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INSTITUTIONAL DESIGN FOR
METROPOLITAN GOVERNANCE AND
PLANNING IN SÃO PAULO

ABSTRACT

This paper presents the experience of the Integrated Urban Development Plan of the Metropolitan Region of São Paulo (IUDP of the MRSP) under the perspective of participation of the São Paulo City Government in the collegiate process that took place between 2015 and 2016, and which structured an institutional design for its development. It discusses the considered challenges and dilemmas, the listed strategies and partnerships related to the contents of the IUDP, as well as to its elaboration process in the MRSP. The objective is to reflect, throughout this journey, about the method, concepts and scope of the IUDP instrument for the development of Brazilian metropolitan policy based on the case of São Paulo. The main reference sources are the products resulting from the works carried out during this period. They were subject to formulation, debate and deliberation in collegiate forums of public management under responsibility of the Development Council of the Metropolitan Region of São Paulo.

KEYWORDS

Urban Planning Legislation. Urban Policies. Metropolitan Governance. Integrated Urban Development Plan. Metropolitan Region of Sao Paulo.

DESENHO INSTITUCIONAL PARA A GOVERNANÇA E PLANEJAMENTO METROPOLITANOS EM SÃO PAULO

RESUMO

O artigo apresenta a experiência do Plano de Desenvolvimento Urbano Integrado da Região Metropolitana de São Paulo (PDUI da RMSP) sob a ótica da participação da Prefeitura de São Paulo no processo colegiado que se estabeleceu entre os anos de 2015 e 2016, e que estruturou um desenho institucional para o seu desenvolvimento. Trata-se de discutir os desafios e dilemas considerados, as estratégias elencadas e as pactuações realizadas, tanto relativas aos conteúdos do PDUI quanto ao seu processo de elaboração na RMSP. O objetivo é refletir, nesse percurso, o método, os conceitos e o alcance do instrumento do PDUI para o desenvolvimento da política metropolitana brasileira a partir do caso de São Paulo. As fontes de referência são eminentemente os produtos dos trabalhos desenvolvidos nesse período, que foram objeto de formulação, debate e deliberação nos fóruns colegiados da gestão pública, sob a responsabilidade do Conselho de Desenvolvimento da Região Metropolitana de São Paulo.

PALAVRAS-CHAVE

Legislação Urbanística. Política Urbana. Governança Metropolitana. Plano de Desenvolvimento Urbano Integrado. Região Metropolitana de São Paulo.

INTRODUCTION

The process of elaboration of the Integrated Urban Development Plan of the São Paulo Metropolitan Region (IUDP of MRSP), which is currently ongoing, started in 2015, when the Statute of the Metropolis (BRASIL, 2015, Federal Law 13,089) was approved, under responsibility of the Development Council of the Metropolitan Region of São Paulo (DCMRSP)¹. This article is interested in presenting the experience carried out between 2015 and 2016, which structured an institutional design for the entire process of development of the IUDP of MRSP². It aims at discussing the considered challenges and dilemmas, the listed strategies and partnerships related to the contents of the DCMRSP and its process of elaboration in the MRSP. The article introduces the experience based on assumptions developed in this first stage of work, focusing on the participation of the São Paulo City government in the collegiate process that was established to carry out the activities. The reference sources are mainly the products resulting from the works performed during this period, which were subject to formulation, debate and deliberation in collegiate public management forums, created for the elaboration of the IUDP, under the responsibility of the DCMRSP³.

Aiming at drafting a Bill to be submitted to the Legislative Assembly of the State of São Paulo (ALESP), the IUDP of the MRSP followed a development process that at present changes the course and the scope of the initial design preliminarily stipulated. This article, which intends to describe the experience of public management in the formulation of metropolitan politics in São Paulo, aims at reflecting on the method, concepts and scope of the IUDP instrument for the development of Brazilian metropolitan policy based on the case of São Paulo.

Therefore, the text presents a reflection about the institutional design for metropolitan governance and planning observing (1) the system of territorial planning and the new perspectives resulting from an increase in the number of planning provisions and metropolitan instruments submitted by the Statute of the Metropolis; (2) the challenges and feasibility strategies of programs and projects of Metropolitan interest according to the available urban, legal, institutional and financial framework, based on the relationship between metropolitan planning and governance in the MRSP; (3) the contents and procedures established in the initial design of elaboration of the IUDP of the MRSP and the dilemmas posed for its development.

METROPOLITAN PLANNING IN BRAZILIAN TERRITORIAL POLICY

Governance and metropolitan planning in Brazil still face challenges related to the outline of the institutional architecture needed for their development before the Brazilian Federal Pact. The metropolitan regions in Brazil had their first institutional design in 1970. Between 1973 and 1974 Metropolitan regions were created in Belo Horizonte, Belém, Curitiba, Fortaleza, Porto Alegre, Recife, Salvador, São Paulo and Rio de Janeiro. From 1975 to 1988, period in

which the demarcation of these units was under responsibility of the Federal Government, no metropolitan region was established.

The Federal Constitution of 1988 began to delegate to the federated states the competence of establishing their regional units. At the same time, the process of re-democratization of the country was followed by decentralization of public policy management and urban policy development started to be grounded on local municipal autonomy. The local urban policy agenda gained even greater strength after the approval of the Statute of the City (BRASIL, 2001, Federal Law 10,257) in 2001, with the development of the instrumental contribution for urban legislation on the Brazilian legal framework and the experiences derived from participatory urban development processes. But while processes, contents and instruments for the implementation of urban policies were developed on municipal agendas, and although there were some experiences of supranational associations and public inter-federative consortia as of the 1990's, Metropolitan policy and procedures for structuring metropolitan regions took place quite insufficiently, especially if compared to the concrete results of the phenomenon of Metropolization in the Brazilian territory.

On the other hand, since 1995, and especially between 2010 and 2017, the institutionalization of metropolitan regions grew in quantitative terms, although this did not represent the structuring processes of the institutional framework in the metropolitan regions and of political conciliation in the metropolis to account for the challenges of metropolitan nature. Currently, Brazil has 80 metropolitan regions and 3 integrated economic development regions (IEDRs), totaling 83 metropolitan territories, which in total have 1,183 cities and are distributed among the 25 units of the federation, in the five major Brazilian regions⁴ (IPEA, 2017) .

The most recent movement of institutionalization of metropolitan regions was driven by the approval, in 2015, of the Statute of the Metropolis and its inclusion in the system of territorial urban planning, with instruments of metropolitan planning and governance in the Brazilian federative context. The Statute of the Metropolis began to demand, with legally binding provisions of administrative impropriety in case of non-compliance, from the existing metropolitan regions and those that were institutionalized thereafter the elaboration of their instruments of basic planning and governance for the development metropolitan areas cooperatively.

According to the Statute, cooperatively means the need to develop “participatory management” of the metropolitan region. Each area should have its own inter-federative governance structures and elaborate its Integrated Urban Development Plan – IUDP collectively along with the federated bodies that form the metropolis, through participatory processes of elaboration, validation and social control of its implementation. Based on this guideline, although the Statute of the Metropolis did not define and detail its guidelines thoroughly, some metropolitan regions started to elaborate their own IUDPs and inter-federative governance structures with poorly detailed parameters. However, in most cases, the process was incipient and experimental. Many times, it didn't even comply with the basic standards defined by the Statute of

the Metropolis and did not carry out the required participatory and inter-federative processes⁵.

It is thus possible to recognize, despite the growing process of institutionalization of metropolitan regions, that the metropolitan agenda has never been given priority in public policies in any level of government. Since the enactment of the Statute of the Metropolis, the Federal Government, States and their metropolitan municipalities did not promote any training initiative or broader debate about the importance and meaning of the new legislation, despite the relevance of discussing the quality of urbanization of large Brazilian cities, where 50% of the country's population lives.

It's possible to evaluate that in the past 50 years the urban phenomenon and metropolitan nature of some of the most structural urban issues became more evident – urban expansion and dispersion; socio-spatial segregation; promotion of production dynamism among the municipalities of the metropolis; increase of housing density versus the existing and anticipated housing shortage; reduction socio-territorial vulnerability; promotion of conservation and preservation of areas of environmental interest in the metropolis; etc. On the one hand, it is possible to observe the progress resulting from efforts and investments in research, analysis, and recognition of the problems and characteristics of metropolitan areas, by a wide range of universities, research labs, institutions and national and international research centers⁶. On the other hand, it is of utmost importance pointing out the incapacity of the incipient and inadequate status of the implemented institutional design in metropolitan areas to support an inter-federative structure of management and conciliation especially when compared to the accumulation of knowledge, data systematization and available information about the conditions of Brazilian metropolis.

