

SYSTEMIC INSTITUTIONAL TRIANGLE AS URBAN MANAGEMENT MODEL FOR BRAZILIAN CITIES

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ABSTRACT

It is proposed a Planning System theoretical model for Brazilian cities. According to Brazilian laws, municipal planning processes are to be shared between government and active forces of society. For it to occur is recommended to install the Council of the Cities, from municipal do federal scales. Brazilian governmental organs recommend that these councils should be composed by active forces of the society and governmental agents. The council is, as described on the federal law called Statute of the City “a colligated organ of deliberative and consultive nature”, whose objective is to “propose directives [...], accompany and evaluate its execution”. This format, composed by government and council, generates a democratic binary. There are in Brazil cities in which this binary is practiced with success, using the management model called “governance”: an example is the city of Porto Alegre. Therefore, despite legal determinations and efforts of the federal government, there are not many examples of success of this binary. It is noted that the biggest difficulty is the lack of comprehension and commitment by all the parties involved towards the discourse agreed on the Municipal Master Plan. This situation generates the opportunity to be proposed, on the composition of municipal planning systems, a third entity responsible for the comprehension and dissemination of the discourse agreed. The third entity is called “school”. It is proposed the composition of planning systems in institutional triangles. The first entity is called “government”, an organ of the municipal executive power responsible for implementing the master plan assuming the figure of the State and acting on governance principles. The “council”, organ of permanent character which represents plural systems and municipal participation through social and governmental agents. Is the one who fiscalizes the implementation of the master plan, also acting following governance principles. The “school”, intellectual entity of the system promotes, consolidates and systemizes the discourse generated when elaborating the master plan. The system proposed, composed of an institutional triangle, should work on common principles and objectives, which shall generate unity. On the proposition method, the “school” must possess an organized structure and support teaching institutions or research organs. For the model to be successful, it is proposed the establishment of the institutional triangle on municipal headquarters, and others on rural localities, if necessary. They shall generate a discursive inter-relation of the parts with the whole and vice-versa. The creation, quantity and setting of the local triangles must obey technical criteria defined by the government and must aim, in principle, to work on the spatial totality of the municipality. The action of the institutional triangle presupposes that the network exists and is effective through all the municipal territory. Its existence aims at the legitimate and organized participation of citizens and social groups legally constituted.

INTRODUCTION

According to the Brazilian laws, municipal planning must be a joint venture between government and living forces of society. The recommendation for such to occur is to institute City Councils, from the municipal scale to the federal. Recommendations from Brazilian governmental organs is that these councils must be composed by living forces of society and governmental agents. The council is, according to the federal law called the *Statute of the City* “a collegiate organ of deliberative and consultive nature” whose goal is to “propose directives [...], accompany and evaluate its execution”.

Such format compose by government and council generates a democratic binary. There are in Brazil cities in which this system is operated successfully through a management model called “governance”. An example is the city of Porto Alegre. Therefore, despite legal determinations and efforts of the Brazilian federal government, there are not many other successful examples of governance.

The biggest difficulty is on the lack of comprehension and commitment, by all the parts involved, on the discourse agreed on the Municipal Directive Plan. This situation generates the opportunity to propose on the composition of municipal planning systems a third entity, responsible for the comprehension and multiplication of the discourse agreed. Such entity is called “school”.

This research proposes a theoretical model elaborated according to Brazilian laws. The model proposed is possible to be implemented in every Brazilian city. It is proposed the composition of planning systems on institutional triangle, where: “government”, organ of municipal executive power, is responsible for implementing the Directive Plan as a part of the State, acting on the principles of governance; “council”, collegiate organ of permanent character representing the plural and participative municipal system through social and governmental actors, participates and fiscalizes the implementation of the Directive Plan, also acting on the principles of governance; “school”, intellectual entity of the system and composed in a collegiate manner promotes, consolidates and systemizes the discourse generated on the elaboration of the Directive Plan.

