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January 22, 2016

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COUNTY COUNCIL

MEMO TO: Tony Takitani, Chair,
and Members of the Special Committee on County Governance

F R O M: Sharon Brooks, Legislative Attorney *SMB*
Kimberley Willenbrink, Legislative Analyst *KW*

SUBJECT: **FORMS OF COUNTY GOVERNANCE (OTHER COUNTIES AND CITIES)**
(CG-1(3))

INTRODUCTION

You have asked for research on the experience of counties and cities that:

- (1) have recently changed their form of governance to, or from, a County Manager or City Manager form;
- (2) received a Local Government Excellence award in 2015 from the International City/County Management Association; and
- (3) have a long-established County Manager or City Manager form of governance.

For purposes of this memorandum, "County Manager" form means a county or city government with a structure having an appointed chief executive. In addition, the "Strong Mayor" or "Mayor-Council" form of governance means a county or city government with a structure having an elected chief executive.

For ease of comparison and readability, this memorandum provides information in outline style.

1) COUNTIES AND CITIES THAT RECENTLY CHANGED FORM OF GOVERNANCE

Research was done on the following counties and cities with changes to their form of governance within the last 20 years:

Changed to County Manager

- City of Topeka, Kansas – 2004
- City of Cedar Rapids, Iowa – 2005
- Luzerne County, Pennsylvania – 2010

Changed from County Manager

- City of Spokane, Washington – 1999
- City of San Diego, California – 2004
- City of Federal Way, Washington – 2009
- City of Colorado Springs, Colorado – 2010
- City of Richmond, Virginia – 2003

The Appendix illustrates there were a spectrum of circumstances motivating the change, with a range of results.

2) COUNTIES AND CITIES THAT RECEIVED THE ICMA LOCAL GOVERNMENT EXCELLENCE AWARD IN 2015

Each year, the ICMA honors innovative contributions to local government management to increase awareness about the value professional, skilled managers bring to building great communities. Some of the 2015 Local Government Excellence award recipients are referenced below.

County of Catawba, North Carolina (Population 154,810)

Catawba County has had a County Manager form of governance since 1936. In North Carolina, the structure of County Manager governments are dictated by State law. The University of North Carolina's School of Government provided this observation in 2014 for a course on local government:

North Carolina's laws authorizing the council-manager form of government, like those of most states, drew on the provisions contained in the National Municipal League's (now the National Civic League) Model City Charter.

The County received an ICMA Community Health and Safety Award in 2015 for creating "a public health-sponsored farmers market in 2013 to promote food security and healthy living."

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City of Renton, Washington (Population 95,540)

Renton has had a Strong Mayor form of governance since its incorporation in 1901. In addition to managing City departments and executing ordinances, the mayor presides over weekly City Council meetings.

After experiencing growth in population and community diversity from 2000 to 2010, the municipality “partnered with community leaders and organizations to build a more inclusive city,” resulting in a 2015 ICMA Community Partnership Award.

City of Tamarac, Washington (Population 60,427)

Tamarac has had a Strong Mayor form of governance since its incorporation in 1963. The City received a 2015 ICMA Strategic Leadership & Governance Award based on its use of “executive leadership skills and citizen engagement to develop its strategic plan.” The City’s ICMA award application stated the following:

Since undergoing a nationally recognized executive leadership training program at the University of Virginia in 2004, our senior leaders committed to building an organization that listens to its customers, empowers its employees, has a clearly defined vision, focuses on financial sustainability, strategic long-term planning, performance measurement and process improvement, and produces results. We employed a bottom-up approach to successfully develop a strategic planning process that effectively aligns our strategy, budgeting, performance management and individual employee performance into one cohesive system. It helped us create a customer-focused organizational culture that engages and responds to our internal and external customers, focuses on continuous process improvement and innovation, and is positioned to face current and future challenges. Broad engagement in strategic planning allowed us to maintain public trust, positive employee attitudes and customer satisfaction despite the external challenges.

City of Sedona, Arizona (Population 10,111)

Sedona has had a County Manager form of governance since its incorporation in 1988. The City received a 2015 ICMA Strategic Leadership & Governance Award for restructuring its “citizen engagement program.” In 2012, the City Council directed the City Manager to develop “a new model of citizen engagement,” which led to the creation of a Citizen Engagement Plan, which was approved the following year. Also in 2013, the City Manager hired a Citizen Engagement Coordinator, who launched Facebook, Twitter, and Instagram accounts to provide updates and pictures on the City’s activities. The City has been intent on creating “opportunities for everyone who wants to get involved in a way that’s rewarding for them and provides meaningful input,” according to the award application.