The Statute of the Metropolis started to demand to all metropolitan regions, urban agglomerations and micro regions of the country the development of their own Integrated Urban Development Plans (IUDP). To do so, they'd have to establish inter-federative metropolitan governance for the formulation and implementation of public policies related to the Public Roles of Common Interest (PRCIs).

In the case of the Metropolitan Region of São Paulo, it was necessary to have representatives of the 39 cities of the metropolitan region, members of the government of the State of São Paulo and civil society to promote the necessary legitimacy to make decisions about the metropolitan agenda. This motivated a debate on the hypothesis of reviewing the existing metropolitan governance structure (SÃO PAULO ESTADO, 2011B), applicable by a legislation prior to the Statute of the Metropolis. The political debate about the topic, with legal and institutional elements that were being discussed during the process of development of the IUDP of the MRSP, was a dense process of reflection on the method, concepts and scope of the IUDP, not only in the MRSP, but also in other Brazilian metropolitan regions.

The development process in the MRSP cannot be based on more accurate national guidelines about how to elaborate the IUDP, because it is a new instrument within a quite consolidated set of parameters of urban legislation based on the Brazilian territorial policy framework. The Statute of the Metropolis is a new and directive piece of law. It has a general, normative character and no specific jurisprudence. However, it was central to consider that the legal framework of Brazilian territorial policies were grounded on the broad experience of participatory processes of elaboration and implementation of municipal Master Plans, as of the Statute of the City. Therefore, the Statute of the City, its principles and guidelines, were considered the main references to determine the objectives of the instruments of urban policy –ensuring the social role of the city and property. It was also used to secure the necessary parameters for democratic processes while elaborating and implementing urban policy – in the sphere of metropolitan policies.

However, the IUDP would not be a set of Master Plans of the cities that form metropolitan region, neither a great Master Plan for the territory of the metropolis. The IUDP is a new piece of the regulatory landmark of Brazilian territorial policy with the objective of regulating the instruments (urban, financial and managerial, as well as macrozoning) for the elaboration and implementation of metropolitan policies regarding the PRCIs defined to a metropolitan region. The Public Role of Common Interest (PRCI), which is the basic premise of the IUDP, is a very little defined element. And its relation with the Social Role of the City, central parameter of Master Plans, isn't defined. The Statute of the Metropolis introduces only a quite vague concept of the PRCIs, namely: “[...] *public policy or action included in it, whose accomplishment by a municipality, alone, is unfeasible or has an impact on the neighboring municipalities*” (BRASIL, 2015, article 2, subsection II).

The vagueness of the meaning of the PRCIs and its reflex, for example, in Macrozoning (in comparison to Zoning) or in Metropolitan Governance (in comparison to the municipal administration of the territory), leads to a quite diverse discussion of positions regarding the formulation, assumptions and meanings of metropolitan policies, as well as about the purpose of the IUDP itself. Anyway, the PRCIs are the guiding axes of the debate concerning all the dimensions related to the IUDP: about the contents of the plan; the instruments and metropolitan policy management; the location of Metropolitan actions; the trade-offs between public and private actors for its achievement; the definition of the character, quality and priorities of works and services of Metropolitan interest; the panorama of political consensus and social participation in the formulation, deliberation and control of metropolitan policy. To promote the discussion of positions on these various dimensions of the IUDP, in a complex environment of inter-federative representation, the first challenge in the case of the MRSP was to create a design of the entire process and define the scope the IUDP to produce the convergence of distinct political-programmatic points of view about the same process and the scope for the metropolitan plan.

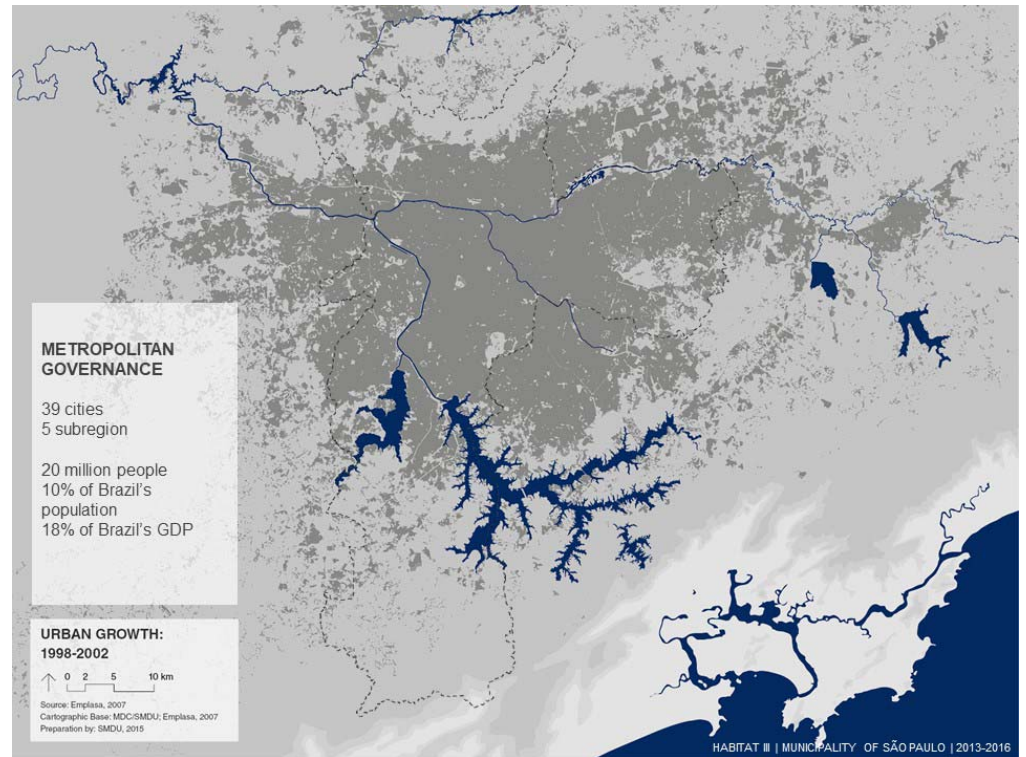
PLANNING AND GOVERNANCE IN THE METROPOLITAN REGION OF SÃO PAULO

The São Paulo Metropolitan Region consists of 39 municipalities within the territory of the State of São Paulo. These municipalities are organized into six sub-regions. The city of São Paulo is the pole and there are five sub-regions⁷ where inter-federative public consortia are organized, some of which with experiences in integrated urban development carried out cooperatively among the cities.

The conurbation among several municipalities with the city of São Paulo, the socio-economic dynamics of the metropolitan region and, in particular, the urban experience of those who live in the city, require discussion and agreement on political guidelines among the various federative entities that are part of the metropolitan region to develop the metropolitan territory establishing converging and cooperative attitudes among the municipalities, and the State Government.

The MRSP has more than 21 million people (IBGE/2016 estimate *apud* Emplasa, 2016B) and concentrates a GDP that represents 18.9% of the Brazilian GDP (SEADE/2013 *apud* Emplasa, 2016B). It's necessary to point out not only quantitative but qualitative aspects. The main problems of the MRSP

Figure 1: Aerial photo of the urban area of the MRSP with the administrative divisions of the municipalities.
Source: CDRMSP, 2015C.



are marked by inequality, derived, to a great extent, from the location and distribution of goods and urban services in the metropolitan territory and disputes waged for access to them. Some of these issues have a specifically metropolitan nature: socio-spatial segregation; urban expansion in relation to the protection of natural reserves; social and environmental vulnerability in peripheral territories; concentration of jobs and urban centers; uneven distribution of metropolitan water supply and transportation networks of high and medium-capacity, among others.

On one hand, there's uncertainty regarding the meaning of PRCIs, which are the guiding axes of the IUDP, to govern the process of metropolitan territorial planning. On the other hand, the metropolitan nature of some of the territorial problems of São Paulo is evident. In this way, in the process of work of the IUDP of the MRSP the PRCIs were conventionally identified as being specifically metropolitan problems. And, moreover, one of the objectives of the planning process was to define that the first PRCIs addressed by the IUDP of the MRSP would be those related to major structural problems of the metropolitan territory: Economic, Social and Territorial Development; Housing and Social Vulnerability; Environment, Sanitation and Water Resources; Mobility, Transportation and Logistics⁸. Inter-federative Governance and Territorial Planning configured the transversal axes for the development of these PRCIs.