BRAZILIAN URBAN HISTORY AND THE CHALLENGES TO BE OVERCOME

The current municipal public management in Brazil is made through popular participation and strategic planning. Those strategies are recommended by the *Ministry of the Cities* when elaborating and implementing Master Plans. For this urban policy to be better understood, it is necessary to recover the history of Brazilian cities. Until the XVIII century, settlements showed little development, being mainly characterized as port cities. In the beginning of the XIX century the Portuguese crown moves to Brazil and invested on urban and intellectual developments. Influences of Haussmann’s Parisian plan were considerably spread.

This sort of model lasts, without major changes, until the construction of Brasilia, in 1960. In an approximate period of 100 years the Brazilian bourgeois dreamt with large avenues and social class division. This dream is altered with Brasilia, following Corbusier’s conception of the Charter of Athens in separating residential, work and leisure areas, interconnected by roads. The military dictatorship, initiated in 1964, adopts the urban model of Brasilia and diffuses it throughout the country.

In this period the urban scenery was designed with instruments that were based in models of ideal cities, to be reached with coefficients and other sorts of parameters, which proliferated in urban laws. Many of these documents were mere copies from other cities. From 1980’s, following global tendencies, it becomes clear the failure of this urban model. Post modern currents criticize the precedent one, and defend the fact that each city should have its own “image”, an identity that would differentiate it from the others. The issue is that this model, when creating local icons, does it following mercantilist ideals, transforming the city into money-capital. On that process, some cities have worked out and some not.

Currently, the urban crisis reaches global levels with its unstoppable growth. In Brazil, urban strategies emphasize social pacts. The perspective that it opens is to considerate the city as a social practice. The new approach is dictated by the Constitution, of 1988; and the *Statute of the City*, from 2001, which part from the assumption that the city possesses many acting agents. The *Ministry of the Cities* recommends the elaboration of Master Plans be made in the most transparent way, constructing effective strategies for public communications of wide range.

DEMOCRATIC MANAGEMENT OF URBAN SYSTEMS

System, to Fenker (2006), is a junction of parts that seek common objectives. For that there is the necessity to understand the dynamic complexity of the relations of cause and effect, of patterns and tendencies, that guide strategic actions (SENGE, 2006). On a system each element depends, interacts with other elements and acts according to its limits, in order to maintain an holistic vision. A living organism is systemic and organizes, renovates and recycles itself continuously (CAPRA, 2006). Organizational systems must be competitive to survive; thus following this bias Cabral and Fleury (2007) propose the systemic competitiveness. Such proposition comes from concepts of the Theory of Restrictions, which considers reaching a specific goal. For this goal to be reached, parts of a determined system must work together, strengthening it. On the other hand, if one of the parts of the system are weakened, it is difficult to reach the goal (GOLDRATT; COX, 2006).

According to Cabral and Fleury (2007), when a system is turbulent, it is essential to define a script of interaction between agents in order to compose a base that supports decisions. Such script (self-organization, renovation and recycling, according to Capra), becomes a competitive advantage of this system in relation to others.

About systemic competitiveness, Esser (2007) affirms that the four levels of the system (meta, macro, meso e micro) must inter-relate for concrete objectives to be reached.

Concerning systemic urban competitiveness, Dinis and Vicentini (2004) state that urban management politics will result in incomplete assimilations or in unfinished scenarios of urban projects if they don't consider the following issues:

- a) strategic model of planning global cities;
- b) tendency to return to local urbanism;
- c) consolidation of urban social exclusion in Latin America;
- d) new models of urban management that contemplate social agreements.

DELIBERATIVE DEMOCRACY

The concepts of deliberative democracy proposed by Jürgen Habermas are presented by Vitale (2006), and presuppose a procedural dimension based on the speech and deliberation, which gives democratic legitimacy to political decisions for the fact that are created from public discussion. In this way the deliberative character comes from the collective process of pondering and analyzing, made possible by the discussing before deciding.

Concerning institutional drawings of the organizational organ that shall practice deliberative democracy, Luchmann (2002) signs three issues to consider:

- a) the character of publicity of the participation of a plural subject;
- b) the amplification of responsibilities of participation;
- c) the importance of the institutionalization of public spheres with effective power of decision.

