system length is still limited: the two light rail lines account for 24 km (15.5 km for Line 1, and the 8.5km for Line 2), and the BRT for 16 km. This situation creates “highways” for the use of private car and, thus, more congestion, economic loss of competitiveness, as well as social injustice.

The World Resource Institute’s EMBARQ produced a cost-benefit analysis of GMA’s Macrobus (Figure 5) showing its efficiency as compared to other mobility solutions.

FIGURE 5 - COST-BENEFIT ANALYSIS OF GMA’S MACROBUS



Source: EMBARQ 2010

In terms of travel in the GMA, 9,782,652 trips were made within one working day of 2007, with an average of 2.48 trips per person, being the 2nd and 4th highest frequencies at national level. In terms of intercity travel, Guadalajara and Zapopan are the only GMA municipalities attracting more trips than they create, reflecting their concentration of economic, social and bureaucratic activities.

The three main means of transport are: walk, 37%; buses, 28%; and private cars, 27%. The buses lost 13.5% share in 10 years, from 1999 to 2009 (Jalisco Como Vamos, 2012). The average density of the floating population in Guadalajara is triple compared to the other metropolitan municipalities. This means that there is a floating population of 1,120,434 people coming every day from other municipalities, and aiming to work, primarily, and study in GMA’s core city.

A 2015 IMEPLAN<sup>4</sup> study concludes on the high concentration of services offered by the core city but alerts on capabilities that a municipality such as Guadalajara loses as its services are not sufficiently paid out with collected taxes and incomes. Indeed, Guadalajara has almost an identical number of floating and resident populations but only residents pay property taxes. This constitutes its main income (after federal and State transfers) to pay for services such as security, paving, lightning and waste collection, all of these services contributing to ease mobility within its territory.

The need for a metropolitan coordination, planning and management becomes more and more obvious (calling especially for horizontal equalization) and IMEPLAN’s recent study aims exactly at enacting its core mandate in those matters.

<sup>4</sup>Metropolitan Institute of Planning (IMEPLAN) –see Part III, created in 2012 after the Jalisco State’s Metropolitan Coordination Law (2011) but only operationalized in 2014

In the absence of strong and visionary coordination and planning, the vehicle fleet of Jalisco and GMA has grown at an annual rate of 7.29% between 1980 and 2010, higher than the rates of population and housing. 65% of the vehicle fleet is concentrated in the GMA. At the State level, in 1980, there was one car per 12.5 inhabitants; in 2010, it is one car for every 4.57 inhabitants. In 2008, in the GMA, it was 2.5 people per vehicle.

Over the years, and in terms of public management, there has been a strong shift to a mobility model favoured by public investments: the use of private cars. The pace of growth of urban public transportation, as well as regulatory and public investment measures, does not compare to the high growth rates and the amounts of public investment in projects for the private car. As an illustration, in 2010, the budget of the Metropolitan Council of Guadalajara was mainly devoted to road infrastructure, favouring the car over the other two major types of transport, and leaving aside alternative transport modes. Of the 1,540 million pesos budgeted (US\$ 93,2 million), 78.1% were primarily allocated to works that benefit the private car. Only 6.8% were allocated to the system of corridors and metropolitan parks.

In terms of efficiency, the GMA average travel speed in the primary roads in 2011 was 23.9km/hour. Using data from 2007, it took on average 28 minutes to move from one place to another within the GMA, with average moving depending on the mode used: 13 minutes walking, 31 driving and 44 in buses. The index of connectivity of roads and highways in 2011 in Jalisco was 0.46, an average level, and for the GMA, 0.6, a high level.

## Planning

By national law, all three levels of government are required to have a Development Plan. The plans are renewed every time there is a new administration, as it is constitutionally mandated, with no equivalent obligations to retrieve previous plans. Therefore, every six years for State and federal governments, and every three years for municipalities (in the case of Jalisco State), a new plan with limited continuity from the previous plans is enacted. The development plan defines the strategic goals for the administration and should build on the past, but in reality the plan becomes the “personal seal” of the political leader newly elected. Yet, a recent change in the Federal Constitution happened: re-election will be allowed at the municipal level for one time back to back. This might have direct incidence on the practices at local level in terms of planning, coordination and continuity.

Likewise, all the municipalities must have an Urban Plan, meaning they must produce “partial urban development plans” that define in details the land use for each of the areas of the municipalities, among other issues regarding urban development. Land use is managed between Urban Development Council, presided by the Mayor, and the correspondent policy domain department. The nominal horizon is more than six years but the effectively used one is three years as the government changes. The responsibility of land use is ultimately held by the City Council, but the administrative offices have high technical influence in the decisions.

The mobility and urban planning are located in separated departments, respectively at the State and municipal levels, with no formal arrangements to coordinate them except the dialogue between Governors and Mayors’ offices, which can be eased or rather erratic depending on the political alignment, or not, between political parties.

In recent years, there was an attempt to change the centralization trend for services, equipment and jobs in the GMA. Some policies were directed to localize specific facilities, such as industrial clusters, in notorious population centres away from the metropolitan area core. There was also a timid approach to effectively regulate the housing developments, reforming the urban planning code at the State level.

Up to date, there is no effective zoning planning at the metropolitan level<sup>5</sup>. One of the objectives of the IMEPLAN is to encourage this function, however, the municipalities resist to any major changes in the planning process. Most of the delay to implement the IMEPLAN was due to political interests; when the Governor tried to impose his agenda and the mayors tried to counter him (different parties).

## SERVICE PROVISION AND DELIVERY & NATURAL RESOURCES - ENVIRONMENT MANAGEMENT

The service coverage for public services is similar across the metro area. There are few polygons in the GMA without access to basic social infrastructure or educational or medical services. The quality of those services, however, varies enormously across the GMA; for example, with high quality private schools in very few points, less good public schools and a bulk of low performance educative facilities in the rest of the territory.

The municipalities in the GMA have limited third party contractual agreements for service delivery. For example, the municipality of Guadalajara has its solid waste collection and disposal contracted out, when all the other municipalities collect and dispose waste by themselves. This has been the choice of each jurisdiction and mostly associated with political interests. The major disposal sites are located in the peripheral jurisdictions, under a series of agreements directed by the State Government.

Jalisco is the third largest generator of **solid waste** with a share of 7.2% nationally, although its GDP is lower in proportion (Jalisco Como Vamos, 2012). The GMA generates about half of these residues. State-wide, 45 waste landfills processed 2.3 million tons of solid waste, of which 34% are deposited under the official rules, and remaining 66% are deposited improperly, causing environmental issues.

Although the federal Standard n°083 of the Secretary for Environment and Natural Resources (SEMARNAT) became effective in 2008 for differentiated collection in the State, no significant progress has been made in this field. In general, due to legal limitations and political interests, the Mayors of the Municipalities cannot charge for waste collection, forbidding an adequate budget line to be devoted to the betterment of the waste sorting and recycling. Even though several public campaigns have attempted to create a culture for new habits, the discrepancies between the dynamics of different stakeholders dealing with the waste collection chain (from consumers to collectors and public administrations) did not allow creating a virtuous circle of efficiency.

Jalisco is the third State by number of users of **electricity** in the country, consuming 1,542 kilowatt-hours per capita below the national average, with a cost of 1.43 pesos per kilo-watt, above national average. Each inhabitant in 2011 generated a consumption of 2,205 pesos on average, not counting the subsidy that the Federal Commission on Electricity (CFE) provides.

In its Index for Sustainable Management of Environment, within the overall Competitiveness Index (2010), the Mexican Institute for Competitiveness (IMCO) places Jalisco State at position 15 out of 32, in the national average, but underlines that it is the second highest rated State in non polluting energy sources.

With an average IMECA (Metropolitan Index for Air Quality) of 85 in 2011, the **air quality** in the GMA is unsatisfactory. Ozone and suspended particles at different times exceed the Mexican standards and do not comply with the requirements of the WHO. Only 37% of the vehicle fleet is verified; of the 63% defaulting, only 5.65% are sanctioned.

In Jalisco, there are at least 24 **water treatment** plants that disinfect 98% water at a rate of 9.5 m<sup>3</sup>/sec., which produces 20.654 l. /sec.; 25% of wastewater in the State is treated (see Part 4 for more information on the metropolitan agency for water and sanitation, SIAPA).

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<sup>5</sup> As part of the works of the Metropolitan Institute of Planning, there should be an operating metropolitan plan, but it was still in its design phase at the date of this study.



The average availability of renewable water per capita in the hydrological region, to which Jalisco belongs, is 1,646 m<sup>3</sup>/year. This region is the second most contaminated after the Valley of Mexico. Its availability of surface water is mid-range. There are major problems of overexploitation of several aquifers in the region and in the State. Most of the waste water in the metropolitan area goes to the neighbouring rivers without treatment. Although there are significant efforts to complete the construction of enough treatment facilities, the fact that for many years raw sewage has gone to the rivers implies several decades ahead with serious environmental issues. As an illustration, a cluster of chemical industries in the El Salto municipality had thrown chemical waste to the nearby river which led to severe health consequences in the neighbouring population.

Jalisco has an important role in terms of **green areas** nationwide: jungle, forest, vegetation, agriculture. However, the loss of ecosystem connectivity and forest health due to urban development, as well as fires, constitute an increasing risk, especially when the balance between the hectares lost and reforested remains a deficit.

## ECONOMY, INFORMALITY, MULTIDIMENSIONAL POVERTY, SAFETY

### **Economy**

In 2013, the gross domestic product (GDP) of Jalisco was US\$ bn 116,6 at 2010 constant prices, representing 6.4% of national GDP. Jalisco is the fourth federal State with greater production of wealth after the Federal District, States of Mexico and Nuevo Leon, and one of the six States which together generate more than 50% of the national economy (OECD 2015 & IIEG 2010).

Manufacturing represents one of the main State's economic activities with 42% of the total. Among the relevant activities are electronics, information technology, beverages, food, jewellery, textile and footwear.

GMA's GDP alone represents in 2013 more than 60% of Jalisco State's GDP (Table 4). One of the GMA's strengths is its geographic location, since it is placed in the main route between the country's northwest and the centre regions. Therefore it has become a transportation node with a major international airport and an important crossroad for trucks and trains for the shipments between regions, as well as those coming into the country through the ports of Manzanillo and Mazatlán. Thanks to this strategic location, GMA is home to an important number of companies in the electronics and technological bouquet, representing in average between 2006 and 2011 20.5% of GMA's GDP. According to the State Government, 75% of businesses activities in Jalisco are located in the GMA, making it the State's main economic centre.

To illustrate the economic differences among municipalities, Table 3 presents the economic units in the State and the municipalities that form the metropolitan area.



**TABLE 3 - NUMBER OF ECONOMIC UNITS<sup>6</sup> IN THE GMA AND JALISCO STATE**

	1998		2003		2008	
	Number	%	Number	%	Number	%
Jalisco	203,480	100.00	214,768	100.00	264,361	100.00
Guadalajara	75,552	37.13	77,012	35.86	84,672	32.03
Ixtlahuacán de los Membrillos	456	0.22	422	0.20	581	0.22
Juanacatlán	256	0.13	223	0.10	264	0.10
El Salto	2,122	1.04	2,264	1.05	3,727	1.41
Tlajomulco de Zúñiga	2,678	1.32	3,639	1.69	6,758	2.56
Tlaquepaque	11,342	5.57	12,864	5.99	16,392	6.20
Tonalá	8,813	4.33	9,314	4.34	13,089	4.95
Zapopan	22,823	11.22	24,974	11.63	33,152	12.54

Source: Author with information of INEGI

In 2009, Price waterhouse Coopers (PwC 2009) included the agglomeration of Guadalajara in a list of 151 cities and agglomerations with the world's largest GDP (absolute, not per capita). The agglomeration is well placed in the 76<sup>th</sup> rank, immediately after Manchester-England or Brussels-Belgium, and ahead of cities like Dhaka-Bangladesh, Munich-Germany, or Belo Horizonte-Brazil.

It is estimated that Guadalajara will gain 2 seats and is listed at 74<sup>th</sup> rank in the 2025 projection made by PwC, for an estimated 3.6% GDP growth rate per annum between 2008 and 2025, putting Guadalajara at the 68<sup>th</sup> rank in terms of GDP growth over the same period.

It is noteworthy that in the same list, Monterrey is at position 63 and is expected passing 61 in 2025 (with 3.7% GDP growth rate/year and ranking at 66<sup>th</sup> for GDP growth over the period); Mexico City, meanwhile, is in 8<sup>th</sup> rank and expected to pass to the 7<sup>th</sup> in 2020 just ahead of Paris-France or Shanghai-China, and right after Sao Paulo-Brazil (with 3.9% GDP growth rate/year and ranking at 62 for GDP growth over the period).

OECD measures part of GMA's GDP, integrating 7 of its 8 municipalities in its calculation.

These figures show that GMA is well aligned with national trends for economic growth; yet, even after recovering from the international economic and financial crisis, GMA's GDP per capita and labour productivity look way behind other metropolitan areas such as Monterrey's or national average, showing still certain fragility (Table 4 and Figure 6).

This difference between high potential to be an engine for growth at the State and Country level and economic development's data indicate that there are issues in GMA's management.

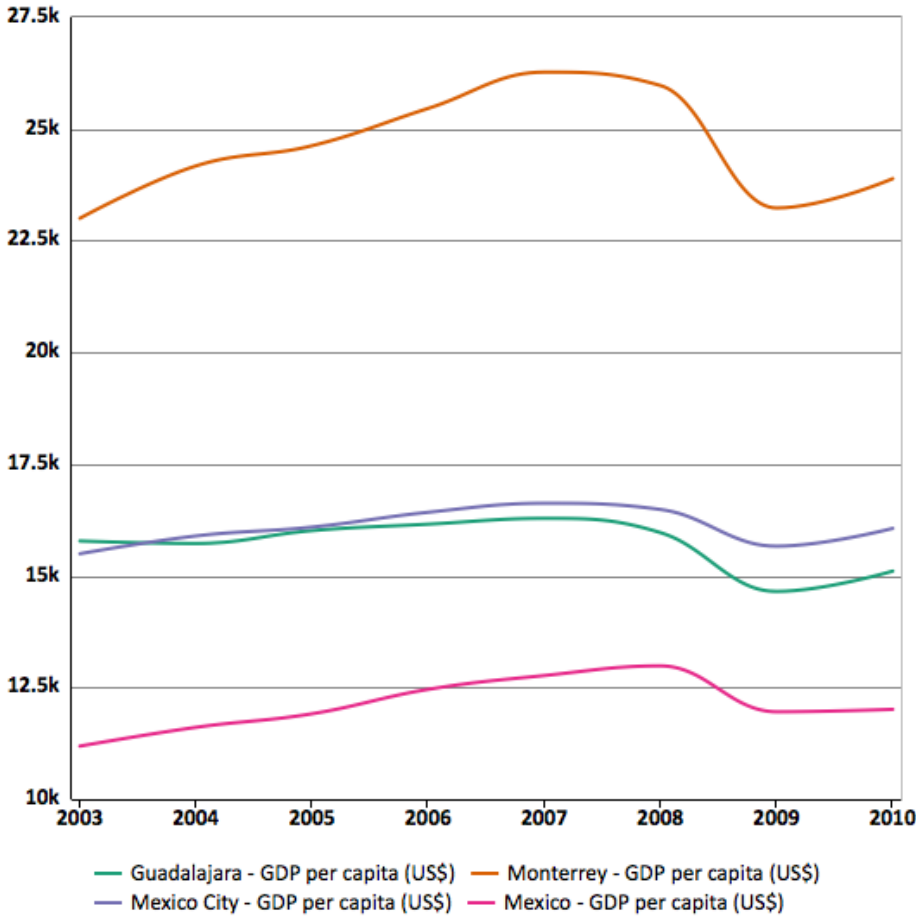
<sup>6</sup>**Economic units** are statistical units on which data is collected, primarily engaged in one type of activity on a permanent basis, combining actions and resources under the control of a single owner or controlling entity, to carry out production of goods and services, either in commercial purposes or not.

**TABLE 4 - GMA'S GDP AND LABOUR PRODUCTIVITY, COMPARED TO NATIONAL AND MONTERREY'S**

	2005	2010	2013
<b>GDP (Millions US\$)</b>			
Estimates of GDP of metropolitan areas, expressed in millions of US\$			
Constant prices and constant PPPs, OECD base year (2010)			
Guadalajara	55,934.11	62,423.56	70,871.86
Monterrey	91,291.61	105,812.7	117,122.53
Jalisco State	95,078	104,329	116,642
National	1,455,923.63	1,575,623.56	1,812,165.4
<b>Share of metropolitan area GDP over national GDP (%)</b>			
Constant prices and constant PPPs, OECD base year (2010)			
Guadalajara	3.72	3.76	3.89
Monterrey	6.06	6.38	6.43
<b>Labour Productivity (US\$)</b>			
Ratio between GDP and total employment			
Guadalajara	34,166.85	32,897.1	34,662.89
Monterrey	57,891.98	57,076.63	59,615.75
National	35,975.03	33,813.39	36,760.73

Source: OECD Statistics (Data extracted on September 2015)

**FIGURE 6 - GMA GDP PER CAPITA COMPARED TO NATIONAL AVERAGE AND OTHER METROPOLITAN AREAS**



Source: OECD Statistics (Data extracted on September 2015)

The promotion of the services sector is one of the most convenient economic alternatives, both for its high productivity and the high number of jobs generated. The regional economy is closely linked to external factors which make it sensitive to international economic changes. A more diversified economy and promoting regional market are two strong elements for change as well as resilience.

Micro and SMEs generate the largest share of available jobs. Also, the monthly average salary per employee in the GMA (\$ 5,681 pesos) is inferior to cities with a comparable highly specialized and mature industrial base, such as Monterrey (\$ 6 907) and Queretaro (\$ 5 700). It is also slightly below the national average (\$ 5,905). This information shows some delay in the efficiency and competitiveness of GMA's productive fabric (UN-Habitat, 2015).

**TABLE 5 - EMPLOYMENT DATA IN GMA RELATED TO OTHER METROPOLITAN AREAS AND NATIONAL AVERAGE**

	2000	2005	2010	2014
<b>Labour Force (people) at Metropolitan Level</b>				
Guadalajara	1,550,665	1,686,756	1,995,776	2,112,742
Monterrey	1,437,992	1,655,119	1,986,530	2,073,382
National	38,583,522	41,940,843	49,133,132	51,836,752
<b>Unemployed People at Metropolitan Level</b>				
Guadalajara	38,169	49,669	98,236	105,815
Monterrey	41,987	78,189	132,659	116,279
National	989,226	1,470,451	2,535,508	2,535,195
<b>Unemployment as a Share of the Labour Force (%) at Metropolitan Level</b>				
Guadalajara	2.46	2.94	4.92	5.01
Monterrey	2.92	4.72	6.68	5.61
National	2.56	3.51	5.16	4.89

Source: OECD Statistics (Data extracted on September 2015)

State and metropolitan GDPs do not grow at the same pace of population. In terms of employment, although there is a low figure of unemployment, job quality is below individual skills. The figures for underemployment, informality and average income are worrying. Job insecurity is serious and wages deteriorate.

### **Informality**

As a constant in the Mexican economic reality, the informal economy remains a complex issue in the GMA. The percentage of workers in the informal economy accounts for over a quarter of Jalisco's working population, currently 27.1%. In GMA, these informal workers in the trade sector represent 44% of total workforce formally registered in the national social security program (operated by the Mexican Social Security Institute - IMSS). Following Chamber of Commerce's data (Comercio, 2010), by 2010, about 529,000 people were involved in informal trade. The GMA's informal sales represent 10.5% of Jalisco's GDP. The informal commercial establishments in the GMA are around 200,000 against only 70,000 formal (Table 6).

GMA can be characterized as an average Mexican metropolitan area. In several and core aspects, the area is situated in the national mean: economic performance, investment, socio-economic profile and institutional capabilities.

**TABLE 6 -ECONOMIC INDICATORS OF FORMAL AND INFORMAL TRADE GMA 2010**

Informal Trade Sales	\$74,237 (millions of pesos)
GDP Jalisco	\$709,086 (millions of pesos)
Informally Employed Population	529,098
IMSS Workers	1,191,443
Contribution Evasion	\$10,300 (millions of pesos)
Budget GMA	\$10,918 (millions of pesos)
Formal Establishments	71,808
Informal Establishments	195,823

Source: Commerce Chamber. *The informal trade: a social phenomenon* (Comercio, 2010)

## MULTIDIMENSIONAL POVERTY

GMA counts with deep social, economic and institutional inequalities. Huge differences exist between life conditions, government provision of services and economic opportunities.

The General Social Development Act instructed the National Council for Evaluation of Social Development Policies (CONEVAL by its acronym in Spanish) to perform a multidimensional poverty analysis in which were considered at least the following indicators: income, poverty line, education, access to health services, to social security, quality of living space and housing, basic services (water and electricity), food and degree of social cohesion.

According to the 2010 CONEVAL's analysis, out of the overall population in the GMA, an average of 32.2 % lives in poverty, 3.13% is moderate poverty and 24.4% lives in extreme poverty.<sup>7</sup> As a confirmation, the GMA has large high-density informal settlements, reflecting high-income inequality, and a large informal economy (household enterprises, informal traders, etc.).

With poverty reaching 20% to 40% of the population and social vulnerability ranging from 60% to 80%, it means that only 15% of the population declared in 2013 having sufficient income to enable them to save (see the *Public Perception Survey on Life Quality Changes in the GMA*, edited by the citizen network *Jalisco Como Vamos*). The income inequality is severe, despite better conditions than in the national aggregate. The GMA is more uneven than the State as a whole, and the central municipalities of Zapopan and Guadalajara than the rest of the other metropolitan municipalities.

**TABLE 7 - PERCENTAGE AND NUMBER OF PEOPLE IN POVERTY INDICATORS - GMA, 2010**

Municipality	Poverty		Moderate Poverty		Extreme Poverty	
	Percentage	People	Percentage	People	Percentage	People
Guadalajara	22.5	345,408	2.1	31,488	20.5	313,919
Zapopan	22.8	295,643	2.2	28,012	20.7	267,631
Tlaquepaque	36.2	212,108	4.6	26,869	31.6	185,240
Tonalá	32.9	153,146	4.9	22,993	28.0	130,153
Tlajomulco	31.3	147,383	3.8	17,782	27.5	129,601
El Salto	43.8	53,760	7.5	9,218	36.3	44,542
Ixtlahuacán de los Membrillos	34.5	15,470	4.3	1,912	30.2	13,558
Juanacatlán	33.8	4,810	4.3	615	29.5	4,195
Total GMA	32.2	1,227,728	3.13	138,889	24.4	1,088,839

Source. Author, with information of (IIEG, 2010). Statistical and Geographical Information Institute of Jalisco State.