The IUDP is proposed by the Statute of the metropolis as a plan that should contain guidelines and objectives, as well as the instruments that require structuring inter-federative means for implementing an integrated urban development of the metropolis. For this reason, the IUDP demands the "participatory management" of the metropolitan region as a prerequisite, whose conditions would be: "a) formalization and delimitation by complementary state law; b) its own inter-federative governance structure, under the terms of art. 8 of this Law; and c) integrated urban development plan approved by state law" (BRASIL, 2015, article 2, item III). Inter-federative governance in turn requires in its basic structure:

I – executive instance formed by representatives of the Executive Branch of the federative entities belonging to the urban territorial units; II – collegiate deliberative instance with civil society representation; III-public organization with technical and advisory functions; and IV – integrated system of resources allocation and accountability (BRASIL, 2015, art. 8).

In this way, the experience in the MRSP considered necessary to perform the drafting of the IUDP linked to review on the structure of inter-federative governance for the implementation of the plan⁹. On one hand, it was an attempt to prevent the IUDP from turning into a notary, discursive and little operative plan to promote urban transformations. On the other hand, to ensure the revision of the current structure of metropolitan governance of the MRSP so that it is in line with the materialized objectives of the IUDP and complies with the guidelines of the Statute of the Metropolis.

At the same time, since the Statute of the Metropolis is grounded on the Statute of the City, the actions provided for in the IUDP have as their parameters the norms, praxis and rites based on the accumulated experiences in participatory processes and in the purposes of Brazilian urban policies, based on partitive processes of elaboration of municipal Master Plans.

The municipalities of the MRSP have been developing participatory processes for the preparation, implementation and revision of the Master Plans since 2001. The public inter-federative consortia of the MRSP developed public policies in common agreement in the sub-regions, as the Regional Master Plan (GMP) developed by the Greater ABC inter-Federative Consortium (2015-2016)¹⁰. In the case of the city center of São Paulo, the municipal administration from 2013-2016 placed urban policy in the center of the public agenda and developed a process of participatory review of all the regulatory framework of the city's urban planning legislation. The material reviewed was: the Strategic Master Plan-SMP (SÃO PAULO MUNICIPALITY, 2014), in 2014; the Law of Division, Use and Occupation of Land-LDUOL (SÃO PAULO MUNICIPALITY, 2016), in 2015; the Regional Plans of the 32 sub-mayors' offices, (SÃO PAULO MUNICIPALITY, 2016), in 2016.

The central strategy of review of the regulatory framework of the city of São Paulo was to draw the correspondence between the guidelines and objectives expressed in the purposes of urban legislation (SMP, LDUOL, etc.) and the connection between the instruments and mechanisms of management and financing of urban policy. The Strategic Mater Plan of 2014 was formulated *pari passu* with the Program of Goals of the 2013-2016 government, which enabled to match the goals and budget of the city to the urban territorial policy that was being built. In this sense, the goals related to the implementation of sector-oriented projects, programs and actions of the public management were guided by urban policy, which identified territorial priorities (in the macro areas) for intervention of the city government, through an integrative approach.

In light of these experiences and initiatives in the MRSP, three findings reflected in the development of the IUDP. The first: the need to specify the scope of the IUDP in relation to the other planning pieces of territorial policy. The second: the consensus regarding the opportunity for the IUDP of the MRSP, whose first phase of development took place between 2015 and 2016, to absorb all the knowledge accumulated about participatory processes and the contents developed in the recently approved urban legislations of the MRSP. The third: the importance of overcoming the experiences of notary metropolitan plans, which resulted in generic guidelines and programs with almost no effectiveness. They also didn't influence the instrumentation of political actions in the territory of the metropolis.

These findings, derived from previous experiences, were essential for the initial agreement that guided the development of the works of the IUDP of the MRSP. The agreement defined that assumptions, contents, instruments, macrozoning and inter-federative governance had to be considered as basic elements, developed in an integrated way and collectively.

IUDP- INTEGRATED URBAN DEVELOPMENT PLAN OF THE SÃO PAULO METROPOLITAN REGION METROPOLITAN

The IUDP was included in the regulatory framework of the Brazilian territorial policy with the objective of regulating instruments for the implementation of metropolitan policies with regards to the PRCIS. Based on what happened in the MRSP, it became clear that the IUDP is intended to address conciliation actions between inter-federative agents to elaborate and implement public policies in common agreement in the metropolis. It is, therefore, a plan of intersection between other territorial and / or sector plans, with specific reference to the PRCIs of the MRSP.

This influenced the way macrozoning was conceived. It would start to depend on the location of the PRCIs in the territory, so that macrozoning wouldn't be misunderstood with zoning for the entire metropolis. The IUDP would differ from the design of a Master Plan, which is a piece of municipal law that governs the territorial development of the city, establishing guidelines for land use and occupation, regulated by the Law on Land Division, Use and Occupation (a zoning law), because the IUDP could not be confused with urban land policy, which is a specifically and non-transferable municipal attribution. And the IUDP would also differ from Regional Master Plans, which are optional instruments for regional development, formulated by a portion of the sub-region of the metropolis, through inter-municipal consortia of voluntary nature.

The present hypothesis states that the local interest should be sufficiently present in metropolitan governance, influencing common interest guidelines and actions to promote a shared development of the metropolitan region, in which local interest would be sufficiently represented in common interest.

If this was the scope of the IUDP, to which the MRSP should be compliant, its development would mean the chance to create a field of conciliation and political participation in governance levels between the federated entities and civil society for public debate on the formulation and implementation of metropolitan policies.

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Figure 2: Definition of the scope of the grounds of Brazilian urban legislation. Source: PREFEITURA DE SÃO PAULO, PREFEITURA DE GUARULHOS E CONSÓRCIO INTERMUNICIPAL DO GRANDE ABC, 2016, p. 7.

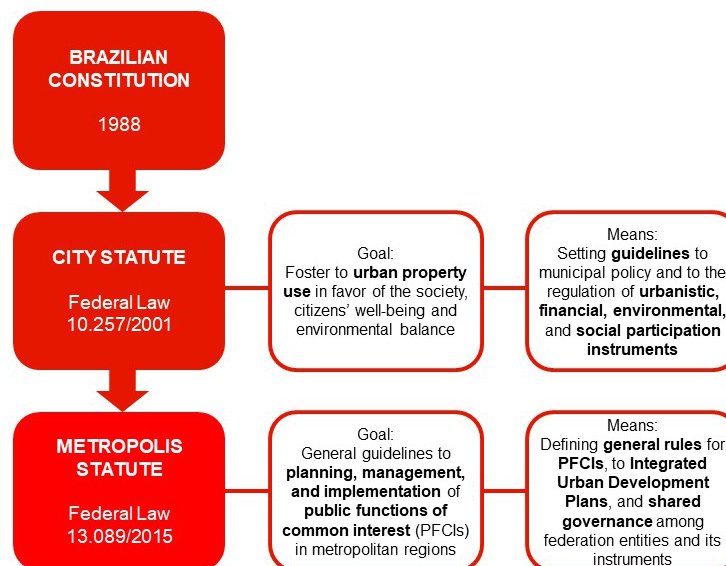


Figure 3: Definition of the scope of Brazilian urban legislation pieces and instruments.
Source: PREFEITURA DE SÃO PAULO, PREFEITURA DE GUARULHOS E CONSÓRCIO INTERMUNICIPAL DO GRANDE ABC, 2016, p. 8