According to Vizeu and Bin (2008, page 08), “deliberative democracy is a type of understanding of a democratic process centered on discursive practices, where rational arguing and fair proceedings for the discursive and deciding participation are criteria for democratic equality”. For such equality to occur, Habermas (1987, apud Vizeu and Bin, 2008) states that is necessary that the act of speech must be capable to establish:

- a) truth: what is said must be true;
- b) sincerity: the explicit intention must be authentic;
- c) rectitude: the social laws to which is referenced must be valid for all participants;
- d) intelligibility: it must be clear.

The concept of deliberative democracy is completed by Maia (2000), on the vision that:

- a) the actors of the civil society must be competent;
- b) the civil society must establish communicative bridges between the actors;
- c) they must be convincing so that, on the social co-existence, their demands may be accepted by the group;
- d) to establish concrete relations between civil society and the deciding instances and State institutions.

These visions:

- a) reference for a reconfiguration of the traditional deciding mechanisms of public organizations;
- b) can be framed as reengineering on the process of management of the municipal administration model;
- c) align with the discourse of the Brazilian Government proposed by the *Ministry of the Cities* for municipal planning systems, as disposed on the *Statute of the City* (BRASIL, 2001).

GESPÚBLICA IN BRASIL

In 1990, on the context of the Brazilian Program of Quality and Productivity - PBQP in Portuguese, was created the Sub-Program of Quality and Productivity of Public Administration. The main goal was to implement quality and productivity programs in public organs, more efficient and turned to the demands of society instead than internal bureaucratic processes. On the evolution of the process, and through the Decree n°. 5.378/2005 of February 23rd 2005 (BRASIL, 2005b), is instituted the National Program of Public Management and De-bureaucratization - GESPÚBLICA that, when incorporating the social dimension turned to the citizen on the technical dimension, aims for efficiency and efficacy results.

The principle is that what is possible can become excellent, still being public (BRASIL, 2006a). Ramos (2008) when highlighting the parts of the model, affirms that:

- a) the first block (leadership; strategic and plans; citizen and society) is about planning and is made through “strong leadership from the high administration” focused on the other elements of the block;
- b) the second block (people and processes) concerns about the execution of the plans, aiming to reach expected results;
- c) the third block (results) evaluates the satisfaction of the users;
- d) the fourth block (information and knowledge) represents the “intelligence of the organization” and gives it the capacity to correct or improve its management and performance practices.

For what concerns the acting of GESPÚBLICA, it is about a process that, aiming the generation of public value for the citizen, is engraved on the tripod composed by:

- a) public policies, defined in legal document generated in a democratic process;
- b) public administration, represented by the managing organ of the system;
- c) organizations, represented on the Council.

GOVERNANCE

Curado (2005) when referencing the 2003 document of the European Commission, called "Governance and Development", affirms that for that commission: "governance refers to rules, processes and behaviors in which interests are articulated, resources are generated and power is exercised socially". According to Busatto (2005), the concept of governance refers to the 1930's when after the Great Depression a considerable number of North-American companies pulverized their stocks in many actionists.

For Gaventa (2001) governance, which he calls participative, must pass through six steps:

- a) reduction of current distance by constructing new relations between people and governmental institutions;
- b) construction of new relations, working on both sides of the equation;
- c) re-concept participation and citizenship, as something that is more practiced than conceded;
- d) learn about governance while it is being practiced;
- e) create conditions and pre-requisites necessary for governance to be successful;
- f) question the concept of "local" on the global era, practicing governance in two ways: from local reform up and from global reform down.

According to the UNESP (2007), for what concerns the application of governance, it considers necessary the strengthening of relations between public local power and the citizen and proposes, for that, a strategic plan for a sustainable and healthy development - PEDESS. Such plan understands governance as:

- a) give conditions for municipal administrations to improve their own raises;
- b) better spend their resources of their budget;
- c) management transparency. For the PEDESS in order to reach governance goals is necessary, amongst others, to "accompany the formation and development of management groups" (UNESP 2007, page 01).