7 For details in the methodology, see CONEVAL (2008) "Metodología de Medición Multidimensional de la Pobreza en México" México: CONEVAL [http://www.coneval.gob.mx/rw/resource/Metodologia\\_Medicion\\_Multidimensional.pdf](http://www.coneval.gob.mx/rw/resource/Metodologia_Medicion_Multidimensional.pdf)

It is important to explain how CONEVAL classifies the population in the poverty, moderate poverty, and extreme poverty segments. To be classified as 'in poverty', households have to lack (or rate negatively) at least 1 of the indicators listed previously (1 indicator = poverty; 3 or more = extreme poverty).

The Gini Coefficient of part of the municipalities in the GMA shows convergent patterns (Table 8) even though they are under the national average (except for Zapopan municipality).

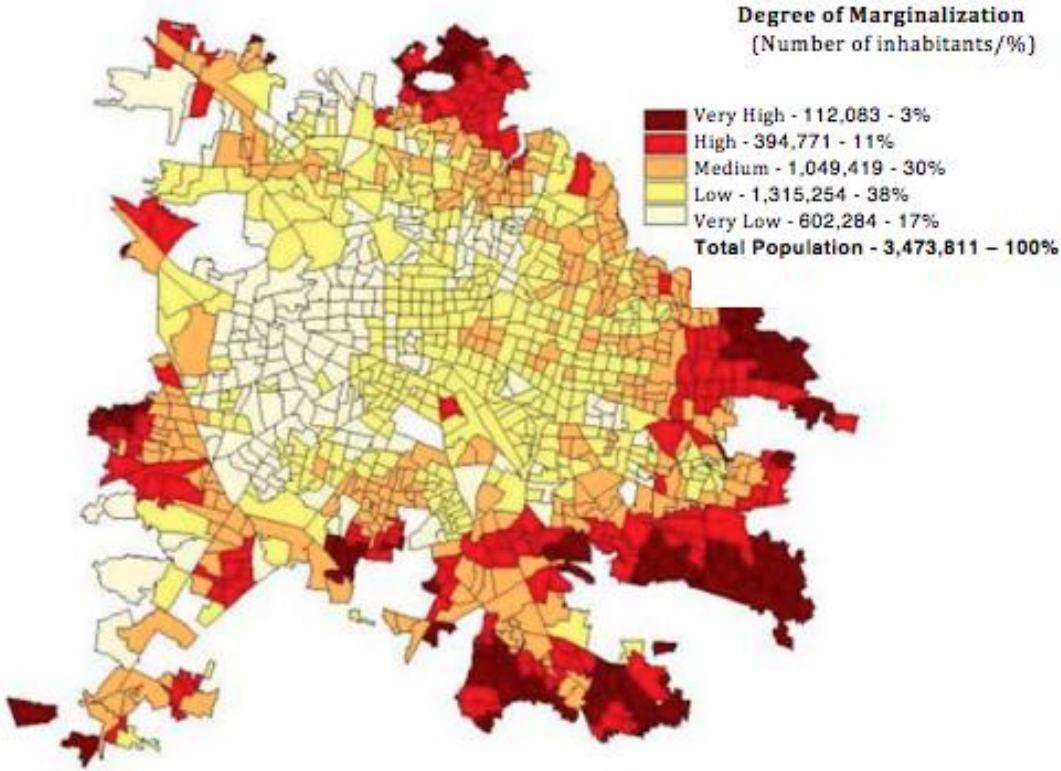
**TABLE 8 – GINI COEFFICIENT AT MUNICIPAL LEVEL IN GMA COMPARED TO STATE LEVEL AND NATIONAL AVERAGE (2010)**

Municipality	Gini Coefficient	Gini Coeff in State of Jalisco	Gini Coeff National Average
Guadalajara	0.433	0.460	0.506
El Salto	0.355		
Tlajomulco de Zúñiga	0.395		
Tlaquepaque	0.404		
Tonalá	0.407		
Zapopan	0.465		

Source: Jalisco Como Vamos 2012

Also, it is important to consider that GMA is highly segregated, with luxury gated residential areas just a few kilometres away of some of the poorest and marginalized areas in the State (Fig. 7). It represents two completely different living realities in all substantive dimensions of wellbeing.

**FIGURE 7 – DEGREE OF MARGINALIZATION IN GMA**



Source: COEPO 2000

**SAFETY**

In the case of GMA safety, the total number of crimes did not increase significantly from 2008 to 2013. However, the composition of this overall figure, crimes considered serious by its social impacts - kidnapping, murder, injuries and violent robbery- have dramatically increased over the years.

By altering the composition of crimes, climate of insecurity in the GMA consistently proves to be more serious and violent than in the past. In just three years, from 2008 to 2010, the number of murders and robberies in the GMA increased in 72% and 43% respectively. 909 murders and 22,123 robberies were reported in 2010. In 2012, 24% of the population reported having been the victim of a crime.

However, the high rates of impunity are also very worrying in this context: according to a study by the Research Center for Development (CIDAC) in Mexico, less than 2 of every 100 crimes that were reported were prosecuted and received a sentence. That implies a high perception of insecurity and low confidence in safety institutions and law enforcement (UN-Habitat, 2015).

According to the analysis conducted by the Citizen Observatory of Quality of Life, Jalisco Como Vamos, in its 2014 survey of public perceptions about safety, it is mentioned that public safety is listed as the main problem in the GMA (26%), ahead of the economy (15%), employment (13%) and poverty (11%). For 20% of respondents, ensuring public safety is what should be done by a government that qualifies as good. 16% of respondents say they would be willing to take justice into their own hands if the authority does not address the issue. This aspect is reflected in the dissatisfaction with security and distrust with the security and justice institutions; more than half of the population believes the media communication omits information in terms of security and violence.

The perception of insecurity is reinforced by the following points:

- From the socioeconomic strata: the lowest is the one that feels most insecure in the city, 13 points above the highest stratum.
- Differences between municipalities: in El Salto, 72% of people believe that living in their town is unsafe (59% somewhat unsafe, and 13% very unsafe); in Guadalajara, 37% think it is unsafe (27% somewhat unsafe and 10% very unsafe).
- Perception of insecurity in their neighbourhood: on average in the GMA, 31% think it is somewhat insecure and 9%, very insecure. By municipality, inhabitants of El Salto feel more insecure than Guadalajara's.
- Satisfaction with public safety provided in their district and municipality: Average 45%, 65% in El Salto, 45% in San Pedro Tlaquepaque, 44% in Tlajomulco de Zuniga, 40% in Tonalá and Zapopan, 36% in Guadalajara.
- More than half of the population feels some degree of threat because of local problems of crime and violence.
- Specific problems of insecurity in the districts--the most serious is the consumption/sale of alcohol or drugs (61%), assaults in the street (51%), theft (of cars, spare parts and houses) (49%).
- Of those who declare being victims of a crime: 45% were threatened with a gun, 45% experienced some form of physical aggression, 65% some type of verbal aggression.
- The higher incidence offense is theft, with 8%, 4% are victims of more than one felony.

This particular troubling climate explains why safety and security are today at the top of the Metropolitan Agenda as defined by the Metropolitan Coordination Board in 2012 when it was created.

### 1.3 METROPOLITAN FINANCES – REVENUES, EXPENDITURE AND DEBT

The expenditure responsibilities are not different for a municipality comprised in a metropolitan area from any "common" municipality. As Mexico is mostly centralized in its fiscal aspects, the government expenses are not substantively different. According to the Institute for the Technical Development of the Public Finances (INDETEC, 2010), the spending per capita in Guadalajara was \$3,969.48 pesos, and the national average of a selected sample was of \$2,676.21, the other GMA municipalities being barely under that average. The operating expenditures represent more than 60% in average at the GMA level, with an average of 10% for public investment (yet with great disparities between the 8 municipalities, with 3 of them around 20%, showing different trends in terms of local infrastructure and public service development).

The main revenue sources of all local governments in GMA come from the federal transfers and dedicated funds (around 67% in average, see Table 9). The main annual revenues for GMA are federal transfers and debt, with only an average of 30% of own revenues. The percentage is not quantitatively different from many other municipalities.

Municipalities' capacity to borrow is constrained by law since it requires State congress approval if the debt is to be paid beyond the current mayor's term. What is not limited is the ability of the municipalities to actually borrow from their suppliers, so the deficit is normally reflected on overdue outstanding bills, without transparency and clear communication on these data, including within the local public administration itself. As there was no enforcing regulation for municipal debt until now, it has become a strategy to operate with debt without clarity on use of the funds and no report on their impact.

In GMA's case, the indebtedness of its municipalities has reached concerning peaks, largely advertised after the newly elected mayors discovered the unprecedented levels of the municipal debts, generating a call for audits of the previous management of GMA's municipalities' budgets (see example at the level of the Jalisco State in Figure 8).

At the end of 2014, the debt of States and municipalities accounted for 3.1% of national GDP from 1.6% in 2008. Municipal net debt in Mexico, considering the liabilities towards banks and stock market amounted to 50,433 million pesos (more than US\$ bn 3).

The city of Guadalajara is the second largest city in the country in debt, with liabilities of 2,387 million pesos, just after Tijuana and ahead of Monterrey, Leon and Hermosillo. That is, the indebtedness of the capital Guadalajara is 4.7% of the total balance at the national level. Also, one finds 4 of GMA's municipalities in the 20 municipalities most indebted at national level: Guadalajara (2<sup>nd</sup>), Zapopan (8<sup>th</sup> with 1,125 million pesos), Tonalá (10<sup>th</sup> with 966 million pesos) and Tlaquepaque (15<sup>th</sup> with 659 million pesos).

In September 2015, it was announced that the GMA public debt (gathering the 8 municipalities liabilities) was around 8,000 million pesos (US\$ 484 million), meaning almost 16% of national municipal indebtedness. Ixtlahuacán de los Membrillos' obligations are equivalent to 86% of its operating budget. In 2015, 8 million pesos will be used to repay its debt. That amount is almost half of the 19 million used in public works. In Tonalá, the debt exceeds 21% of what will be exercised in 2015 by the municipality. Tonalá plans to pay 137.6 million pesos to repay the debt, against 99 million pesos it has for public works. All municipalities in the metropolitan area of Guadalajara have long-term debts, but El Salto is the administration that allocates most resources to pay its obligations, thus weakening the financial flows that go to investment in public works. The municipality allocated this year 17% of its budget to pay debt. According to its website it will pay 78 million pesos to creditor banks, while only 62 million will be allocated to investment.

Municipalities like these or the Jalisco capital itself require federal and State efforts to offset liabilities that limit their liquidity. The municipalities that use fewer resources of their budgets to repay debt, and allowing them to have better economic conditions for the provision of public works and services are Zapopan and Tlajomulco.

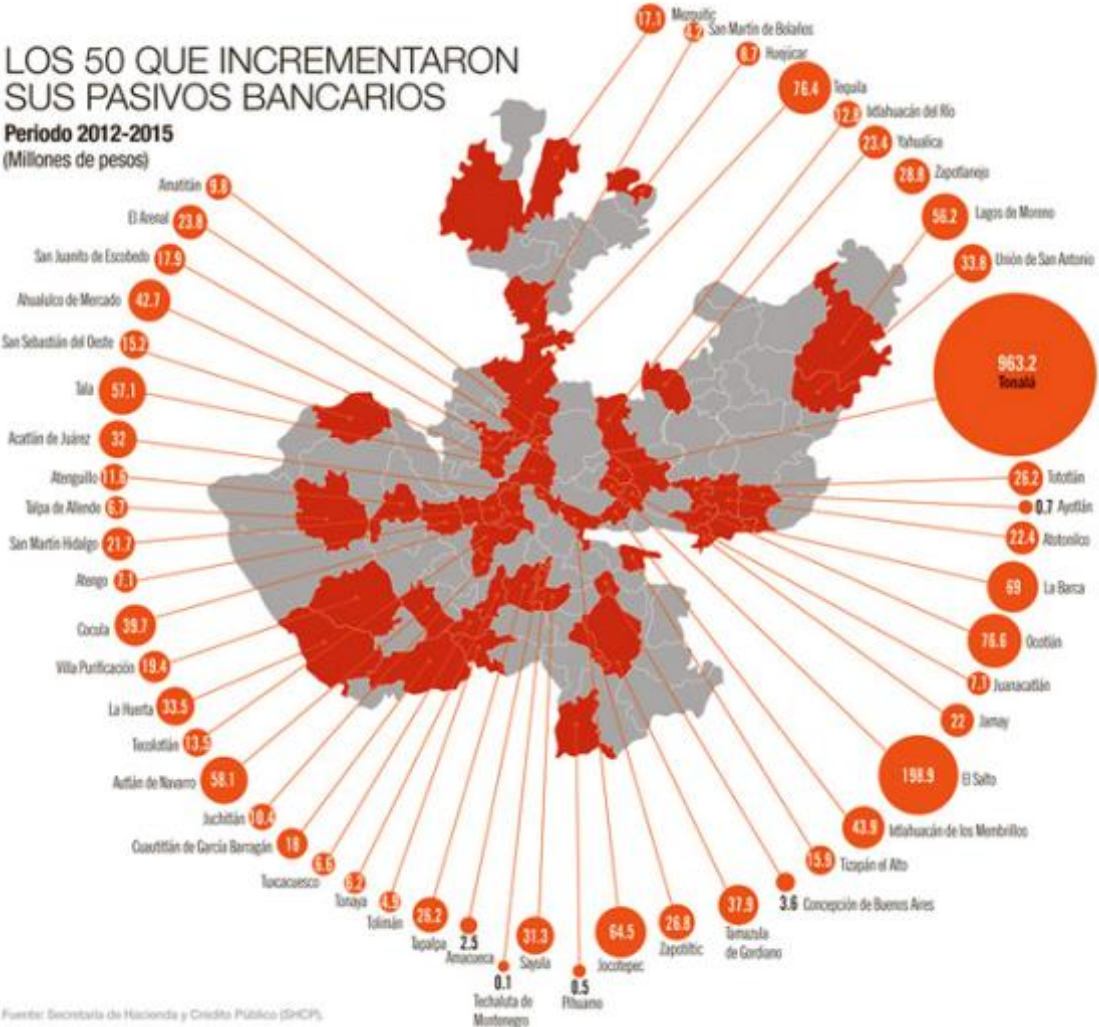
In September 2015, the Mayor of Guadalajara declared that the debt of the city towards the banks Bancomer and Banorte was over 2,997 million pesos (approximately US \$ 181 million), with a distribution of 3/4 for long-term loans (18 years) against 1/4 for those of short tenure. This makes the debt per capita amount to around 2,000 pesos/inhabitant (half of the spending per inhabitant).

As a reaction to the national situation of public indebtedness, the President of The Mexican Federation committed to implement a reform. In August 2015, was published in the Senate's Gazette the regulatory initiative to give operational reform to constitutional Law on financial discipline of States and municipalities. The project of the Law stipulates that contracted debt should be spent on productive public investment or possibly in refinancing or restructuring. It also must be approved by two thirds of the respective local Congress. The regulations set limits to the financing provided to



federative entities, in reference to the level of debt: 10% for stable debt, 5% for which are under observation and no increase for those who have a high level of debt. Also the creation of a single public register in which the State and municipal governments as well as local government bodies, shall register and make transparent all financial obligations, as until now the short-term debts and debts from previous fiscal years are often unknown. Furthermore, the regulation calls to set alerts to identify States and municipalities according to their level of indebtedness.

FIGURE 8 - THE 50 MUNICIPALITIES IN JALISCO THAT INCREASED THEIR BANK LIABILITIES - PERIOD 2012-2015 (MILLION PESOS)



Source: Secretaria de Hacienda y Credito Publico, Mexico, 2015

As shown in the tables below, the municipalities benefit from federal and State funds, based on specific programs and always with clear rules that earmark the application of the resources. Among those funds is the Metropolitan Fund, a federal program that assigns earmarked resources to cities for metropolitan scale projects, being the federal level the sole financier of the fund. According to experts (Iracheta, 2014) the rules for the metropolitan funds give the State government a central role, leaving out the local actors (see Part 3).

As to date, there are no transfers between local governments within the metropolitan area, even if allowed by regulations. They have also timidly pooled resources as part of the Metropolitan Fund conditions (see Part 3), with no joining forces to pay for investments in any other cases. There is no investment project with the funding being shared by various local governments, except the new subway and some roads improvement.



## TAXATION POWER

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Mexico established a fiscal agreement between the federal and State governments that limits the type of taxes that States and, subsequently, the municipalities can operate<sup>8</sup>. Municipalities can collect property taxes throughout their territory. In some States, they are given other sources of revenues like in Jalisco, where they are allowed to collect businesses fees, as well as land property transaction fees. The municipalities can charge other miscellaneous fees, but these do not represent significant income. Their main own revenue comes from property taxes and land property transaction fees.

Metropolitan municipalities do not have any different fiscal treatment due to their status as being part of metropolitan jurisdictions. As all the municipalities in the State, the municipalities in GMA must ask the local congress (State legislature) for their authorization for their taxes and fee schedules. On the other hand, the municipalities define on their own their expenses. In general, municipalities lack prioritizing and defining the expenses, favouring expenses related with an ever-expanding labour force, primarily appointed positions, over maintenance and public works.

The municipalities in México, and the GMA is not an exception, rely heavily on higher tiers funding. For 2010, the national average of own income is around 40% of the total income budget, where the GMA's is a little higher, being Guadalajara who has a higher gross revenue of 224 million USD with Zapopan as a distant second, with 115 million USD. That leaves the municipalities heavily dependent on the federal tax revenue sharing structure, where the federal and State governments receive the highest percentage; for the GMA municipalities, the average income from this source is of only 18.8% of the total budget.

Most of the other high revenue taxes, such as income and sale, are managed by the federal government under a tax sharing agreement, however, it is estimated that the municipalities receive shares of less than 5% of the tax revenue sharing amount (Indetec, 2010).

The public-private partnerships in GMA are related to specific services or projects led by municipalities or the State, but could be better understood as outsourcing services such as for the solid waste management, or State controlled domains like in the public transportation (see the Metro Line 3 as an attempt of building on this new modality of public service delivery through PPP).

For 2013, and with the available information, the municipal income and expenditure structures (INEGI, 2014), for all the municipalities in the GMA, are as shown in Table 9 and 10.

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<sup>8</sup> According to Jalisco's Municipal Finances Law, the municipalities have several types of revenue: taxes are the income payments for the public expenses; contributions, are the incomes derivated from particular benefits due to the execution of a public service or work; rights, come from the services provided by the municipalities doing their public functions; products come from activities done by the municipalities that do not correspond to their public function, also for the use or sell of assets; benefits are the incomes that cannot be classified as any other; participations are the income from the State and Federal levels.

**TABLE 9 - MUNICIPAL PUBLIC INCOME FOR THE METROPOLITAN AREA - 2013 (PESOS)**

	Juanacatlán	%	Guadalajara	%	Ixtlahuacán de los Membrillos	%	El Salto	%	Tlajomulco de Zúñiga	%
<b>Total Revenue</b>	<b>62,562,083</b>	<b>100</b>	<b>6,296,690,961</b>	<b>100</b>	<b>112,562,738</b>	<b>100</b>	<b>432,118,603</b>	<b>100</b>	<b>3,701,834,665</b>	<b>100</b>
Taxes (directly collected)	5,775,756	9.2	1,091,560,596	17.34	18,530,406	16.46	43,227,910	10.00	780,589,548	21.09
Social security				0.00		0.00		0.00		0.00
Contributions	3,364,045	5.38		0.00		0.00		0.00		0.00
Rights	321,008	0.51	511,697,013	8.13	10,227,234	9.09	44,149,624	10.22	260,221,012	7.03
Products	38,281	0.06	51,402,153	0.82	506,349	0.45	49,933,713	11.56	30,972,885	0.84
Benefits	17,185,877	27.47	154,813,373	2.46	5,651,468	5.02	4,513,572	1.04	53,424,346	1.44
Federal transfers	35,669,126	57.01	2,416,958,479	38.38	36,852,646	32.74	145,021,383	33.56	2,369,183,023	64.00
Federal and State transfers for Economic Policy	207,990	0.33	1,858,003,328	29.51	40,183,470	35.70	125,799,303	29.11	207,443,851	5.60
Other incomes			3,768,390	0.06		0.00		0.00		0.00
Loans			208,487,629	3.31	611,165	0.54	19,473,098	4.51		0.00
Initial Availability*				0.00		0.00		0.00		0.00

	Tlaquepaque	%	Tonalá	%	Zapopan	%	Jalisco	%	Total for GMA	%
<b>Total Revenue</b>	<b>1,617,344,042</b>	<b>100</b>	<b>929,303,591</b>	<b>100</b>	<b>4,228,565,055</b>	<b>100</b>	<b>21,583,577,023</b>	<b>100</b>	<b>17,318,419,655</b>	<b>100</b>
Taxes (directly collected)	302,596,095	18.71	149,560,202	16.09	1,337,262,433	31.62	4,116,356,808	19.07	3,729,102,946	21.53
Social security		0.00		0.00		0.00				
Contributions		0.00	367,122	0.04	6,351,469	0.15	8,933,774	0.04	6,718,591	0.04
Rights	70,385,269	4.35	40,357,882	4.34	407,674,135	9.64	1,690,178,270	7.83	1,348,076,214	7.8
Products	33,940,018	2.10	20,429,335	2.20	57,975,397	1.37	348,314,879	1.61	245,480,858	1.4
Benefits	30,485,771	1.88	10,289,806	1.11	95,362,165	2.26	429,276,525	1.99	354,540,501	2.05
Federal transfers	545,668,672	33.74	320,797,247	34.52	1,483,409,011	35.08	9,034,774,664	41.86	7,335,076,338	42.35
Federal and State transfers for Economic Policy	606,593,897	37.51	387,336,634	41.68	839,693,221	19.86	5,472,684,235	25.36	4,100,722,830	23.68
Other incomes		0.00		0.00	837,224	0.02	6,720,295	0.03	4,813,604	0.03
Loans		0.00		0.00		0.00	402,786,582	1.87	228,571,892	1.32
Initial Availability*		0.00		0.00		0.00	73,550,991	0.34	0	

Source: Author with information from INEGI – 2013

\* It refers to the surplus from the previous year

**TABLE 10 - MUNICIPAL PUBLIC EXPENDITURE FOR THE METROPOLITAN AREA - 2013 (PESOS)**

	Guadalajara	%	Juanacatlán	%	El Salto	%	Ixtlahuacán de los Membrillos	%	Tlajomulco de Zúñiga	%
<b>Total Expenditures</b>	<b>6,296,690,961</b>	<b>100</b>	<b>62,562,083</b>	<b>100</b>	<b>457,318,274</b>	<b>100</b>	<b>112,562,738</b>	<b>100</b>	<b>1,701,834,665</b>	<b>100</b>
Staff	2,797,850,289	44.43	27,130,989	43.37	151,881,376	33.21	37,353,009	33.18	568,710,547	33.42
Materials and supplies	239,942,402	3.81	5,456,379	8.72	72,354,487	15.82	12,700,511	11.28	92,119,201	5.41
General services	872,610,022	13.86	7,097,496	11.34	67,079,303	14.67	24,538,264	21.80	356,383,408	20.94
Transfers assignments grants and other assistance	694,747,289	11.03	2,615,084	4.18	38,706,209	8.46	7,862,932	6.99	131,251,361	7.71
	26,785,189	0.43	727,727	1.16			1,349,381	1.20	17,591,622	1.03
Public Investment	767,706,653	12.19	12,782,560	20.43	44,985,742	9.84	22,412,692	19.91	236,262,271	13.88
Financial Investments and other Provisions	3,259,432	0.05								
Other Expenditures	3,259,432	0.05								
Debt	868,720,151	13.80	1,855,320	2.97	55,525,968	12.14	6,345,949	5.64	96,394,688	5.66
Final Availability			4,896,528	7.83					203,121,567	11.94

	Tlaquepaque	%	Tonalá	%	Zapopan	%	Jalisco	%	Total for GMA	%
<b>Total Expenditures</b>	<b>1,712,984,917</b>	<b>100</b>	<b>1,078,931,925</b>	<b>100</b>	<b>4,228,565,055</b>	<b>100</b>	<b>89,751,186,159</b>	<b>100</b>	<b>15,651,450,618</b>	<b>100</b>
Staff	777,129,509	45.37	457,388,604	42.39	2,072,730,064	49.02	29,981,825,958	33.41	6,890,174,387	44.02
Materials and supplies	85,663,892	5.00	41,408,370	3.84	183,794,206	4.35	780,450,955	0.87	733,439,448	4.69
General services	222,612,368	13.00	102,782,842	9.53	578,307,098	13.68	1,639,311,959	1.83	2,231,410,801	14.26
Transfers assignments grants and other assistance	123,340,945	7.20	56,897,773	5.27	788,552,631	18.65	33,258,073,200	37.06	1,843,974,224	11.78
Intangible movable or immovable assets	15,089,804	0.88	9,540,168	0.88			127,562,414	0.14	119,679,182	0.76
Public Investment	330,350,386	19.29	83,596,245	7.75			1,352,404,236	1.51	1,498,096,549	9.57
Financial Investments and other Provisions								0.00	3,259,432	0.02
Resources Allocated to Municipalities							14,674,674,559	16.35		
Other Expenditures			77,248,185	7.16				0.00	80,507,617	0.51
Debt	158,798,013	9.27	250,069,738	23.18			1,811,341,579	2.02	1,437,709,827	9.19
Final Availability					605,181,056	14.31			813,199,151	5.20

## TRANSPARENCY

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In Mexico, the Act of Transparency and Public Information mandates the Federal Institute for the Access to Public Information (IFAI), and mirrors the design and implementation of State and municipal institutes. It constitutes one of the main institutional ways for citizens' engagement with their governments, others being the social mobilization or the pressure from civic organizations.