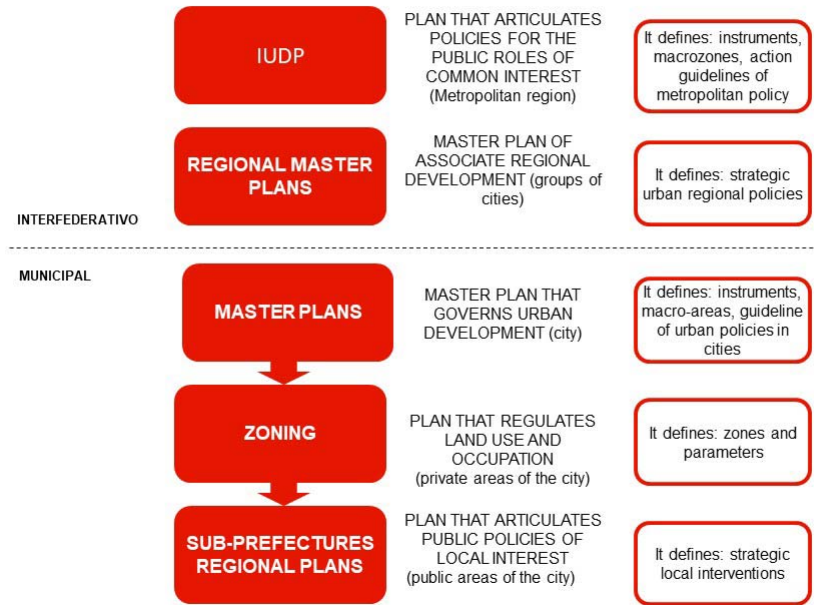
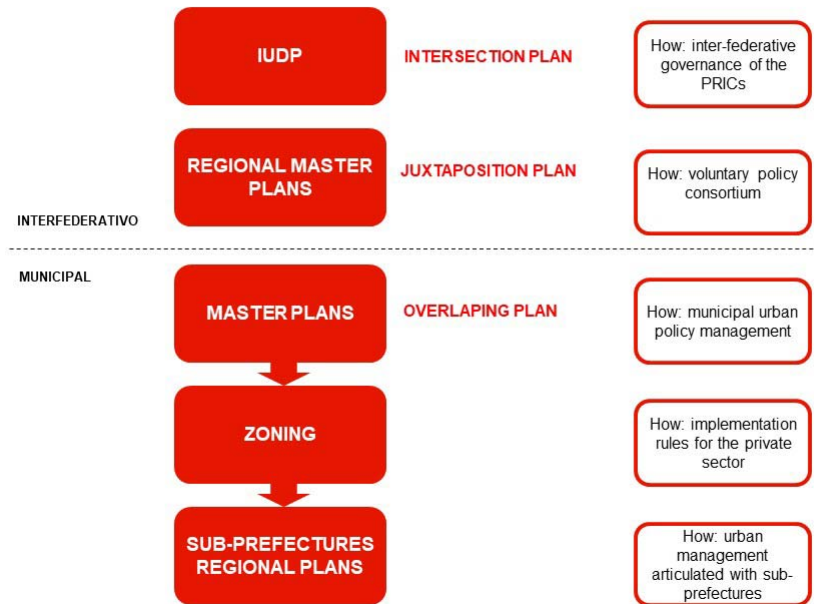


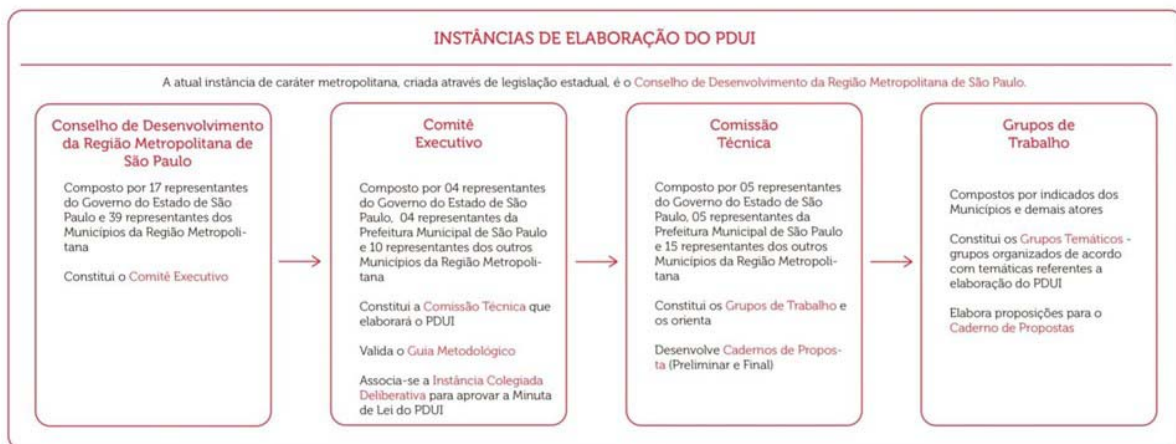
Figure 4: Differentiation of the character of Brazilian urban legislation pieces and instruments.
Source: PREFEITURA DE SÃO PAULO, PREFEITURA DE GUARULHOS E CONSÓRCIO INTERMUNICIPAL DO GRANDE ABC, 2016, p. 9.



The process of elaboration the IUDP proposal and revision of the metropolitan governance structure of the MRSP needed, necessarily, to be a collegiate process with representation of the federated entities in a more balanced proportion than that of the original composition of the DCMRSP. The DCMRSP is originally formed by 39 representatives of the cities of the MRSP and 17 representatives of the government of the State of São Paulo. Each of the two sectors has weighed votes in a way that, in the end, the votes of the government of the State correspond 50% of the voting, equivalent to the other 50% corresponding to the total of all the cities of the MRSP.

Thus, the first step related to the elaboration of the IUDP and revision of metropolitan governance of the MRSP was to create the pre-conditions for the development of the inter-federative works. As provided for in the 1st Deliberative Act of the IUDP (DCMRSP, 2015th, Deliberation of DCMRSP CD-01/15), the Methodological Guide of the IUDP of the MRSP (DCMRSP, 2015B) was developed and approved by the DCMRSP (10th meeting of the DCMRSP, 2016C). It defined the work plan, protocols of elaboration and validation during the inter-federative process carried out by departments of the executive branch of the government and participatory stage with participation of civil society, methods and final goal: Bill of Law of the IUDP of the MRSP. With this, a framework of temporary governance was established to develop the IUDP and revise the governance structure of the MRSP¹¹. The design of this institutional arrangement organized, in the scope of the DCMRSP, the formulation and decision forums carried out by an Executive Committee, Technical Commission and thematic Work groups, with greater representation in the proportion among the federate entities. It also established the Collegiate Instance with civil society as a deliberative agency.

Figure 5: Definition of the composition of the inter-federative collegiate instances of the executive branch of the government of the MRSP:
Source: DCMRSP, 2015C.



Translator's note: INSTANCES OF ELABORATION OF THE IUDP - The current instance of metropolitan character, created through State legislation is the Development Council of the Metropolitan Region of São Paulo. Development Council of the Metropolitan Region of São Paulo: formed by 17 representatives of the government of the State of São Paulo and 39 representatives of the Metropolitan Region - It constitutes the Executive committee. Executive Committee: formed by 04 representatives of the municipal government of São Paulo and 10 representatives of other municipalities of the Metropolitan Region - It constitutes the Technical commission that will elaborate the IUDP - It validates the Methodological Guide - It joined the Deliberative Collegiate Instance to approve the draft of the law of the IUDP. Technical Commission: formed by 05 representatives of the government of the State of São Paulo, 05 representatives of the municipal government of São Paulo and 15 representatives of other municipalities of the Metropolitan Area - It forms the Work Groups and guides them - It develops Proposal Dossiers (preliminary and final). Work Groups: formed by members appointed by the municipalities and other actors - It forms the Thematic Groups - organized according to topics related to the elaboration of the IUDP - It elaborates propositions for the Proposals Dossier.

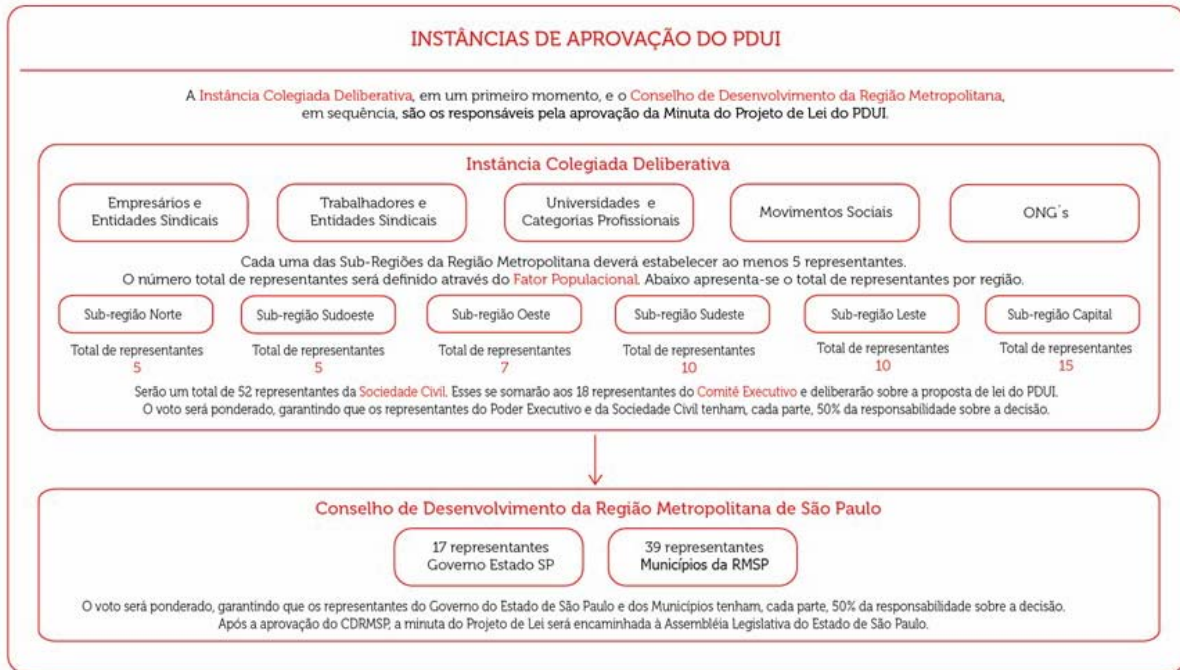


Figure 6: Definition of the Collegiate Deliberative Instance with Civil Society Representation.
Source: DCMRSP, 2016B.