The program of Local Solidarity Governance - PGSL - is applied and practiced from 2005 on the municipality of Porto Alegre and structured in three bases:

- a) plurality;
- b) dialogue;
- c) consensus.

On the concept, the city-network connects citizens and local networks "engaged with sustainable development of their communities and the city as a whole, aiming common objectives. Its Porto Alegre working united to meet the goals of the Millennium" (PMPA, 2005 page 05). In Porto Alegre public management for governance created the Municipal Secretary of Political Coordination and Local Governance. Such entity is connected to the Program of Local Solidarity Governance, approximating governmental programs to the people.

Porto Alegre has from 2006 the Observatory of Porto Alegre - ObservaPoa. It is a space available on the internet with information, reflections and analysis about the 82 neighborhoods and 16 regions of the Public Budget.

THE COUNCIL OF THE CITIES IN BRAZIL - CONCIDADES

The current focus on Brazilian urban management, promoted by the *Ministry of the Cities*, initiates with the understanding that a city possesses many acting agents that, from a common pact determine through coordinated actions the city that everybody wants. Therefore it must correspond to the interests of the majority. On the concept, the common pact is the Municipal Directive Plan, resulting from a democratic process that presupposes: a) the action of the performance commission composed by social and governmental actors; b) popular approval through at least three public meetings; c) the transformation of the Directive Plan into municipal law.

Amongst the directives of the Directive Plan, and by recommendation of the *Ministry of the Cities*, it must be established the participative planning structure and process, to implement and monitor the plan (BRASIL, 2005a). The ministry also recommends that the planning structure and process are based on the federal model (BRASIL, 2008a).

On the federal structure, after the creation of the *Ministry of the Cities* in 2003 (BRASIL, 2003), is constituted in 2004 the *Council of the Cities - ConCidades* (BRASIL, 2004). The internal regiment of ConCidades was approved by the Presidential Decree n°. 5.790/2006 (BRASIL, 2006b). Concerning the amplitude, complexity, agility and democratic principles of its acting, after 2006 ConCidades has already emitted some Normative Resolutions that complement the text of the Decree (CONCIDADES, 2008).

If the School of Government of Paraná is turned to public servers, the Program of Formation of National Counselors is focused on the qualification of national counselors, a group that can also have members from the Civil Society. Therefore the field of action of the PFCN is larger than governmental actions.

PROPOSED MODEL

On the proposed model, the following principles must be followed:

- a) systemic management;
- b) search on the unity of construction, advertisement and application of the discourses;
- c) search for continuous improvement;
- d) strong management leadership;
- e) application of *gespública* and of deliberative governance principles on the system;
- f) rational base of thought;
- g) try to dismantle vulnerable oppositions and presupposes;
- h) solve ideological, socio-economic and identitarian questions;
- i) interactive involvement between entities, members and actors that compose the system;
- j) elaborate processes implemented by strategic planning;
- k) results turned to reaching the goals of the Municipal Directive Plan;
- l) make possible regional integration;
- m) self correction of the practices made;
- n) reduction of the distance between people, institutions and government;
- o) public service of quality, executed with efficiency, efficacy and economically;
- p) division of tasks in a horizontal way;
- q) distribution of power and status on the system;

r) acts that establish truth, sincerity, intelligence, social co-existence, plurality, dialogue and democracy.

CONSTRUCTION OF THE SYSTEMIC MANAGEMENT MODEL

According to the proposed, it is established that the Municipal Planning System contemplates on its composition “council” and “school”, concerning the institutionalization on the composition of the system. The role of the municipal government, legally created, is to indicate and/or create an organ that shall represent it and assume its competences and attributions of the entity of the system denominated “government”.

The formation of the entity called “council” must occur during the Municipal Conference of the City, event specially organized according to the format and recommendations defined by the Ministry of the Cities (BRASIL, 2008b).