3) LONG-ESTABLISHED COUNTY MANAGER OR CITY MANAGER FORM OF GOVERNANCE

City of Thousand Oaks, California (Population 129,342)

The City of Thousand Oaks has had a Council-Manager form of governance since its incorporation in 1964. The City’s website says “the City Council is the policy-making body, appointing the City Manager who is responsible for carrying out Council policy.” The City Manager hires departmental directors without Council approval required. There are 250 city employees.

Fairfax County, Virginia (Population 1,137,538)

Fairfax County has used the County Manager form since 1953, with the chief executive designated by the county executive. The County’s website states:

The powers of government are vested in an elected Board of Supervisors consisting of nine members elected by district, plus a Chairman elected at large.

The Board appoints the county executive, who is the administrative head of the county government and is responsible for the administration of all of the affairs of the county which the Board has authority to control.

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The county executive serves the Board of Supervisors. Department directors are hired through a civil service type of process. There are 12,070 County employees.

City of Austin, Texas (Population 912,791)

The City of Austin's website states:

The City Manager is responsible for the day-to-day operations of an organization of approximately 12,000 and a budget of \$1.4 billion. City operations range from animal services to zoning to the electric and water utilities. Austin-Bergstrom International Airport is also a part of City of Austin operations.

In 1924, Austin adopted the Council-Manager form of government through a Charter amendment vote. The City Manager reports to the Council which sets policy for the City Manager to carry out.

Department heads are hired through a recruitment firm and do not require Council approval. Until 2013, the City Council had seven members. The electorate approved a new "10-one" City Council system, which features 10 Councilmembers who are elected in district voting and a Mayor who is elected at-large. The Mayor is the presiding officer of the City Council.

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cc: Hon. Mike White, Council Chair
Ms. Lori Teragawachi

APPENDIX

Counties and Cities That Recently Changed Form of Governance

City of Topeka, Kansas (Population 127,473)

Form of Governance: County Manager

The City Council is composed of nine members elected in staggered terms every four years from geographic districts. The Mayor is elected to a four-year term by the City at-large. An appointed City Manager serves an indefinite term and may be hired or fired by a majority vote of the Council. The Council sets policy while the City Manager runs day-to-day operations. The City Manager hires, fires, and supervises all employees, administers all City administrative affairs, and prepares a budget for Council approval.

Annual Budget: \$3.5 million
Employees: 1,160

Change: The City Council voted 6-3 on July 20, 2004, to authorize a public vote on whether to adopt a Council-Manager form of governance, changing from the Strong Mayor form the City had since 1984. On November 2, 2004, the citizens of Topeka voted by a 2:1 margin to approve the Council-Manager form. The first acting City Manager was appointed by the City Council on April 12, 2005

Basis for Change: At the City Council meeting approving the ballot proposal to change from a Strong Mayor form, City Councilmembers referred to problems with the qualifications and competence of those in charge of the government's executive branch. See minutes of July 20, 2004 meeting, pages 301-303, here: http://www.topeka.org/pdfs/council_minutes/072004m.pdf

Function of Mayor: The Mayor has no administrative powers. Mayoral duties include being the City's ceremonial head, presiding over City Council meetings, providing community leadership, promoting economic development, representing the City in intergovernmental relations, and recommending legislation.

Department Heads: The City Manager hires and fires department heads.

Demographics:

| | |
|-----------------------------|----------|
| Median household income | \$40,826 |
| Persons per household | 2.40 |
| Persons below poverty level | 21.1% |
| Land area square miles | 60.17 |

Formal Reconsideration Since Change: The Citizens Government Review Committee concluded, in a final report dated May 20, 2014, "the City Manager form of government is alive and working well in Topeka." The report noted the committee was most impressed by the lack of antagonism in the government and community. The 57-page document is available here: <http://www.topeka.org/pdfs/FinalReport052014.pdf>.

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City of Spokane, Washington (Population 212,052)

Form of Governance: Strong Mayor

The City government has two branches: executive and legislative. The Mayor is the head of the executive branch. The Council is composed of seven elected district representatives – two each from three districts and the Council President elected citywide.

Annual Budget: \$810 million
Employees: 1,926

Change: Spokane voters approved the change from Council-Manager to Strong Mayor form of governance in 1999.

Basis for Change: A failed development plan and high-profile personnel problems led Spokane residents to believe there was a need for a single leader. Attorney Steve Eugster, who helped draft the Strong Mayor proposal, explained to local media: “My expectation was that a strong leader would emerge from the people of Spokane and with that leadership, some major events would take place and the community would evolve.”