Translator's note: INSTANCES OF APPROVAL OF THE IUDP - The Deliberative Collegiate Instance, in a first moment, and the Development Council of the Metropolitan Region, after, are responsible for approving the draft of the Bill of Law of the IUDP. Deliberative Collegiate Instance: Entrepreneurs and unions - workers and unions - Universities and Professional Categories - Social Movements - NGOs. Each of the sub-regions of the Metropolitan Region have to establish at least 5 representatives. The total number of representatives is defined through the Population Factor. See below the total of representatives per sub-region: North (5) Southwest (5) West (7) Southeast (10) East (10) Capital (15). There will be a total of 52 representatives of Civil Society. They are going to join the 18 representatives of the Executive Committee and will deliberate on the proposal of law of the IUDP. There will be weighted vote, ensuring that representatives of the Executive Power and Civil Society have both 50% responsibility in the decision. Development Council of the Metropolitan Region of São Paulo: 17 representatives of the government of the State SP + 39 representatives of the municipalities of the MRSP. There will be weighted vote, ensuring that representatives of the government of the State of São Paulo and municipalities have both 50% responsibility in the decision. After the approval by the CDMRSP the draft of the bill of law will be sent to the Legislative Assembly of the State of São Paulo.

The Deliberative Collegiate Instance with Civil Society Representation¹² was created (although not yet established) with the attribution of sharing the sphere of decision of the Executive Instance, through representatives elected by civil society for the purpose of deliberation of the IUDP of the MRSP (DCMRSP, 2015C). There are 52 representatives of civil society. In each stage of deliberation of the products of the IUDP (preliminary and final Bill of Law), the 52 representatives join the 18 representatives of the Executive Committee, who have weighed vote to have parity between civil society and the executive branch, both with 50% responsibility on the deliberation (DCMRSP, 2016B).

The Methodological Guide¹³ (DCMRSP, 2015B) represented a pact among the federated entities on the complex, inter-federative and long term plan of work that addresses the IUDP. The foreseen period of elaboration exceeds the term of a continued management between state government, municipal governments and inter-municipal public consortia in the forum of representatives of the executive branch of the government. In this sense, the Methodological Guide works as if it were an agreement between the entities so that the elaboration process reaches a consensus on the goals and method, in order to promote the fundamental

dissents and debates on the political-program content based on what is defined in the political agenda of the metropolis. On one hand, it ensures the institutional design of the structure of works and processes in collegiate forums (of federative entities and civil society) for formulation and deliberation. On the other hand, it defines the basic elements that have to be focused on by the Bill of law of the IUDP of the MRSP.

According to the summary of the Bill of Law of the IUDP of the MRSP, established by the Methodological Guide, the basic scope of contents to be taken to public consultation in an integrated manner should be: I. The Scope, Concepts, Principles and Objectives; II. The Program of the Integrated Urban Policy; III. The Spatial Planning; IV. The System of Integrated Spatial Planning of the Metropolis (CDRSM, 2015B). The advantage would be to have in one single product all the basic elements necessary to the IUDP and inter-federative governance of the metropolis in an integrated and jointly way. The summary would be the structure of the Minutes and Bill of Law, even in their preliminary versions (Proposals Preliminary Dossier, Proposals Dossier). The preliminary versions should treat similarly the very elements that make up the logic of the proposal, although in a more simplified way, being: I. Principles; II. Guidelines; III Macro zoning and instruments; IV Governance Structure and Inter-federative Funds; V Preliminary proposals of Metropolitan Character.

Many preliminary versions of the Proposals Dossier are expected. They would have to be developed during the public consultation stage, analysed and reviewed in Regional Workshops, Regional and Municipal Hearings, and by the Deliberative Collegiate Instances. The final version should have the legal text of

BILL OF LAW OF THE IUDP

ACCORDING TO THE METHODOLOGICAL GUIDE

I. Scope, Concepts, Principles and Objectives

1. Scope and Concepts
2. Principles, Guidelines and Objectives

II. Program of Integrated Urban Policy

1. Guidelines of Metropolitan Integration of Territorial Policy
2. Plan of Metropolitan infrastructure and Services

III. Territorial Organization I

1. Urban, Environmental and Financial Instruments of Metropolitan Territorial Policy
2. Macro zoning
3. Specific Projects and Programs of Metropolitan Territorial Policy

IV. System of Integrated Territorial Planning of the Metropolis

1. Components of the system of integrated metropolitan planning
2. Inter-federative Governance and Funding of the metropolis
3. Metropolitan Instances of Public Participation
4. Inter-federative metropolitan Agency
5. Development of the Metropolitan Intervention Project
6. Data, information infrastructure and Metropolis Monitoring

v. Final and Transitional Provisions

Figure 7: Summary to the Bill of Law of the IUDP of the MRSP validated by the DCMRSP as a guide for developing the works. Source: DCMRSP, 2015B.

the draft of the Bill of Law of the IUDP of the MRSP. At the end of the advisory stage, the deliberative stage would appreciate and deliberate the Bill of Law of the IUDP of the MRSP by the Deliberative Collegiate Instance with Civil Society participation. It has to be validated by the DCMRSP and then sent to the ALESP.

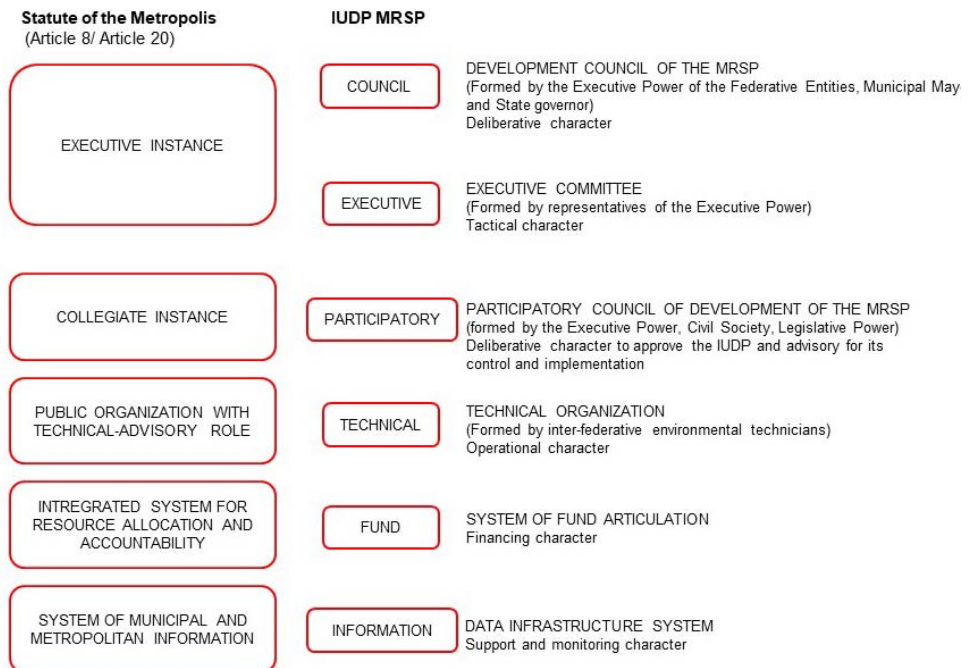
In this way, since the first version of the Preliminary Proposal Dossier it was clear that the agenda had to discuss all the elements necessary for structuring metropolitan policy, including metropolitan planning and revision of the structure of inter-federative governance of the MRSP for its implementation.

With the goal of developing all the preliminary contents of the proposal, the flow of inter-federative works was developed in the Technical Commission, Executive Committee and work groups involving the technical sectors of the cities and the State government. Since the goal was to address the logic of implementation of the plan, that is, the IUDP articulated with the proposed revision of the necessary governance for its implementation, it means above all a reflection on political strategies. So, the debate has raised very different points of view, but was the result of a convergent process of reflection on each of the topics addressed in the IUDP. It opened way to test the development of the proposals and consistency of the results achieved. It's possible to infer that this happened, to a great extent, due to the elaboration of the Methodological Guide, which defined the institutional design of the inter-federative works and summary of the Bill of Law, working as a script for the development of the contents and of the process of work.