The constitution of the entity “school” occurs through agreements, protocols, or legal alternatives formalized between municipal government and educational and/or research institutions, with the consent of the council.

Being this a system that contains the entities “school”, “government” and “council”, the Municipal Planning System is no longer a linear binary composed only by the governmental entity and the council. Now it forms an institutional triangle. Such system must work following systemic actions, agreeing in common principles and goals in order to generate unity. For the proposed model, principles and goals are defined to base the entities that compose it in strategic, tactical and operational levels on the network of the system.

GOALS OF THE MUNICIPAL PLANNING SYSTEM

Once the principles are defined, is possible to define the goals for the system. Its main goal, according to Brazilian laws, is to implement, evaluate and monitor the Municipal Directive Plan in its participative processes of planning, citizen education and democratic management.

As for the specific goals of the model:

- a) promote citizen education, aiming at the effective participative process of planning, in democratic management and qualifying the citizen for public life;
- b) establish the municipal committee on the headquarters of the municipality, and local management committees in urban and rural locations of the municipality;
- c) systemize and advertise the knowledge generated when elaborating and implementing the directive plan, promoting the discourse, policies, actions and strategies of the plan;
- d) qualify counselors, managers, technicians and representatives of the civil society, from local to municipal scale, for effective and efficient act of the system and its competences;
- e) implement and accompany the implementation of directives, strategies and actions predicted on the directive plan suggesting the adoption of corrective measures when needed;
- f) create spaces for reflecting, evaluating and revising the directive plan, from local to municipal scale;
- g) promote the integration of public sectors, private sectors and society in general, aiming to reach the goals of the plan;
- h) accompany the alteration of internal and external scenarios in and to the municipality, advertising strengths and opportunities and proposing corrections to municipal weaknesses;

- i) promote permanent debate of the municipal planning and development process, from local to municipal scale;
- j) act in order to defend municipal interests for municipal, regional, state, federal and international authorities;
- k) promote and diffuse the knowledge generated at the planning system, creating the knowledge system, amplifying and developing the network, system and management of the municipal participative and democratic Brazilian planning;
- l) self evaluate, focused on its goals, the practices while system, adopting corrective measurements whenever needed;
- m) aim for continuous improvement on its acting;
- n) exercise other activities, compatible and adequate with proposed goals.

COMPOSITION AND INSTRUMENTALIZATION OS THE MUNICIPAL PLANNING SYSTEM

For each of the three entities that compose the system, it is described a schematic and descriptive explanation of its composition and functions.

SCHOOL ON THE MUNICIPAL PLANNING SYSTEM

School is the intellectual entity of the system. Institutionalized upon creation of the system, must be composed in a collegiate manner. Must possess and organized structure and its action may occur on the practice of partnerships and Education Institutions and/or research organs, as well as programs of university extension.

Proposed strategic functions of the school are: a) citizen education, qualifying the citizen for public life; b) create, diffuse, improve and correct discursive and knowledge practices on popular participation; c) create, diffuse and propose improvements in practices of participative management of the system.

GOVERNMENT ON THE MUNICIPAL PLANNING SYSTEM

As a integral part of the municipal government, is responsible for articulating and implementing the Municipal Directive Plan. Its strategic functions of government are:

- a) promote the integration of public and private sectors, society in general and sector programs, aiming to reach the presupposes of the directive plan;
- b) accompany the alteration of internal and external scenarios, divulgating strengths and opportunities and proposing corrections to the fragilities of the municipality;
- c) promote permanent debate on the municipal planning and development process, disposed on the directive plan;
- d) act in defense of municipal interests before municipal, regional, state, federal and international authorities;
- e) articulate understandings with neighbor municipalities.

COUNCIL ON THE MUNICIPAL PLANNING SYSTEM

Is the collegiate organ of permanent character, deliberative and consulting on the planning system, being composed by representatives of the public power and civil society.