The electoral authority should also provide mechanisms for plebiscites and popular consultation, but there have not been any successful attempts in exercising these rights. Any other provisions for local accountability correspond to horizontal mechanism of check-and-balance, as State Congress' Audits. In the municipality of Tlajomulco, there have been incipient attempts of participatory budgeting, but circumscribed to very localized projects in the communities. As for the municipalities in general, the transparency regulation has provided some greater degree of accountability, but still very limited. Most municipal authorities are still reluctant to being transparent and accountable in the broad sense as much as by lack of culture and lack of tools.

According to the national ranking of transparency done by Citizens for Transparent Municipalities (CIMTRA, by its Spanish acronym), two municipalities in the area are in the top most transparent with 100 points; Tlajomulco and Zapopan (CIMTRA, 2014); as to Tlaquepaque and Guadalajara, the other two large municipalities, they are behind with 79.1 and 74.5 respectively<sup>9</sup>. The average score for Guadalajara's Metropolitan Area is 68.47, underlying the differences in the outcomes between the municipalities.

There is a transparency State law that gives life to an independent State Transparency Commission. As for the law, the State and municipalities must report some information and there is a clear process regarding how citizen can request information. There is even the provision that an elected official can be jailed (for short period of time) if information is not provided. All public agencies in the State have a website. The GMA municipalities upload for the general public fundamental information, such as: the legal and normative documents regarding the decision making and managing of the government; the financial information, with budgets, debt balances and payroll; the planning information that applies to the government, as studies; the administrative and patrimonial data.

The municipal councils are also a mean from which citizen can incorporate request for information and complains, beside the State commission. The councils can dictate the management guidelines for ethics and accountability. They also can hear for corruption cases but this is hardly done. The only Municipality with a formal office to specifically address corruption is Guadalajara, with very few publicly known successes, but operating a quite sophisticated anticorruption system, which has a direct telephone line, an e-mail, personal attention and mailboxes in all the major government's buildings to denounce corruption cases.

The local governments in the area barely use ITCs to contact with citizens. They have several administrative and financial processes automated, but are a long way from a fully functional *E-government* policy. A few services, fees and taxes are payable online, as land taxes and water user fees. Zapopan government is, perhaps, the most advanced in the category, and Guadalajara the second. The other municipalities' capabilities drop abruptly with important differences: for example, Zapopan has an online chat to provide orientation on services, while Tonalá has to use a State provided server to upload its information. Zapopan and Guadalajara also provide a handful of sites across the municipality with e-booths where one can print birth certificates, pay municipal taxes and call for help regarding permits.

No city in the metropolitan area has any electronic platform to engage citizens in the decision making process.

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<sup>9</sup> For the complete ranking and methodology: <http://www.cimtra.org.mx/publicaciones.html>

## 1.4 STAKEHOLDERS AND THEIR ENGAGEMENT

There are many stakeholders in Guadalajara's Metropolitan Area, consistent in a thriving organized civil society, with different associations, as mentioned in Part 2: 'Colectivo Ecologista de Jalisco', the Guadalajara's Commerce Chamber, 'Jalisco Como Vamos', 'GDL in Bici', 'Instituto Mexicano para el Desarrollo Comunitario', 'Equipo de Apoyo a Migrantes Indígenas', 'Ciudadanos por Municipios Transparentes', '#YOCO', among many others, that claim representation of specific vulnerable groups or special interests. There are also organized criminal groups, such as the "Jalisco Nueva Generación" drug cartel and a myriad of street gangs. In Guadalajara, are located the headquarters for the Fifth Military Region, that comprehend the western Mexican States.

As the political tradition in Mexico relies more in corporatist arrangements for the aggregation of preferences, the formal and informal roles of all the stakeholders are best understood in a functional manner. They 'activate' during times when their interests are in stake, and are led by the Governments action, rather than by their own initiative. In those times, they will try to have interlocution with the central figures in the government, Mayors or the Governor, in order to secure favourable outcomes. As a result, the involvement in the governmental processes is scarce, working in 'top-down' schemes.

The influence of business and special interest groups is always more acute during election periods. And a major part of the influence trying to be exerted is for allocation of contracts. There are not direct and formal platforms for the informal sector to interact officially with the local governments, however, through corporate agreement with informal sector leaders, political leaders do work with them.

Corporations, and especially developers, play a strategic role in the city development, as the private sector is the major housing provider. In that role, they pressure for more and more contracts to construct publicly subsidized houses for low-income families without strong coordination between local governments' administration.

The uncontrolled suburbanization of Guadalajara not only reduces the standard of living of its inhabitants (via impaired mobility) but generates pressures on municipal finances, while increasing the cost of providing basic services.

Looking ahead to the coming years, the greater challenge of the GMA is to find the right ways and means to ensure the economic sustainability of the city through a compact, integrated and polycentric urban development, including environmental impacts of urban sprawl into a consensual, visionary and manageable development plan. Therefore giving strength, value and capacities to the government and governance institutions already established. Providing incentives for GMA's densification and curbing the rapid growth of remote municipalities without access to services and urban infrastructure, as Tlajomulco de Zuniga and Ixtlahuacán of Quince, will constitute the touchstone of the coming orientations that the eight mayors of the GMA municipalities and the Jalisco State Governor will define together with other metropolitan stakeholders.

## 2. DECENTRALIZATION & METROPOLITAN GOVERNANCE - LEGAL FRAMEWORK & INSTITUTIONAL ENVIRONMENT<sup>10</sup>

### 2.1 FEDERAL ARRANGEMENTS FOR DECENTRALIZATION TOWARD METROPOLITAN AREAS

At the national level, on human settlement, since 1976, the Mexican **Constitution** establishes in the article 27<sup>th</sup> that:

*“The nation [...] have to achieve a balanced development of the country and the improvement of the life conditions of the rural and urban population; [...] will issue the necessary measures to manage the human settlements and to establish adequate provisions, uses, reserves and location of land, water and forest, to carry out public works and to plan and regulate the founding, conservation, improvement and growth of the population centers; [...]”*

This constitutional background gives origin to the **first General Law on Human Settlements** in 1976<sup>11</sup>, which was then abrogated in 1993. According to the law, its purpose is to establish basic land management norms and to determine the basis for the social participation regarding the topic.

The publication of this national law gives rise among the federated States to legislate laws on human settlement or similar, in accordance with the general law on this particular matter. The purpose was to establish an adequate concurrence between the Federation, the federated States and the municipalities on the management and regulation of cities and other human settlements in the national territory, and to overcome the Federation fragmentation regarding urban matter, specifically at the local level.

Regarding the **local level**, the article 115<sup>th</sup> of the Mexican constitution establishes the municipality as the basic territorial unit and states that they shall be responsible for the following public services:

*“a) water supply and sewerage, b) public lighting, c) waste management, d) markets, e) cemeteries, f) slaughterhouses, g) streets, parks and gardens, h) public safety and transit i) others that the State legislature determine, depending on the territorial, social and economic conditions of the municipality and on the administrative and financial resources of the Municipality”.*

The same article establishes that, when two or more municipalities create a continuous sprawl:

*“The Municipalities, by agreement between the councils, may coordinate and associate<sup>12</sup> with the aim to make more efficient the public services provision or to improve the corresponding functions. When two or more municipalities belonging to different States want to collaborate, the approval of their respective State legislature is necessary. Likewise, a Municipality and the respective State can make and execute agreements to authorize the State to temporarily take charge of one or some public services, directly or through the appropriate body. The Municipality and the respective State can also agree to provide public services in a coordinated manner”.*

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10 This section provides large excerpts and quotes from the documented thesis on Metropolitan Governance in Guadalajara by Efrén Josué Jonatán Osorio Lara, entitled: Guadalajara’s pathway towards Metropolitan Governance: Hertie School Of Governance (2014)

11 In the seventies, the increasing problem to manage the humans settlements due to the almost complete absence of legal instruments to guide the urban development in the Mexican states, derived in an effort to legislate the spatial planning of cities. This, together to the importance that at the international level acquire the preparation for the United Nations Conference on Human Settlements –Habitat I- held in 1976 in Vancouver Canada, resulted in the General Law on Human Settlements and its similes at the state level. (CNJU A.C., 2010).

12 The coordination attribution was recognized during a major constitutional reform of the Article 115 in in 1983, meanwhile the association capability was set in another reform in 1999 (Arellano Rios, 2013; H. Congreso de la Unión, 1917; CNJU A.C., 2010).

This article is in accordance to the *General Law on Human Settlements*, empowering the municipalities to participate in the improvement of service provision, urbanization process, zoning, planning and management of their own municipal territory.

Despite these specific references in the Constitution, the legislation does not establish a standardized mechanism to create these agreements and institutions among the States and the municipalities. In addition, the metropolitan aspect at the national level is neither addressed nor regulated (mention is only made to “conurbations” in article 122 related to the management of the Federal District). Therefore, each State has certain autonomy at the time when deciding how to exercise this faculty and how to legislate and to set institutions related to metropolitan agglomerations.

In coherence with the Constitution, the States have to enact the respective law to address their own metropolitan scenarios. Currently among the 32 States that are part of the Mexican Federation, only 8 have a law regarding the metropolitan areas (Silva Rodríguez, 2012), all using a different definition, with a different scope, and proposing more or less similar mechanisms, however not standardized (see Table 11, 12 and 13). Nevertheless, eventually the rest of the States will soon legislate on this issue, either by considering that 30 States have at least one metropolitan area to serve, either due to the issuance of the future law (see below). As such, the benchmarking to develop and harmonize the legal framework will be driven by best practises.

**TABLE 11 - EXISTING LEGISLATION ON METROPOLITAN AREAS IN MEXICAN STATES (2012)**

State	Law
Baja California	Law on Metropolitan Areas
Colima	Law on Metropolitan Areas
Distrito Federal	Law on Metropolitan Areas
Hidalgo	Law on Coordination for the Metropolitan Development
Jalisco	Law on Metropolitan Coordination
Morelos	Law on Coordination for the Metropolitan Development
Oaxaca	Law on Coordination for the Sustainable Metropolitan Development
Zacatecas	Law on Metropolitan Development

Source: Silva Rodríguez (2012)

**TABLE 12 - THE LEGAL DEFINITION OF THE METROPOLITAN PHENOMENON ACCORDING TO STATE LAWS (SAMPLE)**

State	Metropolitan areas within the State*	Urban areas	Definition
Colima	Colima–Villa de Álvarez y Tecmán	Metropolitan zone	“..., shall include as a metropolitan area, the geographic area belonging to two or more municipalities bound by the conurbation, by ties of physical, economic and social nature, that will coordinate to plan the provision of public services, works of infrastructure and other development actions with a metropolitan vision on the short, medium and long term, originated independently within each administration, in coordination with the State Government.”
Hidalgo	Pachuca, Tulancingo y Tula	Metropolitan zone	“... It is an area of dominant influence of a population center; focused on the powers of the municipalities and the federal entities in terms of intergovernmental and interstate coordination for its administration”.
Jalisco	Guadalajara, Ocotlán y Puerto Vallarta	Metropolitan area  Metropolitan Region	“... It is a center of population, geographically delimited, settled in the territory of two or more municipalities, with a population of at least fifty thousand inhabitants, officially declared as such by Decree of the State Congress.” “...It is a geographical delimitation integrated by a Metropolitan Area and one or more settlements geographically close to each other that entertain socio-economic relations and present growth trends that bring them closer; officially declared as such by Decree of the State Congress.”
Morelos	Cuernavaca y Cuautla	Metropolitan Zone	“...It is an area of dominant influence of a population center, focused on the powers of the municipalities and the federal entities in terms of intergovernmental and interstate coordination for its administration (sic).”
Oaxaca	Oaxaca y Tehuantepec	Metropolitan Zone	“... It is an area of dominant influence of a population Center, constituted by two or more municipalities or territorial demarcations with 50,000 or more inhabitants, whose urban area, functions and activities expand beyond the original limits of the municipality or demarcation, incorporating neighbouring municipalities of predominantly urban character and with which it maintains high levels of socio-economic integration to its urban area or zone of direct influence.”
Zacatecas	Zacatecas–Guadalupe	Metropolitan Zone	“... It is an area with close economic, social and cultural links between several population centers that require a joint planning and coordination in the implementation of projects and actions for the rational provision of public services.”

\*According to the definition and criteria defined by Sedesol–Inegi–Conapo

Source: Alberto Arrellano Ríos, 2014.



**TABLE 13 - METROPOLITAN COORDINATION BODIES ADDRESSED BY STATE LAWS (SAMPLE)**

State	Body	Body's Responsibilities
Colima	Metropolitan Development Commission	Body of opinion and decision-making integrated by the Governor and municipal authorities
	Metropolitan Development Institute	Technical body for consultation and opinion-making depending on the Metropolitan Development Commission
	Metropolitan Council for Citizen Participation	Entity for citizen consultation and opinion
Hidalgo	Metropolitan State Council	Body for consultation and opinion involving different State and municipal entities
	Metropolitan Development Coordination	Body for consultation and opinion, conceived as a support entity of the State Executive
	Metropolitan Commissions	Units of consultation and opinion for the society
Jalisco	Board for Metropolitan Coordination	Political entity of decision-making integrated by the Governor and the municipal presidents that are part of the Metropolitan Zone
	Metropolitan Planning Institute	Technical body
	Metropolitan Citizen Council	Entity for consultation and participation
Morelos	Council for Metropolitan Development	Hierarchical body of consultation for Metropolitan planning
	Technical Committee of the Trust	Entity responsible for authorizing resources
	Subcommittee for Project Evaluation	Technical body responsible for applying resources
Oaxaca	Council for Metropolitan Development	State organism for inter-governmental coordination
	Institute for Metropolitan Planning for Sustainable Development of the State of Oaxaca	Technical body for intermunicipal consensus between the municipalities under the jurisdiction of the Metropolitan Zone
	Metropolitan Honorary Council for Citizen Participation	Body for consultation and consensus with civil society
	Commission for Concertation and Sectorial Proposal	Technical support entities of the Metropolitan Honorary Councils for Citizen Participation
Zacatecas	Metropolitan Development Council	Body for consultation, opinion and coordinated dialogue for the execution of plans and projects
	Metropolitan Development Fund	Monetary fund composed of the resources aimed at financing the execution of studies, programs, projects, actions and construction works of Metropolitan character

Source: Alberto Arrellano Ríos, 2014.

Today, an **urban reform** based on the revision of the *Federal Law on Human Settlements* is in an advanced stage of debate at the national level (Senate) as prepared by the newly created Secretariat of Agrarian, Territorial and Urban Development (SEDATU). The draft General Law “on Cities and Territory” includes various references and a dedicated chapter on Metropolitan issues, acknowledging the advanced process of urban metropolization in Mexico.

However, SEDATU, the Government focal point for Metropolitan coordination, has not been able to make the law adopted before the end of the 2015 first session of the Congress, in particular due to resistance from developers’ lobby as per the problematic reform in land use and management in a coordinated and transparent system.

As of end of 2015, the draft law is to be discussed in the new Senate session, and confirms State and Municipal co-responsibility in metropolitan coordination matters and includes the following key elements:

- a. Metropolitan Areas are defined as multi-municipal conurbations with more than half a million population and strategic role in service delivery;
- b. An extended list of policy sectors are defined as of metropolitan interest (mobility, spatial macro zoning, environment, housing, trunk infrastructure, etc.);
- c. Metropolitan planning coordination is institutionalized through a three-leg framework with
  - i. the Metropolitan Coordination Council that includes Mayors and State Governors of covered entities and a representative of the Federation, and is the decision-making body,
  - ii. a dedicated technical planning institution supervised by the Metropolitan Coordination Council, and
  - iii. the Metropolitan Consultative Council that includes a wide range of governmental and non-governmental participants;
- d. Metropolitan plans and projects are subject to approval by the Metropolitan Council as well as by all concerned Municipal and State Governments; the metropolitan land zoning plan distinguishes three categories of land (built, for development, and for protection).
- e. Conditionality of conformity with metropolitan plans/programs is established for engaging Federal resources in metropolitan infrastructure and services.

As main comments on the metropolitan elements of the draft law, one can state:

- a. The draft law would be a significant progress to guide, support and harmonize metropolitan coordination frameworks. However, there is no differentiation for the complex Metropolitan Area of the Valley de Mexico that would require a specific law, metropolitan areas of more than ½ million population and smaller conurbated areas.
- b. The law does not establish separated legislative and executive functions to take and implement decisions at metropolitan level. For metropolitan scope, it is usually addressed through enlarged Coordination Council that include a representation of respective Municipal councils, often taking into account respective size of municipal populations, and a Bureau capacitated to supervise the implementation of Council's decisions.
- c. The law also does not clearly establish the governing rules for the Coordination Council (Presidency, Bureau, Municipal representation, etc.), leaving flexibility for State laws but allowing weak constructions dominated by short-term political interests that would not facilitate consensus building, with the risk of having large and powerful Municipalities not investing much interest in Metropolitan coordination and projects.
- d. Metropolitan responsibilities are limited to coordination of topics that are listed in the law but do not include executive functions that would require compulsory or voluntary devolution of responsibilities from States and Municipalities to metropolitan institutions. The planning institution would be able to propose implementing arrangements on case-by-case basis with the risk of proliferation of inter-municipal mechanisms weakly coordinated and resulting in low implementation of metropolitan plans and projects.
- e. Economic and social (except housing) development are not listed among topics of metropolitan scope but can be integrated through State laws;
- f. There is no foreseen official space for consultation of the Private Sector with the risk that such consultations takes informal and non-transparent channels;
- g. Foreseen approval procedures for metropolitan plans and projects are rather complex and would require advanced multilevel political and technical coordination processes for preparation to ensure full ownership at municipal level;

SEDATU is envisaging launching the preparation of a national manual to guide the preparation of Metropolitan Development Plans.

## 2.2 THE (HISTORIC) CASE OF GUADALAJARA METROPOLITAN AREA

Aligned with the regional and the national trend, the urbanization process of Guadalajara can be divided in three major periods. During these different stages, the shape of the area, its population, the political regime, the legal framework, the institutions and society changed. This set of layers or variables has determined the urban and metropolitan governance of the city, from autonomous and independent municipalities to a complex political and institutional setup within the metropolitan area.

Often stated as advanced or innovative, GMA's institutional dynamic shows deep anchorage in past metropolitan regulations and practises at State and local levels. The GMA Time Line (Table 14) shows the evolution of its governance, 1945 being the initial milestone. This shows five layers of metropolization, and the variables observed according the date in which these took place.

The time frame commented here is divided into three major periods:

- The first period concludes around 1970, time in which the first metropolitan ring was consolidated.
- The second period goes to the year 2000; during this time, coordination and association were mechanisms created to adapt governance to reality.
- Finally, since 2000 to nowadays, the GMA is going through a period of transition from top-down to bottom-up governance, a process still in progress, yet based on a more cohesive legal and regulatory framework.