Function of Mayor: The Mayor is the chief executive officer, with a cabinet of department directors, exercising authority over all operations of the City. Five percent of positions in City government are mayoral appointments, some subject to City Council approval.

Department Heads: Department heads are appointed by the Mayor with the City Council’s approval, except for the City Administrator, who is unilaterally appointed by the Mayor.

Demographics:

| | |
|-----------------------------|----------|
| Median household income | \$42,092 |
| Persons per household | 2.32 |
| Persons below poverty level | 19.2% |
| Land area square miles | 59.25 |

Formal Reconsideration Since Change: None

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City of Cedar Rapids, Iowa (Population 129,195)

Form of Governance: County Manager

The City Council appoints a City Manager to carry out the policies it establishes and to oversee the day-to-day administrative operations of City government. The City Manager is also responsible for preparing the budget and hiring and firing personnel. Each City department is managed by a department director, who reports to the City Manager.

Annual Budget: \$114 million

Employees: 1,309

Change: From 1908 to 2005, Cedar Rapids used the city commission form of government. It was one of the few larger American cities remaining to operate under this model. Under this form of government, the legislative body was made up of a Public Safety Commissioner, a Streets Commissioner, a Finance Commissioner, a Parks Commissioner, and a Mayor. These elected officials worked on a full-time basis, served two-year terms, and were considered department heads. In 2005, 69 percent of voters approved the change to County Manager form of governance.

Basis for Change: The Cedar Rapids Area Chamber of Commerce spearheaded a movement to change from the commission form of government.

Function of Mayor: The Mayor is recognized as the political head of the municipality, but is a member of the legislative body and does not have the power to veto legislative actions.

Department Heads: The City Manager hires and fires department heads.

Demographics:

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|-----------------------------|----------|
| Median household income | \$52,216 |
| Persons per household | 2.35 |
| Persons below poverty level | 11.8% |
| Land area square miles | 70.80 |

Formal Reconsideration Since Change: The Charter Review Commission decided, as documented in a final report dated August 9, 2011, to not change the City's form of governance. The 37-page document is available on the Charter Review Commission's website at <http://www.cedar-rapids.org/>.

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City of San Diego, California (Population 1,381,069)

Form of Governance: Strong Mayor

The City Council is composed of eight members elected from eight districts. The Council appoints an Independent Budget Analyst to review and provide budget information to the Council, independent from the Mayor.

The Council establishes its own rules, elects a presiding officer, establishes committees, and sets the legislative agenda for the City, including establishing procedures for docketing matters in open session. The Mayor, City Attorney, and presiding officer of the Council jointly set the agenda for closed session meetings, and, when present, the Mayor presides over those meetings, but the Mayor has no right to vote.

The Mayor appoints the City Manager with Council confirmation. The City Manager serves at the pleasure of the Mayor. The Mayor appoints the City Auditor and Comptroller, Police Chief, and Fire Chief, subject to Council confirmation. All other managerial department heads formerly under the City Manager are appointed by the Mayor and serve at the pleasure of the Mayor. The Mayor appoints all other members of City Boards and Commissions, subject to Council confirmation.

Annual Budget: \$3.01 billion

Employees: 19,500

Change: In 1931, the City Charter established a Council-Manager form of governance. After a vote in 2004, on January 1, 2006, the City of San Diego changed to a Strong Mayor form on a five-year trial basis. (The voters have since made the change permanent, as noted below.)

Basis for Change: An incumbent Mayor in 2004, seeking more responsibility for the position, led an effort to amend the City Charter.

Function of Mayor: The Mayor is the City's chief executive officer. The Mayor has the authority to give direction to all City officers and employees, except those in departments and offices recognized in the City Charter as being independent, such as the Council offices, City Attorney, and Ethics Commission. The Mayor retains the power to veto those resolutions and ordinances adopted by the Council establishing policy. The veto power does not extend to matters of internal governance of the Council or to the application of existing municipal rules to specific decisions of the Council, such as the issuance of land use permits. The Mayor is responsible for preparing the annual budget for the Council's consideration and adoption.

Demographics:

| | |
|-----------------------------|----------|
| Median household income | \$65,753 |
| Persons per household | 2.72 |
| Persons below poverty level | 15.8% |
| Land area square miles | 325.19 |

Formal Reconsideration Since Change: Voters made the Strong Mayor form permanent on June 8, 2010.

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Luzerne County, Pennsylvania (Population 318,829)

Form of Governance: County Manager

The County Council is composed of 11 part-time, at-large members. The County Council appoints a full-time County Manager to run the executive branch of the government.