The Council must be constituted on the *Conference of the City*, event recommended by the *Statute of the City* (BRASIL, 2001). After the conference and by the composition deliberated by it, the organs that compose the council and the counselors that represent it assume their functions according to a Municipal Decree. Throughout the performance of the functions the counselors, who configure the participative democratic management of the planning system are capacitated on the discourse of the directive plan and planning system by the school.

Are listed as strategic functions of the council: a) represent on the planning system its segments of origin, from local to municipal level; b) act on the integration of diverse public policies constituted on the municipality, as deliberative and consulting organ; c) act as channel for discussions, suggestions and complaints related to the implementing actions of the directive plan from local to municipal level; d) act according to the recommendations of the Federal and State's *Council of the Cities*, for the *Conference of the City*.

STRUCTURE AND MANAGEMENT OF THE MUNICIPAL PLANNING SYSTEM

To better structure the planning system are proposed one municipal directive committee and local management committees in sufficient number according to the municipality in question. The directive committee must be established on the headquarters of the municipality, and the local committees on urban localities (neighborhoods, parishes, *et cetera*) and rural ones (districts, villages, *et cetera*) legally defined in spatial form.

The creation, quantity and locality of the local committees must obey technical criteria defined by the government and must aim, initially, to act on the spatial totality of the municipality. These committees must reproduce on the local scale the provisions of the directive committee.

The action of the planning system presupposes that the network exists, flows and be effective in all the municipal territory. Its existence objectify the participation of all citizens and social groups legally constituted, through the local and directive committees.

On both committees the quantity of participants is made according to its population and degree of organization of the municipality. It is recommended that each official representative holder has a substitute when needed.

Each of the three entities: government, school and council, must have a president whose responsibility is to manage its entity. The three presidents will also preside the directive committee.

On the local committees, the scale of the directive committee is reproduced according to the locality in question. Each of the three entities nominate a coordinator for the local committees.

FINAL CONSIDERATIONS

On the analysis and reflection of the Brazilian urban history, it is considered that urban planning begins from the 1850's, copying French models and disconsidering local culture. From that time on, Brazilian cities began to have two faces: legal and real; with considerable differences amongst each other. With Brasilia, national plans glorified technicality, as if planning was external to the administration.

The failure of the rationalistic model comes from the absence of popular participation. After the Constitution and the *Statute of the City*, the planning process proposes, in its discourse, a participative and committed way of thinking. In its conclusion it considers that the Brazilian challenge, to be overcome, foresees

that government and population seek effective and constant planning processes together, not only rewrite public policies.

By the references presented, it has been acknowledged the existence of proceedings that make possible democratic management of urban systems. It has been perceived that for these system to be successful is needed to have a unique and coherent discourse between the involved.

If the theme is about discursive unity and coherence, which of the three examples is more adequate? Each of the examples reaches the goals proposed to reach, for they were according to a specific target of people. Considering different targets (public servers, counselors, citizens) despite occurring discursive unity and coherence in each of the groups, there is no integration between them, which generates polyphony instead of a broader discursive unity.

Despite the importance of tools such as deliberative democracy, Brazilian *Gespública*, governance, government and Municipal Councils, a nucleus of formation and discourse unity is needed; for the experiences presented on the School of Government of Paraná, the Program of Formation of National Counselors and the School of Citizenship answer to the demands of segments of society, and not the whole of social actors.

It is considered that, by serving different targets, the systems make possible the discursive unity and coherence of their determined segments of society, therefore without their integration they generate polyphony. It is concluded that in this scenario there is space for the proposition of the creation of a discursive-educational entity with amplitude of action.

It is proposed a planning system composed by the entities “government” and “council” according to the principles of governance; and “school”, according to the principle of deliberative democracy and internal relation marketing. The system has been structured according to Brazilian laws and normatives.

The focus of the system, on its conception, is the Municipal Directive Plan in process of strategic planning. The proposed model forms an institutional triangle of systemic action.

Once the model is proposed, its practical application is needed for it to be evaluated. Considering the strategic functions proposed for the entities of the model, it is proposed as future work the development of quality and productivity indicators, seeking to evaluate the model not only in its conception but also in its action.

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