**TABLE 14 - TIMELINE OF GMA URBAN GOVERNANCE – 1945-2014**

Source: Efrén Josué Jonatán Osorio, 2014

Years		1945-1950	1951-1960	1961-1970	1971-1980	1981-1990	1991-2000	2001-2010	2011	2012	2013	2014	2015	2016	2017	2018						
Political Regime	Layer																					
	Variables																					
	State of Jalisco	<p style="text-align: center;">Hegemonic Party Regime -Institutional Revolutionary Party (PRI)-</p>						PAN		PAN		PAN		PRI		PRI						
	Guadalajara							PAN	PAN	PAN	PAN	PAN	PAN	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI
	Zapopan							PAN	PAN	PAN	PRI	PAN	PAN	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI
	Tlaquepaque							PAN	PAN	PAN	PRI	PAN	PAN	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI
	Tonalá							PAN	PRI	PRI	PRI	PAN	PAN	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI
	Tlajomulco							PAN	PRI	PRI	PRI	PAN	PAN	PRD	PRD	PRD	PRD	MC	MC	MC	MC	MC
	El Salto							PAN	PRI	PRI	PRI	PAN	PAN	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI
	Juanacatlán							PAN	PRI	PAN	PAN	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI
Ixtlahuacán	PAN							PRI	PRI	PAN	PAN	PAN	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI	PRI	
Physical Aspects: Geography and Demography	Territory							-(1958) Conurbation Initiate (Zapopan y Tlaquepaque)		-Guadalajara without conurbation			-Continues conurbation (Tonalá)			-Continues conurbation (Tlajomulco)			-Continues conurbation (El Salto)			-Continues conurbation (Juanacatlán)
	Metropolis of Guadalajara	-1 <sup>st</sup> Metropolitan Ring (15 Kms from center)						-2 <sup>nd</sup> Metropolitan Ring (35 Kms from the center)														
	Population	-(1950) 500 thousand		-(1964) 1 Million		-(1970) 1.5 Millions		-(1990) 3 Millions		-(1995) 3.5 Millions		-(2000) 3.7 Millions		-(2005) 4.1 Millions								
Legal Framework	Federal Constitution					-(1976) Reform of the Art. 27		-(1983) Reform of the Art. 115 *Coordination*		-(1999) Reform of the Art. 115 *Association*												
	State's Constitution											-(2008) Reform of the Articles 80 and 81 BIS										
	Federal Laws					-(1976) General Law on Human Settlements (Abrogated in 1993)				-(1993) General Law on Human Settlements												
	State Laws	-(1940) Urbanization Law		-(1947-Abolished en 1977) Law for the Urban Improvement		-(1959) Law on Planning and Urbanization		-(1977) Law of Jalisco on Human Settlements reformed in 1993				-(1993) Law on Urban Development		-(2011) Law on Metropolitan Coordination								
	Codes											-(2009) Urban Code of the State of Jalisco										
	Decrees					-(1978) Decree of Conurbation for Guadalajara				-(1979) Regional Urban Plan				-(2009) Decree of Guadalajara as a Metropolitan Area								
	Plans					-(1982) Conurbated Land Management Plan of Guadalajara								-(2010) Non Motorized Mobility Plan for Guadalajara								
Formal Institutions		-(since 1940-1947) Guadalajara's Steering Council for Urbanization -(1947) Planning Commission for Guadalajara -(1959) Board for Planning and Urbanization of the State of Jalisco -(1978) Commission for the Regional and Urban Development of Guadalajara -(1978) SIAPA *(1978-1989) Policia Intermunicipal -(1982) SISTECOZOME- Inter-municipal System of Collective Transportation for the Metropolitan Area of Guadalajara -(1988) Metropolitan Council -(1989)SITEUR System on Electric Urban Transportation -(1993) Secretary of Urban and Rural Development -(1993) Consejo Estatal de Desarrollo Urbano -(2005) 1st intent to create the Metropolitan Institute -(2007) Legislative Commission on Metropolitan Affairs of Jalisco's Congress -(2007) Not Consolidated Inter-municipal association of Guadalajara -(2012) Board of Metropolitan Coordination -(Jan 2012-Feb 2013) Temporary Commission -(2014) Metropolitan Planning Institute -(2014?) Citizen Council																				
Informal Institutions: Social Movements and Declaration		-(1986) Colectivo Ecologista de Jalisco A.C. -(2005) Guadalajara 2020 A.C. *(2005)Metropolis with a course -(2007) GDL in a bike -(2007) Ciudad para todos A.C. -(2008-2011) CCSM- Citizen Council for Sustainable Mobility -(2010) Observatorio Jalisco Cómo Vamos A.C. -(2011) MPS- Metropolitan Platform for Sustainability *(2012) Declaration of Guadalajara -(2012) Citizen Agenda for Sustainable Mobility -(2011) Assembly for the Metropolitan Governance -(2012)Guadalajara of all																				

## 1940-1976 - THE METROPOLITAN EARLY DEVELOPMENT

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1940 was time when a hegemonic political party led the political regime. The Institutional Revolutionary Party (PRI) ruled all over the country and was dominant at all levels of government (Jalisco and Guadalajara included).

At that time, Guadalajara consisted of a single municipality, with a rural-urban profile, the neighbouring municipalities being exclusively rural with agriculture as their main activity. Nevertheless, some of the surrounding municipalities started their own processes of urbanization in 1940, at the time when the State's *Law of Urbanization* was enacted establishing that each municipality was responsible for its own urbanization. However, Guadalajara being the capital of the State, the law established certain level of primacy of the State government over the city within the planning institution, Guadalajara's *Steering Council for Urbanization*.

As result, in 1947 the government of the State of Jalisco through the State congress issued a *Law for the Urban Improvement*. This was the first attempt to establish a legal framework for planning the region where Guadalajara is located. This law recognized two neighbouring municipalities, not yet as a conurbation but as near villages, being these Zapopan and Tlaquepaque. In the same year, in accordance to the law and due to the fact that this growth trend was anticipated, the State's government created and headed the *Planning Commission for Guadalajara* in substitution of the former *Steering Council*. This was the first joint decision making institution composed by representatives of the State and municipal governments, and the private sector through employers, labour unions and the Chamber of Commerce<sup>13</sup>.

By the fifties, the municipalities that were represented in the Planning Commission, due to the natural growth and the urban planning conducted by the State government, became a conurbation in 1958, as expected.

In 1959, a new State *Law on Planning and Urbanization* was enacted, creating a new institution: the *Board for Planning and Urbanization* of the State of Jalisco, which had the functions of the former Planning Commission with new planning faculties along the State and not only within the city of Guadalajara. Once again this institution was headed by the government of the State of Jalisco.

The population of the city went from 500 000 in 1950 to 1 million in 1964. By 1970, both city boundaries and population grew (to around 1.5 million inhabitants) (SEGOB, 2010).

By the year 1975, in the frame of the demographic explosion and expansion of the urban sprawl, the Board was granted with new attributions, like zoning, land management and the elaboration of urban plans (Arias Garcia, 1995).

*This first period can be characterized by the following facts:*

- i. The city surpasses the million inhabitants' threshold, and by the end of this period three municipalities were consolidated as part of the core city.*
- ii. The city experiences the first attempt to build a legal and institutional framework that goes one-step ahead to the urbanization process, considering the first conurbation of Guadalajara.*
- iii. The strong presence and influence of Jalisco State within the different government agencies created and related to the decision-making process regarding the city's planning.*
- iv. Limited social participation in the decision-making process and the urban agenda setting.*

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<sup>13</sup> As established in the articles 6th and 7th of the *Law for the Urban Improvement*.

## 1976-2000 - THE METROPOLIS CONSOLIDATION

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During the seventies, the industrial development and the economic growth of Mexico had an effect on the consolidation of Guadalajara as the second prime city in the republic, only behind Mexico City that was already a consolidated metropolitan area at the time.

The urbanization process along the country was a reality. Nevertheless by that time, the existing national legislation on human settlements regulated already certain aspects of urbanization, but not planning, and even less when regarding to the metropolitan dynamics.

Therefore, in 1976, the Mexican State, in preparation and prior to the United Nations Conference on Human Settlements held in Vancouver (Habitat I), triggered a national legislative effort to improve the national legal framework and the relationship between the States and the Federation. As result, in 1976, the article 27 of the Constitution was reformed, giving place to the first *General Law on Human Settlements*, which had a spill over effect on the States. In the case of Jalisco, the *Law on Humans Settlements* was published in 1977. This law had both the aim of balancing the life conditions of the inhabitants, and to preserve the ecological balance through adequate planning and management of the human settlements whether rural or urban. At the same time, the primacy of Jalisco State's government was reinforced, stating itself as the competent and principal authority to plan, manage and regulate on this regard.

In 1978, and in accordance with the mentioned law, the city received from the State Congress the *Conurbation Decree* (Arias Garcia, 1995). At that time, the Municipality of Tonalá was also included in the decree, composing together with Tlaquepaque and Zapopan the first metropolitan ring, 15 kilometres away from the centre (Cabral Barajas, 2010).

Also in 1978, in substitution of the *Board of Planning and Urbanization*, the *Commission for the Regional and Urban Development of Guadalajara* emerged. This institution, compared with the former one, was the first attempt to promote a participatory process. This was due to the fact that it was conformed not only by the local governments -headed by the State Government- but also by representatives of private associations like the Chamber of Commerce and Private Property, settlers associations, labour unions, scholars or experts like the Architects Association (H. Congreso del Estado de Jalisco, 1977). However, the premium remained in the executive power of the State.

Some of the most notorious results of this Commission were the *Regional Urban Plan* delivered in 1979, and the 1982 *Land Management for the Conurbated Area of Guadalajara* that had a metropolitan spirit. In addition, a relevant result was the fact that the local governments agreed on developing inter-municipal agencies to address the challenges of the service provision in the area.

Nevertheless, it is during this period when the government of the State became even more dominant. In accordance with the legal framework and the willingness to create joint institutions, their promotion and creation under the inter-municipal coordination dynamic were headed and led by the State government, at every time.

As an example, in 1978, in order to improve the water provision and sewerage system in the recently recognized conurbation area, an organism called SIAPA (Inter-municipal System on Water and Sewerage by its acronym in Spanish) was created and conceived under the vertical or "top-down" logic, and induced by the State government due to the prevailing hegemonic party system.

Another example of this "top-down" dominance was the creation of the SISTECOZOME (Inter-municipal System of Collective Transportation for the Metropolitan Area by its acronym in Spanish) in 1982, with the objective to coordinate the recently subrogated transport system of the city. In addition, in 1978 the Commission approved an attempt to coordinate an inter-municipal police; however, this mechanism was dissolved in 1986.

Around the early 1980s was the time when the urban reality exceeded the legal framework and the political system. Therefore, in 1983 a major constitutional reform to the Article 115 took place,

increasing the municipal faculties for tax collection and management of their finances. In other words, these fiscal decentralization reforms created incentives for the municipalities to remain autonomous. Nevertheless, the most relevant change related to the urban governance was the recognition of the coordination mechanism among the local governments and with the state level, with the purpose to adequate the law to the on-going coordination processes that was taking place in the facts.

During this decade, the urban sprawl expands to the western south, with a major presence in the municipality of Tlajomulco. At the end of the decade, the population would reach the 3 million inhabitants threshold.

In 1988, the governor of the State, issued rules and an agreement creating the *Metropolitan Council* in substitution of the former Commission of 1978. This institution apart from considering the municipalities that were part of the previous commission, gave voice (but no vote) to the surrounding municipalities that eventually became part of the metropolitan area. Once again, the State executive headed this institution.

The agreement that led to the *Metropolitan Council*, established the functions that this new institution had. These were, among others: to order and regulate the urban growth, to look for formulas to efficiently operate and manage public services; to look for agreements to implement infrastructure and large-scale urban equipment; to coordinate roads and transportation services; resolve the metropolitan schema of solid waste disposal; and the assurance of public safety to the population. The outcomes of this institution were visible a couple of decades later.

The beginning of the 90s decade was marked by major structural changes at the national level.

First, the economy dramatically changed from a close to an open market economy, situation that eventually triggered the establishment of international commercial agreements and treaties with North America, Europe and with developed and developing countries in Latin America and Asia. This detonated a foreign and domestic investment in the cities and specifically in Guadalajara on manufacturing, technology, services and tourism sectors (Arias Garcia, 1995). Therefore, the demand on public services increased significantly as well as the technical workforce.

Regarding the political regime, it changed from based on a hegemonic party to a multiparty system. In the case of the State of Jalisco, the State government and all the municipalities of the metropolitan area were the first to switch. In 1994, the vote of the citizens was mostly for the liberal and Christian democrat: National Action Party (PAN).

The above led to the first democratic transition in the executive branch at state and local level. It is noteworthy that from 1994 to 1997 was the only period on the multiparty system, where the State's executive branch and the metropolitan authorities were part of the same party. Since then, there has been continuous alternation both in the State and in the local levels within the metropolis.

It is during this period, early nineties, when the civil society started to emerge as organized and independent of the political parties. These organizations launched onto the public agenda a set of demands regarding environmental, political, economic and cultural rights. Among their claims was the right for the city.

In addition, the legal framework was changing. The 1976 national *General Law on Human Settlement* was abrogated giving place to a new one in 1993 (Lopez Velarde Vega, 2000). The spill over effect in Jalisco was the update and reform of the State's 1977 *Law on Human Settlement* and the decree of the *Law on Urban Development*, which added new rules to the State legislative framework in this regard. Actually, Arias Garcia (1995) considered it as an urbanization code rather than a law. This is because it mixes different scopes regulating both the urbanization process and the creation of new agencies and institutions like the *Secretary of Urban and Rural Development* and the State's *Council on Urban Development*, both more focused on the urbanization process that was taking place along the State and not only in Guadalajara metropolitan area.

In 1995, the population reaches 3.5 million inhabitants. When the urban sprawl extended to the municipality of El Salto, in 1998, this municipality was included in the Metropolitan Council, which remained led by the Jalisco's State executive. By then, six municipalities were considered as metropolitan territories.

In 1999, at the national level, a constitutional reform of the article 115 recognizes the association faculty of the municipalities, which with the coordination are until now, the only acceptable mechanisms to address the metropolitan issue.

The above had an effect in Jalisco and in Guadalajara. The example is that the agency on water and sewerage of the metropolitan area of Guadalajara—SIAPA- became a municipal association. This reform actually led to a change in the decision making structure of the agency, removing stewardship of the State's executive: this position becoming democratically elected by the municipalities that are part of the Administrative Board. This was the first horizontal governance phenomena within the institutions created for supplying services to the city, which in the year 2000 served 3.7 million inhabitants.

*In sum, during this period we can state that:*

- I. The city experienced a significant territorial and demographic growth during the 60s and 70s, remaining in a lower extent during the 80s and 90s.*
- II. During this period the legislation was aimed to strengthen the steering role of the State executive and the social representativeness in the decision-making.*
- III. New agencies and institutions were created specifically to address certain demands of the society, but still with the pre-eminence of the executive branch of the State.*
- IV. In the last years of this period, a shift on the governance process is observed from vertical to a more horizontal, explained partially because of the newer legal framework on human settlements, the multiparty system, the democratic awareness and the economic openness.*

## **2000-2014 - THE TRANSITION TO BETTER URBAN GOVERNANCE**

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The 2000s first decade saw the beginning of a transition period regarding the urban governance of Guadalajara Metropolitan Area. Since 1988, and until this point, the *Metropolitan Council* was the first strong metropolitan institution, due to the fact that since its formation, it was conceived as a consultation and coordination body, and involved the different levels of government, the federal, the State and the municipal.

Likewise, the different agencies created to provide public services in the shape of inter-municipal agencies had a representative voice in the *Metropolitan Council*. However, the Governor of the State continued to serve as chairman of this institution, while the mayors of the municipalities that formed the metropolitan area had a negotiation and advisory role with a bargaining rather than a cooperative orientation.

Regarding non-governmental participation in the Council, the norms only established that representatives of different sectors could be required just to provide an opinion or an advice, but not in a permanent basis; therefore, there was a gap between the government and the social expectations.

During this period, the *Metropolitan Council* managed to coordinate certain efforts aimed to respond to the demands framed on the metropolitan agreement. Some of the most notorious were:

- The establishment of the SITEUR (System on Electric Urban Transportation by its acronym on Spanish); this agency manages the multimodal transportation system in the metropolitan area.
- A system to monitor the status of air pollution of the area was set.
- The first vehicular synchronization mechanisms,



- And to determine the investment allocations for construction of urban infrastructure, especially major roads.

However, it failed to find solutions on the waste management and disposal, to allocate investments on infrastructure projects with metropolitan impacts, to update the land management plans, and to control the housing supply and the accelerated expansion of the urban sprawl that characterizes the area from the 80s to nowadays (Arias Garcia, 1995; Arellano Rios, 2013).

Even if the *Metropolitan Council* was driven by political interests as a space for political bargaining (Arellano Rios, 2013), the institution still attempted to address some metropolitan problems.

Nevertheless, the reality of the urbanization process in the GMA was an accelerated and segregated growth of the urban sprawl, with improvised planning, putting under pressure the deficient public service provision with high impacts on the environment and the quality of life of the citizens (Cabrales Barajas, 2010). The *Metropolitan Council* was increasingly incapable of overcoming these challenges due to the lack of fast responsiveness based on technical grounds, and social sensitivity due to the increasingly missing voice of civil society.

The main demands of organizations from civil society that emerged during this period were to put the attention in the current urban planning policy and to advocate for a new mechanism with higher participatory means. These organizations emerged rapidly after the year 2000, but some had arisen during the 90s and prevail as base organizations, mainly in topics related with aspects around the mobility, the public transportation and the environment. However, these organizations were unarticulated.

In 2005, when the metropolitan area crossed the threshold of 4.1 million inhabitants, different organizations and initiatives of civil society converged in an association called 'Guadalajara2020'. This was an association integrated by citizens, scholars and businessmen and women. They described themselves as a nonpartisan organization with the purpose to make civic conscience aiming to build up a better metropolitan environment, more harmonic, sustainable, ordered and enjoyable (Guadalajara 2020, 2005).

This association organized an event that achieved the joint participation of public, private, citizen and nongovernmental institutions and organizations to define a common vision for the city. This event was called '*Metropolis with a course*'. One of the main results of this event was the consensus on the need to develop a mechanism to give voice and bring together the opinions, interests, points of views and capacities of every stakeholder in the city within the governance of the metropolitan area (Guadalajara2020, 2005).

Since then, new and better-organized civil society organizations arisen. Since the emergence of 'Colectivo Ecologista de Jalisco' (Jalisco's Ecologist Collective) in 1986, a number of organizations appeared in the city. Some of the most notorious are 'GDL en Bici (Guadalajara on a bike)', 'Ciudad Para Todos (City for all)', 'Observatorio de Calidad de Vida Jalisco Como Vamos A.C. (Urban Observatory on Quality of Life of Jalisco How are we doing) among others . These new NGOs advocate for a more inclusive, enjoyable and equitable GMA. Since then, dozens of social movements, institutionalized or not, had emerged in the GMA, promoting this common interest, which also have the support of different organizations of the private sector<sup>14</sup>.

At that time, much of their demands and social capital were allocated in mobility and environmental issues. From 2005 to 2007 was the time when these more notorious NGOs consolidated their presence in the city, initiating a campaign to influence the authorities and the inhabitants in general on the importance of their agenda. The outputs were diverse; some had more impact than others did. Some had influence within the municipalities' authorities and some others had more acceptances among the

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<sup>14</sup> Silva Rodríguez (2012) carried out a mapping of organizations of the social and private sectors related to the subject of the metropolitan coordination of the city of Guadalajara. It summed around 30 in 2012.

population. In sum, despite all of them were interested in the same issue, seems to be that they needed to change the strategy towards becoming a more influential actor on the urban governance.

On the public institutions arena, in 2007, the *Inter-Municipal Association of Guadalajara* was an initiative aimed to substitute the increasingly weak *Metropolitan Council*, and was expected to be a more horizontal entity headed by the municipalities. However, it was never consolidated, due to the fact that the association agreement excluded municipalities already considered in the Metropolitan Council as part of the metropolitan sprawl. Hence, the metropolitan governance lacked of an executive agent in the public sector. This situation confirmed, at least in the meantime, the *Metropolitan Council* as the main actor of the urban governance in the city (Arellano Rios, 2013).

In 2007, in this context, Jalisco's Congress created the "Legislative Commission on Metropolitan Affairs", with the intention of adapting the existing legal framework in the State, in order to recognize and incorporate improved coordination mechanisms.

Hence, in 2008 a reform of the article 80 and the addition of the article 81 Bis to the Jalisco's State Constitution took place. The first had as result to provide municipalities with the faculty to celebrate coordination agreements, and create collaboration and association mechanisms among other municipalities as long as they belong to the same metropolitan area. The second establishes the compulsory mechanisms for metropolitan coordination. These mechanisms are:

- a political coordination entity among the municipal authorities and the State government;
- one decentralized technical agency called as a Metropolitan Planning Institute; and
- a consultative and citizen participation entity for monitoring and evaluation (H. Congreso del Estado de Jalisco, 1917, p. 40 Art. 80 and 81 BIS).

Despite the above, these reforms needed a secondary law to rule this system as stated in the local constitution. This law was enacted only in 2011 under the name of *Law on Metropolitan Coordination*. Therefore, during this period, the gap in the legal framework gave place to different efforts to comply with the constitution. Thus, in 2009, the Congress enacted a comprehensive urban code to be observed in every municipality of the State that also specifies the municipal attributions of urban planning and public services.

In addition, in the same year, the Congress issued a new decree for the Metropolitan Area, recognizing the second metropolitan ring with 35 kilometres from the center to the GMA limits (Cabral Barajas, 2010) and recognizing the municipalities of Juanacatlán and Ixtlahuacán as external municipalities of the Metropolitan Area now with 4.4 million inhabitants.

Meanwhile this legal framework was being discussed and approved in the local congress, the non-governmental arena was actively participating in the discussions and deliberations regarding urban governance.

Therefore, looking back in 2008, fourteen NGOs created a space for discussion and social coordination under the name 'Citizen Council for Sustainable Mobility (CCSM)'. This was the first major non-governmental collective action to address the metropolis problems, with an emphasis on mobility. As a mean to achieve its commitment, they conducted the realization of a Non-Motorized Mobility Plan (PMMS, 2010) for the GMA, which remains as a reference document within the public agencies in the matter.

In addition, CCSM proved to be an effective mean to influence the decision-making in the GMA and the State. The most notorious example, among others, was the withdrawal of a major infrastructure project aimed to build an urban elevated highway called "Vía Express" promoted and adopted by the State government. The intense pressure put on the State government, proving the lack of sensibility to the

non-motorized agenda as well as the lack of consideration of the different stakeholders within the GMA, was determinant.

In 2011, the CCSM became the 'Metropolitan Platform for Sustainability (MPS)'. This new space for social and citizen discussion and coordination changed its aim towards the confluence of different groups of civil society, despite how much they are integrated, their objectives, means and main topics, as long as they have the common concern on a more sustainable, accessible, efficient, prosperous, equitable and democratic metropolitan area (PMMS, 2010).

At the same time, in 2011, a group of citizens (professionals, academics and interested in urban planning) began a process of informal organization, motivated by constant meetings where the main issue was to address the management of the city as a metropolitan entity. This group of people called themselves as the 'Assembly for the Metropolitan Governance' (AMPG, 2012).