One of the results achieved was presented to the DCMRSP¹⁴ by the City of São Paulo, City of Guarulhos and the Greater ABC Inter-municipal Consortium

PROPOSAL OF GOVERNANCE STRUCTURE FOR THE MRSP

Figure 8: Proposal of inter-federative governance structure for the MRSP, corresponding to the guidelines established by the Statute of the Metropolis (BRASIL, 2015). Source: CITY OF SÃO PAULO, CITY OF GUARULHOS AND GREATER ABC INTERMUNICIPAL CONSORTIUM, 2016, p. 46.



materialized in the book “Contribution to the process of elaboration of the Preliminary Proposals Dossier” (CITY OF SÃO PAULO, CITY OF GUARULHOS AND THE GREATER ABC INTER-MUNICIPAL CONSORTIUM, 2016). The product presents proposals referring to all the chapters defined as the scope of the IUDP of the MRSP, which correspond to the summary of the Bill of Law contained in Methodological Guide, including a proposal for the revision of the structure of the inter-federative governance of the MRSP. The objective was to propose an integrated evaluation on the logic of the proposal, through a preliminary approach, as a contribution to the Proposal Dossier, regarding contents related to the plan and governance of the MRSP in an articulated way. The purpose would be, with this, to foster debate in the collegiate forums, participatory process and the Deliberative Collegiate Instance with Civil Society Representation, as expected in the process of development of the IUDP of the MRSP.

In summary, the proposal of governance structure to the MRSP influenced all the contents and topics of this partnership (CITY HALL OF São Paulo, CITY HALL OF GUARULHOS AND GREATER ABC INTERMUNICIPAL CONSORTIUM, 2016) and was presented in the Proposal Dossier of the IUDP of the MRSP. It correlated the “principles and guidelines”, “instruments” and “macrozones” (on the left of the diagram represented below in Figure 9) with instances of the inter-federative governance structure (on the right in Figure 9), aiming at formulating, structuring, implementing and deliberating about the priority “action plans” of metropolitan policy.

The diagram below summarizes the logic of the proposal. And the map then represents the territory (macrozones in Figure 10) of implementation of metropolitan “action plans” corresponding to the PRCIs.

Figure 9: Synthesis of the logic of the proposal to the IUDP and inter-federative governance structure for the MRSP.
Source: CITY OF SÃO PAULO, CITY OF GUARULHOS AND GREATER ABC INTERMUNICIPAL CONSORTIUM, 2016, p. 38.

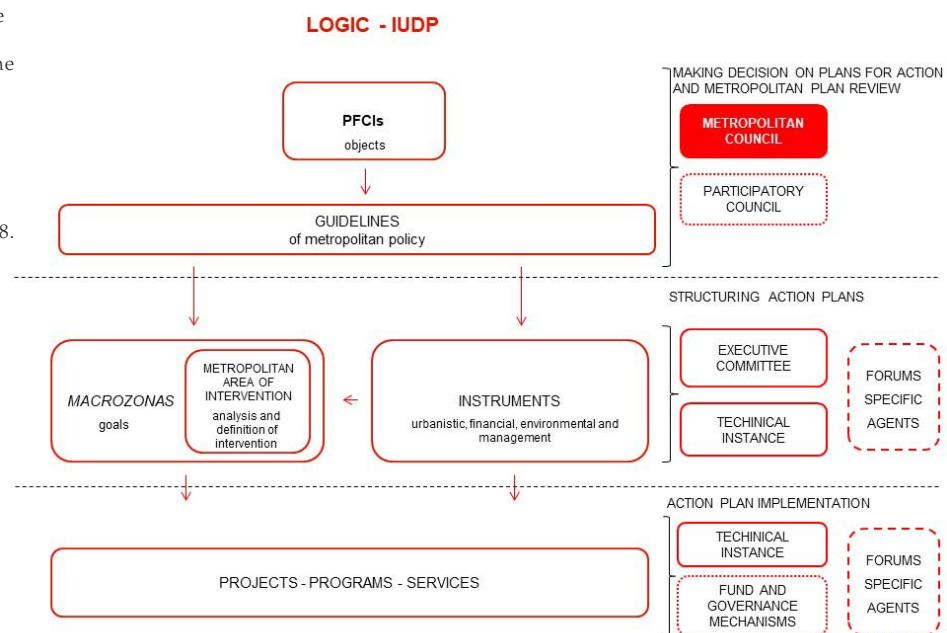
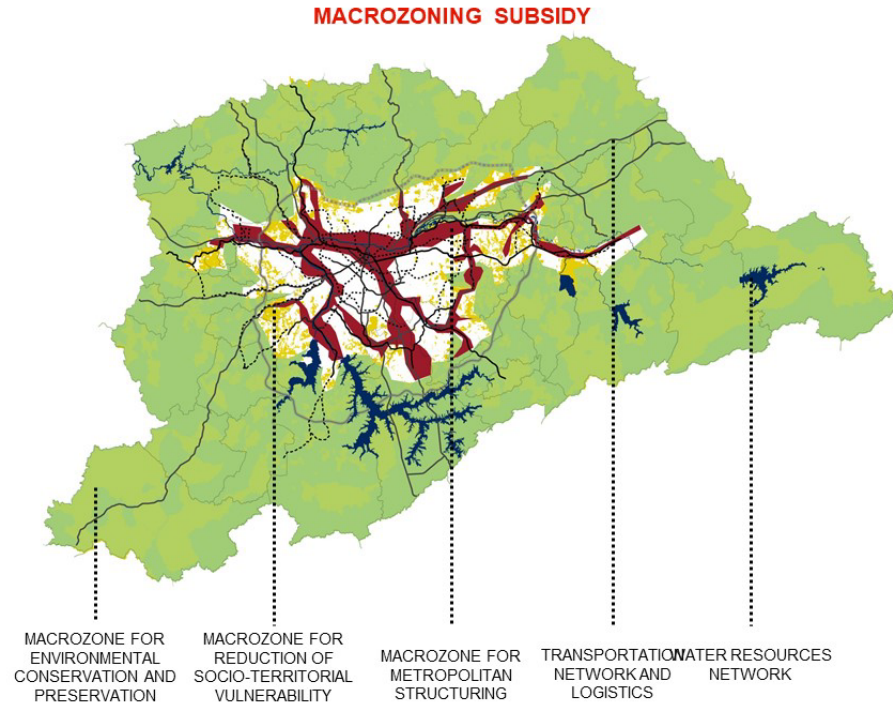


Figure 10: Macro zoning to the MRSP proposal. Source: CITY OF SÃO PAULO, CITY OF GUARULHOS AND GREATER ABC INTERMUNICIPAL CONSORTIUM, 2016, p. 111.



In view of the challenges of implementing urban plans, the logic of the proposal aimed at developing the macrozoning that interpreted the territory based on strategies of inter-federative management. That is, it would not just present proposals of priority metropolitan projects, programs or services for each macrozone of the metropolis, but the form of interaction between public agents capable to promote, in an inter-federative environment, urban, economic, social and environmental studies that are central for public action for the execution of these actions and interventions. It would also be a means to promote the evaluation and revision of these proposals in a continuous participatory process along with civil society in its metropolitan expression, creating the adequate environment for technical-political debate among the actors from different areas and distinct federated entities.

From the point of view of elaboration of macrozoning, therefore, it problematized the metropolitan strategic issues that could affect the accomplishment of the goals of the IUDP, corresponding to the territorialisation of PRCIs. The presented proposal considered that the macrozoning had to address specific objectives to face three central questions of metropolitan territorial nature in São Paulo: 1. Macrozone of Metropolitan Structure: redirect the territorial and productive development of the metropolis, as well as housing density, and promote balance between concentration of jobs and location of homes in the urban area of the metropolis; 2. Macrozone of Reduction of Socio Territorial Vulnerability: territory where investments are a priority, aiming at fighting social vulnerability and territorial precariousness in the consolidated urban areas; 3. Macrozone of Conservation and environmental protection: aims at promoting appropriate economic and social development of peri-urban and rural territory, associated with the reduction of urban sprawl and demarcation of urbanization boundaries,

as well as establishing guidelines of preservation in areas of environmental interest. These macrozones are understood as demarcation of territories of common interest to the metropolis. There are two other networks: 4. Transport and logistics: corresponding to the existing and projected axes of freight and passengers transportation infrastructure relevant to metropolis. Its implementation has to fight socio-territorial segregation and structure the network of metropolitan centers (existing and planned ones); 5. Water Network: corresponds to watercourses and water reservoirs of metropolitan relevance. Its constituent elements should guide the proper occupation of the soil in the Metropolis.