Annual Budget: \$267 million
Employees: 1,500

Change: A new County Charter approving the County Manager form was approved by a margin of 55 percent to 45 percent in 2010. Previously, all legislative and executive power was vested in a three-person County Commission.

Basis for Change: Advocates for a County Manager form argued that the County Commission structure was to blame for corruption and wasteful spending.

Function of Mayor: N/A

Demographics:

| | |
|-----------------------------|----------|
| Median household income | \$45,118 |
| Persons per household | 2.38 |
| Persons below poverty level | 15.8% |
| Land area square miles | 890.33 |

Formal Reconsideration Since Change: None

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City of Federal Way, Washington (Population 93,425)

Form of Governance: Strong Mayor

The Council is composed of seven at-large members who serve for staggered four-year terms with no term limits. The Mayor is elected for a three-year term.

Annual Budget: \$65 million
Employees: 470

Change: By a margin of 52 percent to 48 percent, the public voted to approve a Strong Mayor system in 2009. The City had used the Council-Manager form since incorporation in 1990.

Basis for Change: The change to a Strong Mayor was prompted by a citizen who lost a land dispute with the City and wanted more accountability from the local government.

Function of Mayor: The Mayor serves as the City's chief executive and appoints a Chief Administrator (subject to confirmation by the City Council) who manages all City departments. The Mayor also directs the City's efforts for economic development, intergovernmental relations, media relations, and community relations. The Mayor's office provides the City Council with a complete financial plan for all City funds and activities through the preparation and administration of the biennial budget and capital improvement plan.

Department Heads: The Mayor appoints department heads, subject to City Council approval.

Demographics:

| | |
|-----------------------------|----------|
| Median household income | \$55,872 |
| Persons per household | 2.67 |
| Persons below poverty level | 16.2% |
| Land area square miles | 22.26 |

Formal Reconsideration Since Change: None

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City of Colorado Springs, Colorado (Population 445,830)

Form of Governance: Strong Mayor

The City Council has nine members from six equally populated districts and three members who are elected at-large.

Annual Budget: \$444 million
Employees: 2,222

Change: The Strong Mayor form was approved in 2010. The City had used the Council-Manager form since 1920.

Basis for Change: The Citizens for Accountable Leadership advocated for the change to a Strong Mayor government, offering this argument:

The mayor will better represent our city to other levels of government and will better assist in economic development activities for our community's prosperity. The system will improve our ability to respond to challenges and opportunities. Voters will have the ability to hold a single leader accountable for implementing the vision they voted for.

Function of Mayor: The Mayor is the chief executive and holds a full-time position. The Mayor maintains a strategic plan; controls the City's revenues; appoints the Chief of Staff (the City's top administrative official), the City Attorney, Municipal Judges, and department heads; and signs or vetoes ordinances.

Demographics:

| | |
|-----------------------------|----------|
| Median household income | \$54,228 |
| Persons per household | 2.51 |
| Persons below poverty level | 13.9% |
| Land area square miles | 194.54 |

Formal Reconsideration Since Change: The City Council has noted the Charter amendment establishing the Strong Mayor form was flawed because it contained technical and structural errors. Press accounts say it could take 2-3 years to correct the errors.

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City of Richmond, Virginia (Population 217,853)

Form of Governance: Strong Mayor

Richmond has an elected Mayor and City Council. City Councilmembers are elected from nine districts and serve in a legislative and oversight capacity. The popularly elected, at-large Mayor serves as head of the executive branch. The Council is responsible for creating and amending local laws, providing policy and government oversight, appointing members to boards and commissions, and approving the annual budget.

Annual Budget: \$1.4 billion
Employees: 3,862

Change: Based on a 2003 vote, Richmond's government changed from a Council-Manager form of governance, which it had used since 1948, to a Strong Mayor form.

Basis for Change: According to press accounts, the public perceived the City government had become corrupt and dysfunctional under the Council-Manager system. The referendum to establish a Strong Mayor form was approved by 80 percent of the electorate.

Function of Mayor: The Mayor directs the Chief Administrative Officer, who is appointed by the Mayor, with approval by the City Council. The Chief Administrative Officer serves at the will of the Mayor.

Department Heads: The Chief Administrative Officer hires department heads.

Demographics:

| | |
|-----------------------------|----------|
| Median household income | \$40,496 |
| Persons per household | 2.33 |
| Persons below poverty level | 25.6% |
| Land area square miles | 62.5 |

Formal Reconsideration Since Change: The 2008-2009 City Charter Review Commission decided to retain the Strong Mayor of governance and noted the City was benefitting "from the spirit of cooperation between Mayor and Council that now pervades City Hall."