This new social movement agreed to achieve a single goal: to promote the creation of the Metropolitan Planning Institute, as stated on the *Metropolitan Coordination Law*, and which was incidentally legislated shortly before by the legislative Commission on Metropolitan Issues of the State's Congress (H. Congreso del Estado de Jalisco, 2011). The Metropolitan Platform for Sustainability, private organizations such as COPARMEX and local universities, actively joined this initiative.

It is important to remember the fact that it was during this period when for the first time, on the open and democratic system, the State government and the mayors of the metropolitan area were not from the same party. Actually, seven of the eight municipalities of the metropolitan area were from the Institutional Revolutionary Party (PRI), meanwhile the remaining municipality was governed by the left-oriented Party of the Democratic Revolution (PRD) and the State by the conservative National Action Party (PAN).

The Assembly became the most influential non-governmental actor in the pursuit of a more inclusive governance of the city. The Assembly secured the commitment from all the political candidates that were running for the State's governor office, to constitute the institutional governance structures according to the *Law on Metropolitan Coordination*.

In addition, during the 2011, they advocated for the installation of the mechanism of metropolitan coordination in accordance to the law. The mayors of the metropolitan area signed an understanding agreement with the aim to create the called *Board of Metropolitan Coordination*, but the remaining agencies of the system were not going to be constituted until these had statutes.

Therefore, in January of 2012 a temporary commission to elaborate the organic statutes was constituted, in which the members were also part of the Assembly for Metropolitan Governance with the aim to provide input legitimacy and transparency to the elaboration process.

In July 2012, the elections resulted in an alignment among the municipalities and the State government. Once again, the same seven governments remained governed by the PRI; in the case of the municipality governed by the PRD, it switched to the Citizen Movement Party (MC), also left oriented. It is noteworthy that the mayors assumed office in October 2012, meanwhile the State government only in March 2013.

During this period, the first entity of the new governance system, the *Board of Metropolitan Coordination* was constituted in December 2012, almost a year after their predecessors set the agreement. For the first time, the State Governor did not lead this executive organ. The Assembly for the Metropolitan Governance was witnessing the whole process.

In February 2013, the temporary commission in which the Assembly had an active involvement was disbanded after the members submitted their contributions, recommendations and conclusions. Since

then, the elaboration of the statutes was carried out under a certain extent of hermetism and secrecy during almost a year. Throughout this time, the social movements and the Assembly remained expectantly to know the progress, but at the same time, they did not carry out any activity to request information regarding the progress.

Finally, in February 19, 2014, the Metropolitan Coordination System's organic statutes were published. One day later, during the fourth summit of the Board, the statutes were approved and the *Metropolitan Planning Institute* (IMEPLAN by its acronym in Spanish) was born, but not before receiving a resounding rejection by the Assembly. This rejection was based on the fact that the members of the Assembly considered that the statutes did not have the necessary socialization and the approval process was non-democratic and its origin was flawed.

Nevertheless, these organic statutes were approved in accordance to the law and had the political legitimacy required. A week later, the Board agreed on appointing the Director of the Metropolitan Planning Institute. Once again, the Assembly rejected the process, considering that it was politicized and that the Director's profile should emerge from the members of the citizens' movements or by a consensus between the Assembly and the Board.

The third body of the new model of urban governance, the Metropolitan Citizen Council, was then established on the 19<sup>th</sup> of May 2014, and, after an opened call for proposition, was composed with 13 representatives, 1 to 3 from each member municipality, for a two years mandate.

It is worth mentioning that the institutional proceedings toward settling and strengthening the metropolitan governance formal system in the GMA have been accompanied by:

- The signature of an agreement between the State of Jalisco and UN Habitat (April 2013), with the presence of the 8 mayors, in order to get the UN Agency' support in the frame of this institutional transformation, as well as integrating the UN Habitat City Prosperity Index Program; this resulted in the publication in October 2015 of the report "Guadalajara Prosperous Metropolis" that presents a diagnosis and action plan to be discussed and shared between stakeholders of the GMA. Also part of the agreement, an International Forum on Innovating in Metropolitan Governance was organized in Guadalajara in November 2015.
- The creation of a National Association of Metropolitan Municipalities, on the 22<sup>nd</sup> of February 2014, opened to all municipalities included in established Metropolitan Areas, and chaired by the former Mayor of Zapopan for one year. This shows at the national level the concrete raise of interest for giving the metropolitan debate another scale. All important political parties and other Associations of Municipalities are represented, and the Association interacts with a wide range of Federal, State, Private Sector and Civil Society partners to enhance Municipal integration/coordination.

*In sum, for this period, the main findings are:*

- i. The consolidation of an extensive metropolitan area, with an increased number of territorial entities that are unequal at several levels.*
- ii. New actors appear on the local scenario, especially NGOs and professional collectives with interest on the metropolitan governance and the urban development.*
- iii. The consolidation of a transitional process to a new and more comprehensive legal framework that includes a new form of metropolitan governance through a tripartite structure with a more horizontal integration, considering stakeholders within the GMA to be integrated in a more 'bottom-up' decision-making system.*

## 2.3 THE NEW METROPOLITAN URBAN TRIPOD FOR GUADALAJARA

The *status quo* of the institutional transformation of the GMA governance is a consequence of self-reinforcing governmental willingness and social claims. This, associated with the national trend to seek for better urban governance, resulted in a new inter-municipal Metropolitan Coordination System.

According to Jalisco State Constitution (H. Congreso del Estado de Jalisco, 1917), *the Law for Metropolitan Coordination* (H. Congreso del Estado de Jalisco, 2011) and the *Urban Code* for the State of Jalisco (H. Congreso del Estado de Jalisco, 2012), three instances of metropolitan coordination are constituted. These are appointed and regulated by the recently issued *Organic Statutes* (H. Congreso del Estado de Jalisco, 2014).

The following, according with the legal framework, presents a brief description of these recently created institutions and their current challenges ahead.

FIGURE 9 - THE GMA GOVERNANCE TRIPOD



Source: [metropolitangovernanceforum.org](http://metropolitangovernanceforum.org)

### METROPOLITAN COORDINATION BOARD (MCB)

The GMA Metropolitan Coordination Board, created in December 2012, is conceived as an inter-municipal collegial organ for political coordination. The members are the Mayors of the municipalities that constitute the GMA and the Governor of the State of Jalisco. Only a Mayor can be appointed as Chairman of the Board, which is a rotating seat with a 6 months mandate. In addition, the MCB has a Technical Secretary, which at the same time has the role of Director of the Metropolitan Planning Institute.

The objectives of the MCB are by law to:

- Set the Metropolitan Agenda, which is the instrument that establishes priorities, objectives, strategies and actions for the metropolitan area.
- Authorize and submit for approval of the corresponding municipalities the technical planning and executive instruments contemplated in the law: the Metropolitan Land Use Plan, Metropolitan Development Program, Metropolitan Trust Fund and the annual Investment Program for Metropolitan projects.
- Monitor the implementation and exercise of the instruments.
- Represent the interests of the GMA to other entities and levels of government.

- In addition, the Board has the attribution to appoint the Director of the Metropolitan Planning Institute and make an open call to integrate the Metropolitan Citizen Council.

The Board faces challenges that - if not addressed - may hinder the management of the metropolitan area. Some of these can be summarized as avoiding partisan disputes among the members of the MCB as well as the supremacy of any member, including the Governor of the State.

In addition, an important challenge is to attend the voice, not only of the institutionalized authorities, but also of the social movements in terms of agenda setting and implementation, to legitimate the decision-making and to enhance trust among the social movements that are questioning it.

Due to the recent elections at municipal level (June 2015), the Citizen Movement Party (MC) won 6 of the 8 municipalities part of the GMA. Considering this arising of a citizenship oriented party getting the commands of the metropolitan area, together with the recent history of civil society movements and organizations challenging institutions and elected officials at the municipal, metropolitan and state levels, one could state that the future steps taken by the MCB, renewed with new mayors, will be observed in its capacity to create an operational alignment dynamic between mayors and administrations regarding metropolitan issues, agenda and management.

The strengthening of the two other pillars of the GMA governance tripod will be key for the GMA's future, and sustainable development.

## METROPOLITAN PLANNING INSTITUTE (IMEPLAN)

The Metropolitan Planning Institute (IMEPLAN), really operational since July 2014, is the technical organ of the metropolitan coordination system created for the GMA. It is an inter-municipal decentralized agency with legal personality and its own assets. It counts with technical autonomy to exercise its attributions.

Its main objective is to develop and propose to the Board the technical instruments for the metropolitan planning, to do research and studies, and to propose alternative coordination mechanisms within the organs of the system. The Institute can impulse programs and actions aiming at promoting economic competitiveness and social productiveness.

The main structural tools designed and developed by IMEPLAN are:

- The Metropolitan Development Program,
- The Metropolitan Land Use Plan
- The Map of Metropolitan Risks.

As of October 2015, IMEPLAN estimates that the first element is 60% advanced, the second 50% and the last one 15%. The Metropolitan Development Program will be defining a vision for 25 years of GMA's sustainable development.

IMEPLAN is also responsible for the development and implementation of a metropolitan information system that should work as a support tool in urban decision-making process. The partnering between the Undersecretary of Planning and Evaluation of Jalisco State Government and the World Council on City Data (governed by the Global City Indicator Facility of the University of Toronto) in order to pilot the first ISO approved international standard for city indicators (ISO 37120), shall serve as a valuable input in the IMEPLAN's mandate if coordination between these working plans at different institutional levels becomes effective.

Documents and deriving rules are approved by Municipal and State Governments prior final approbation by Metropolitan Coordination Council. The law does not include provisions on the level of details of Metropolitan plans. Program and project implementation are foreseen to be regulated by case-by-case specific intergovernmental agreements.

The IMEPLAN has a Governing Board, headed by the Director appointed by the MCB and at the same time holds the position of Technical Secretary of the MCB. Technical and administrative units form the body of the Institute.

In addition, the IMEPLAN has a *Metropolitan Planning Advisory Council*, integrated by IMEPLAN directors and the municipal and State technical managers who head the agencies related to planning, public services, urban development, mobility, environment, among other as necessary. Hence, this is a collegiate organ for the metropolitan planning, which has the purpose to harmonize the metropolitan policies among the municipalities, with the State and the nation's. This inter-bureaucracy coordination entity of the system is not yet in function.

The team is composed of 22 professionals, together with interns and the possibility to contract consultants for specific needs defined by the MCB.

IMEPLAN's website is host of all the information around the GMA institutions and dynamics, including the reports from the sessions of the MCB and the Metropolitan Citizen Council, together with historical maps showing GMA's creation and evolution. A first report on *GMA's Urban Expansion– Analysis and Prospective 1970-2045* was published in 2015 by IMEPLAN, gathering relevant information and analysis on GMA's trends, challenges and considerations to be discussed in the political and citizen agendas.

The budget is defined together with the MCB and, as based on reference year 2014, is up to 12 million Pesos (US\$ 725 400). The municipalities are the ones feeding the budget on the basis of population indicators. Specifically, the Ministry of Planning, Administration and Finance (SEPAF) of the Government of the State of Jalisco, is the guarantor instance to ensure the provision of resources from the metropolitan municipalities. In case of delay and no compliance, the Metropolitan Convention and the IMEPLAN Statutes established arrangements for the SEPAF to retain municipalities' shares from their resources coming from the Federal and State levels.

To date GMA municipalities have failed to deliver on time the corresponding contributions. The two major contributors are Guadalajara (38 %), and Zapopan (28%), representing together 66% of the total. A year after the formation of IMEPLAN, the resources are there barely for payroll, i.e. nine out of 10 pesos that are granted leave to pay wages. Little money is left for research or projects.

The main challenges of the IMEPLAN are to stay out of the private or partisan interests regarding the planning instruments and to propose mechanisms of coordination that ensures its technical independence, which will help to overcome the criticisms made by the social and non-governmental organizations concerning the legitimacy of its emergence and the appointment of its Director.

Yet, as demonstrated by its first operational year, its lack of political support and budget capacity to fulfil its pivotal tasks of supporting decision-making, coordination and consultative processes throughout the legally established system remains an issue.

Also, on the other hand, the lack of political supervision and consultations for the preparation of the metropolitan diagnosis and the first elements of the Metropolitan Development Plan are worrying, even in a context of municipal elections. Even if the Advisory Council should play a key role in the coordination of metropolitan and municipal plans, IMEPLAN also seems to benefit from excessive autonomy and lack of accountability to the political level, in the absence of an independent supervision capacity under the Coordination Council, leading to an unbalanced system dominated by non-elected technicians.

As per demand of the State Governor, a study was conducted to establish complementary capacities for organizing/supervising delivery of metropolitan services and projects, complementing the metropolitan coordination system with an operational arm. A comparative survey on different options for establishing a City Manager capacity (*City Manager: A choice for metropolitan management of Guadalajara*) was done under UN Habitat's project at the request of State Government. The manager



would "free" the mayors of implementation activities of public services, "leaving them the role of exclusive political management of municipalities." However, the study perceived constraints: political resistance to alter the institutional design of the councils; fear that the mayor loses power before the manager, and weak and insufficient legal basis in the delegation of the possible activities to a manager.

If no concrete plans to implement such figure in GMA's context were implemented, this episode shows the tensions between the several views and dynamics at municipal or state level regarding the future of GMA governance.

As for early news from the new mayors joint declaration (October 2015), a new director of the IMEPLAN was appointed, as well as discussed a restructuring project of IMEPLAN's objectives and roles in order to get operational delivery of the Metropolitan development Program and Land use Plan for January 2016, and broaden the range of activities of IMEPLAN.

The first issue in the Metropolitan Agenda as defined by the new MCB is public safety: its integrated design is expected to be ready to start on January 1, 2016. The intention is that in 18 months coordination on security has been integrated in three ways: the Metropolitan Police, a centre for analysis and strategy, and the creation of a C5 (control and command centre) together with the State General Attorney Office (Fiscalia General del Estado).

## METROPOLITAN CITIZEN COUNCIL (MCC)

The Metropolitan Citizen Council is an inter-municipal advisory organ for citizen participation. The membership is honorific, which can be held by grassroots leaders, representatives of non-governmental and professional organizations, scholars of universities or research centers, or private sector leaders, if located either in the city or in the metropolitan region. Every metropolitan municipality has no more than three seats to appoint in randomly for the MCC. The members shall be elected on the result of a public and open call from among civil society.

The objective and scope of this entity is to:

- be a mechanism of monitoring and follow up of the issues regarding the metropolitan matter.
- Report the detected anomalies and citizen complaints in the territory of the GMA.
- In addition, the MCC can elaborate, develop, deliver, receive, discuss, organize and channel proposals from the social sector regarding the metropolitan coordination system.

The MCC has challenges regarding the legitimate representation of the civil society interests, preferences and expectations:

- Uphold the voice of their contributions to the metropolitan system of coordination, and even in front of the Board.
- Avoid polarization of views among the members, which prevent or restrict the influence of its voice over the other entities of metropolitan coordination.
- Get the recognition of civil society as a mean to assert its legitimate voice and guarantor of their interests against the challenges of the metropolis.

The MCC in its first mandate met some difficulties with absence of members during the formal meetings. A Facebook page and a specific website were created apart from the dedicated chapter on IMEPLAN's website.

## FIRST CONCLUSIONS ON THE METROPOLITAN GOVERNANCE TRENDS

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GMA *Metropolitan Coordination System* is based on cooperation and collaboration. After decades of slow concrete implementation and few successes in sectorial inter-municipality arrangements, paving the way as an example – if not an inspiration - at the national level, GMA is yet to prove its laws, institutions and stakeholders are now mature to collaborate within formal frameworks defining a 25 years vision, together with present tools for implementation and coordination.

The new *Metropolitan Coordination System* aims to mesh the different agencies, which exist within various municipalities, so that trusting relationships are built. This is important in order to bring consensus with regard to the former model, where relationships were only formed between inter-municipal agencies for service provision, even if shown to be effective.

This new model separates the political, the technical and the citizen participation bodies. However, if the model spends too much time on meshing these components together, rather than pursuing the objectives and finding solutions, the costs can outweigh the benefits.

The second element to consider is the power relationship between these bodies. Currently, an asymmetric relationship between the municipalities (politically, bureaucratically, economically, socially, and so forth) that form the GMA exists. Therefore, the balance to create and sustain a reciprocal relationship should be taken into account. In the case of the former system, the State government had too much decision-making power in contrast to more decentralized bodies, crowding out the municipalities and their citizens' demands or needs.

The new model thus promotes a process that is more horizontal than vertical. Essentially, this means that municipalities are given an important governance function, and facilitates a bottom-up structure for civic involvement. Nevertheless, even with this new model of coordination, an asymmetric relation between the municipalities still exists. Thus, one risk with the *Metropolitan Coordination Board* is that the most powerful municipalities may benefit the most and share less of the burden. For instance, even though the *Metropolitan Citizen Council* has a voice within the system, there is an unbalanced representation of the various municipalities' inhabitants.

Third, the fact that the new model remains under the fragmented logic with shared coordination, accountability must be enhanced. In the former model, the clear leader was the State government and it was held predominantly accountable. In the new model, accountability is shared amongst actors. The risk is that good output may be considered a result of the collaboration while bad outputs can be blamed by the self-interest of others. This in turn erodes the shared-work relation and creates a moral hazard. Further, if the decisions made by the Board overturn technical inputs that include civic demands, output legitimacy will be questioned.

As we have noticed here, a consequent part of the metropolitan governance efforts have been induced in a top-down manner; the funding, regulations and organizational capacities are provided by, in the best case, the State government, in others by the federal government. The use of formal structures might have wider impact in the future than the informal, at least in an accountable way.

The future *General Law on Cities and Territory*, if/when adopted, should also create better legal and regulatory environment, conducive for betterment of the metropolitan culture in the country and its administrations.

Cooperation among specific departments might exist and could contribute slowly to make stakeholders engage in a greater share of metropolitan culture as noted further thanks to the interviews; but for now, this seems of a marginal nature in an area with the magnitude of Guadalajara.

One issue is that there is currently no competition among the local governments to provide public services. The concrete incentives to coordinate them across the metropolitan area are probably nested in the Metropolitan Fund. All the municipalities have their population, with clear areas for voters. As such, the political cleavages do not work across territories. The Metropolitan Fund, then, can summon consensus and action in issues of disseminated returns, concentrated costs and wicked definition, such as the metropolitan ones.

Before referring to the case-by-case joint initiatives like the “Fuerza Única” Metropolitan Police or the SIAPA, the service delivery authority for Water, time has come to assess the capacity of the Metropolitan Fund to play a cohesive and incentive part in getting metropolitan governance better applied in GMA.

### 3. A METROPOLITAN FUND AS A CATALYST FOR AN ACTIONABLE METROPOLITAN CULTURE?<sup>15</sup>

#### 3.1 FINANCING RESOURCES FOR IMPROVED GOVERNANCE

The Metropolitan Fund was created by the Federal Government in 2006, and its operating rules were published in 2008. Its purpose is to meet the needs of the metropolises of the country under two principles:

- i. Mexico accelerated trend to concentrate more and more population and economic activity in metropolitan areas,
- ii. Recognition of a metropolis as a territory with characteristics requiring specific actions by the Mexican State, particularly as to govern, manage and plan them; this requires the competence and coordination of the three levels of government and, in particular, the authorities of all political and administrative jurisdictions within them.

#### METROPOLITAN FUND - CREATION, OBJECTIVE & ALLOCATION

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The Metropolitan Fund was incorporated in the Expenditure Budget of the Federation from 2006 with an allocation of one billion pesos (US\$ 60,5 million). In 2014, the Federal Fund reached \$9,9 Billion pesos with \$1,075 billion pesos for State of Jalisco, of which \$988 million pesos (US\$ 59,8 million) went to GMA (92%) alone. It reached \$10,4 billion pesos (around US\$ 630 million) in the 2015 budget for the benefit of 47 metropolitan areas nationwide. Of those, \$1,11 billion are targeted to Jalisco State, of which \$1,05 billion (US \$ 63,5 million) were approved in 2015 solely for GMA projects (94%).

This fund is to finance and equip the execution of studies, plans, assessments, programs, projects, activities and infrastructure in all its components, whether new or in process. To apply, a project must meet several characteristics:

- a. Be viable and sustainable;
- b. Promote regional and urban development, and proper land use planning;
- c. Promote economic competitiveness, sustainability and the productive capacities of metropolitan areas;
- d. Contribute to their viability and mitigate vulnerability to natural, environmental and prompted by demographic and economic dynamics phenomena;
- e. Encourage urban consolidation and optimal use of the competitive advantages of regional, urban and economic operation of the territorial space of metropolitan areas (Iracheta Cenecorta, 2014).

In 2010, an evaluation of 16 Metropolitan Funds was performed for the period 2006-2009: Acapulco, Aguascalientes, Cancun, Guadalajara, La Laguna, Leon, Merida, Monterrey, Oaxaca, Puebla-Tlaxcala, Queretaro, Tijuana, Tuxtla Gutierrez Valley of Mexico, Veracruz and Villahermosa. It aimed at detecting various limitations for this fund as a federal instrument and the States to advance the metropolitan coordination and especially at addressing the problems they have and are considered to exceed the municipal level.

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<sup>15</sup>This section provides large excerpts and quotes from the precise review on Metropolitan Funds in Mexico by Dr. Alfonso Xavier Iracheta Cenecorta, 2010 and entitled: – *Evaluation of the Metropolitan Fund 2006-2009*.

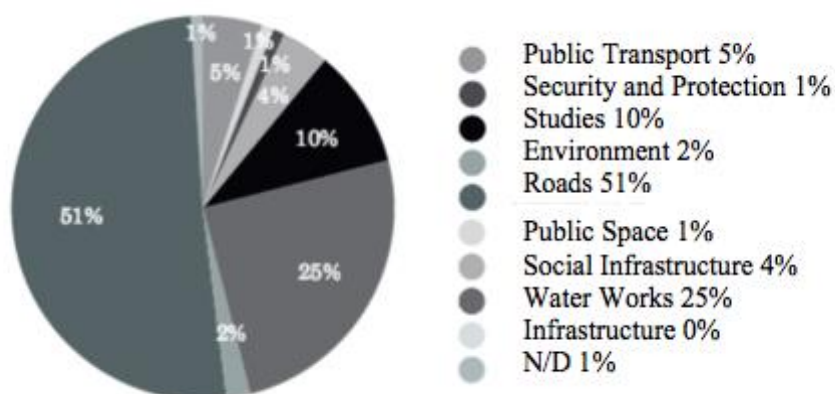
A first assessment of the Metropolitan Fund showed that its limitations are:

- i. Support for actions that are not metropolitan or that are not a priority.
- ii. Low participation of municipalities and social actors.
- iii. Taking unilateral decisions.
- iv. Lack or limitations on transparency and accountability in the use of resources, and
- v. Inappropriate projects or priorities.