Mapping metropolitan issues within the scope of macrozoning had the purpose of addressing metropolitan policies to the actions foreseen for confronting these issues. The macrozoning then would reflect the guidelines to the PRCIs in the territory, including points of view and scenarios of future development of the MRSP. It formed an interpreting system to guide metropolitan actions and show the needed instruments pertinent to the development of each macrozone, aiming at achieving the objectives of each of these specific territories, through the implementation of Action Plans (metropolitan plans, projects, programs and services), to be formulated and made possible by the governance structure and inter-federative funding system. Indeed, proposing Action Plans, through instruments of metropolitan planning, would be object to formulation, validation and implementation in the environment of inter-federative conciliation, grounded in criteria that would justify the public interest of the proposals, as well as their public role of common interest, co-located in the territories of a given macrozone and, therefore, compared in order to reorganize the urban territory of a specific macrozone. Thus, as it represents the scheme of the logic of the IUDP of the MRSP (Figure 9) the public and inter-federative debate could offer the necessary conditions and information to evaluate the pertinence and interest of the proposed metropolitan projects, programs and services. Throughout the implementation of the IUDP of the MRSP it would validate, in a participatory and shared way among the federated entities, whether the proposals are addressing the metropolitan issues defined as a priority for a specific territory or if they are disconnected from the guidelines defined in the IUDP.

This proposal by the City of São Paulo, City of Guarulhos and the Greater ABC Inter-municipal Consortium systematized in the “Contribution to the process of elaboration of the Preliminary Proposal Dossier” (2016) was presented and accepted at the 11th meeting of the DCMRSP, the last one held in 2016. The subsequent stage, as of January 2017, would be conducted with the renovation of municipal governments’ representatives (of the new public managements that started thereafter) in the collegiate forums of the IUDP.

The contributions made from 2015 to 2016 were expected to be consolidated in the same Preliminary Proposal Dossier, containing the coincident and divergent points of all the proposals presented to the IUDP of the MRSP. As of 2017, the participatory process with civil society for the evaluation, contribution and revision of the Proposal Dossier would start until its consolidation and deliberation in the Bill of Law of the IUDP of the MRSP.

FINAL CONSIDERATIONS

The development of the IUDP in 2015 and 2016 took place in the scope of a collegiate process among different representatives of the public power in the metropolitan region of São Paulo, and achieved a convergent point of view on definitions about the starting point and the point of arrival on the process of elaboration of the IUDP. This reveals that the collegiate process of work reached a space of debate of opinions on the guidelines for strategies and expected results, revealing the multiple political-programmatic points of view regarding the contents the IUDP.

However, despite the efforts of municipalities and the government of the State to achieve political agreement combining these different points of view on the contents of the IUDP in a single Proposal Dossier they did not reach a consensus until the end of 2016. As municipal elections were approaching, which would change the list of agents engaged in the process, the solution was to present to the DCMRSP the different contributions to the Proposals Dossier, considering the same summary that represented the agreement on the scope foreseen for the IUDP of the MRSP.

At the 11th meeting of the DCMRSP, in addition to the proposal by the City of São Paulo, City of Guarulhos and the Greater ABC Inter-municipal Consortium, Emplasa also presented its proposal called "Contribution to the Preliminary Proposals Dossier" (EMPLASA, 2016A). It contained propositions regarding the following chapters of the summary of the Proposals Dossier: I Principles, II Guidelines, III Macrozoing and Instruments (EMPLASA, 2016A, pp. 26-57). It also presented the systematization of all the proposals made, which corresponds to Chapter V Preliminary Proposals of Metropolitan Character. The only chapter that does not appear, as stipulated in the summary of the Bill of Law of the IUDP of the MRSP, is the IV Governance Structure and Inter-federative Funding¹⁵.

The fact that the revision of the inter-federative governance structure is not a proposal in the contribution of the Preliminary Proposal Dossier elaborated by Emplasa indicates the difficulty of the company, or even the resistance of the government of the State of São Paulo, to accept the need to add of new formulations to the inter-federative governance agenda and revision the current institutional design. This is central for the subsequent implementation of the IUDP proposal. It is worth mentioning that with the new municipal governments and inter-municipal consortia managements after the 2017's elections, the Emplasa acquired greater power and the revision of the inter-federative governance of the MRSP stopped being part of the agenda of the IUDP of the MRSP¹⁶. The collegiate bodies for formulating, analyzing and deliberating on the IUDP (Technical Commission, Executive Committee and the Deliberative Collegiate Instance with Civil Society Representation) were maintained.

It can be evaluated that this happened because the success of the institutional design of governance of a public policy depends on its connection with the management that is carrying out the process to ensure the realization of the guidelines and objectives described in its planning.

In the case of the IUDP of the MRSP, the institutional design described in the Methodological Guide showed an interest to work in an environment of inter-federative governance from the formulation of the process to the definition of

contents (present in the summary) of the proposal of the Bill of Law of the IUDP of the MRSP. If this interest ceases to have meaning throughout the process, the institutional design initially created becomes merely formal. At the same time, projects, programs and actions of metropolitan interest will continue to be formulated, structured, prioritized, decided and implemented in decision forums that are not in the inter-federative scope of the IUDP. Therefore, they won't offer opportunities to carry out a strategic, planned and consensual evaluation on the priorities, effects and purposes of the public interest of these actions that are of public roles of common interest for the metropolitan region. In this way, if the IUDP of the MRSP results in a plan that contains only guidelines and proposals for the development of the metropolis, which are disarticulated from the basic structures of the inter-federative governance for its accomplishment, it will probably be of little service to the progress of metropolitan policy and to face the concrete problems imposed by the metropolis.

NOTES

¹ In October 19 2015, the Mayor of São Paulo and President of the DCMRSP, Fernando Haddad, led the 9th meeting of the DCMRSP. From then on the DCMRSP established, for the development of the works of the IUDP of the MRSP, the collegiate bodies of the Executive Committee and Technical Commission, defining their powers and composition by representatives of the federated entities of the MRSP. It also appointed the Empresa Paulista de Planejamento Metropolitano S.A. (EMPLASA) as the Executive Secretariat of the Executive Committee (DCMRSP, 2015A, Resolution No. CD01/15 -A).

² The considered period, between 2015 and 2016, corresponds to the results achieved between the 9th meeting of the DCMRSP (October 2015), which inaugurated the development of the IUDP of the MRSP, and the 11th meeting of the DCMRSP (December 2016), which assessed the balance of the formulation process of the IUDP of the MRSP and received the documents that materialized the results of the work performed by the collegiate federated entities until that moment (DCMRSP, 2016A).

³ The documents are available on the digital platform of the IUDP of the MRSP under responsibility of the Government of the State of São Paulo, at https://www.pdui.sp.gov.br/rmsp/?page_id=755, and in the Urban Management digital platform under responsibility of the City of São Paulo, at <http://gestaourbana.prefeitura.sp.gov.br/marco-regulatorio/pdui/arquivos/>. Accessed in October 2017.

⁴ Data updated on the Metropolitan Governance Platform in Brazil. Available at: <http://brasilmetropolitano.ipea.gov.br/#biblioteca>. Accessed in December 2017.

⁵ This assessment is based on the balance presented in the I Metropolitan Policy Seminar: Governance, Instruments and Metropolitan Planning, which mapped the initial process of development of IUDPs in Brazilian metropolitan areas. The seminar was held in São Paulo, in 2017 and was organized by Casa Fluminense, Cities Alliance, IABsp, Instituto Polis and WRI-Brasil. The summary report of the event is available at: <https://drive.google.com/file/d/1t5pEqLcNxn0TL7Bflfo0SXKXM51Bd77W/view?usp=sharing>. Accessed in December 2017.