11 generic recommendations of which one can cite the following issues and findings:

- . The Fund Operation Rules are not best suited to address the problem of the metropolitan phenomenon in Mexico.
- . In the States, in general, it does not have an adequate conceptualization of the metropolitan phenomenon and its problems.
- . The Fund decisions do not respond to integrated policies, although reference to the planning instruments is made to justify them.
- . The institutional structures established in the rules of operation are very rigid. They do not take into account what already exist in the States (which can meet the expected function).
- . The Valley of Mexico receives the same treatment as other metropolitan areas despite having very specific characteristics and a high degree of complexity.

**FIGURE 10 – FEDERAL METROPOLITAN FUND ALLOCATION. NUMBER OF PROJECTS PER SECTOR 2006-2009**



Source: Dr Alfonso X. Iracheta – BID 2010 – Own representation based on the project database of each federative entity

After this assessment, a national working group was created (July 2013) and agreed that the proposals or recommendations, which are generated for the purpose to define the new rules of operation of the Metropolitan Fund, should be directed based on the following themes or areas:

- i. Definition of metropolitan area.
- ii. Concept of Metropolitan Development.
- iii. Operation and mechanical projects.
- iv. Strengthening tips Metropolitan Development (CDM).
- v. Generation of Metropolitan Development Plans.
- vi. Setting priorities for the Metropolitan Development.
- vii. Strengthening the mechanisms of transparency and accountability

## OPERATING RULES

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For a metropolitan area to receive resources from the fund, the Operating Rules require for the creation of a 'Metropolitan Development Board', supported by a 'Technical Committee of the Trust' that administers the resources provided, and a 'Technical Subcommittee on Evaluation': they are the entities responsible for decisions on resource allocation, as well as monitoring the operation of the projects and their evaluation.

The Board defines the guidelines and criteria for the application of resources and the operation of the Fund, the Technical Subcommittee on Evaluation evaluates proposals which are then turned over to the Technical Committee of the Trust which releases resources and monitors their implementation. Both technical bodies are usually settled in the Secretariats of Finance or equivalent, so that the assessments are being made financially, without adequately considering the urban-metropolitan transition.

## MANAGEMENT AND OPERATION OF THE GUADALAJARA METROPOLITAN FUND

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Here are exposed the main feedbacks and information provided by the assessment of the GMA Metropolitan Fund, realised in 2010.

It was possible to observe that the experience gained in the GMA since the formation of the first Metropolitan Council in 1989 has had a positive impact on the organization and operation of the Metropolitan Fund. The basic organizational structure required for the operation of the fund previously existed in Guadalajara, so it required only going through a certification process in accordance with the operating rules published in 2008. That is, four municipalities were recognized as part of the metropolitan area in that year.

In GMA, in accordance with the Rules of Operation, they established the Board for Metropolitan Development, the Technical Committee of the Trust and the Technical Project Evaluation Subcommittee, which all function properly. The Technical Committee and the Technical Project Evaluation Subcommittee are basically made up of representatives of the same agencies.

The Secretariat of Urban Development of the State Government is the executor of the Metropolitan Fund resources. The Secretariat also serves as Technical Secretariat for Metropolitan Development Board so that, unlike the rest of the units related to the operation of the fund, the Secretariat has two representatives on the Technical Committee and Technical Subcommittee. Within the Ministry of Urban Development is the Department of Metropolitan Urban Planning, which performs the main administrative tasks associated with the operation of the fund. The team responsible for this task is about nine people.

In the process of definition and approval of projects, the Technical Project Evaluation Subcommittee reviews the characteristics of projects and presents a preliminary analysis to the Technical Committee, which will recommend or not the allocation of the Metropolitan Fund resources. The Technical Committee authorizes the resources provision and manages the portfolio of projects with view on its physical and financial progress. The trustee oversees the use of resources based on the decisions of the Technical Committee and reports the financial statement thereof.

The GMA has a portfolio of projects for the short and medium term, which is established through formal mechanisms, through the Technical Committee and the Technical Subcommittee on Evaluation. The fact that the definition of the project portfolio takes into account the representatives of municipalities, despite participating with voice only, is seen as positive and encouraging.

In contrast, it is noteworthy that the low involvement of civil society in the urban development policy in the GMA, until the creation of the Metropolitan Citizen Council, is also perceived in the operation of the Metropolitan Fund. In this regard, measures have been taken with forums opened to public participation, and the involvement of various colleges and professional associations.

It was possible to observe some particular characteristics in the operations of the Guadalajara Metropolitan Fund, with the creation of a "metropolitan basket" ("bolsa metropolitana") where all available resources are gathered to address the problems of the metropolis. In this basket, both federal resources, and State and municipal resources are concentrated, however it is clear that the application of resources is governed by the rules related to its origin. Thus, the resources obtained through the Metropolitan Fund are governed by the rules of operation of the same, while the State resources are governed by the applicable State laws, namely the Law of Public Works of the State of Jalisco.

In the case of Guadalajara practices the "metropolitan basket" is considered as one of the best evaluated practices found in metropolitan areas, so it was proposed to replicate this innovation in other metropolitan areas. Therefore, this feature of Guadalajara has been raised as a proposed improvement for all the metropolitan areas, with additional features such as expanding the scope of the Board and the consolidation of a larger, strong technical and decentralized team that can be financed and has the capacity to serve a larger number of metropolitan projects from various sources.

Additionally, it is also characteristic of the Guadalajara Metropolitan Fund's administration, a tendency to avoid as far as possible the mixture of resources from different origins in financing works and related projects. This causes that works are separated into different stages, each of which is funded from the same source. According to the officials consulted, this allows a clear identification of what has been done with a particular resource, although it is possible that this same mechanism limits the scope of projects that do not benefit from a broader funding, because their resources cannot be supplemented with other sources.

## STATISTICAL PRESENTATION OF THE RESULTS

Guadalajara Metropolitan Fund Resources were distributed as shown in the following tables.

**TABLE 15 - GUADALAJARA METROPOLITAN FUND. RESOURCES BY YEAR (PESOS)**

Guadalajara	Number of projects	Total amount	Percentage (%)
2008	13	\$ 1,071,500,000,00	50.27
2009	9	\$ 1,060,040,000,00	49.73
Total	22	\$ 2,131,540,000,00	100

Source: Dr. Alfonso Xavier Iracheta Cenecorta – Evaluation of the Metropolitan Fund, 2010

**TABLE 16 - GUADALAJARA METROPOLITAN FUND. RESOURCES BY TYPE OF PROJECT**

Project Type	Number of Projects	Total amount	Percentage (%)
Hydraulic	1	\$ 100,000,000.00	4.69
Infrastructure social	1	\$ 0.00	0.00
Roads	20	\$ 2,031,540,000.00	95.31
Total	22	\$ 2.131.540,000.00	100

Source: Dr. Alfonso Xavier Iracheta Cenecorta – Evaluation of the Metropolitan Fund, 2010

These two tables and the following one (table 17) show a strong concentration on road projects, indicating strong emphasis on private transportation, especially during the 2008-2009 period. Nevertheless, in 2014, one can see a clear transition to a greater balance with public space works and bicycle lanes implementation.

The implementation of the Metropolitan Coordination System in 2014/2015 should allow for a bigger diversity in projects supported by the Fund to be adequately designed in the future for the sustainability of GMA's development.

Also the distribution of resources seem to be relatively well distributed, even with Guadalajara, Zapopan and Tonalá representing around 48% of the total expenditure.



TABLE 17- USE OF GMA'S METROPOLITAN FUND: EXPENDITURE PER TYPE OF PROJECT AND MUNICIPALITY IN 2014 (IN MEXICAN PESOS)

Municipality	Project		Percentage of total expenditure per municipality			Total expenditure per Municipality	Percentage of total expenditure
	Type of Project	Expenditure/Type	Road Infrastructure	Bicycle Lanes	Public Space		
Guadalajara	Road Infrastructure	17,500,000	12%	0%	88%	145,500,000	12.72%
	Public Space	128,500,000					
Tonalá	Road Infrastructure	90,000,000	40.6%	47.4%	12%	221,500,000	19.43%
	Bicycle Lanes	105,000,000					
	Public Space	26,500,000					
Tlajomulco	Road Infrastructure	120,000,000	100%	0%	0%	120,000,000	10.53%
El Salto	Road Infrastructure	40,000,000	53.3%	0%	46.7%	75,000,000	6.58%
	Public Space	35,000,000					
Juanacatlán	Road Infrastructure	40,000,000	88.9%	0%	11.1%	45,000,000	3.95%
	Public Space	5,000,000					
Ocotlán	Road Infrastructure	23,164,000	70%	30%	0%	33,540,513	2.94%
	Bicycle Lanes	10,376,513					
Zapopan	Road Infrastructure	157,500,000	88.7%	0%	11.3%	177,500,000	15.57%
	Public Space	20,000,000					
Tlaquepaque	Road Infrastructure	97,000,000	100%	0%	0%	97,000,000	8.51%
Not defined	Road Infrastructure	18,000,000	8%	70%	22%	226,012,394	19.83%
	Bicycle Lanes	157,887,877					
	Public Space	50,124,517					
Total Percentage		1,140,000,000 (100%)	602,700,000 (52.87%)	273,263,000 (23.97%)	265,124,000 (23.26%)	1,140,000,000	100%

Source: Author, based on available data Guadalajara Metropolitan Fund

## ALLOCATION MECHANISMS AND MONITORING

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It is important to note that the different municipal administrations and the State Government have been making different diagnosis of the urban situation of the metropolis for over 30 years, so there is a significant understanding of the importance of research, diagnostics and planning instruments.

This has allowed since the beginning of the participation of the GMA in the Metropolitan Fund diagnostics to be realized in order to define problems and goals. Currently, the main tasks in this area focus on the one hand to keep updated development plans and diagnostics, as well as providing them a legal character.

There are several planning tools for major urban development, among which the Urban Development Plan of the GMA and the State Urban Development Plan 2030, where the general policies of urban-metropolitan development are defined. One of the main challenges for the short term is to establish the Urban Development Plan of the GMA as a document that implies responsibilities and obligations to local governments in the metropolitan area.

It is important to note that the Guadalajara Metropolitan Fund is explicitly said to address two different problems: mobility, understood as the development of road and pedestrian infrastructure, and the development and improvement of water infrastructure. However, in practice it is possible to observe a clear imbalance in the attention given to both problems, since nearly all of the projects financed by the Metropolitan Fund relate to road and pedestrian infrastructure. Only two projects of all approved until 2009 related to the development of water infrastructure. As shown before in table 17, in 2014 the distribution of the funds remain concentrated in roads and bicycle lanes in GMA, following the national trend.

Although the road is important, it should be neither the only nor the most important structuring axis of the metropolitan area. Despite this, the road infrastructure development has been one of the main features of the urban development policy in the GMA during the last decades, even before it obtained the Metropolitan Fund resources; apparently, obtaining resources through this fund has increased the tendency to develop such road solutions.

The resources obtained through the Fund are concentrated in a "metropolitan basket" where State and municipal resources are also deposited, but is avoided as far as possible to mix these resources in implementing works and projects, which involves establishing financial restrictions on the scope of projects. It is noteworthy that no Metropolitan Fund resources are used to cover operating expenses. Similarly, the fact stands that all feasibility studies, pre-investment and business projects have been carried out with funds from the State Government with the aim of facilitating access to State resources, noting that, according to officials interviewed, all studies above have resulted in the execution of works.

With respect to the provision of resources by the Federation, the officials of the State Government of Jalisco consider the time between project approval and receipt of resources is appropriate, as the time when the resources has to exercise.

Finally, a low participation of citizens in the process of follow-up, supervision and monitoring of the actions related to the operation of the fund in this metropolitan area was observed as well as the absence of real mechanisms of accountability for the Metropolitan Fund of Guadalajara. The perception of officials of the State Government mainly highlights to be "unnecessary" to involve the citizen sector, even though the decisions directly affect this sector; in addition, their inclusion could be established as a mechanism to ensure the continuity and long-term perspective in decision making and implementation. Similarly, although the financial information on the management of the Metropolitan Fund is included in the Public Account, it is necessary to improve the mechanisms of transparency and access to it.

## OUTCOME OF INTERVIEWS CONDUCTED BY THE REVIEWER OF THE GMA METROPOLITAN FUND (2010)

The soundness of the discussion and management processes and decision-making are a clear reflection of the work that has been done in GMA, which was one of the first in the country to consolidate itself and therefore, this metropolis is one that has accumulated more experience and knowledge on the subject. Additionally, the positive attitude taken by the officials interviewed, the importance and the seriousness with which they take the metropolitan development was evident.

Without underestimating the achievements and good organization observed in the administration of the fund, it was also possible to observe that officials underestimate the importance of some aspects. The first is the risk that the administrative structure falls into a state of saturation and operational failure. The second and most important is the lack of mechanisms to include civil society to provide more robust decision-making and define specific solutions to the metropolitan problems on the one hand, and on the other, to implement real mechanisms of accountability in terms of impacts of the fund.

Regarding the use of the resources of the Metropolitan Fund, we can see that these have been used in a timely manner in almost all cases, only one case of reallocation of resources having been submitted for the period reviewed.

### 3.2 SWOT ANALYSIS

This SWOT analysis has been realized by the expert responsible for the evaluation.

TABLE 18 – SWOT - INTERNAL ENVIRONMENT METROPOLITAN FUND

Strength		Weakness	
1	The long experience developed in the GMA in the metropolitan issue facilitates the process of fund management.	1	The administrative structure to perform the tasks related to the management of the fund is barely enough to carry them out, which can cause a situation of saturation if the tasks increase.
2	Responsible administrative structure of fund management has clear goals and tasks related to its handling.	2	There are no real mechanisms for accountability for the use of resources, decision-making and impacts of the Metropolitan Fund. The role of the new Metropolitan Citizen Council regarding the Management of the Metropolitan Fund has yet to be defined.
3	The "metropolitan basket" is a tool that allows you to integrate a broader, more solid and consistent portfolio.	3	There are no mechanisms that incorporate the participation of civil society in the definition of responses to metropolitan issues.
4	Several useful planning and diagnostics tools for GMA's urban development are in an upgrading process.	4	Avoid mixing of resources causes the works are carried out partially and with delays, and even limited in scope and potential.
		5	There is a skewed vision of metropolitan development to the construction of road infrastructure, although it has been amply demonstrated its shortcomings, limitations and even its potential to generate new and bigger problems.

**TABLE 19 –SWOT - EXTERNAL ENVIRONMENT METROPOLITAN FUND**

Opportunities		Threats	
1	The Metropolitan Fund is a metropolitan mechanism for linkage and coordination.	1	Fund’s Operating Rules are rigid and complex.
2	It provides the ability to create a metropolitan authority.	2	The objectives of the fund do not engage properly with metropolitan problems.
3	The Metropolitan Fund may be the structural axis of the Metropolitan Development policies and programs.	3	No multi-year projects are allowed: it is a year-by-year design which contradicts the metropolitan long-term perspective (and needs).
4	There are ICT trainings for local teams which can serve to simplify processes and evaluate projects.	4	Operating Rules give the same treatment to all metropolitan areas without considering their different sizes and complexity.
		5	The rigidity of the operating rules does not allow feedback from and take advantage of local practices.
		6	Operating rules do not guarantee the inclusion and vote of organized civil society
		7	The demographic and economic dynamics of the Guadalajara metropolitan area may exceed the capacity of government response

Source: Alfonso X. Iracheta (2010)

## IMPACTS OF THE PROJECTS FUNDED

As per lack of available information on the impact of Metropolitan Projects supported by the Metropolitan Fund, this part is based on the survey conducted by the 2006-2009 reviewer.

In the case of the perception of the beneficiaries it should be noted that generally they have a positive impression of the work done with these resources, having most of them said that these works benefit their community and positively impact the quality of life.

However, it is important to emphasize two important points: first, society perceives that the implementation of road infrastructure does not benefit equally to all sectors of the population, as these works are designed for the use of people whose mobility is based on the use of private transport, and on the other side also perceives that such roads do not solve fully the problems of urban mobility. For those, benefits will only be temporary.

Regarding the perception of experts related to the main problems observed in GMA, they are the following:

- A little productive investment.
- In the metropolitan development, a tendency to prominence of real estate markets over the plans, and the presence of a strong real estate speculation. The issues of land tenure are closely associated to this situation, especially in the periphery of the metropolis and are heightened by land speculation, because the developers, legal and illegal, agree with owners for land acquisition in inappropriate places for urban development, which occurs in virtually all municipalities of the metropolis.
- A highly dispersed urban model, and the government and private propensity to invest in the new city (periphery) with certain abandonment of the traditional city and its urban center. This has led to a development pattern with thousands of empty hectares within the urban space that are not occupied, and at the same time various municipalities of the metropolis continue to allow new developments to expand disorderly the metropolitan stain, affecting their structure and generating increasing costs to municipalities which, in many cases, cannot pay, reducing maintenance and preventing building more infrastructure.

Most of the scattered and messy urban metropolitan pattern has led to the growth of urbanized areas with different risks within the metropolitan territory in the absence of agreements to define where and where not to urbanize, these decisions being left to the individual vision of each municipality without consulting the rest of the metropolitan areas.

All metropolitan areas face severe water problems, whether by excess (floods) or default (deficit). It also highlights the problem of mobility: specialists agreeing on the inadequate tendency of governments to support the particular and individual driving through road works, without adequate strategies and alternative clean public transport (pedestrians, bicycles). From an environmental perspective, they point out in all cities the presence of severe problems: forest loss, land degradation, solid waste tend to exceed the authorities, and with the lack of metropolitan strategies one can find zones overrun with trash when other areas are appreciated reasonably clean between the municipalities, in addition to missing storage spaces at the metropolitan level.

Socially, one can highlight growing poverty and segregation of large numbers of people who lack supply of residential land within the consolidated metropolis, rejecting them to an increasingly distant periphery. As part of this problem, growing violence and lack of productive, educational and sporting opportunities for young people, create a severe loss in the demographic dividend within the metropolis.

A common analysis between specialists is the absence of metropolitan planning; each municipality or State government shows non-concerted projects or works. In this sense, it is consistent with a lack of coordination between arenas and institutions of each government. Another ingredient is the discretion in defining projects and investments for lack of rules or for non-compliance. Experts agree about the lack of a legitimate authority at the metropolitan level and the fact that the rule of voluntarism is still the one applied among and between municipalities and State governments.

Also they highlighted that civil society does not effectively participate in the planning and evaluation of plans and projects, even if it can offer a lot to the development of the metropolis and its administration and planning. In this regard, they note that where participatory figures exist to serve the metropolitan phenomenon, what predominates is the voluntarism of the authorities to invite or not the members of civil society and especially when for giving voice to deciding. The result is that the prevailing tendency is the State government deciding which projects are carried out for the entire metropolis, sometimes with the agreement of some mayors. The metropolitan councils are handled with discretion and opacity, and are invited just to review and be consulted stakeholders that actually have no say in decisions. Same goes with many municipalities that do not really participate in the decisions.

With regard to the metropolitan coordination, experts agree that when it exists, it is dominated by sectorial interests, partisan views and governors' decisions that weigh heavily on State officials. In practice, no concrete results derived from metropolitan coordination processes are observed, so it is only a virtual coordination, embodied in speeches and in some meetings, but not effective because nothing requires it, and there are no consequences for not realizing it.

In several cases, interviewees note the existence of actual coordination process, but only to execute what has already been decided in the governor's office; likewise, there is effective coordination when to comply with the rules of the Ministry of Finance to manage the Metropolitan Fund; however, they believe that these rules lack a vision of the problems of each metropolis, while what dominate are the administrative and financial perspectives determined by the federal government which does not consider the federative entities.

Regarding the existence of priorities to exercise the Metropolitan Fund, experts agree that there are, but the State government determines them without consultation, and when there are consultations, those are deviated according to political circumstances. In other cases, there are reasonable priorities associated with plans and programs, but apply in disarray without considering impacts and especially without stringing projects, thus reducing their profit. In many cases the projects are contracted without bidding. In short, they consider that from the metropolitan bodies associated with the Fund it is said

that there are priorities, but these have been determined by the State executive power, and have little to do with planning exercises, and with little if any civil society opinion or even the municipalities' one.

Many works that are said priority, are not in reality, and in many cases are not even metropolitan, but applied in a municipality regardless of whether they are of metropolitan interest, losing that resource for truly metropolitan actions and works.

When asked if the actions of the Fund have improved:

- the metropolitan vision plans: in general the answer is no.
- If were created information systems and metropolitan indicators, the answer is partial because there are metropolitan observatories but they do not influence decisions of the Fund.
- If were integrated the regulations, taxes, duties, procedures at the metropolitan level: the answer is still very partially as municipal visions dominate exclusively.
- Whether it has controlled peripheral growth, if they are occupying empty urban space and ordering metropolitan corridors; or decreased risk areas and those with slums and informal settlements: the general answer is no, except in isolated cases, leading to the conclusion that the metropolitan habitat has not particularly improved for the poorest social groups.

With regard to the digital divide, the answer is that progress is noticeable in many areas within metropolitan areas in both telephony and Internet access.

In response to questions about whether the water is better used, health infrastructure has improved, greenhouse gas (GHG) emissions have been reduced and waste management improved: most frequent responses are not yet, as general environmental problems are becoming more acute. Also they respond that little has improved in public space, and except for isolated cases, there is no "green" strategies.

Finally, facing questions about the improvement of conditions of security and justice through the support of the Metropolitan Fund, they emphasize that in general they have not improved, although some believe that either they have worsened, and consider that there are no metropolitan policies of justice, security, or infrastructure construction for safety.

With regard to their assessment of the main problems in the structure of the Metropolitan Fund, they agree that in order of importance, its limitations are:

- a. Support for actions that are not metropolitan or that are not a priority.
- b. Low participation of municipalities and social actors.
- c. Taking unilateral decisions.
- d. Lack or limitations on transparency and accountability in the use of resources and
- e. Projects or priorities are inappropriate.

Of course, all these interviews and statements were conducted in a context when the Metropolitan Coordination System was being defined, voted and implemented. In 2016, with the first outcomes of the new GMA governance tripod put in motion, it will be easier to check if some achievements for close coordination in the definition and real implementation of metropolitan priorities will be effective or not.

### 3.3 MAIN PROBLEMS AND STRENGTHENING OPPORTUNITIES

#### PROBLEMS DETECTED

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##### **Operating and administrative structure**

There is a potential failure in the ability for the fund management.

While it was noted that so far the management processes and operation of the fund by the units responsible are suitable, it was perceived that the administrative structure related to the operation of the fund is barely enough to perform the necessary tasks.

The creation of the GMA governance tripod should create a better operational environment linking all committees and dynamics around reference tools such as those of IMEPLAN's responsibility.

##### **Investment priorities and projects supported**

There is a limited conception of metropolitan problems.

The tendency to address mobility through the development of road infrastructure is prior to obtaining resources from the Metropolitan Fund. The development of road projects, including viaducts, has many disadvantages among which the solutions are only temporary and that in the medium term the roads tend to be saturated with new features. They tend to fragment the city, damaging the urban landscape, to reduce urban forestation and promote social disintegration especially in areas where the infrastructure is installed; and finally, primarily benefit the population with access to private cars at the expense of lower-income population only access to public transport.

Additionally, it is noteworthy that these projects privilege an individualistic view of the city, at the expense of a more harmonious vision, built in community.

There is little clarity on the criteria for investment priorities.

The criteria used to decide the relevance and priority level of the projects approved for metropolitan development are unclear, and even one could say they are not suitable in terms of the portfolio of projects supported with funds from the Regional Fund.

Similarly, there is a concentration of projects in central municipalities of the GMA which promotes the centrality and subtracts development opportunities to peripheral municipalities.

#### BUILDING OPPORTUNITIES

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##### **Leverage resources and institutional structures of the Metropolitan Fund to create an integrated platform for metropolitan development.**

Although there is already the "metropolitan basket", it is important to continue and strengthen this practice, especially by conceptually linking and expanding institutional structures.

In this sense, the constitution of the Metropolitan Development Board in December 2012 should be understood as the greatest opportunity to integrate the processes of planning, management and decision making of all issues related to the metropolitan area, integrating the funding incentive for strengthening the debates and alliances. A large Council with the participation and vote of the federal, State and municipal governments, articulated together with experts (IMEPLAN, and others) and prominent members of civil society (through the Metropolitan Citizen Council), shall enhance the scope of how policies, strategies and metropolitan projects are constituted, promote the comprehensive and long-term vision of the metropolitan area, and build a shared vision of development among all actors within the city.



The linkages and dialogues, exchange of information between IMEPLAN's Advisory Council and the Metropolitan Fund's Committees are fundamental and instrumental to create coherence, transparency and accountability between the whole set of bodies and tools that the last phase of metropolitan institutionalization has created or reinforced.

**Support metropolitan planning instruments with legal and binding character.**

Inter-departmental coordination/integration remains one of the foremost problems in the management of all municipalities. The poor coordination among internal operating departments has to do with turf wars and lack of cooperation within the municipal government and with other agencies of the other levels of government. Some municipalities have periodical meetings or try to implement cabinet coordination officers, but to no substantial degree for now.

With the new alignment of Mayors from the Citizen Movement Party, there is hope that declarations will be followed by operational effects in the transformation of administrative coordination and cooperation.

Although several planning tools for the development of GMA do not imply obligations and responsibilities for public officials from State and local governments, there is a significant opportunity in terms of planning for the metropolitan area in the establishment of the official character of these documents as well as bodies. The new State Laws on metropolitan coordination and organic statutes might have some effect if also reinforced by a national debate around the *General Law on Cities and Territory*.

## 4. OPERATIONALIZING JOINT GOVERNANCE - METROPOLITAN SERVICES & INITIATIVES

This part reviews some state of the art of metropolitan scale public basic services and their compliance to good governance principles, taking into account that very few joint metropolitan services have been implemented in GMA (see table 23 at the end of this chapter for the compliance part).

As seen before, the most innovative metropolitan efforts in the GMA are for the water system<sup>16</sup>, the project of a third railway line as well as the Metropolitan Police program.

### 4.1 THE INTER-MUNICIPAL WATER, SEWER AND DRAINAGE SYSTEM - SIAPA

In the richest areas of the GMA, the water is well treated and comes from deep wells and has a steady supply; in other points in the city, the water comes from surface ponds, is barely potable and has been rationalized in recent times. Nor the private sector or local community groups provide full traditional public services.

The tariffs for user charges for the few public services that have a fee (as in the case of water, sewerage and drainage system) do not cover the full costs of the service, therefore creating a need for a subsidy, paid by the higher levels of government. Such policy is to support the low-income households, but it is not always achieved since the low cost is applied to everyone.

As described before, SIAPA regulates and operates all the cycle of water supply, distribution and after used treatment. It has been in existence for several decades and can report improvements in the service. However, it is considered that its operation is not according with the needs, there is a shortage in the water supply and the maintenance of the sewer and drainage is extremely costly. Additionally, the zone is experiencing an increasingly constraint in the water supply and has started cuts in the delivery to the customers. Unfortunately, such conditions affect the poorest areas the most.

The service is subsidized by the State and local governments with an intended progressive format to help the most needed.

The water and sewage is the soundest service in the metropolitan area. It covers most of the jurisdictions and in his administration council all the municipal elected officials participate.

The success factors for the SIAPA have been the higher government involvement and direction, combined with a political equilibrium in the director appointment.

This agency was created through a specific contract among the jurisdictions involved, where the administration of the resource was transferred but their right was not waived.

#### Context

SIAPA is a public entity of the Metropolitan Region of Guadalajara, responsible for the provision of drinking water and sewerage to the inhabitants of Guadalajara, Tlaquepaque, Tonalá and Zapopan; an area corresponding to more than 3 million people. SIAPA was created in 1978 as an organization of the State of Jalisco.

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<sup>16</sup> The Intermunicipal Water, Sewer and Drainage System, (SIAPA by its acronym in Spanish), was one of the first attempts for a metropolitan public service in all Mexico. It was created in 1978 and serves all the Municipalities in the Metropolitan Area and the State Government.

In 2002, in the framework of the reform of article 115 of the Constitution, SIAPA was established as a public, inter-municipal and decentralized entity. SIAPA is regulated by State and federal laws, and its supervision is confined to the National Water Commission (CONAGUA) and the Secretary for Environment and Natural Resources (SEMARNAT) at the federal level.

### **Mission statement**

*“The Inter-municipal system of Water, Sewer and Drainage system (SIAPA) is the entity responsible for providing drinking water, sewage and sanitation services of sufficient quality and quantity to the inhabitants of the Metropolitan Region of Guadalajara, contributing in this way to their health and well-being.”*

### **Governance structure**

Until 2013, the Board of Directors was the highest administrative authority, integrated by two representatives of each municipality and three representatives of the government of the State of Jalisco (of the Secretaría de Desarrollo Urbano, Secretaría de Finanzas y Comisión Estatal del Agua). The Board of Directors was chaired by one of the mayors of the municipalities.

Its main functions included approving the budget (expenditures) and fees to be paid by the users, as well as the infrastructure plan. The entity managed its operations and budgets independently, however, its debt was guaranteed by the State of Jalisco.

On 24<sup>th</sup> of December 2013, the Board of Directors was substituted by a Governing Board integrated by public entities and civil society organizations<sup>17</sup>: a President (Governor of the State of Jalisco), a Technical Secretary, and representatives of municipalities, State Government agencies, neighbourhood organizations, universities and Business Organizations<sup>18</sup>.

The Governing Board is hence composed of:

1. A President who will be the Governor of Jalisco or his designee who will have a casting vote in case of a tie;
2. A Technical Secretary who is represented by the General Director of the Agency, and
3. Representatives of municipalities, State Government agencies, Neighborhood organizations, universities and Business Organizations in the following way:
  - . A representative of the Municipality of Guadalajara;
  - . A representative of the Municipality of Zapopan;
  - . A representative of the Municipality of San Pedro Tlaquepaque;
  - . A representative of the Municipality of Tonalá;
  - . A representative of the General Secretariat of Government;
  - . A representative of the Secretariat of Infrastructure and Public Works;
  - . Two representatives of the Secretariat of Environment and Territorial Development;
  - . Two representatives of the Secretariat of Planning, Administration and Finance;
  - . Two representatives of the State Water Commission;
  - . A representative of neighborhood associations in the municipality with the biggest users registration

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<sup>18</sup>A representative of the Municipality of Guadalajara, Zapopan, Tlaquepaque, Tonalá; a representative of the General Secretariat of Government; a representative of the Secretariat of Infrastructure and Public Works; two representatives of the Secretariat of Environment and Territorial Development; two representatives of the Secretariat of Planning, Administration and Finance; two representatives of the State Water Commission; a representative of neighborhood associations in the municipality with the biggest users registration; a representative of the University with the largest enrollment; and a representative of the Council of Industrial Chambers of Jalisco.

- . A representative of the University with the largest enrollment, and
- . A representative of the Council of Industrial Chambers of Jalisco

Its responsibilities remain essentially the same:

- Appoint the members of the Tariff Commission and of the civic technical commission of transparency (*Consejo Técnico Ciudadano de Transparencia*) ;
- approve agreements and general strategies on service provision, as well as the annual budget, loans and the salaries ;
- coordinate actions at the State, federal and municipal level ;
- control technical norms and criteria ;
- Suggest strategies for civic and private sector participation, etc.

The president convenes sessions on an irregular basis and upon necessity.

The members of the Governing Board have one vote each, except for the Technical Secretary.

**The Tariff Commission** was approved in August 2012 and put in place in August 2014 by the State Congress of Jalisco. The Tariff Commission shall allow the municipalities to define, independently, the tariffs (fees) for water provision. The Commission is integrated by public entities and associations or citizen organizations.

The Commission:

- defines and updates tariffs taking into account their impact in the socio-economic situation of the beneficiaries, as well as the real operating costs of the service provider;
- guarantees the financial sustainability of the operator; proposes public policies that improve the application of the tariffs and of subsidies that make effective the right to drinking water and sewerage;
- Makes suggestions concerning the recovery of the fees.

The president convenes sessions on an irregular basis and upon necessity.

### **Rules for decision- making**

- The Governing Board meets when needed and when so required by the matters within its competence.
- The members of the Governing Board will have voice and vote, except for the Technical Secretary, alternates will have the same rights as the holder in his/her absence.
- The Governing Board will meet validly with the attendance of more than half of its members with the presence of the President or his deputy.
- The resolutions of the Board of Governors will be approved by a vote of the majority of its members and in case of a tie; the Chairman shall have the casting vote.
- A minute's book will be signed by the President and the Technical Secretary of all the agreements made at the meetings of the Board.

This whole change in SIAPA's governance, partly due to misconducts in managing resources as well as prominent political use of the institution, shows as a symbol that metropolitan bodies, even sectorial and with consequent seniority over the new ones, have huge challenges to address in the coming months, even though the institutional framework for cooperation and association has never been so positively leverage of metropolitan opportunities.

## Coverage and state of services

It is estimated that approximately 11.0 m<sup>3</sup>/s of water are needed for public use in the Metropolitan Region of Guadalajara, 8.5 m<sup>3</sup>/s of which are converted into sewage water. SIAPA provides approximately 9.12m<sup>3</sup> of water /s or 24.4 million m<sup>3</sup>/month (SIAPA 2015), extracting 19.2 million m<sup>3</sup>/month (Aug. 2015 – SIAPA) from water basins and plants (Planta de bombeo Chápala planta de bombeo No. 2 Presa Ing. Elías González) and treats 132,833,240m<sup>3</sup>/month of sewage water.

Currently, given the quantitative deficit of water provision of approximately 2 m<sup>3</sup>/s in the Metropolitan Region, SIAPA is expanding its services and installing 32 new pits in 2015, increasing this way water provision by 1 m<sup>3</sup>/s.

SIAPA has also undergone efforts to expand its services to the periphery, investing 510 million Mexican pesos (combining funding from the federal, State and municipal levels) and a BID loan worth of 200 million Mexican pesos contracted in 2008. However, some areas in the periphery of Zapopan, Tonalá y Tlaquepaque are still served by the municipal administrations and their corresponding entities operating at the municipal level.

Four municipalities of the metropolitan area (Tlajomulco de Zúñiga, El Salto, Ixtlahuacán de los Membrillos y Juanacatlán) are served by independent infrastructures operated by specialized municipal departments.

## Fees

Users of the service pay progressive fees: The first six m<sup>3</sup> of water cost 38.19 Mexican pesos/m<sup>3</sup>. According to the SIAPA, this rate corresponds exclusively to maintenance and service costs. After the 6<sup>th</sup>m<sup>3</sup>, the rate is at 52.85 Mexican pesos/m<sup>3</sup>. The recent decision to raise fees was, according to SIAPA, of technical not political nature, and was taken by the Tariff Commission.

## Past challenges and conflicts

GMA has experienced on-going conflicts concerning the best strategy to manage water provision, articulated around the search for autonomy in the water provision. The conflicts were triggered by water shortages in the end of the 1990s, resulting of the low levels of water in the main basins of Guadalajara, and had a negative impact on the public reputation of SIAPA, considered as inefficient. In fact, political interests largely influenced the construction of water plants and during the 1990s and 2000s there was a growing civic opposition towards big infrastructure projects criticized for their social and environmental impacts. Consequently, and because of largely depending on the Lerma–Chapala–Santiago basin upon which SIAPA had no legal competencies, the entity faced a loss in trust and capacity of action by 2006. Additionally, SIAPA was accused of corruption and clientele practices<sup>19</sup> and presented severe shortcoming in the administration of its resources (meaning high default portfolio, administrative rates of recovery of user fees corresponding to 50% of the real costs, etc.). This situation led to the initiative of reform in 2012 with the aim to restructure the entity's administrative model, replace a politically oriented team by a technical team, put in place a Commission for Transparency integrated by representatives of civil society, and resulted in the creation of the Tariff Commission. The reforms were not executed in their totality<sup>20</sup>, also due to the action of several civil society organizations accusing the reform for being a project of 'hidden privatization'.

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19 The constitution and collection of the tariffs constituted a particularly sensitive issue: In the beginning of the 2000s, SIAPA was accused for not cover even half of its operating costs given that no political entity was ready to adopt the political costs of rising service fees.

<sup>20</sup> For instance, SIAPA was supposed to be renamed as MetroAgua.

Corruption cases were also found to be hampering the SIAPA functioning: SIAPA inherited from mismanagement and investment funds deviated to other funds rather than local investment<sup>21</sup>.

### Current state of affairs

Currently, the main challenge faced by SIAPA is the large number of expired portfolios.

In fact, 126,000 out of 736,000 beneficiaries are defaulting, and the entity registers a total of 175,803 debts, and an estimated expired portfolio of 500 million Mexican pesos. 61% of the private (residential) users are defaulting. The debt of the most severely defaulting portfolio in this sector corresponds to 1,347,823m<sup>3</sup> of water (table 20).

Top-ten of users belonging to public entities amount to 204.4 million Mexican pesos (13% of the expired portfolio) (table 21). In fact, public administrations stopped paying fees as of the 1st of May 2002, and accumulated a total amount of debt of 44.6 million until 2009 of which 69% are estimated irrecoverable (table 22). Part of this debt is planned to be settled through investments in infrastructure covered by the municipalities.

The high amount of defaults on the services provided by SIAPA may be explained by several factors:

- Most importantly, its lack of legal capacity for debt recovery and the collection of the fees, both limited by a legislation that limits the time period for debt recovery to 5 years.
- A lack of capacity to sanction defaulting users goes hand in hand with the first aspect, and is evident in the fact that SIAPA has no means to cut the water of defaulting users.
- Additionally, SIAPA continues lacking technical expertise and reliable data on current and future demand in water on the market, and depending on political interests of municipal administrations.
- Some of the operational difficulties of SIAPA can be explained by the Mexican legislation that does not recognize the metropolitan level, aggravating the lack of capacity of action and sanction of the entity.

**TABLE 20 - IRRECOVERABLE DEBT - SIAPA**

Year	Amount (Mexican pesos)
2009	233,403.049
2008	155,072.720
2007	141,878.914
2006	97,648.092
2005	92,975.362
2004	79,644.720
2003	64,500.305
2002	66,038.575
2001	63,735.223
2000	13,871.575
1999	5,161
<b>Total</b>	<b>1,008,773.696</b>

Source: El Informador, 21<sup>st</sup> of September 2015

<sup>21</sup> Public servants were accused of deviating up to 280 million Mexican pesos of the patrimony of SIAPA to the stock market, investing in high-risk bonds, resulting in a loss of at least 14 million Mexican pesos for the company. A second case was related to the use of 600 million Mexican pesos, initially directed to the Program "Todos con Agua" (water provision in marginal neighborhoods) but used to balance the company's current account.

**TABLE 21 - MOST SEVERELY DEFAULTING USERS\* - SIAPA**

Position	Municipality	Amount (Mexican pesos)	Defaulting since
1	Zapopan	15,715,619.55	2005
2	Zapopan	5,836,434.78	2010
3	Guadalajara	4,514,176.61	2005
4	Guadalajara	3,931,882.23	2002
5	Guadalajara	3,242,554.66	2006
6	Guadalajara	2,808,176.92	2002
7	Zapopan	2,331,862.77	2002
8	Tonalá	2,271,818.52	2002
9	Guadalajara	1,869,282.76	2006
10	Zapopan	1,710,633.53	2002
<b>Total</b>		<b>44,232,442</b>	

\*Their names cannot be made public, according to SIAPA

Source: El Informador, 21<sup>st</sup> of September 2015

**TABLE 22 - MOST SEVERELY INDEBTED PUBLIC ENTITIES – SIAPA**

Position	Name	Amount (Mexican pesos)	Indebted since	Amount recoverable (Mexican pesos)
1	Unidad Deportiva	46,628,290.74	2002	15,461,745.76
2	Nuevo Hospital Civil	35,452,500.52	2002	8,079,737.84
3	Viejo Hospital Civil	32,205,695.5	2002	21,197,218.81
4	DIF Jalisco	19,544,465.3	2002	7,680.06
5	DIF Jalisco	18,828,295.08	2002	27,770.83
6	DIF Jalisco	15,096,464.05	2006	7,819.11
7	Parque Metropolitano	10,006,586.92	2002	5,315,289.23
8	Hospital Regional de Occidente	9,275,816.29	2002	10,063,370.85
9	Hogar Cabañas	9,027,125.29	2002	12,090,137.22
10	Propiedad Municipal*	8,341,407.03	2002	--
<b>Total</b>		<b>204,406,647</b>		
<b>Total of recoverable amount</b>				<b>72,230,769 (35%)</b>

\*indebted entity not specified. - Source: El Informador, 21<sup>st</sup> of September 2015

### Other issues - Press archive<sup>22</sup>

The State is still facing some troubles especially in specific municipalities that have quality problems in their groundwater supply sources.

For example, some of the main rivers like Santiago River have big problems of contamination; it began with the expansion of the industrial corridor in the 60s, where there are now about 400 plants of metallurgy, chemicals and pharmaceuticals, among others. This channel, especially when passing through the dam “El Ahogado” before crossing the village of El Salto and Juanacatlán, gets dirty of wastewater from factories and drainage of Guadalajara, according to the file *Lake Chapala Facts* of the Commission for Environmental Cooperation of North America (NACEC).

About 150,000 inhabitants of the area are exposed daily to breathe dirty air and vapors emerging from the water, leaving health problems such as cancer and kidney disease; in the last 15 years it has

<sup>22</sup>La Jornada Jalisco. (28/10/2015). *Contaminación en ríos y presas de Jalisco provocan cáncer e insuficiencia renal*. Retrieved from <http://www.jornada.unam.mx/ultimas/2015/02/07/cancer-e-insuficiencia-renal-consecuencia-del-paso-de-aguas-residuales-por-guadalajara-581.html>

increased the number of patients. In El Salto, there are about 2 600 sick people, of which 524 have kidney failure and 236 with cancer. Since February 2008 to 2014, 576 deaths were documented, and citizens have filed complaints, protests and appeals to the State and Federal governments. A plant for wastewater treatment was launched in 2012 but heavy metals are still not removed.

#### 4.2 THE METRO LINE 3 – MOBILITY, AS KEY DRIVER FOR GMA'S DEVELOPMENT?

The other significant improvement comes from the development of the third railway line for the Metropolitan Area. With more than twenty-five years with a hiatus in the issue, and with political and civic organizations pressing for a solution, the Federal, State and Municipal governments have worked out a scheme for funding and constructing the new metropolitan massive transportation subway line 3.

This project will be used to relieve the congested traffic in the city, connecting three municipalities: Zapopan, Guadalajara and Tlaquepaque. It is managed by the Federal government with some oversee by the State counterpart. It assumed that it was a technically well develop project but with limited to no community or citizen input. As it is expected to reduce traffic, it will help to reduce gas emissions and make the area a more sustainable one.

The State Government gives concessions for public transportation (buses and taxis) to a public enterprise (SITEUR) in charge of electric transportation (urban small trains, BRT). The Metro Line 3 is scheduled to be in service by mid-2018, civil engineering works having started in March 2015. The project is part of the National Development Plan 2013-2018, which places particular emphasis on improved mobility in the country's biggest cities, notably via the development of different modes of rail transport. Therefore, the Federal Government is largely responsible for the necessary public investment.

##### **Management Structure**

The Urban Electric Train System (SITEUR) is a decentralized public entity with legal personality and its own assets, and it aims to regulate the operation and organizational structure of the System as well as conveniently organize and manage the resources in their charge, whose primary objective is the efficient delivery of the public service of massive urban passenger transport.

The administration and management of SITEUR are in charge of the Management board and the General Director. Both the Chairman of the board and the General Director shall be appointed by the Governor of the State.

The Management board is integrated by

- Secretariat of Finance of the State;
- Secretariat of Urban Development of the State;
- Secretariat of Roads and Transport of the State;
- A decentralized public agency for the collective transport system in the Metropolitan Area of Guadalajara named (SISTECOZOME)
- A public decentralized agency, called Services and Transportation;
- The Guadalajara city council;
- The Tlaquepaque city council;
- The Zapopan city council;
- The National Chamber of Commerce of Guadalajara;
- The Council of Industrial Chambers of Jalisco.

The Management board is the highest authority of SITEUR and has the following powers:



- Determine the policies, strategies, norms and the organization and management standards to guide the Agency's activities;
- Authorizing the construction, maintenance, rehabilitation and the expansion for the improvement of the services provided by the Agency;
- Review and, if appropriate, approve the work programs and the general budget of the Agency;
- Manage resources and revenues of the Agency and the goods that are incorporated into its assets ; propose to the Head of the Executive of the State Government and the municipalities, projects designed to improve, in general, the provision of public transport and System operation;
- Coordinate the financial planning of the Agency and authorize the contracting of loans requiring it to achieve its social purpose, under the terms of the applicable legal provisions.
- Review and approve any study of transportation and urban development within the metropolitan area of Guadalajara, which has a direct relationship with planning growth and future operation of the network of Urban Electric Train System and its feeder services, or any other type of public transport that is related to the service.
- Grant concessions to individuals and corporations, for the operation of the system of public service of passenger transportation other than urban electric train, that serve as feeders to the System; and
- In general, perform all acts necessary to better fulfill the purpose and functions of the Agency, respecting, in any case, the powers of the competent authorities of the federal and local levels.