⁶ Just as a brief introduction to the widely disseminated theoretical references on the characterization and specificity of the Brazilian process of Metropolization, Erminia Maricato (1996) in the mid 1990's identified the metropolitan manifestation on the outskirts of capitalism. According to her, it was characterized by illegality, inequality and violence, resulting from the urbanization of industrialization with low wages that took place from the 1940's to 1980's, which led to a sharp population growth in Brazilian cities and was marked by the dynamic expressed in the binomial "growth and poverty". In this sense, trying to observe the dialectic of this process in Brazilian development and its urban expression in the country's metropolis, current authors recognize that nowadays contemporary urban contradictions are grounded in a process that is no longer part of the "dialectic of contraries", addressed by the conceptual pairs of urban formation theories: archaic-modern, precariousness-modernity, informal-formal, unemployment-employment, illegality-legality. These issues result from reflections of authors who are trying to recognize the specificities of contemporary urban transformations (TELLES, 2010; OLIVEIRA, RIZEK, 2007; etc.). Telles points out that in contemporary reality there is a loss of the historical horizon of the critical reference to the notion of "overcoming the delay", which used to be the starting point of the debates about the fate and the interpretation of Brazilian society in the previous decades (TELLES; HIRATA, 2007:5). This, according to Telles, could have resulted from the fact that

"[...] the notions of laws, rights, citizenship and public space were emptied of their critical power" (2007:7). The author based her point of view on Francisco de Oliveira (2003), for whom the recent process of transformation is explained through the generalization of the "precarious" and informal forms of work. Oliveira affirmed these forms had also reached the axis of modern economies of central countries and high-end companies, as a strategy proper to the logic of accumulation and profit recovery of the financial era of capitalism. According to him (2003) this panorama would impose recognizing that modernization does not create jobs and that the promised universalization of rights and citizenship were only feasible in the restricted Fordist phase of capital regulation. In this way, the hope of overcoming underdevelopment, modernizing what is archaic, paying wages to workers and formalizing what is informal, which was discussed in the 1990's, became distant. The contemporary Brazilian Metropolitan characterization would go through a process of greater concentration. It was defined as privileged locations of confluence of multidirectional flows (people, goods and information) (MOURA, 2013). The international debate evolves and starts to recognize that cities are part of an intricate network of global systems. Angel (2012) demonstrates the increase of the importance of cities in the analysis on international economic flows, in which systems of cities are central for a country's economic and productivity growth. Although the characterization of the phenomenon of Metropolization is conceptualized by a diversity of shapes and matrixes: "the diffuse city" (INDOVINA, 1990); the "borderless, exceeded or dispersed cities" (DE MATTOS; DE MATTEIS, 1998); the "megacity" (BORJA; CASTELLS, 1997) defined as a knot of global economy; the "hyper-cities" (DAVIS, 2004); the urban-industrial "megalopolis" in developing countries (GOTTMAN, 1970; CASTELLS, 2000; LEFEBVRE, 1991); the "city-region" (SCOTT et al., 2001) in which companies compete for global markets; the "mega-region" (SASSEN, 2007) are places where cities and metropolitan areas intermingle with each other.

⁷North: Caieiras, Cajamar, Francisco Morato, Franco da Rocha and Mairiporã. East: Arujá, Biritiba-Mirim, Ferraz de Vasconcelos, Guararema, Guarulhos, Itaquaquecetuba, Mogi das Cruzes, Poá, Salesópolis, Santa Isabel and Suzano. Southeast: Diadema, Mauá, Ribeirão Pires, Rio Grande da Serra, Santo André, São Bernardo do Campo and São Caetano do Sul. Southwest: Cotia, Embu, Embu-Guaçu, Itapeverica da Serra, Juquitiba, São Lourenço da Serra, Taboão da Serra and Vargem Grande Paulista. West: Barueri, Carapicuíba, Itapevi, Jandira, Osasco, Pirapora do Bom Jesus and Santana de Parnaíba.

⁸These PRCIs are matched to the attributions of the DCMRSP, according to the State Complementary Law 1,139 / 2011 [SÃO PAULO (State), 2011], which contains the following identification for the PRCIs of the MRSP: (i) planning and land use; (ii) transport and regional road system; (iii) housing; (iv) environmental sanitation; (v) environment; (vi) economic development.

⁹The two results of this proposition could be the object of one single Bill to be submitted by the Executive to the ALESP. Or they could turn into two Bills, one related to the IUDP of the MRSP and the other to the revision of the structure of governance of the MRSP. In any case, the important thing would be the initial compliance: to promote the elaboration and debate of the proposal in its entirety, considering the IUDP instruments, as well as the review of the inter-federative structure of governance in a combined way. This would be the only possibility to recognize (and approve) how the provided instruments would be implemented and which objects the governance should manage, aiming at agreed purposes and priorities.

¹⁰The GMP of the Greater ABC has among its objectives the articulation of the revision of municipal mater plans, considering the metropolitan context. The initiative addresses topics like infrastructure, urban development, mobility, population density, urban fabric, tourist potential and economic development. The drafting process is object of the Scientific Technical Cooperation agreement between the Greater ABC Intermunicipal Consortium and the Federal University of ABC (UFABC) and began in April 2015. The final report was finished in December 2016 (GREATER ABC INTER-MUNICIPAL CONSORTIUM, 2016).

¹¹In October 2015, Deliberation CD-01/15 (DCMRSP, 2015A), through the minutes of the 9th meeting of the DCMRSP (2015C), constituted the instances responsible for the development of works in a collegiate way, instituting its composition, attributions and representation, which were even more strengthened and detailed in Methodological Guide approved in the 10th meeting of the DCMRSP, in May 2016.

¹²In the Collegiate Deliberative Instance with Civil Society Representation the proposal was to have representatives of civil society of each of the 6 sub-regions (considering the city of São Paulo as a sub-region). Each of the sub-regions would indicate at least one representative of each sector of society: businessmen and union entities; workers and union entities; universities and professional categories; social movements; non-governmental organizations. The final number of representatives recommended by each sub-region is determined by a "population factor", established in accordance with the total population of each of the six sub-regions, with a minimum of 5 (in the north and southwest sub-regions) and maximum of 15 (in the capital). For the purpose of deliberation of the IUDP in the DCMRSP, it was established that the representatives of the executive branch of the government and civil society should have parity in the voting, ensured by weighed vote (DCMRSP, 2016B). This institutional design was presented, discussed and validated in the Municipal Conferences of the MRSP, during the State Conference of São Paulo, in the municipal hearings of the MRSP and meetings with the Department of Public Prosecution of the MRSP.

¹³The Methodological Guide presents all the workflow steps for drafting the proposal and carrying out public consultation and deliberation. It includes the dynamics of the process of inter-federative production, protocols that systematize contributions, agreements and validation in collegiate bodies, guidelines for structuring spatial data infrastructure of the metropolis, for the interfaces and goals of the digital platform of social interaction and specific regulations for the systematization of contributions of the participatory process; procedures for public communication and the guide and format of participatory activities with civil society to support the analysis, review, discussion and approval of the results. It also contains the target of the IUDP, with the summary of the Proposal Dossier presented as a guide for the development of the intermediate products that will lead to the final means: the Bill of Law of the IUDP of the MRSP (DCMRSP, 2015B).

¹⁴In the 11th meeting of the DCMRSP (2016D) two contributions to the Preliminary Proposals Dossier were presented. One was developed for the group formed by the City of São Paulo, City of Guarulhos and Greater ABC Inter-municipal Consortium. The other one was developed by Emplasa given that the current process of development complied with its guidelines.

¹⁵Governance and Funding are addressed only in the Introduction in a topic called “Challenges of Urban Development” (EMPLASA, 2016A, p. 23-25). It does not have the aspect of a proposal and does not refer to an inter-federative perspective. The topic is treated as Metropolitan Governance, planning its improvement not considering the revision of the structure of governance established by the current law (SÃO PAULO ESTADO, 2011), prior to the Statute of the Metropolis (BRASIL, 2015).

¹⁶The products elaborated later on under the direction of Emplasa followed exactly the guidelines that were defined by the company in its “Contribution to the Preliminary Proposals Dossier” (EMPLASA, 2016A). The last product available to the public in the website of the IUDP of the MRSP was produced in September 2017 and called “Preliminary Proposals Dossier”. Regarding chapter “IV Governance Structure and Inter-federative Funding”, it affirms explicitly that the existing inter-federative institutional governance structure of the MRSP does not need to be revised because it fits the pertinent legislations. The chapter does not include any reflection on whether this structure has been sufficient for implementing metropolitan projects, programs and actions. “The Metropolitan Governance System currently in effect in the State of São Paulo is supported by Article 25, § 3rd of the Federal Constitution of 1988, Articles 152 to 154 of the State Constitution of 1989, regulated by the Complementary State Law No. 760, of 1st of August 1994. The complementary laws that established the regional units of the State, as well as the reorganization of the MRSP, were grounded in these rules. In all cases, in addition to the essential legal studies, technical studies were carried out to support these complementary laws, which were approved unanimously by the Legislative Assembly. Moreover, all of them were sanctioned by the Chief Officer of the State Executive Branch, the only authority vested with legal competence and capacity to do so. In this way, the progress of the works related to the IUDP, met these standards, which echoed in decisions of the Supreme Court, as well as in the very Statute of the Metropolis, despite some omissions in the later”. (EMPLASA, 2017, p. 43). Available at: file:///C:/Users/carolheldt/Downloads/Caderno%20Preliminar%20de%20Propostas_revis%C3%A3o_final_FINAL_ATUALIZADO%20(1).pdf. Accessed in: October, 10th 2017.

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Editor's note

Submitted: 11/01/2017

Acceptance: 03/06/2018

English revision: Paula Ladeira Prates

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