Even though these systems are city-scope and metropolitan, municipalities do not have influence in the decision making process. This is why sometimes conflicts emerge: they have to deal with the problems, but have little say in deciding how to solve them.

### **Key Features on other Lines**

**Line 1** -It started operations on the 1<sup>st</sup> of September,1989, after several studies a tunnel of 5.3 kilometers in length was designed with 7 stations, nowadays, the line 1 has a length of 15.5 kilometers of track, 6.6 km by tunnel and 8.8 km by surface, it has 19 stations and 16 trains for service. This line crosses the city by the corridor Federalismo – Colón from the North Peripheral side of the City to the south Peripheral side in an average of 30 minutes.

**Line 2** - Became operational on the 1<sup>st</sup> of July, 1994. Along with line 1, they form a network of 24 kilometers of electric train service, and have 10 tunnel stations.

In total, up to now, 29 stations exist in GMA for railway transportation.

### **Costs**

Total costs of the project for Line 3 correspond to 17,692 millions of Mexican pesos (US\$ 1,07bn), of which at least 1,067 million Mexican pesos are programmed to originate from the private sector, and through Public-Private Partnerships, although construction works in 2014 were financed through fiscal revenues coming from Jalisco State.

For instance, a consortium of Alstom and Mexico Constructora de Proyectos Viales (OHL group), worth approximately US\$ 300 million, is responsible for the construction of the trains. The first part of Metro Line 3 is built by a consortium of MoatEngel (Portugal) and the local company Trina and Scary. Furthermore, the financial model also contemplates investment originating at the state level through the Metropolitan Fund.

As for 2015, the National Congress approved 5,442 million Pesos within Jalisco State budget for the construction phase, showing strong support and commitment from the national level, confirming the GMA strategic position in the country's development.

### Benefits

Metro Line 3 (Figure 11) will stretch across 22 km, with 17 km in viaducts and the other 5 km underground, and a total of 18 stations: 13 above ground and 5 underground. It is estimated to result in a reduction of transit time of 40 minutes per passenger and direction, and will have a maximum transport capacity of 12,000 passengers per hour and direction. It is also expected that the operation should generate 7 000 direct and 15 000 indirect jobs.

FIGURE 11 – GMA METRO LINE 3 (IN RED)



Source: SITEUR, 2013

Public transport system is another service that it is operated by the State Government over the interest of the municipalities. Routes and type of transportation are defined, built and operated by the State government. This is a condition that creates conflicts, given that the municipalities do on their own the urban planning.

### 4.3 A METROPOLITAN POLICE FORCE: SAFETY AS FIRST PRIORITY

Safety in the city is a constant issue as the Mexican war on drugs has grown over the years. The national response was to promote State commanded police forces in detriment of the municipal police enforcement corps. There is no formal involvement of the residents in enhancing the safety of the public space. The other arrangement that can be considered is a recently created “Fuerza Única” which is a partnership between the metropolitan municipalities and the State Police.

The ‘Fuerza Única’ was created following a Nation-wide model that seeks to congregate and coordinate all the municipal police forces under the direct command and supervision of the governors. It is a model promoted by the federal government with the intent to counter the growing drug-related violence in the country. Its aims are to agglutinate all the local level police departments under each State police command with the argument that it will increase effectiveness and reduce corruption, as well as augment the institutional capacities of the State as a whole to control crime and violence. There are resistances to the concept because the State and federal police have also been found part of serious corruption cases pointing to the case that corruption is not an exclusive condition of the municipal police.

Each of the municipalities in the GMA has their own Police Department to conduct preventive police services as mandated by the Constitution. However, that is not the case with public transit regulation. That function was absorbed by the State Government for the GMA. The traffic policing could be seen as a metro-wide service, but under the control of the State Government with some basic coordination and limited participation from the municipalities.

#### **Fuerza Unica Metropolitana**

Since 1980s, there have been three major attempts to establish a metropolitan police in the GMA:

- In 1984: an agreement between the municipal presidents of Guadalajara, Zapopan, Tlaquepaque and Tonalá, and the State Congress led to the establishment of the *Intermunicipal Metropolitan Police*. The project was in place during three administrations: Guillermo Vallarta Plata (1983-1985), Eugenio Ruíz Orozco (1986-1988) and Gabriel Covarrubias Ibarra (1989-1992). However, tensions around the governance structure, responsibilities and jurisdiction, as well as the budget and the unequal level of training of the different entities integrating the *Intermunicipal Metropolitan Police* led to the gradual abrogation of the agreement. Already in 1990, the police of the four municipalities was re-established as entities of municipal responsibility.
- The attempt to form a Municipal Police was again under discussion in 2007, and first agreements between the Mayors of Guadalajara, Zapopan, Tlaquepaque, Tonalá, El Salto and Tlajomulco de Zúñiga were signed. However, the project was not completed because of conflicts concerning the financial resources, governance structure, training and jurisdiction of the Municipal Police. Hence, the project was reduced to an agreement on the improvement of communication and sharing of information in the case of persecutions in one of the six municipalities.
- Security conditions deteriorated considerably in Mexico during the Calderon administration (2006-2012), triggering discussion regarding an improved coordination and integration of public security. In 2010, the eight municipalities conforming the GMA signed an agreement towards the creation of a decentralized public body, the *Metropolitan System of Public Security*. However, once again, the project was blocked because of political interests and diverging opinions concerning the concrete implementation of the body, and finally reduced to an agreement on the modernization of communication systems and the investment in technical equipment.

In this context, the Fuerza Unica Metropolitana (FUM) was created in 2013 with the aim to combat high-profile crimes in the Metropolitan Region, as well as to contribute to prevention, and to the capacity of coordinated action of the State of Jalisco and the municipalities in the area of public security.

The FUM constitutes together with the 'Fuerza Unica Regional' the 'Fuerza Unica Jalisco' that intervenes in 19 operational regions plus the GMA. The State Government is responsible for providing operational equipment to the police staff (uniforms, cars, armament, etc.) and to train its personal. The municipalities are responsible for commissioning the staff, conduct the necessary controls and check-ups necessary for their integration.

It is estimated that the FUM requires the reorientation of 1,500 million Mexican pesos of the eight metropolitan municipalities. In 2014, the budget of the FUM amounted to a total of 40 million Mexican pesos. Its 450 members are considered to be the 'best-paid police force in the country' and are entitled to intervene in the entire Metropolitan Region. The FUM has recently been criticized for being ineffective and reactionary, and several of its members have been accused of collaborating with organized crime. Citizens protested against the FUM in August 2015, asking for its dissolution and the restoration of the Municipal Police. As a consequence its dissolution is currently under discussion.

The newly elected mayor of Guadalajara, Enrique Alfaro Ramírez, has come back to the idea of creating a 'Metropolitan Police' that should replace the FUM and integrate the totality of civil police forces of the Metropolitan Region. He stated that: *"We have to acknowledge that the current model of security has failed. The FUM is a reactionary group with no reason to exist."* His proposition was rejected during an internal meeting between the mayors and the State governor in August 2015 who decided on continuing their efforts to establish an integrated police force for the Metropolitan Region, maintaining at the same time the FUM as a special force to combat high-profile crimes. Discussions on this issue are on-going, and the creation of the Metropolitan Police is planned for 2016.

**TABLE 23 - EXAMPLE OF METROPOLITAN MECHANISMS AND THEIR COMPLIANCE TO GOOD METROPOLITAN GOVERNANCE PRACTICES**

Metropolitan Governance Mechanism / Instrument	How the mechanisms / instruments that are applied in the metropolitan area do contribute (or not) to these five principles?				
	Sustainability	Equity	Efficiency	Transparency and Accountability	Civic Engagement and Citizenship
Mandates and Institutional Arrangements Metropolitan Planning Institute. 'Fuerza Única' Police Force. Intermunicipal System for Water, Drainage and Sewer (SIAPA)	The water and sewer system in GMA is quite poor, as the disposal of black waters is not well done.	Perhaps the best aspect of these mechanisms, as they have a redistributive effect in the jurisdictions. For example, the 'Fuerza Única' and the Institute involve the transfer of capacities among jurisdictions and a progressive funding scheme.	In the short term, these mechanisms works better for the social efficiency, as the local jurisdictions are not equally capable in their taxing function.	The State and Federal programs are supposed to have a somewhat higher transparency and accountability balances, as the political structures that support the check and balances components work under more open and empowered constituencies. But it is not always true.	They lack of any substantial mechanisms to involve civic engagement, besides time efforts of participation in extremely localized budgeting projects.
Finance access Metropolitan Fund	Depends mostly on the State Government interest	It is driven mostly by political interest	By design is intended to be, but its transparency is not clear. As the operating rules indicated, the control and audit of the fund will have several 'checkpoints' in all the levels of government and between Courts, Legislations and Executives.	The decisions are made by the political leaders (Governor and Mayors) with very limited outside formal and concrete input. The decisions are made in meetings stipulated by the projects cycles and the operating rules of the fund.	
Projects (at least part metropolitan scope) Third Subway Line	The new subway line is expected to reduce dramatically the use of the private automobile in the GMA.	It helps as the fees, coming from the Metropolitan Fund, are subsidized and have redistributive effects.	It should improve the mobility in the area.	Its construction funds and contractors are done with the federal and State government with very limited public information on the processes and their costs.	

## CONCLUSION

The Guadalajara Metropolitan Area is a strategic area for Mexico national development plans, due to its functional economic and social features, as a Mexican Silicon Valley.

Up to date, and mostly, the GMA governance and organization has been widely directed in a 'Top-Down' manner, with non-inclusive decision-making processes. Yet in the last decade, several institutional, regulatory and legal changes have created, maybe for the first time in Mexican decentralization history, the right environment for the raise of an operational, actionable metropolitan agenda and culture within the multi-level layers and multi-stakeholders connections involved in the future of the metropolis.

Also, the political raise of the Citizen Movement Party as well as the mobilization of civil society movements in the past years have created more pressure on politicians as well as officials and institutions to deliver real coordination and cooperation tools and bodies, in real capacity to address the backlogs that are hampering GMA's sustainable and inclusive development.

Challenges are huge but GMA has a strong historic track record of attempts to command metro-wide efforts and has engaged through diverse mechanisms and agreements, including with State and Federal governments in order to solve core issues such as security, mobility, and coordinated land use and management as first priorities.

For now, and while waiting for the General Law on Cities and Territory to be adopted at the Federal level, the coordination and association are the only ways Metropolitan Areas can engage in a joint Agenda for addressing their needs, shaping their future from the existing opportunities as well as fighting for and taking into account the eradication of on-going spatial, environmental and economic segregation and emergencies.

The future will tell if the whole set of institutions, stakeholders, political parties, governments are mature to contemplate a real applied metropolitan agenda for Guadalajara Metropolitan Area.

## ANNEXES

### ANNEX I - CASE AREA ASSESSMENTS

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#### INTERVIEWEES

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José Trinidad Padilla López. Chairman of the State's Legislative Commission of Urban Development

Jorge Arana Arana. Former Mayor of Tonalá, Jalisco.

Rosa Estrada Pantoja, Social Development Secretary, Guadalajara's Municipality.

Daniel Alonso Gómez Orozco, Cámara de Comercio de Guadalajara, Guadalajara's Chamber of Commerce

Alan Diosdado Jaime, Abarrotera Mexicana

Gerardo Romo Morales, Guadalajara's University- University Center in Tonalá.

Óscar Mora Esquivias, Jalisco's Mobility Secretary

#### ASSESSMENT OF WHAT TYPE OF GOVERNANCE ARRANGEMENT THAT MIGHT BE MOST APPROPRIATE

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Based on the comments of most of the interviewees, the conclusion is that coordination needs are high. Up to date, the Guadalajara Metropolitan Area does not have enough proven effective formal coordination mechanisms, with the attention directed towards traffic and commuting as metropolitan issues, disregarding almost any other kind of services such as health, safety or sustainability in a horizontal manner. Until now, with the recent newly implemented GMA Governance Tripod, the most remarkable metropolitan efforts have been co-opted by the State and Federal Government, making, at best, the local jurisdictions mere executioners of programs. As the business representative indicated, the public safety is an issue that is not well undertaken in the metropolis.

As expressed by the interviewees, the model of good metropolitan governance is one where the civil society is involved in the widest decision-making and implementation processes. But, given that such model is an ideal type in Mexican context so far, Guadalajara's reality is far from that. Most of the coordination between governments and other bodies adopts a functional fashion; the participation occurs only with powerful and organized interests, rarely in the open. Events as the procurement for major investment projects or the design of industrial areas call for the attention of those powers. The communities in the area are more receptacles of selected social programs to bias electoral outcomes, than active counterparts, apart from very strong civil society organizations that in the last decades have committed to the metropolitan agenda and favoured crucial changes in the metropolitan regulations and culture.

As to how should the proper arrangements for good metropolitan governance be established, the necessity of a constitutional reform arises. In the past, the major services improved were due to more political accountability of the elected official. As such, the introduction of indefinite re-election for local Mayors is deemed basic (recently it was approved a second term re-election for mayors and council members). Likewise, there is a need for a more cohesive metropolitan governance culture among administrations as well as GMA's tripod.

The improvement in efficiency will certainly be dependent not in functional arguments, but in legitimacy towards the citizens.

**TABLE 24 - ASSESSMENT OF THE DEGREE OF COORDINATION NEEDS**

These two tables are the assessment of the ICMA local team. In the next section, the interviewees responses are presented.

No	Question	Score 1- 4	Comments
1	The number of local governments in the metro area is:	3	1=<5 2= 5-7 3= 8-10 4= >10
2	The area of higher level government regional office is:	4	1 ←———— 4 →———— same area                      much larger area
3	The degree of current <u>decentralization</u> of government functions is:	1	1 ←———— 4 →———— very low                      very high
4	The perceived* degree of <u>missed opportunities</u> for efficiency improvements (economy of scale, coordination of service delivery, etc.) is:	4	1 ←———— 4 →———— very low                      very high (perception of problems)
5	The degree to which the coverage or quality of <u>service delivery</u> across the area varies is:	4	1 ←———— 4 →———— very low                      very high (equity aspect)
6	The degree of “unfair” (or lack of) <u>cost sharing</u> in the area is:	4	1 ←———— 4 →———— very low                      very high (equity aspect)
7	The degree of <u>spillovers</u> (positive or negative) across the jurisdictions in the area is:	4	1 ←———— 4 →———— very low                      very high
8	The financial and administrative capacity (or strength) of the local governments in the area is:	3	1 ←———— 4 →———— very strong                      very weak
9	The degree to which the financial and/or the administrative capacities vary in the area is:	3	1 ←———— 4 →———— very low                      very high
10	The degree of informal coordination occurring at present (indication of “bottom-up needs”) is:	2	1 ←———— 4 →———— very low                      very high

Total Score (min–max: 10-40; mid-point 25)                        32  

**TABLE 25 - ASSESSMENT OF WHAT TYPE OF GOVERNANCE ARRANGEMENT THAT MIGHT BE MOST APPROPRIATE**

No	Question	Score 1- 4	Comments
1	The number of local governments in the metro area is:	3	1=<5 2= 5-7 3= 8-10 4= >10
2	The perceived* degree of <u>missed opportunities</u> for efficiency improvements (economy of scale, coordination of service delivery, etc.) is:	4	1 ←———— 4 →———— very low                      very high (perception of problems)
3	Local autonomy tradition: The local democracy/ community involvement in public services is:	1	1 ←———— 4 →———— very low                      very high
4	The degree of current <u>access</u> by residents to their local government and officials, and related degree of <u>responsiveness</u> by the local governments is:	2	1 ←———— 4 →———— very low                      very high
5	The strength of current <u>accountability</u> (expenditure – revenue links etc.) of the area’s local governments is	2	1 ←———— 4 →———— very low                      very high
6	The degree of “ <u>demand</u> ” (interest) from the local governments for metropolitan-level coordination is:	2	1 ←———— 4 →———— very low                      very high
7	The degree of legal constraints/complications to establish new structures is:	1	1 ←———— 4 →———— very high                      very low
8	The relations between the LGs and the national government (the inter-governmental relations) are:	4	1 ←———— 4 →———— very tense                      very smooth
9	Is higher level government approval likely or not for a metropolitan governance structure change?	4	1 ←———— 4 →———— very unlikely                      very likely
10	The strength of current mechanisms for metro-wide coordination are:	1	1 ←———— 4 →———— very strong                      very weak

Total Score (min–max: 10-40; mid-point 25)                        25



### QUANTITATIVE COMPONENT

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The average for the coordination needs for the five interviewees gave 26.6, with the lowest assessment at 24 points and the highest at 29. This could be seen as a somewhat medium opinion of the needs for coordination. Even though, the quantitative component of the questionnaire contradicts the descriptive one, this one is presented in the next subsection.

As the number of municipalities that conform the Metropolitan Area is nine, all the interviewed, except for the academic, responded seven. This is explained because until recently two jurisdictions was not counted as a metropolitan one.

The degree of decentralization is very low, or low, for four of the interviewees, except for one that found it high. In average, the degree of missed opportunities for improvements in efficiency is high. And the variation in the quality of service across all the jurisdictions does not vary much. On the other hand, the costs distribution, as perceived by the informants, is elevated, with the same impression in the degree of spill overs for the GMA.

The administrative and financial capacities of the jurisdictions are very low, and worst, they vary between the different city halls; producing a trend of bad administrations with vast differences among them. This helps to explain the low 'bottom-up' coordination, as the informants see it.

The average result for the second component of the quantitative section indicates that the informants perceived more strengthening of the local governments, instead of metropolitan's arrangements. The result scored 22.5 points in average, below the mid-point indicated in the methodology.

One of the lowest averages corresponds to the local democracy tradition, scoring 1.6. Indicates the state of the current democracy representative where no effective involvement is seen as a reality. In a dissimilar fashion, the access to officials and responsiveness varies greatly among the informants perceptions. It goes from very low to very high access and responsiveness, this concord with the assessment on the degree of a related variable; the degree of accountability for the administrative and political leaders, this item scores a 2.1 average for the five informants. Perhaps the most severe variable of constraining any metropolitan arrangement is the very low demand for responses in that sense, this variable is perceived in an average 1.8 points out of 4, as the maximum assessment.

The centralization of the multilevel arrangement is declared well in the answers. First, it is stated in the answers the inadequacies of the legal framework for the design and implementation of new administrative structures. As they find the legal framework troublesome for the design of new governance arrangements, and as for the implementation of metro-wide policies, it is not homogeneous.

The relations between the central and local governments are smooth, and all the respondents find that the intervention of the central government would be significant for any major metropolitan arrangements. Lastly, the metropolitan institutional structure is the variable weaker for all the respondents; it scores a 3.2, meaning as the current metropolitan institutional works are the worst seen variable in the battery of questions.

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<sup>23</sup> Note : these interviews were conducted in January 2015, explaining that some of the advancements in the institutional arrangements for metropolitan governance are not well reflected in the answers

## QUALITATIVE COMPONENT

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As noted, a common feature of metropolitan governance for all the informants is the inclusion of the citizens in the decision-making and implementation process. Even so, the degree of current participation is limited. As stated by the Chamber of Commerce member, it is difficult for the organized businesses to affect the design of policy, only to help in the implementation phase.

A feature to considerate in the definitions is the lack of a horizontal institutional definition: for the respondents the metropolitan governance does not take into account the involvement between different levels of government nor those at the same level.

Regarding the metropolitan arrangements, the respondents pointed the continuous, yet failed attempts to promote programs in the subject; with somewhat success in metropolitan mobility, but with to no good ends in other fields.

For the public servants the greatest constraints for better metropolitan governance reside in the legal framework and lack of funding for specific programs. Been the 115<sup>th</sup> Constitutional Article the cornerstone of the municipal system, the legal framework is extremely difficult to reform with resistances to any minor change in the text. The normative structure does not provide any incentives to improve the coordination, and the lack of funding aborts initiatives that have tried to improve the situation of the area. Along with the non-cooperative nature of the budgeting process in Mexico, where the bulk of the resources came from the Federal level and are distributed according to his rules, the 'silo' mentality within the local jurisdictions vastly difficult the consolidation of 'bottom-up' metropolitan governance arrangements. For both of the public servants, the current arrangements are insufficient to solve the myriad of problems and issues in the metropolitan area.

The NGO representative was critical to the government institutions. He considered them more as a way to promote political candidates rather than effective methods of development. Even as they, as an organized civil society member collaborates in cultural community projects alongside with government departments, the openness of the latter is seen as superfluous, with no strong orientation to strengthen local communities.

The member of the chamber of commerce was, significantly, one of the few that mentioned the public security in the metropolitan area as an issue. As such, it is the most important issue to resolve for the local and State governments.

The academic interviewee pointed as the most important need for the improvement of the metropolitan governance, the lack of citizens with capacities as agent, with will and possibilities to steer their own city. The involvement of academics with the governance process is seen by him, in a functional manner; the role is for the universities to produce high skilled specialist for the administrative and decisional bodies.

The Mayor of Tonalá, a municipality in the GMA, who was a mayor before as well as State representative, mentions the continuous use of administrative instruments in the metropolitan governance: the necessity of any major project to have a good metropolitan impact. For him the good metropolitan governance is a matter of several factors: to overcome the partisan politics, skilled officials in administrative matters and coordination among jurisdictions.

For the Mayor, the three most pressing matters for GMA are the security, water and urban infrastructure. About the security, according to him, the problem resides in the distrust of the people towards the officers. As for the water, even with the metropolitan governing body, SIAPA, there is a lack of policies for saving and equity in the distribution. The last issue provided by the Mayor was the urban infrastructure. In a metropolitan sense, the differences among municipalities in terms of quality and coverage become the challenge to take: whilst Guadalajara or Zapopan only has to maintain current infrastructure, the others municipalities need to build it, augmenting the gap in terms of competitiveness and quality of life for their citizens.

The State representative, and Chairman of the Legislative Commission of Urban Development, points that the efficacy of the metropolitan governance mechanisms resides in the political leadership of

each and all of the State, local and federal governments, and also the legal framework that oblige the same actors to behave in a certain cooperative manner.

He gave an interesting account for the decision-making processes in the metropolitan governance. Such processes are reciprocal between the civil society and the public administration, where the first provides the issues and, sometimes, specialized information, and the latter responds with programs and direction. For him the two most pressing problems for the GMA are the public security and mobility. The public security efforts impact all the society. Combined, they produce, according to the Chairman, the broadening of the public space and the well-being of the citizenship.

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